

ROY CITY PLANNING COMMISSION

April 10, 2007

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on April 10 2007, at 6:00 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Bill Merx, Chairman	Mark Larson, Planner
Doug Allred	Michelle Drago, Secretary
Dave Collins	
Brad Hilton	
Gennie Kirch	
Tom Stonehocker	
Karlene Yeoman	

Pledge of Allegiance: Brad Hilton

Others present were: John Montgomery; Kasey Galloway; Zack Hilton; Cloy Child; Bert Visser; and Ray Page.

The Planning Commission welcomed new member Tom Stonehocker.

1. APPROVAL OF MARCH 27, 2007, MINUTES

**Commissioner Allred moved to approve the minutes of March 27, 2007, as corrected. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.**

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT AND SITE PLAN FOR A DRIVE-THROUGH WINDOW LOCATED AT APPROXIMATELY 1952 WEST 5600 SOUTH AND SITE PLAN APPROVAL OF A RETAIL BUILDING LOCATED AT APPROXIMATELY 1964 WEST 5600 SOUTH

Chairman Merx excused himself from this discussion due to a conflict of interest.

**Commissioner Kirch moved to open the public hearing at 6:06 p.m. Commissioner Hilton seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.**

Mark Larson stated that the site under consideration was located at 1952 and 1964 West 5600 South in front of Ben Franklin. The site consisted of three separate parcels containing an empty lot and the old Washington Mutual Bank. The proposal submitted to the City contained two pads. Pad A was 6,000 square feet of in-line retail space; Pad B was a 2,800 square foot restaurant with a drive-through window. The proponents were requesting approval of a site plan for both pads and a conditional use permit for the drive-through window. Parking and access would be in-common with the Roy Crossing Retail Center. There would be 12 parking spaces in front of Pad A. There were 14 stalls on Pad B.

Commissioner Allred questioned whether the three parcels were actually part of the Roy Crossing Retail Center. There were conflicting statements in the proponents' proposal. Mark Larson stated that the buildings in Roy Retail Crossing were owned separately from the land. The three parcels in question were completely owned by Tom Hulbert, the developer of Roy Crossing Retail Center.

John Montgomery, representing Tom Hulbert, stated that they had a ground lease for the Roy Retail Crossing Center. They owned the three parcels under consideration outright.

Commissioner Allred was concerned about the cross access easements if the Retail Center was owned separately from the parcels. John Montgomery said they controlled the parking lot. There would be cross access easements in place.

Mark Larson stated that the site contained a 28-foot access onto 5600 South. UDOT had given preliminary approval for the access. There would be landscaping in front of each pad. The site would be constructed in phases. Pad A would be completed in Phase 1; Pad B would be done in Phase 2. The proponents were seeking approval of both phases at the same time. The site plan indicated that the drive-through had room to stack at least three cars as required by the City's ordinances.

Mr. Larson said the City Engineer's comments had been incorporated into the site plan. There wasn't a concern about surface drainage because of the existing storm drain which drained to both 5600 South and 2000 West. The only concern left to address was the verification of the existing utilities in the field. A camera would be put through the lines to determine their condition.

John Montgomery stated that the exterior colors would match the east half of Roy Crossing. Mark Larson said building elevations showed a CMU base, red brick and brown stucco walls with a metal roof cap and canopy.

Commissioner Collins asked about lighting. Mark Larson said there would be lights on the walls of the building. The lighting would be directed down. Commissioner Collins asked if the lighting would be all night. John Montgomery said the lighting would match that in the rest of the development. Mark Larson said there wasn't an adjoining residential use. Lighting would be for security purposes. Commissioner Collins asked how the signage above the awnings would be lit. Mark Larson said it would be lit from the inside. John Montgomery said that would keep the light from bleeding out.

Commissioner Yeoman was concerned about left-hand turn movements from the 5600 South access. Mark Larson said restriction of turn movements on 5600 South was at UDOT's discretion. John Montgomery said UDOT had talked about a right in and right out only and asked them to submit a traffic study.

Mark Larson stated that the site plan showed a monument sign on Pad A. A sign was not shown on Pad B. Commissioner Allred heartily endorsed the monument sign. John Montgomery said there would be five spaces on the monument sign; four for Pad A and one for Pad B.

Commissioner Kirch stated that in the past, the parking west of Ben Franklin had not been cleaned up. John Montgomery said the west parking lot seemed to collect a lot of trash. They contracted with a company to clean the parking lot twice a month. Commissioner Kirch suggested an additional trash receptacle for foot traffic.

John Montgomery stated that they had demolished the old Marley's Bar at 1964 West 5600 South and planned to demolish the bank at 1952 West 5600 South. The demolished building space amounted to 12,232 square feet of building space. It was being replaced by 8,800 square feet of building space, which was a 28% reduction, and 16% of landscaping. The amount of overall parking was only reduced by 4%. It was necessary to phase the project because a dentist currently occupying space in the bank would be a tenant in Pad A. The bank on Pad B could not be demolished until the dentist moved. As soon as the dentist was out, the bank would be torn down and Phase 2 would be started.

Commissioner Yeoman was concerned about foot traffic from the parking on the north side of Pad B walking through the landscaping and the drive-through lane. John Montgomery felt that parking would be used by Ben Franklin's patrons.

John Montgomery stated that Pad A would have four lease spaces. Pad B would be a 'fast casual' restaurant. Commissioner Allred asked if they had a tenant for Pad B. John Montgomery said they did not.

Commissioner Kirch asked if the utilities would be underground. John Montgomery said they would.

Commissioner Yeoman was concerned about limited parking for Pad A. John Montgomery felt the site's limitations would dictate what type of tenants would be attracted.

Mark Larson stated that the proponents wanted to put a sign on Pad B, it needed to be added to the site plan before it was considered by the City Council.

Commissioner Collins asked if it would be a problem if a tenant wanted to lease more than one space in Pad A. Mark Larson said the staff could review and approve any interior changes as long as the exterior of the building and the site improvements didn't change.

Chairman Merx asked if there were any comments from the audience. There were none.

Commissioner Allred encouraged the proponents to incorporate the City's beautification plans into the site plan.

John Montgomery responded to questions about upgrading the exterior of Ben Franklin's. John Montgomery stated that Ben Franklin's current lease would expire in July 2009. If the new lease rate was sufficient, the exterior facade would be upgraded.

**Commissioner Kirch moved to close the public hearing at 6:41 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.**

**Commissioner Allred moved to approve the site plans for 1952 and 1964 West 5600 South and to recommend that the City Council approve**

a conditional use permit for a drive through window located at approximately 1952 West 5600 South based on the findings of the City Engineer and the Development Review staff and subject to a second monument sign being shown on Pad B, that the sidewalk improvements along 5600 South comply with the City's beautification guidelines, and that the existing utilities be verified. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

3. A. CONSIDERATION OF A CONDITIONAL USE PERMIT AND SITE PLAN FOR A COMMUTER RAIL STATION PARKING LOT LOCATED AT APPROXIMATELY 4155 SOUTH 2400 WEST
- B. CONSIDERATION OF PRELIMINARY APPROVAL OF ROY STATION SUBDIVISION

Commissioner Hilton moved to table consideration of a conditional use permit and site plan for a commuter rail station parking lot located at approximately 4155 South 2400 West and preliminary approval of the Roy Station Subdivision until UTA had addressed the concerns of the Planning Commission. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

4. OTHER BUSINESS

Commissioner Yeoman expressed concern about the lack of a turn lane on 4000 South to access the rail station.

Mark Larson stated that the annual Planning Commission/City Council dinner was tentatively scheduled for May 10<sup>th</sup>.

5. ADJOURN

Commissioner Hilton moved to adjourn at 6:57 p.m. Commissioner Kirch seconded the motion.

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Bill Merx  
Chairman

Attest:

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Michelle Drago  
Secretary

dc:papr1007