

ROY CITY PLANNING COMMISSION

June 12, 2007

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on June 12, 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	Tony Reynolds, Community
Brad Hilton	Services Director
Gennie Kirch	Mark Larson, Planner
Tom Stonehocker	Michelle Drago, Secretary

Excused: Doug Allred, Dave Collins, and Karlene Yeoman

Others present were: Don Ashby; Kaleb Ashby; Isaac Ashby; Lewis Child; Elaine Child; Nathaniel Stoddard; and LaJean Call;

Pledge of Allegiance: Brad Hilton

1. APPROVAL OF MAY 22, 2007, MINUTES

Commissioner Hilton moved to approve the minutes of May 22, 2007, as corrected. Commissioner Kirch seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT AND SITE PLAN FOR A MULTI-FAMILY DWELLINGS LOCATED AT APPROXIMATELY 5633 SOUTH 2700 WEST AND A PRELIMINARY SUBDIVISION PLAN FOR EAGLE POINT TOWN HOMES LOCATED AT APPROXIMATELY 5633 SOUTH 2700 WEST

Commissioner Stonehocker moved to open the public hearing to consider a conditional use permit at 6:09 p.m. Commissioner Kirch seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Commissioner Stonehocker moved to open the public hearing to consider a preliminary subdivision plan at 6:09 p.m. Commissioner

Hilton seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Mark Larson stated that the property in question was located on the southwest corner of 5600 South 2700 West. There were two different items under consideration: A conditional use permit for multi-family dwellings and a preliminary subdivision plan for Eagle Point Townhomes. The property was currently zoned R-3, which was a multi-family zone. An RE-20 Zone was located immediately to the south. Mr. Larson said the site only had .95 acres. The meant it was limited to 11 units, rather than the 12 units per acre allowed by the Zoning Ordinance. There were currently three existing approaches to the site along 2700 West because it was originally three separate properties prior to the construction of the overpass. There was only curb and gutter on 2700 West, but curb, gutter, and sidewalk on 5600 South, as well as a turning lane and a traffic light. Mr. Larson indicated that from the east side of the site to the west, there was about an 8-foot drop. There was a large amount of trees along the west and south sides.

Mr. Larson said the project was being proposed by Lane Fishburn, who recently developed the County Meadows Condominiums on 6000 South. The proposed site plan showed two fourplexes and one triplex. The project would have one 25-foot ingress/egress toward the south end, as far from the 2700 West 5600 South intersection as possible. The ingress led to a T-shaped (hammer head) private road. The hammer head provided emergency access and eliminated the need for a cul-de-sac at the north end. Each unit would have a two-car garage, which satisfied the requirement for two parking spaces per unit. The site plan also showed six guest parking spaces. The Fire Marshal was concerned that residents would park on the private road and block the fire lane. The road had to remain unimpeded 24 hours a day. The staff recommended that the curbs be painted red and that the project be signed. A dumpster was shown at the north end of the road. It would be enclosed in a block structure with vinyl gates. The project included installation of sidewalk along 2700 West. There would also be an interior sidewalk that would wind through the project from 2700 West to 5600 South. A rock retaining wall was proposed along the northeast corner. There was an existing 4-foot chain link fence along the south property line. The proponent would have to work with the adjoining property owner to determine whether to leave the existing trees or remove them. The Zoning Ordinance required the installation of a 6-foot fence along the UTA right-of-way, which was planned for a future walking trail. The detention basin

proposed on the northwest corner was designed for a 100-year storm with spill over into the storm drain system on 5600 South. However, in order to get to 5600 South an easement was needed to cross the UTA right-of-way. The proponent had spoken with UTA. UTA was waiting for Roy City to approve the site plan before granting the easement. The easement issue would be resolved prior to final approval.

Mr. Larson said the elevations of the Eagle Point project were similar to those of the Country Meadows project. There would be a natural rock base around the entire unit. All of the units would face into the project rather than the street. The DRC encouraged Mr. Fishburn to break up the rear elevation of the units along 2700 West by staggering the units and adding overhangs above the doors and other architectural elements to give the units some dimension. There was room to stagger the units in the front as well. Mr. Fishburn proposed installing a 4-foot fence along 2700 West.

Mr. Larson said the Development Review Committee suggested:

1. That the dumpster be relocated from the north end of the site to the west side for better access and aesthetics;
2. Maintenance of open fire lane by through installation of signs and red curbs;
3. The corner radius needed to be increased to 28 feet;
4. Acquisition of easement on UTA property;
5. Fencing the west right-of-way and the south side;
6. Improvement of the aesthetic appearance along 2700 West.

Commissioner Kirch asked if 2700 West in front of this project was signed for 'no parking.' Mr. Larson said it was because of the proximity to the intersection. The curbs were actually painted red. Commissioner Kirch felt guests to the project would want to park on the street.

Commissioner Kirch asked if the CC&R's addressed cable TV and satellite dishes. Mark Larson said the CC&R's were similar to those in Country Meadows.

Commissioner Kirch stated that children cut through this vacant corner to get to school. She suggested a 6-foot vinyl fence along the UTA right-of-way. She felt relocating the dumpster would prevent kids from jumping into it.

Commissioner Hilton asked if UDOT had any stipulations regarding the ingress. Mark Larson said they did not. However, the further

away from the intersection the better. Commissioner Hilton asked if the slope of the ingress would cause problems. Mark Larson said the grade would have to meet engineering standards. Lane Fishburn stated that the grade of the entrance was less than 8%. They would make it as minimal as possible.

Commissioner Kirch asked if the four parking stalls east of the private drive could be shifted to increase the radius to 28 feet. Mark Larson said they could not because they couldn't encroach into the 25-foot front yard setback on 2700 West.

Commissioner Kirch reiterated that these would be homes, not rentals. Mark Larson said these were condominium units. They had to be owner-occupied for a certain number of years before they could be rented.

Commissioner Hilton was concerned that moving the dumpster could affect two adjacent guest parking spaces. Commissioner Kirch suggested putting additional parking along the north side. Mark Larson felt the slope might make additional parking questionable.

Chairman Merx asked if the site currently sloped to the southwest corner. Mark Larson said it did. Chairman Merx asked how the proponent proposed to get water to go uphill to the detention basin. Mark Larson said the site was designed with a swale to drain the water away from the buildings. Chairman Merx suggested moving the detention basin to the middle or south side of the site. Lane Fishburn said that was where they originally had the detention basin, and the City Engineer moved it.

Lane Fishburn liked the idea of moving the dumpster and adding additional parking. In accordance with the R-3 Code and the City's ordinances, the proposed site exceeded the required parking. The slope had a 6% to 8% grade. They would not exceed the maximum slope of 12% approved by the Utah Geological Division.

Commissioner Kirch suggested that the CC&R's specify where the satellite dishes could be located. Mr. Fishburn asked why the Planning Commission was concerned about satellite dishes. Commissioner Kirch said it had become an emergent issue.

Chairman Merx was not crazy about the 4-foot fence proposed along 2700 West. Mr. Fishburn said he wasn't crazy about it either, but they wanted to break up the monotony along 2700 West. They planned to put up a slatted, vinyl fence. A slatted fence wouldn't be a target for taggers or be destroyed by wind. Chairman Merx

suggested shrubs instead of a fence. Mr. Fishburn was concerned that in a few years, the shrubs would become neglect.

Commissioner Kirch stated that there was a formidable amount of foot traffic in this area from school children. She was concerned about children cutting across this site. She felt a fence along 2700 West would help deter kids. She didn't feel shrubs would be enough of a deterrent. Shrubs also collected debris. Chairman Merx was concerned about having a tall fence next to the sidewalk. Mark Larson indicated that the fence could only be 4-foot in height, not 6 feet.

Commissioner Kirch asked about the fence on the south property line. Lane Fishburn was reluctant to take out any existing trees. Nate Stoddard, 5649 South 2700 West, stated that the chain link along the south property line fence went right through some of the trees. Most of the trees were diseased. He would rather see the trees removed and have a 6-foot privacy fence. Tony Reynolds stated that a fence did not have to be on a property line. The fence could go around the trees. Nate Stoddard said the existing trees were a nuisance. Lane Fishburn said it sounded like the trees needed to go. He was okay with that.

Lane Fishburn said he would be happy to stagger the units.

Chairman Merx opened the floor for public comments.

Lewis Child, 5710 South 2700 West, felt there was a potential traffic problem with the site. Those leaving the site would have to cross the left turn lane on 2700 West. He asked the Planning Commission and proponent to do whatever they could to make the units attractive from 2700 West.

Commissioner Kirch asked where the mail boxes would be located. Lane Fishburn said they would be near the two parking stalls on the west side of the site.

Lane Fishburn didn't feel requiring overhangs over the back doors would achieve anything aesthetically. Because of the slope, the awnings would be below the line of sight.

Commissioner Hilton moved to close the hearing to consider a preliminary subdivision at 6:56 p.m. Commissioner Kirch seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Commissioner Hilton moved to close the public hearing to consider a conditional use permit at 6:56 p.m. Commissioner Kirch seconded the motion. Commission members Hilton, Kirch, Merx, Stonehocker, and voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve a conditional use permit and site plan for multi-family dwellings located at approximately 5633 South 2700 West based on the staff's findings and subject to the conditions recommended by the staff; that the dumpster be relocated if possible; that all of the units be staggered in the front and the back; that the curb radius be increased to 28 feet; that the UTA easement be acquired prior to final approval; that a 6-foot chain link fence be required along the west property line; that a 6-foot opaque fence be required along the south property line; that a 4-foot fence be installed along 2700 West; and that the need for a fence on 5600 South be determined by the proponent at a later day. Councilman Stonehocker seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

The staff indicated that an opaque fence was one you couldn't see through.

Commissioner Kirch moved to recommend that the City Council approve a preliminary subdivision plat for the Eagle Point Townhomes, located at approximately 5600 South 2700 West based on the staff's findings and subject to the recommendations of the staff. Commissioner Hilton seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Mark Larson stated that the staff had received a phone call from Don Gatherum, a nearby property owner. Mr. Gatherum was concerned about the project. He wanted to see the trees taken down.

3. OTHER BUSINESS

Tony Reynolds updated the Planning Commission on the schedule for remodeling the municipal building. Construction on the court section would begin on June 13th and the administrative offices on September 27th. Beginning in October, the City Council and Planning Commission would begin holding meetings in the court room. The entire project would hopefully be finished on December 14th.

Commissioner Kirch stated that Westergards had suggested that the City extend the small park on 5600 South across the street to the south. Commissioner Hilton said the City could extend the park all the way to 6000 South. That might be a good way to utilize the power corridor.

Commissioner Kirch asked about a home for sale on the south side of 4000 South just east of Midland Drive. Tony Reynolds said the home itself was for sale, not the land.

There was discussion about the Walmart project at 4000 South Midland Drive.

Commissioner Kirch asked about the Kapp Auto expansion. She suggested that the ordinance be amended to allow auto sale as permitted use on major arterial roads, such as 1900 West and 3500 West. Tony Reynolds said the way arterial roads was defined by the City would include roads like 4800 South. However, the City could limit the use to specific roads. The City could initiate the zone change or wait for Kapp Auto.

Commissioner Hilton asked about the 'temporary buildings' at Glamour Glaze. Mark Larson said the Code Enforcement Office had spoken with them. He thought one of the buildings had been removed. The staff would check on it.

Commissioner Kirch asked that the Code Enforcement Office look at the smoke shop at approximately 5975 South 1900 West. Signs were painted all over the building and windows in very bright colors.

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4. ADJOURN

Commissioner Kirch moved to adjourn at 7:25 p.m. Commissioner Hilton seconded the motion. Commission members Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:pjun1207