

ROY CITY PLANNING COMMISSION

June 26, 2007

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on DATE, 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	

Others present were: Scott Berry; Kevin Ciampini; Brent Nelson; Rich Bott; Jim Quarles; and Josh Rosenhoover.

Pledge of Allegiance: Gennie Kirch

1. APPROVAL OF JUNE 12, 2007, MINUTES

Commissioner Kirch moved to approve the minutes of June 12, 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 PETITION TO REZONE APPROXIMATELY 1.67 ACRES LOCATED AT APPROXIMATELY 3880 SOUTH MIDLAND DRIVE

Commissioner Allred moved to open the public hearing at 6:05 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Mark Larson stated that the City had received a request from R. B. Willey to rezone approximately 1.67 acres located at approximately 3880 South Midland Drive from R-3 to Community Commercial. The property in question was located on the east side of Midland Drive. A City retention basin and the Vickie Hall property were located immediately to the south. Both were recently rezoned to Community

Commercial. The Future Land Use Map was recently changed to show a commercial use along the east side of Midland Drive. Mr. Willey's request was in compliance with the General Plan.

Commissioner Kirch asked if there was a development being proposed on this property. Mark Larson said there wasn't. The new Zoning Ordinance did not require a development plan to be filed along with a rezone petition.

The Planning Commission noted that the proponent was not present.

Chairman Merx opened the floor for public comments. There were none.

Commissioner Hilton moved to close the public hearing at 6:09 p.m. Commissioner Collins seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Commissioner Kirch felt the request was straight forward. The Planning Commission had expected Mr. Willey's petition after his comments during the hearing to rezone Vickie Hall's property.

Commissioner Hilton moved to recommend that the City Council approve a petition to rezone approximately 1.67 acres located at approximately 3880 South Midland Drive from an R-3 designation to a Community Commercial designation based on the findings listed in the staff report. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER A PRELIMINARY SUBDIVISION PLAN FOR ROY HOMESTEAD SUBDIVISION LOCATED AT APPROXIMATELY 6000 SOUTH 3100 WEST

Commissioner Kirch moved to open the public hearing at 6:11 p.m. Commissioner Collins seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Mark Larson stated that the City had received a request for approval of a subdivision located on 6000 South between 3100 West and 3500 West. The Weber/Davis County line ran along the south side of the subdivision. The entire area contained about 28 acres. The developer had reserved the first 500 feet east of 3500 West for future commercial development. The curb, gutter, and sidewalk around the future commercial area would be installed when commercial development occurred. The residential subdivision was zoned R-1-15 and contained 33 lots. The lots ranged in size from 15,030 to 41,248 square feet.

Mr. Larson stated that there were three power corridors running north and south through the subdivision. Originally, lots were shown under the west corridor. They were taken out because Rocky Mountain Power wanted to purchase the entire corridor. The developer would be required to install curb, gutter, and sidewalk in front of the Rocky Mountain property. Lots were planned under the other two corridors. Those lots would be restricted. The existing church and the power corridor divided the subdivision. Streets in both halves of the subdivision lined up with existing streets on the north side of 6000 South. The future commercial area and the Rocky Mountain Power property would have to be identified as lots within the subdivision because they were part of the original parcel.

Commissioner Collins asked who would maintain the undeveloped land. Mark Larson said that would be the responsibility of the property owner.

Mark Larson stated that the Roy subdivision was part of a larger development that extended into Clinton. He showed the Planning Commission an overall plan that showed how the two subdivisions would work together.

Commissioner Yeoman asked how large the lots in Clinton would be. Mark Larson said the residential portion in Clinton was zoned

R-1-15 so the lots would be around 15,000 square feet. He thought Clinton did some lot averaging. Clinton City would require the developer to have a development agreement.

Mark Larson stated that Clinton City's required street lights were more decorative than those required in Roy. The City wanted the developer to match the lights in Roy to those in the Clinton portion of the development. If the Roy and Clinton subdivisions were not developed together, temporary cul-de-sacs would be required at the end of the three stub streets. Mr. Larson said that Lot Nos. 1 through 9 had double frontages. The Zoning Ordinance did not allow double frontage lots. The developer proposed to mitigate the double frontage issue with a 6-foot fence and landscaping. Along 6000 South and 3100 West there would be the 4½ foot park strip, a 4 foot sidewalk, 6 feet of landscaping (including the 1 foot between the sidewalk and property line), and then the 6 foot vinyl fence.

Commissioner Yeoman asked if the homeowners' association would take care of the landscaping along 3100 West and 6000 South. Mr. Larson said it would.

Commissioner Collins asked if the City still had an ordinance prohibiting double frontage access. Mr. Larson said it did.

Mark Larson stated that the City Engineer's comments were listed in the staff report.

Commissioner Allred asked how high the fence would be on the double frontage lots. Mr. Larson said it would be 6 feet. Commissioner Allred was concerned about the sight line on the intersections. Mark Larson said there was an ordinance requiring sight triangles on corner lots. The developer would have to take into consideration the sight triangle required on corner lots at the intersections.

Commissioner Collins stated that there was a subdivision along 5600 South with double frontage lots that were mitigated with a fence. Trees were incorporated into the fence design. However, those trees were not maintained. He was concerned that the landscaping in this subdivision would not be maintained. Mark Larson said that subdivision did not have a homeowners' association.

Commissioner Hilton asked about signage. Mark Larson said the developers hadn't proposed any signage. Brent Nelson, H & B

Ventures, liked the idea of incorporating a sign into the landscaping to introduce the subdivision.

Commissioner Collins asked if there would be a model home. Brent Nelson said there would be. Commissioner Collins said the Zoning Ordinance required a model home to be converted back into a residence when the last lot was sold. With the overall development extending into Clinton, the staff might want to review that ordinance.

Mark Larson said the developers planned to match the covenants from city to city.

Chairman Merx asked if there would be two separate homeowners' associations. Brent Nelson said there would be. They planned to duplicate the rules for both subdivisions as much as possible, but the projects would be separate.

Rich Bott, H & B Ventures, stated that they planned to do everything to make the two projects consistent.

Mark Larson asked if the Clinton and Roy subdivisions would be developed simultaneously. Brent Nelson stated there was over 200 acres between the two cities. They were starting immediately with 40 acres in Clinton. They would start the Roy parcel in the fall. There would be some commercial along 3500 West/2000 West. They wanted to layout the overall development carefully so that if they brought in other builders, they would have to follow the same rules.

Commissioner Hilton stated that the engineer was concerned about storm water from Clinton draining into Roy. Roy City's storm drains were not designed to handle run off from Clinton. Brent Nelson said they were trying to keep all of the utilities separate. There was a portion of the development west of 3500 West/2000 West that would drain from Clinton into Roy. Commissioner Hilton suggested that they let the City Engineer aware of that.

Commissioner Kirch reiterated that no large animals would be allowed on these lots. Brent Nelson said there would not be animals. Their market studies showed corrals on half to acre horse property became standing pens and invited things they didn't want in their subdivision.

Mark Larson asked if the Roy subdivision would be phased. Rich Bott said all thirty-three lots would be done in one phase.

Commissioner Collins was concerned about maintenance of weeds, especially on the power corridor. He wanted to make sure someone was responsible. Brent Nelson said they had discussed maintenance with Rocky Mountain Power. Rocky Mountain said they would maintain the corridor.

Commissioner Kirch commented about how Lot No. 22 extended behind the church. Mark Larson said the developer had contacted the church about buying a portion of that lot. A lot line adjustment could be done in the future if necessary.

Chairman Merx opened the floor for public comments.

Josh Rosenhoover, 3330 West 6000 South, asked when the development would begin. The Planning Commission said the Roy portion would be started in the fall. Mr. Rosenhoover was concerned about how the subdivision would affect traffic on 6000 South. Commission Hilton said the traffic would increase. Mr. Rosenhoover asked about plans for the future commercial area. The Planning Commission indicated that nothing was being proposed at this time. The City was hoping to see professional offices on that corner.

Mark Larson stated that the depth of the future commercial area matched Clinton's portion.

Jim Quarles, 3074 West 6000 South, was concerned about traffic on 6000 South as well. He asked if 3100 West would be improved. Mark Larson said 3100 West would have curb, gutter, and sidewalk. The developer would also improve 6000 South. Mr. Quarles asked if the homes in this subdivision would be modeled after the homes in Southfork Meadows. Brent Nelson said they would be similar in size to Southfork's model home. The homes in their subdivision would be mid-size and up with two to three-car garages. They would have stone and stucco, not aluminum siding. Mr. Quarles asked about the number of lots. Mark Larson said there would be 33 lots in Roy. Brent Nelson said the overall project would have about 193 lots.

Commissioner Collins moved to close the public hearing at 6:49 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Commissioner Allred was concerned about how the fence would affect the sight line on the 3100 West 6000 South intersection. He wanted to make sure the developer received Clinton City's agreement for

the three temporary cul-de-sacs. The fence and landscaping would add to the street scape. The double frontage lots would actually help the traffic flow.

Mark Larson stated that there were ordinances in place to make sure the intersections had the proper sight triangles. He suggested that any motion include the need for the sign and subsequent landscaping.

Commissioner Kirch moved to recommend that the City Council grant preliminary approval of the Roy Homestead Subdivision located at approximately 6000 South 3100 West based on the staff's findings and subject to the staff and engineering comments; that landscaping and fencing details be submitted; that plans be made for all intersections to have the property sight triangles; that any signage follow the appropriate ordinances; that temporary cul-de-sacs be placed at the end of the streets in Clinton, if necessary; and that the light poles match those required in the Clinton portion of the subdivision. Commissioner Collins seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

4. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR A CONTRACTOR'S OFFICE LOCATED AT APPROXIMATELY 1916 WEST 3350 SOUTH

Commissioner Yeoman moved to open the public hearing at 6:55 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 Kevin Ciampini had requested approval of a conditional use permit and a site plan for a contractor's office on Lot No. 7 of the Bingham Industrial Park, 1916 West 3350 South. There was an existing home immediately east of Lot No. 7. There was a cinder block building on the south property line. Bingham Industrial Park had been approved and improved. The entire development had 20 foot front yard setback.

Mr. Larson said the entrance to Mr. Ciampini's lot was 33 feet wide. The site contained six parking stalls. The building was located on the south side of the property. The dumpster was located on the northeast corner. There would be landscaping all around the site. There wasn't a storm drainage system in Bingham Industrial Park or secondary water. The site plan showed a detention pond in front of the proposed building. In order to comply with the Zoning Ordinance, the building would have a band of stone on all four sides. There would be two small lights on the west side of the building. The same lights would be on the north side near the windows and doors. The light fixture would allow the light to go down and to the side, but not up.

Commissioner Collins asked if there would be any storage. Mark Larson said there wouldn't be any outside storage.

Mark Larson suggested that the Planning Commission consider requiring a 6-foot visual barrier between this site and the adjacent home to the east. The Zoning Ordinance didn't require a fence unless there were opposing zone boundaries. In this case, the home was also zoned manufacturing, but he still felt a visual barrier would be good if the home ever used as a residence again. Right now it was vacant.

Chairman Merx asked if the existing home was in a manufacturing zone. Mr. Larson said it was. Chairman Merx felt whoever occupied the home could put up their own fence. Mr. Larson said the home's non-conforming use might have been lost if it had been vacant more than a year. Commissioner Collins said the staff could determine how long it had been vacant by contacting Rocky Mountain Power.

Commissioner Collins asked if there would be one business license. Mark Larson felt that question would have to be answered by the proponent.

Kevin Ciampini, Riverdale, stated that he owned All Star Construction. He built Trex decks. This building would be a storage facility. He didn't own any heavy machinery to store in the building. There would be a small office. The rest of the building would be a warehouse.

Commissioner Collins asked if anyone would reside in the building, like a night watchman. Mr. Ciampini said no one would reside in the building. He didn't plan to store anything outside the building. Commissioner Collins asked if Mr. Ciampini had read the staff and engineering comments. Mr. Ciampini said he had.

Commissioner Allred stated that the proposed light fixtures would allow light to spill out, not light down. Mr. Ciampini said he could select different fixtures that would direct the light down. Commissioner Kirch said this was a manufacturing area. There weren't any residential areas that would be affected by light going out rather than down. She felt more light might be a deterrent. Commissioner Allred felt the type of fixture proposed by Mr. Ciampini was out of place on a commercial building.

Chairman Merx opened the floor for public comments. There were none.

Commissioner Allred moved to close the public hearing at 7:10 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Commissioner Yeoman moved to recommend that the City Council approve a conditional use permit and site plan for a contractor's office and storage located at approximately 1916 West 3350 South based on the staff's findings and subject to the engineering and staff comments. Commissioner Collins seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

5. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND ROY CITY
TITLE 11 - SUBDIVISION CODE (SECTION 601)

Commissioner Hilton moved to open the public hearing at 7:11 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Mark Larson stated that Ivory Homes had requested that Section 601 of the Subdivision Ordinance be amended to allow building permits to be issued for homes in subdivisions where the required street improvements were not completed. The DRC agreed that it was best for gravel road base to sit because it allowed for better compaction. However, it was not in favor of amending the Subdivision Ordinance. When building permits were issued before street improvements were finished, homeowners became anxious to obtain Certificates of Occupancy. In some cases, homes were finished before the street. It became very difficult to provide emergency services and to explain to homeowners why they couldn't occupy their new homes. In this case, the DRC felt amending the Subdivision Ordinance created more disadvantages than advantages. Ivory Homes felt it could provide the City with a sample ordinance that would resolve its concerns, but they were unable to attend the meeting. Mr. Larson suggested that the Planning Commission take public comment and then table the matter until the next meeting.

Chairman Merx asked if Ivory Homes' concerns could be addressed in a development agreement. Mr. Larson felt an amendment would work better than a development agreement.

Commissioner Collins felt amending the Subdivision Ordinance would open a can of worms. He was opposed to the proposed amendment.

Mark Larson said the City had issued a building permit to Ivory Homes for a model home on 3100 West because the street improvements were in place for emergency services. Ivory Homes had indicated it would withdraw its amendment request if they couldn't find an ordinance the staff and Planning Commission were comfortable with.

Chairman Merx opened the floor for public comments. There were none.

Commissioner Kirch moved to close the public hearing at 7:16 p.m. Commissioner Stonehocker seconded the motion. Commission members

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Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to table consideration of an amendment to Section 601 of Title 11 until the next Planning Commission meeting. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

6. APPROVAL OF RESOLUTION NO. 907 ESTABLISHING PLANNING
COMMISSION MEETINGS FOR FY2008

The Planning Commission discussed whether to hold meetings on holidays.

Commissioner Kirch moved to approve Resolution No. 907 establishing Planning Commission meeting dates for FY2008 subject to the time before changed from 6:30 to 6:00; the date being changed from June 12 to June 26, and that the word 'no meeting' be added after July 24 and December 25. Commissioner Collins seconded the motion. A roll call vote was taken: Commission members Yeoman, Smith, Kirch, Hilton, Collins, and Merx voted "aye." Commission member Allred voted "nay." The motion carried. (Copy filed for record).

7. OTHER BUSINESS

Commissioner Hilton stated that Glamour Glaze still had not taken down the barn. Mark Larson said he would inform the Building Official about it.

Mark Larson stated that the terms for Dave Collins and Brad Hilton would expire on June 30th. They were both scheduled for reappointment.

8. ADJOURN

Commissioner Collins moved to adjourn at 7:27 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, Stonehocker, and Yeoman voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:pjun2607