

ROY CITY PLANNING COMMISSION

March 11, 2008

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on March 11 2008, 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:

Doug Allred, Chairman	Tony Reynolds, Community
Dave Collins	Services Director
Brad Hilton	Mark Larson, Planner
Gennie Kirch	Michelle Drago, Secretary
Bill Merx	
Tom Stonehocker	

Excused: Karlene Yeoman

Others present were: Brent Nelson; Rand Mattson; Cynthia Mattson; Glen Bryson; Daniel Penman; Pam Vickers; Torris Brand; Jim Quarles; LaRene Perkins; Kim Perkins; Randi Johnson; Josh Rosenhoover; Jan Rosenhoover; Will Ashworth; Kelly Barrett; and Paul Cooms.

Pledge of Allegiance: Gennie Kirch

1. APPROVAL OF FEBRUARY 26, 2008, MINUTES

Commissioner Kirch moved to approve the minutes of February 26, 2008, as corrected. Commissioner Collins seconded the motion. Commission members Allred, Collins, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

2. A. CONSIDERATION OF A GENERAL PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP AT APPROXIMATELY 3375 WEST 6000 SOUTH FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL
- B. CONSIDERATION OF A PETITION TO REZONE APPROXIMATELY 13.71 ACRES LOCATED ON THE SOUTHEAST CORNER OF 3500 WEST 6000 SOUTH FROM AN R-1-15 DESIGNATION TO A COMMUNITY COMMERCIAL DESIGNATION

Commissioner Allred asked Tony Reynolds to update the Planning Commission on the proponent's latest request.

Tony Reynolds stated that there were two ways a developer could entitle property - sequentially and concurrently. Sequentially was taking each required action separately step by step. Concurrent approval was stacking all of the information and presenting it at once. The Home Depot site was approved concurrently. Concurrent consideration was hard for the staff to process, but it was good in that it provided the Planning Commission and public more answers to their questions. Kornwasser had started to entitle the property on 6000 South 3500 West in a sequential manner. Now they were requesting that the Planning Commission continue the General Plan amendment and rezone until they submitted application for a site plan, conditional use permit and/or subdivision. At that time, the City would renotify all of the adjoining property owners within 300 feet. The Planning Commission could then review all of the items concurrently and make its recommendation to the City Council. Kornwasser had also requested that their activities at Clinton City be tabled so that consideration by both jurisdictions would be in sync. They planned to hold a neighborhood meeting on Thursday, March 13, from 6:00 to 8:00 p.m. in the Media Center at Roy Junior High School.

Mr. Reynolds stated that the staff recommended that the Planning Commission table consideration of the General Plan amendment and rezone until Kornwasser submitted a site plan, conditional use permit, and/or subdivision, and that the staff be directed to renotice the hearing.

Chairman Allred stated that the City had received an email from concerned citizens. He asked that the email be entered into the record. (Copy filed for record).

Commissioner Merx asked where Clinton was in their approval process. Tony Reynolds said that Kornwasser had been working with Clinton City on zoning for several months, but Clinton had not finished all of the zoning.

Chairman Allred stated that the Planning Commission could recommend approval of this request, recommend that this request be denied, or table it.

Commissioner Kirch moved to table consideration of a General Plan amendment to change the Future Land Use Map at approximately 3375 West 6000 South from Low Density Residential to Commercial and to table consideration of a petition to rezone approximately 13.71 acres located on the southeast corner of 6000 South 3500 West from

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an R-1-15 designation to a Community Commercial designation until the proponent, Kornwasser, made further application for concurrent consideration, and to direct the staff to provide appropriate notice to the public when these items were once again placed on the Planning Commission agenda. Commissioner Collins seconded the motion. Commission members Allred, Collins, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

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

Commissioner Stonehocker moved to open the public hearing at 6:15 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Mark Larson stated that H & B Development had requested that the Planning Commission approve a revised plan for the Roy Homestead Subdivision. The subdivision was located on the southwest corner of 6000 South 3100 West. The subdivision consisted of 21 lots. A Rocky Mountain Power corridor and LDS Church were located west of the subdivision. In July 2007, H & B Development received approval of a plan for the Roy Homestead Subdivision containing 31 lots. The original plan contained 10 lots west of the LDS Church. Due to the commercial development being proposed on the southeast corner of 6000 South 3500 West, H & B Development had removed the homes west of the church from the subdivision plan. The second modification to the subdivision plat was an alignment correction on 3100 West.

Mr. Larson said the revised plan contained 21 lots on 11.88 acres. It was zoned R-1-15. All of the lots were a minimum of 15,000 square feet; some were much larger. The Roy Homestead Subdivision was part of a much larger tract south of the Davis County line. Temporary cul-de-sacs needed to be constructed at the south end of each road unless the property to the south was developed concurrently. The temporary cul-de-sacs wouldn't be a problem because the ground to the south was owned by the proponents. Subdivision improvements included piping the large open ditch on the south side of 6000 South and widening 6000 South to its full 66 feet. The developer was being required to extend the street improvements in front of the Rocky Mountain Power corridor to meet the improvements installed by the LDS Church. Clinton City required a special type of decorative street light that the developers were installing in the Clinton portion of the development. Roy City was requiring the same lights in the Roy Homestead Subdivision for continuity. The lights would be owned and maintained by the homeowners' association. Mr. Larson said Lot Nos. 1 - 9 had double frontage. That problem had been solved by dedicating a five foot strip of land along 6000 South and 3100 West to the homeowners' association. A 6-foot vinyl fence would be

installed along the property line, and the 5 foot strip would be landscaped to the street right-of-way.

Tony Reynolds stated that the five foot landscaping strip was part of the original proposal.

Mark Larson stated that Lot Nos. 8 through 21 would be labeled with an "R" for restricted due to easements for the power corridors. The staff report included comments from the City Engineer and Roy Water Conservancy Subdistrict.

Commissioner Collins asked about the height of the monument sign on the corner of 6000 South 3100 West. Tony Reynolds said the height of the sign would have to comply with the City's ordinances.

Chairman Allred stated that it appeared the monument sign had been set back at an angle out of the clear view area and would not be a traffic problem.

Mark Larson stated that the subdivision plat itself needed to be modified to show the angle on the corner of 6000 South 3100 West. The sign had to be located outside of the 40-foot site view triangle.

Commissioner Merx stated that 3200 West would extend south into Clinton. That could create a lot of traffic. He wanted to make sure the fence on the Lot No. 9 complied with the City's ordinance regarding fence heights on corner lots. Mr. Larson agreed that the fence would have to drop from six feet in height to four feet at corner.

Commissioner Hilton arrived at 6:33 p.m.

Brent Nelson, H & B Development, stated that this was a straight forward project. He was concerned about getting permission from Jordan Valley Water to pipe the ditch along the power corridor. Tony Reynolds said the City had a good working relationship with Jordan Valley Water. Mr. Nelson stated that the subdivision would have protective covenants, which the City had an opportunity to review.

Chairman Allred opened the floor for public comments.

Glen Bryson, 3412 West 6000 South, was concerned about the corner of 6000 South 3100 West. He felt the monument sign was totally in

violation of the City's ordinances which did not allow anything higher than four feet on corner lots. This was busy corner. The clear view area needed to be maintained. A six foot monument sign would not allow drivers a clear view.

Dan Penman, 6095 South 3100 West, stated that earlier in the year the City raised the speed limit on 3100 West to 30 mph. He asked if the City would patrol this road better due to the increased traffic. He also asked if a stop sign could be placed at the 2600 West intersection in Clinton to slow the traffic down. Mr. Reynolds indicated that 2600 West was in Clinton City. It was outside of Roy City's jurisdiction.

Commissioner Kirch asked if the speed limit on 3100 West would be going down. Mr. Reynolds said it would not.

Paul Cooms, 3687 West 6000 South, asked how many lots would be built in Clinton. Mr. Larson did not know. Mr. Cooms was concerned that the landscaping strip would not be maintained by the homeowners' association. How would he know about the next hearing if he wasn't located within 300 feet? Commissioner Kirch said he could ask to be added to the City's mailing list. The City also published notices in the local newspaper and posted notices on the City's website.

Will Ashworth, 5887 South 3325 West, asked about the Rocky Mountain Power corridor. If a subdivision was located on one side and a church on the other, the corridor would not be maintained. Tony Reynolds said the staff had met with officials from Rocky Mountain Power. They indicated that actual ownership of the corridor made it easier for them to maintain it.

Glen Bryson stated that if the power corridor wasn't maintained, the City would be a lousy mess.

Chairman Allred asked what the fine for a nuisance violation would be. Tony Reynolds said fines were based on an escalating scale. The City was looking for compliance not more revenue.

Josh Rosenhoover, 3330 West 6000 South, asked if all of the traffic generated by the Clinton portion would have access through Roy City streets. Tony Reynolds said the Clinton portion had access to Clinton City streets.

Commissioner Collins moved to close the public hearing at 6:51 p.m. Commissioner Merx seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

Commissioner Merx stated that this proposal was what the Planning Commission approved last year. It did not appear that anything had changed other than the reduction of the lots.

Chairman Allred wanted to make sure that the monument sign did not block the site triangle. He asked if there was any chance the power corridor would be made a park. The staff didn't feel that was a possibility.

Commissioner Collins stated that the information provided in the staff report indicated that the monument sign was located behind the 40-foot site triangle. The developer had to comply with Roy City's ordinances.

Commissioner Merx asked about maintenance of the perimeter by the homeowners' association. Eventually all homeowners' associations became dysfunctional. If the homeowners' association was not functioning, who did the City cite? Tony Reynolds said the City could cite the property owner.

Mark Larson stated that anything located in the 40-foot site triangle could not exceed 2 ½ feet, including the landscaping.

Glen Bryson asked if the City had conducted a recent traffic study. Chairman Allred said the City usually required traffic studies with commercial developments, not residential. Mr. Reynolds said the City had recently commissioned a study of 3100 West by A Trans, but he wasn't sure what the numbers were. He would get that information to Mr. Bryson.

Commissioner Collins moved to recommend that the City Council grant preliminary approval of the revised plan for the Roy Homestead Subdivision located at approximately 3100 West 6000 South based on the staff's findings and recommendations and subject to the conditions recommended by the staff. Commissioner Kirch seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.

4. ADJOURN

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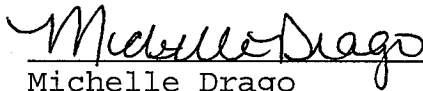
Commissioner Merx moved to adjourn at 7:03 p.m. Commissioner Stonehocker seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, and Stonehocker voted "aye." The motion carried.



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Doug Allred  
Chairman

Attest:



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Michelle Drago  
Secretary

dc:p31108