

ROY CITY PLANNING COMMISSION

January 13, 2009

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on January 13, 2009, 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:

Dave Collins, Chairman	Jared Hall, Planner
Brad Hilton	Michelle Drago, Secretary
Lee Holt	
Bill Merx	
Tom Stonehocker	
Roy Watts	
Karlene Yeoman	

Others present were: Dave Hulme; Clinton Hughes; and Clayton Sherman.

Pledge of Allegiance: Lee Holt

1. APPROVAL OF NOVEMBER 25, 2008, MINUTES

Commissioner Merx moved to approve the minutes of November 25, 2008, as written. Commissioner Stonehocker seconded the motion. Commissioner members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT TO ALLOW WAREHOUSING, DISTRIBUTION AND 24 HOUR OPERATION ON PROPERTY LOCATED AT APPROXIMATELY 1930 WEST 3350 SOUTH IN THE MANUFACTURING (M) ZONE

Commissioner Yeoman moved to open the public hearing at 6:02 p.m. Commissioner Watts seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

Jared Hall stated that this was a conditional use application for an existing site. A site plan review was not necessary. Although

the staff had reviewed the site to make sure the proposed use was appropriate. The site was located at 1930 West 3350 South in the Bingham Industrial Park, which was zoned Manufacturing. The conditional use permit was necessitated by the 24 hours of operation, not the use itself. Because of their shipping needs, the proponent needed to be able to operate 24 hours a day. The hours of operation made the business a major warehousing operation, which required a conditional use permit. The company had started in Arizona. This portion of their operation was being moved to Roy. The applicant had a pending building permit for interior remodeling. As part of the business license and building permit process, the Fire Department would conduct an extensive fire review. The staff was supportive of the hours of operation because of the way the site was situated. The lots on either side were vacant, and the site was self-contained. The staff did recommend the following conditions:

1. The applicant must meet all requirements of the City Fire Marshal and Building Official in obtaining a business license and building permit.
2. Outdoor storage (open sky) is prohibited, except for vehicles and equipment. Any additional storage units that may be added to the site in the future shall not negatively impact on-site staging, loading and unloading, and/or full ingress and egress of delivery vehicles.
3. The site will be maintained at all times in good order and condition and any changes to the site shall require a modification of this approval.

Commissioner Merx asked if operation 24 hours a day was listed in the Zoning Ordinance. Jared Hall said it was not, other than restricting a business with 24 hour operations within 300 feet of a residential zone. The Zoning Ordinance said that hours of operation were to be regular business hours, unless otherwise approved. The Zoning Ordinance did not prohibit 24 hours. The site in question was not located within 300 feet of a residential zone.

Commissioner Holt asked what would happen when there were uses on the adjoining properties. Would this site still be able to function? Jared Hall stated that when the adjoining lots developed, they would be required to meet the standards of the

development, which would be similar to the site in question. Each lot had to be an independent unit.

Commissioner Holt asked if this was a current use approval. Jared Hall stated that the site was zoned Manufacturing. The Manufacturing Zone allowed fuel and solvents as long as they met the requirements of the Fire Department. The Fire Marshal did not anticipate any problems.

Commissioner Holt stated that current economic situation might make this business target for theft. Was the site well lit? Mr. Hall said the applicant would have to address security. The subdivision itself was not well lit.

Chairman Collins asked if the conditional use permit would be affected if the proponent changed the type of materials they stored. Jared Hall said there wasn't an automatic mechanism that would let the City know about a change. The Planning Commission had discussed periodically reviewing certain types of conditional use permits. The Planning Commission could make a periodic review of the types of materials shipped in and out a condition of approval. Then the staff and Fire Department could make sure the materials were compatible with the Zoning Ordinance. A declaration of materials was part of the annual fire inspection.

Chairman Collins suggested that a list of approved materials be attached to the business license. Then the Fire Department would have something to check against.

Clinton Hughes, 5306 South 4050 West, stated that the business he was bringing to Roy had been around for 20 years. Ninety-nine percent (99%) of the products were totally biodegradable. Roy City Corporation purchased some of their products. The company had five other manufacturing plants where the product was made. The product would be brought to Roy and shipped to 13 foreign countries, including the United States. The Roy office would employ 15 to 20 people. If they needed more employees than that, they would need more office space. The company had created 3500 jobs worldwide. All of the products had been test proven.

Commissioner Hilton asked if the public would be able to purchase the product. Clinton Hughes said it could be ordered via the internet, and the product would be delivered. Eventually this product would be available on the commercial market.

Commissioner Holt asked if the product was regulated by the state and federal governments. Clinton Hughes said it was regulated by the federal government. There was data safety sheets on every product. Jared Hall said it was regulated by the NTSB.

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

Commissioner Hilton moved to close the public hearing at 6:19 p.m. Commissioner Holt seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

Commissioner Holt felt more comfortable about the product. He did have some concerns about security. They would eventually become the concern of the entire industrial park. The fact that the site was self-contained alleviated his concern about cross access.

Commissioner Hilton stated that when the plan for this site was approved, the Planning Commission made sure there was plenty of room for vehicles to get it in and make deliveries.

Clinton Hughes stated that they planned to put flood lights on the outside of the building. Security cameras would be installed around the building.

Dave Hulme stated that the adjoining sites were fully fenced.

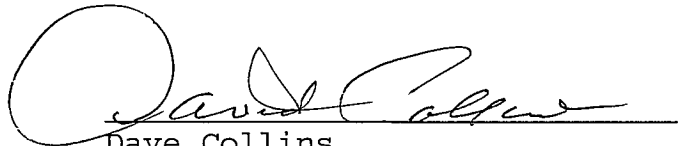
Commissioner Holt moved to recommend that the City Council approve a conditional use permit for warehousing, distribution, and 24 hour operation for IXL Manufacturing located at approximately 1930 West 3350 South based on the staff's findings and subject to the conditions recommended by the staff. Commissioner Merx seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

3. OTHER BUSINESS

Jared Hall stated that the staff planned to hold a work shop with the Planning Commission in the near future to discuss temporary signs.

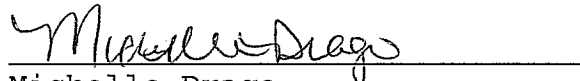
4. ADJOURN

Commissioner Stonehocker moved to adjourn at 6:24 p.m. Commissioner Merx seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.



Dave Collins
Chairman

Attest:



Michelle Drago
Secretary

dc:pjan1309