

ROY CITY PLANNING COMMISSION

June 9, 2009

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on June 9, 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:

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

Others present were: David Owens and Kevin Mortensen

Pledge of Allegiance: Bill Merx

1. APPROVAL OF MAY 26, 2009, MINUTES

Commissioner Holt moved to approve the minutes of May 26, 2009, as written. Commissioner Merx seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A PERMITTED USE AND SITE PLAN APPROVAL FOR A NEW RETAIL BUILDING ON PROPERTY LOCATED AT APPROXIMATELY 5697 SOUTH 1900 WEST

Commissioner Watts moved to open the public hearing at 6:01 p.m. Commissioner Yeoman seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

Jared Hall stated that the City had received a redevelopment request for the southeast corner of the Albertson's shopping complex which was currently an old Pizza Hut building on an 8100 square foot lot. The current owner had been trying to market the property and building 'as is.' He wanted to receive entitlement to

tear down the existing building and build a new retail flex-space building.

Mr. Hall said the site plan was simple. The square footage of the new building would increase only slightly. The new building would maintain the required 20-foot landscaping buffer. It kept the same number of parking stalls - 13. There were parking and cross access agreements within the shopping center. The site was accessed through other lots via cross access agreements. The new building could be divided into three separate spaces. Mr. Hall stressed that the owner wanted the ability to market the property as an existing building or a new building. The owner would not necessarily build right away even if approved, but the market was good for construction right now and prices were low. Nothing about the redevelopment changed the way the lot would interact with the overall development.

Mr. Hall said the appearance of the building would change. It would be oriented in the same manner the old one. There was a pole sign on the lot which met the requirements of the Zoning Ordinance that could be used by the new tenants. There was an easement for a shopping center sign on this lot that the tenants would not be able to modify or use.

Commissioner Merx asked if the Pizza Hut building was in place prior to the development of the Albertson's shopping center. The Planning Commission agreed it was.

Jared Hall stated that the request from the proponent was a permitted use. It would only be reviewed by the Planning Commission. The staff had made the following findings:

1. The proposed development was in keeping with the goals and intent of the Roy City Zoning Ordinance and General Plan.
2. The proposed development provided an opportunity to facilitate redevelopment and re-investment in an important business district in Roy City.

The staff recommended approval of the permitted use permit and the site plan subject to:

1. Further review and approval by the City Engineer as might be deemed necessary in connection with the redevelopment of the property.

2. The approval was for site plan and elevations related to the construction of a new building on the property only. Approval did not contemplate any specific uses which might require other approvals and/or use permits.
3. All items of the staff report and further review and approval by the members of the Development Review Committee as might be deemed necessary.

Mr. Hall clarified that the permitted use permit and site plan approval was for the construction of the building only. Any future use that was conditional in a Regional Commercial Zone would be required to make the appropriate application.

Commissioner Holt asked about the construction time frame. Jared Hall said the permitted use permit and site plan was good for one year only. There wasn't language in the Zoning Ordinance to allow for extension of the permit. If construction wasn't started within a year, the proponent would have to make a new application to the Planning Commission.

Commissioner Holt asked about parking. Jared Hall stated that the site had thirteen parking spaces. That was sufficient parking for most retail uses. A restaurant user would need seventeen parking spaces. Because of the reciprocal access and parking agreements, there was sufficient parking in the overall shopping center. He wasn't concerned about parking.

Chairman Hilton felt this was similar to the McDonald's tear down and rebuild, except this building had the potential for three users.

Jared Hall stated that this site was not well-suited for a drive-through user.

Commissioner Merx asked about pedestrian access from the south side of the building. Jared Hall stated that doors on the south side were not shown on the elevations. The staff had not seen the building plans. The building was not designed with loading space. Users who needed backdoor access might not find this site accessible.

Kevin Mortensen, Mountain Grove, LLC, Bountiful, stated that he had reviewed the staff's recommendations and was comfortable with them. His partnership purchased the building when Pizza Hut was a tenant. They had tried to lease the building but had been unsuccessful.

This approval would give them the opportunity to talk to different types of businesses. They didn't have anyone in mind at this time.

Commissioner Holt asked if this was a marketing approach. Kevin Mortensen said it was.

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

Commissioner Collins moved to close the public hearing at 6:15 p.m. Commissioner Stonehocker seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

Commissioner Yeoman moved to approve the permitted use permit and site plan for a new retail building on property located at approximately 5697 South 1900 West based on the staff's findings and subject to the recommendations of the staff. Commissioner Collins seconded the motion. Commission members Collins, Hilton, Holt, Merx, Stonehocker, Watts, and Yeoman voted "aye." The motion carried.

3. STAFF UPDATE

Jared Hall updated the Planning Commission on the planned UDOT expansion of SR108 (3500 West/Midland Drive). Work was scheduled to begin in July and end by August 31st. The work consisted of three lanes - two driving lanes with a turn lane in the middle. The work would fix areas that did not have turn lanes. Most of the project would consist of remilling, resurfacing, and restriping. UDOT would not acquire property this year. The City would suggest that UDOT add a right-hand turn lane at 5200 South. The Hinckley Drive extension was moving much more slowly.


Commissioner Watts stated that there were some bottlenecks on 3500 West in Roy, such as 5700 South and 4000 South, and there were areas with enough room for five lanes. He asked if UDOT would be willing to put in five lanes where there was room. Jared Hall said UDOT would not even talk about it. There would be some areas in Roy that would have wide shoulders.

Jared Hall also updated the Planning Commission on the Midland Square Commercial Subdivision and the Maverik conditional use permit. The conditional use permit for the dentist office on Lot No. 6 of Midland Square was scheduled to appear before the Planning Commission on June 23<sup>rd</sup>.

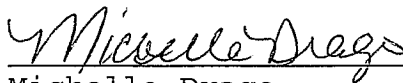
Jared Hall stated that WinCo was still planning to break ground before fall. All of their approvals were in place.

4. ADJOURN

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

  
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Brad Hilton  
Chairman

Attest:

  
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Michelle Drago  
Secretary