

ROY CITY PLANNING COMMISSION

July 27, 2004

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on July 27, 2004, at 6:30 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:

Karlene Yeoman, Chairman	Tony Reynolds, Community
Doug Allred	Services Director
Brad Hilton	Michelle Drago, Secretary
Blaine Hoopes	
Bill Merx	
Michael Stokes	

Excused: Gennie Kirch

Others present were: Mayor Roger Burnett; Jay Fluckiger; Dawn Fluckiger; Darrell Smith; Ben Rasmussen; Allan Stanley; James Hunter; Al Lopes; Joyce Durban; Gwen Lower; Leland J. Bates; Barbara J. Bates; Maurine Greenwell; Frank Weymouth; Brian Kimball; B. Harley; Kay Shurtleff; Kent Saxey; and Clark Saxey.

Pledge of Allegiance: Michael Stokes

1. 6:00 - 6:30 P.M. WORK SESSION IN THE CONFERENCE ROOM

A work session was held in the Conference Room from 6:00 to 6:30 p.m. The Planning Commission was briefed on and asked questions about the agenda items. There was no discussion about the merits of any of the agenda items.

2. APPROVAL OF JULY 13, 2004, MINUTES

Commissioner Merx moved to approve the minutes of July 13, 2004, as corrected. Commissioner Allred seconded the motion. Commission members Allred, Hilton, Hoopes, Merx, Stokes, and Yeoman voted "aye." The motion carried.

3. CONSIDERATION OF AN AMENDED SITE PLAN FOR AARON'S JEWELRY
LOCATED AT 5718 SOUTH 1900 WEST

Tony Reynolds stated that the Aaron's Jewelry was located at 5718 South 1900 West and was owned by Jay and Dawn Fluckiger. Family Dollar was located immediately to the south. The current building was 864 square feet with four parking stalls in front. The Fluckiger's wanted to expand their building to the east by 764 square feet. The expansion would include five additional parking stalls east of the building. The balance of the property would remain fenced off and undeveloped. Mr. Reynolds said the site was very narrow. It only had 70 feet of frontage. The existing building had a handicap access on the south side. The Fluckiger's didn't want to move the handicap access. That left only 10 feet on the south side of the property for vehicular access to the additional parking in the rear. Ten feet was ample room for one vehicle going one direction, but it wasn't adequate for two-way traffic. Mr. Reynolds said that when the Family Dollar site was developed, the City asked the property owner to include an access agreement for adjoining properties. The property owner entered into an agreement with the Fluckiger's, but it was never recorded. The new owner of Family Dollar entered into a new mutual access agreement with the Fluckiger's that was similar to the old one, except for one sentence. That sentence allowed the agreement to be terminated by either party. The City didn't feel either party should have sole power to terminate the agreement. Mr. Reynolds stated that Development staff recommended that the Planning Commission approve an amended site plan for Aaron's Jewelry subject to the construction plans being reviewed and approved, including comments mentioned by Development Services, the City Engineer, and the Fire Marshall, prior to any building permit being issued; that the mutual access agreement with Family Dollar be amended and recorded with the Weber County Recorder prior to any building permit being issued; and that the Fluckiger's provide engineering calculations on the amount of the expected run off so the proposed sump capacity could be checked.

Commissioner Merx asked about the building shown on the very east end of the site. Did it have access from the front and the rear? If so, where did the rear access go? Jay Fluckiger said it did have front and rear access. The rear access went north toward 5600 South. Tony Reynolds said that was the Union Pacific right-of-way.

Commissioner Allred asked about the fire hydrant in front. Tony Reynolds said that was the responsibility of Family Dollar. It had

not been installed yet because Family Dollar was waiting for the street scape improvements to be put in.

Jay Fluckiger, 5718 South 1900 West, stated that he needed more repair space. His business was growing. The addition would improve the appearance of his building from the south.

Chairman Yeoman asked if Mr. Fluckiger had reviewed the staff's comments. Mr. Fluckiger said he had.

Commissioner Hoopes moved to approve an amended site plan for Aarons' Jewelry located at approximately 5718 South 1900 West subject to the staff's recommendations and that the mutual access agreement with Family Dollar be amended prior to issuance of a building permit. Commissioner Stokes seconded the motion. Commission members Allred, Hilton, Hoopes, Merx, Stokes, and Yeoman voted "aye." The motion carried.

4. CONSIDERATION OF PRUD SITE PLAN AND A PRELIMINARY PRUD
SUBDIVISION FOR STONYBROOK COTTAGES PRUD SUBDIVISION LOCATED
AT APPROXIMATELY 5095 SOUTH 1750 WEST

Tony Reynolds stated that of Roy Pride, LLC was seeking approval of a PRUD (planned residential unit development) to be known as Stony Brook Cottages located at approximately 5095 South Airport Road (1750 West). It was the old Voorhees property. Mr. Reynolds explained the approval process for a PRUD. The Development staff recommended that the Planning Commission receive information from the staff, the proponent, and public and then table consideration of the PRUD site plan and preliminary subdivision until further information was received from the proponent. The staff felt there would be enough information for the Planning Commission to take action on August 10th.

Mr. Reynolds provided the Planning Commission with some background information. In October 2000, the developer of Sheffield Commons No. 1 proposed Sheffield Commons Phase Nos. 2 and 3 on the Voorhees property. They had a total of 78 units. The developer proposed that Phase Nos. 2 and 3 would connect to Sheffield Commons No. 1 to the north. However, in transitioning responsibility of the homeowners' association in Sheffield Commons No. 1, the developer didn't provide for continuation of the road to the south. When the homeowners' association had control, they voted against the continuation of the road to the south. Plans for Sheffield Commons Nos. 2 and 3 fell through. The next plan for the Voorhees property was proposed in December 2001. It was an apartment complex with 100 units that was originally whittled down to 88. The City Council turned it down.

Mr. Reynolds stated that the current developer, Kent Saxey, approached the process differently. He presented a conceptual plan to the City Council. After receiving their comments, he submitted a second plan for the Development Review Committee to review. After receiving their comments, he submitted a formal application and a third plan. Roy Pride, LLC, was seeking approval of a PRUD with 90 town home units on a 7.8 acre parcel, which was a density of 11.53 units per acre. The development would be completed in two phases. The overall project would have 46% open space and 312 parking stalls. There would be one main on 1750 West that would be 26 feet in width. The main road through the project had a width of 24 feet. It extended to the north end of the development where there would be a cul-de-sac with a width of 81 feet and a decorative paving center. There would be a 20-foot, one-way loop

road in Phase No. 1. The developer was proposing a small tot lot in the center of the loop road. The tot lot would also be part of Phase No. 1. There would be a sidewalk system throughout the project on one side of the road or the other. A 6-foot vinyl fence was shown on the site plan. The proposed fence would be installed around the perimeter of the property to separate the development from the single-family and commercial uses. Vinyl fencing was not proposed along the multi-family uses to the south. Mr. Reynolds said the staff recommended that the fencing be continued around the entire development. Because of the one-way, looped road a temporary turn-around was needed at the end of Phase No. 1.

Mr. Reynolds stated that Phase No. 1 would have 47 living units with 26 guest parking stalls. The typical unit size was 1,256 square feet. Twenty-five of the units would have a single-car garage; twenty-two would have double-car garages. Phase No. 2 had 43 units. It contained a dead-end cul-de-sac with 22 open guest parking stalls. Twenty-three units would have single-car garages; twenty would have double-car garages. Mr. Reynolds said the overall parking was a blended yield of guest parking stalls and parking in driveways. Each home with a double-car garage would have two parking spaces in the driveway. Those with single-car garages would have one parking space in the driveway.

Mr. Reynolds stated that the City Council had been concerned about access to the development from additional locations. The developer had contacted adjoining property owners about both pedestrian and vehicular access, but they had had no success. Roy Pride's original plan showed access to the north through Sheffield Commons and a walking path through commercial development to 1900 West. Both of those items had been removed from the current plan because none of the surrounding property owners were interested in providing vehicular or pedestrian access. Mr. Reynolds said the City had allowed the surrounding properties to develop without requiring access to the Voorhees property. Now it was left to deal with a long narrow piece of property that could only be serviced from 1750 West.

There was a discussion about children walking to school. Mr. Reynolds said the developer did tell the City Council they were willing to install improvements in front of the Questar property, such as widening the road and installing sidewalk.

Commissioner Stokes was concerned that the staff and Planning Commission were writing off the issue of additional access. Mr.

Reynolds said that since meeting with the City Council in February, Roy Pride had been trying to get access from the adjoining property owners with no success.

Commissioner Hilton stated that in previous minutes there was discussion about Sky Properties being willing to dedicate a pedestrian access that would serve the Voorhees property as well as Sheffield Commons and Berwick Village. Clark Saxey stated that they had contacted Sky Properties, but they were not interested in a pedestrian access because it would require approval from all of their tenants.

Tony Reynolds reviewed the conditions recommended by the City Engineer and the staff. He felt the Planning Commission needed to discuss trash collection and snow removal and who would provide those services; and the location and placement of the utility meters required for electrical and natural gas services for the interior units. Road way improvements needed to be shown for 1750 West. Some of the living units with their adjacent backyard patio and fence were too close to the parking lots and roads, which could create a hazardous situation.

Mr. Reynolds stated that the overall density of the development was 11.53 units per acre, which was very comparable to the surrounding developments. The overall density of the area was 11.82 units per acre. When the staff reviewed the plans for Stony Brook, it looked at what the Planning Commission and City Council had required in other locations. In Sheffield Commons and Berwick Village, the roads were 28 feet wide. The main road in Stony Brook was 24 feet; the one-way road was 20 feet in width. The staff was comfortable with the narrower width because there would be no on-street parking and the homes would be set back off of the streets. The site plan needed to include a temporary cul-de-sac at the end of Phase No. 1. The staff also considered side yards and exterior set backs. In Sheffield Commons, the buildings were 20 feet apart. In Berwick Village the buildings were an average of 20 feet apart. In Stony Brook the staff felt the building structures were too close together, only 10 feet in some cases.

Mr. Reynolds stated that the City Council was concerned about traffic and the impact of this development to the traffic situation on Airport Road. The proponent had commissioned a traffic study which showed the level of service at critical locations on Airport Road. The current ratings for both the 4400 South and Riverdale Road intersections was "F." The impact of the project did not make

those ratings worse. The rating at the entrance to the project was "A."

Chairman Yeoman asked about improvements to the 4400 South intersection. Mayor Burnett said there were rumors about a light being installed by Ogden City. They were just rumors.

Tony Reynold stated that in a PRUD all of the improvements remained in private ownership. The staff recommended that the developer address maintenance of culinary water with a master meter (there should be a way to shut off water to each unit with a stop and waste valve); sanitary sewer; secondary water; snow removal; garbage collection; storm drain; power and light fixtures; street and right-of-way improvements; and installation and maintenance of landscaping.

Commissioner Allred was concerned about what impact the development would have on the City's system. Commissioner Hilton asked if the developer had shown that there was adequate water pressure for fire flows. Tony Reynolds stated that through engineering, the developer could construct a system that would generate the pressure they were required to have.

Commissioner Merx asked about the target market. Kent Saxey stated that the homes would be in the \$115,000 range. Commissioner Merx asked if Roy Pride was looking at senior citizens or starter families. Mr. Saxey said they were looking at both. They owned a similar development in Ogden with 60 units at the same price range. The development in Ogden had no senior citizens and very few children. There wasn't even an average of one child per home.

Commissioner Hilton stated that in the past the surrounding residents were concerned about fencing. He felt Roy Pride had done a great job with fencing between the commercial and single-family residential, but it had stopped at the chain link fence. Kent Saxey stated that they were proposing a vinyl fence to separate the commercial and single-family uses as Roy City's ordinance required. They were not proposing a vinyl fence between Stony Brook and Berwick Village because they had the same use. Commissioner Hilton asked how Roy Pride would feel about continuing the vinyl fence around the entire development. Kent Saxey didn't feel a vinyl fence between Stony Brook and Berwick Village was necessary because they had the same density and there was a natural barrier between the two developments. Berwick Village dropped down slightly from

Stony Brook. Commissioner Hilton felt the vinyl fencing should be extended around the entire development for continuity purposes.

Commissioner Hilton asked if there would be fencing around the tot lot. Kent Saxey said there would not. They wanted the tot lot to be open. Commissioner Hilton asked what type of material would be in the tot lot. Mr. Saxey said they hadn't thought about it. Commissioner Hilton suggested something other than sand that wouldn't attract the neighborhood cats. He asked if there was something to protect the tot lot from the adjoining parking area. Mr. Saxey said the parking area would have high-back curb and gutter. In fact, there would be high-back curb and gutter throughout the development. Commissioner Hilton asked if they had thought about bollards between the parking and the tot lot. Commissioner Hoopes felt curb and gutter would be adequate to stop a vehicle from rolling forward into the tot lot.

Commissioner Hilton was concerned about the appearance of the units from the Cozydale development. Would there be siding on the back of the units? Kent Saxey said the back and sides of the units would have vinyl siding. The fronts would have brick and stucco. Tony Reynolds showed the Planning Commission site lines which the developer had submitted, from various points along the Cozydale Subdivision. Mr. Saxey said they planned to be very cautious with the landscaping on the east end.

Commissioner Hilton stated that the residents of Cozydale had been concerned about storm drainage. Kent Saxey said there were four detention basins throughout the development; most were along the north property line. They had also submitted drainage details which the City Engineer had reviewed.

Commissioner Hoopes asked about garbage removal. Kent Saxey said the homeowners' association would contract with a provider so that each home would have individual collection. The snow removal would be contracted by the homeowners' association.

Commissioner Stokes asked about the placement of the utility meters. Kent Saxey the placement of the meters was usually controlled by the utility companies. He would like to see them hidden; the utility companies wanted them located where they would be easy to read. Clark Saxey said Questar had indicated that they would allow the meters to be split with two on one side and three on the other.

Chairman Yeoman asked how no on-street parking would be monitored. Kent Saxey said that would be handled by the homeowners' association. Chairman Yeoman asked if Roy Pride would continue to work with the adjoining property owners regarding additional access to Phase No. 2. Kent Saxey said they had taken everything to property lines. The City would have to put pressure on adjoining property owners for access to go through.

Chairman Yeoman asked about the distance between the buildings. Kent Saxey said they had been looking at RCC 10-5F-6(C) and thought the ordinance required at least 10 feet between units. They found out just prior to the meeting that wasn't the case. Mr. Saxey said they could look at reducing the guest parking areas to move the buildings further apart. Chairman Yeoman asked about reducing the number of units. Mr. Saxey said they could do that, but didn't feel the ordinance required them to do so. The subdivision to the north, Cozydale, had 10 feet between homes. Most people did not use side yards.

Commissioner Allred asked if Roy Pride planned to lease any of the units. Mr. Saxey said they did not. Commissioner Allred asked if there were any plans to make some of the units handicap accessible. Mr. Saxey said handicap elevators were about \$40,000. They didn't have any single-story floor plans; all of the plans were for multi-story town homes. The homes could be made handicap accessible from the driveways and the sidewalks. Commissioner Allred encouraged Roy Pride to explore options for handicap accessibility and have them available for their customers. Making a home handicap accessible was more than having an elevator. It included things like cabinet styles and plumbing fixtures.

Commissioner Allred felt 10 feet between buildings was a little too close not only for accessibility but for fire safety as well. With only 10 feet between buildings, a fire could jump from building to building. He agreed that the fencing around the entire development should be consistent and that there should be a temporary turn around at the end of Phase No. 1. He was uncomfortable that there wasn't a buffer between traffic and people on the sidewalk except for a 6-inch curb.

Commissioner Hoopes asked what the speed limit within the development would be. Kent Saxey said they had not addressed a speed limit.

Commissioner Allred stated that there wasn't a sidewalk access for pedestrians from the large parking area to surrounding sidewalks.

Commissioner Hoopes asked where the snow would be piled in the winter. On the site plan, Mr. Saxey pointed out areas he thought snow could be piled.

Commissioner Stokes stated that if Roy Pride followed the 10-foot setback in RCC 10-5F-6(C), they also had to follow the minimum lot size of 4,500 square feet. He suggested that Roy Pride consider losing a unit in order to move the buildings further apart. Kent Saxey said they would look at the site plan to see what could be done. He felt the residents would rather have extra parking than extra space between the buildings. Commissioner Allred felt the Fire Department would require the buildings to be further apart.

Commissioner Stokes felt the overall design of the development was aesthetically pleasing. He felt Roy Pride could move the buildings further apart without losing parking. Kent Saxey said their initial review of the site showed they would lose 6 parking spaces and 2 units if they had to move the buildings 20 feet apart. He felt the 10 feet between the buildings would meet the fire codes. Tony Reynolds felt the issue was aesthetics, not the Fire Code.

Commissioner Stokes stated that the whole development was based on aesthetics. Kent Saxey said there was only so much money he could lose for aesthetics.

Commissioner Merx felt the long term viability of the project was the homeowners' association. Kent Saxey stated that when the City issued an occupancy permit for a home, they intended to start putting fees into the homeowners' association so the association would be front-loaded.

Commissioner Hilton asked if individual owners in the development could receive nuisance citations. Tony Reynolds said they could. The City would be able to enforce City codes; it would not be able to enforce regulations of the homeowners' association. The City Engineer and City Attorney would review the bylaws to determine if they would work.

Chairman Yeoman opened the floor for public comments.

Al Lopes, 5051 South 1800 West, Berwick Village, felt on-street parking in the development would be a problem. He asked how large

the units would be. Mr. Saxey said the units would have about 1100 square feet. Mr. Lopes said the units in Berwick Village were a little larger, and they were not selling. It had taken one year for a unit in Berwick Village to sell, and then it sold for less than \$100,000. The units in Sheffield Commons were selling for less than \$100,000. He felt it would be difficult for Roy Pride to sell homes for \$115,000. There also needed to be a lot of space to put the snow.

Kay Shurtleff, Cozydale, stated that she lived on Airport Road. Despite the traffic study, she felt the traffic from the development would impact Airport Road. She asked about landscaping between the development and Cozydale. Kent Saxey said there would be detention ponds, fencing, and landscaping along the north side of the development. There would be 30 to 40 feet between the homes and the property line behind Kay Shurtleff's home. Kay Shurtleff was concerned about 312 parking spaces. If there were that many parking spaces, there was a potential for 312 cars. Kent Saxey said there was that potential, but he felt it was unlikely.

Brian Kimball, 5088 South 1800 West, Berwick Village, wanted to see the vinyl fence continued between Stony Brook and Berwick Village. He felt a vinyl fence would make it more private.

Frank Weymouth, 1968 West 5000 South, Cozydale, stated that traffic on Airport Road was horrible. Did the City have any responsibility? Tony Reynolds stated that the City had plans to improve the intersection of Airport Road and Riverdale Road.

Maurine Greenwell, 1792 West 5000 South, Cozydale, asked if there were any plans for sidewalks on Airport Road. Kent Saxey said they were putting sidewalk in front of Stony Brook. Ms. Greenwell felt that 10 feet between the single-family homes in Cozydale was very different than 10 feet between multi-unit buildings.

Kay Shurtleff stated that last winter both Cozydale and Berwick Village had to push snow out of their developments across Airport Road.

Commission Allred summarized the Planning Commission's concerns:

- consistent fencing around the entire development
- the speed limit be and how it would be controlled
- snow removal
- increase the distance between the buildings to meet approval

of the Fire Marshal
- a temporary turn around at the end of Phase No. 1

Commissioner Hilton moved to table consideration of PRUD site plan and preliminary approval of a PRUD subdivision for Stony Brook Cottages PRUD Subdivision located at approximately 5095 South 1750 West for two weeks to give the developer time to address the concerns of the Planning Commission and those of the staff listed in the staff report. Commissioner Allred seconded the motion. Commission members Allred, Hilton, Hoopes, Merx, Stokes, and Yeoman voted "aye." The motion carried.

5. OTHER DISCUSSION

Chairman Yeoman stated that she would not be able to attend the August 10th meeting.

6. ADJOURN

Commissioner Hilton moved to adjourn at 8:55 p.m. Commissioner Merx seconded the motion. Commission members Allred, Hilton, Hoopes, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Karlene Yeoman
Chairman

Attest:

Michelle Drago
Secretary

dc:pjul2704