

ROY CITY PLANNING COMMISSION

July 26, 2005

Minutes of the Roy City Planning commission Meeting held in the City Council Room of the Roy City Municipal Building on July 26, 2005, at 6:30 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting as 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, Vice Chairman	Tony Reynolds, Community
Gennie Kirch	Services Director
Michael Stokes	Mark Larson, Planner
Karlene Yeoman	Michelle Drago, Secretary

Excused: Doug Allred
Brad Hilton
Blaine Hoopes

Others present were: Mayor Roger Burnett; Joe Adair; Mike Hansen; Steve Broadbent; Chris Lipsey; Bill Barnes; and Edna Barnes.

Pledge of Allegiance: Gennie Kirch

1. APPROVAL OF JUNE 28, 2005, MINUTES

Commissioner Yeoman moved to approve the minutes of June 28, 2005, as written. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

2. OTHER DISCUSSION

Commissioner Kirch asked the staff to check on the fence requirements for the storage units at the Stone Edge Commercial development at approximately 4650 South 1900 West. It appeared the fence would only be wrought iron, and she thought it was supposed to be a combination of brick and wrought iron.

3. PUBLIC HEARING TO CONSIDER A FINAL DEVELOPMENT PLAN FOR PHASE NO. 2 OF ROCK RUN LOCATED AT APPROXIMATELY 5991 SOUTH 3500 WEST AND APPROVAL OF A CONDITIONAL USE PERMIT FOR A MEDICAL OFFICE LOCATED AT APPROXIMATELY 5991 SOUTH 3500 WEST

Commissioner Yeoman moved to open the public hearing at 6:40 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Mark Larson stated that Rimrock Construction was seeking approval of final development plans for the Rock Run commercial development on the northwest corner of 6000 South 3500 West. Rock Run was originally known as the Mattson development. The development was being considered under the old Zoning Ordinance.

Mr. Larson said there had been a change in Phase No. 2. The original preliminary development plan showed two buildings in the northwest corner of Phase No. 2. The new plans combined the two buildings into one. There wasn't an increase in square footage so the required parking and landscaping weren't impacted. The final development plans showed an increase in landscaping and seven additional parking stalls for a total of 27% landscaping and 151 parking spaces. The architecture of the buildings in Phase No. 2 were very similar to the building in Phase No. 1. There would be three office spaces in the northwest building; two would be occupied by a pediatrician and a family doctor. There would be up to four employees in each office. The hours of operation would be 8:30 a.m. to 6:30 p.m. The final development plan for Phase No. 2 followed the overall preliminary design and met the requirements of the old Zoning Ordinance. Most of the utilities were stubbed to the individual pads as part of the Phase No. 1. The City Engineer had pointed out that there were some improvements that were required as part of Phase No. 1 which had not been completed, including the detention area. The pad on the southwest corner would remain unfinished at this time.

Commissioner Kirch asked if there would be a fence on 6000 South. Mark Larson said there would be a fence along the north and west sides of the site but not along 6000 South. The fence along the west side would be extended as part of Phase No. 2. There was a lot line adjustment along the north property line that needed to be taken care of.

Steve Broadbent, Lehi, stated that the documents to resolve the lot line adjustment had been prepared. They just needed to be submitted.

Mark Larson felt the remaining engineering details could be worked out.

Vice Chairman Merx asked if there would be any problems with the engineering comments. Steve Broadbent said he had not seen them.

Commissioner Stokes asked if it was customary to have so many site improvements uncompleted before issuing a certificate of occupancy. Tony Reynolds said a certificate of occupancy was separate from site improvements and release of escrow monies. Site improvements were tied to escrow and developer agreements. Those documents gave the developer a time frame in which to install the site improvements.

Commissioner Stokes was concerned that the engineer would be expressing concerns about uncompleted improvements in Phase Nos. 1 and 2 when future phases were considered. Tony Reynolds said he might, but there was escrow money the developer wouldn't get back until those improvements were done.

Commissioner Stokes stated that one of the conditions recommended by the staff was that the developer comply with the City Engineer's requirements prior to submitting the final development plan to the City Council. Some of the engineer's requirements were completion of off site improvements.

Commissioner Kirch was concerned that the third office space in the northwest building didn't have two doors. There were only three doors shown on the site plan - the main entrance and two side doors. Steve Broadbent said the common area would lead into the doctors' offices. The doors on the sides of the buildings would be back doors for the physicians. Commissioner Kirch asked about emergency exits. Mr. Broadbent said there might be a door for the third office. Commissioner Kirch wondered where the sidewalk for an additional door would be and how much room there would be between the building and the fence on the north and west sides. If an additional door and sidewalk were added, would the site plan have to come back to the Planning Commission? Tony Reynolds said there was 10 feet between the building and the north and west property lines. If the Planning Commission allowed for the door, the site plan wouldn't have to come back.

Commissioner Stokes was concerned that Engineering comments 6, 7, and 8 would impact approval of Phase No. 2. Tony Reynolds and Mark Larson responded to his questions. They felt Phase No. 2 could be approved.

Vice Chairman Merx asked for comments from the audience. There were none.

Commissioner Kirch moved to close the public hearing at 7:07 p.m. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve the final development plan for Phase No. 2 of Rock Run located at approximately 5991 South 3500 West and a conditional use permit for professional offices, including medical, at 5991 South 3500 West taking into account the engineering comments and staff comments about completion of improvements from Phase No. 1; that the engineer's comments should be followed as listed in the staff report; and that the City Council determine whether a door would be needed on the north side of the building. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

4. PUBLIC HEARING TO CONSIDER A PETITION FROM M. J. LAND & LIVESTOCK AND UTAH POWER & LIGHT TO REZONE APPROXIMATELY 3.24 ACRES LOCATED AT APPROXIMATELY 5500 SOUTH 3200 WEST FROM RE-20 TO R-1-8

Commissioner Yeoman moved to open the public hearing at 7:10 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Mark Larson stated that Joe Adair and Mike Hansen recently requested annexation of property at approximately 5400 South 3200 West. That property was annexed with an R-1-8 Zone. They owned a small strip of land at approximately 5500 South 3200 West that was currently zoned RE-20. They were requesting that it be rezoned to R-1-8. At the City's request, Utah Power & Light had joined the rezone. The rezone was 3.24 acres in size. The properties in question were surrounded by R-1-8 Zones on all sides. The requested zone complied with the Future Land Use Map, which showed this area with a medium density zone. Medium density zones were R-1-10, R-1-8, R-1-7, and R-1-6. The main question was how many animals were currently on the property. The staff had no concerns and recommended approval of the rezone.

Commissioner Kirch asked if there was anything being grandfathered that needed to be identified. Tony Reynolds said the Planning Commission could recommend that the number of existing animals on the property be made clear.

Vice Chairman Merx asked for comments from the public. There were none.

Commissioner Yeoman moved to close the public hearing at 7:14 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Yeoman moved to recommend that the City Council approve a petition from M. J. Land & Livestock and Utah Power & Light to rezone approximately 3.24 acres located at approximately 5500 South 3200 West from RE-20 to R-1-8 subject to the number of animals currently on the property being identified before Council approval. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

5. PUBLIC HEARING TO CONSIDER FINAL DEVELOPMENT PLANS FOR LOT NOS. 13 AND 14 OF BINGHAM INDUSTRIAL PARK LOCATED AT APPROXIMATELY 1930 AND 1938 WEST 3350 SOUTH AND APPROVAL OF A CONDITIONAL USE PERMIT FOR VEHICLE AND EQUIPMENT RENTAL OR SALES LOCATED AT APPROXIMATELY 1930 WEST 3350 SOUTH, BINGHAM INDUSTRIAL PARK LOT NO. 13

Commissioner Yeoman moved to open the public hearing at 7:15 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Mark Larson stated that the Planning Commission had reviewed the preliminary development plans for Lot Nos. 13 and 14 of the Bingham Industrial Park. Both plans were being considered at the same time because they were so similar. They were being considered under the old Zoning Ordinance. The back of both lots would be fenced and graveled for use by the lot owners. The developer, Calvin Kippen, had agreed to put brick on the buildings beneath the canopies. The building styles and colors would be typical of the other buildings in the development. On Lot No. 14, the staff had asked for one additional parking stall and that a dumpster detail be shown. In order to get the additional parking, the fence between the building and property line was angled. There were some engineering concerns that still needed to be addressed. Additional parking wasn't needed on Lot No. 13. Scott Machinery had requested approval of a conditional use permit for Lot No. 13. Scott Machinery would sell, lease, and repair equipment for contractors. There were some minor details that still needed to be worked out, such as extension of the curb to the end of the asphalt. Those details were mentioned in the staff report. Both lots met the requirements of the Zoning Ordinance.

Vice Chairman Merx asked for comments from the audience. There were none.

Commissioner Yeoman moved to close the public hearing at 7:23 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve a final development plan for Lot No. 13 of Bingham Industrial Park located at approximately 1930 West 3350 South subject to the staff and engineering recommendations and to approve a conditional use permit for Scott Machinery for vehicle sales and rental at the same

address. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve a final development plan for Lot No. 14 of Bingham Industrial Park located at approximately 1938 West 3350 South subject to the staff and engineering comments. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

6. PUBLIC HEARING TO CONSIDER REZONING APPROXIMATELY 9.45 ACRES IN BINGHAM INDUSTRIAL PARK PHASE NOS. 1, 2, AND 3 LOCATED AT APPROXIMATELY 3350 SOUTH 1900 WEST FROM LIGHT MANUFACTURING (LM) TO MANUFACTURING (M) AND PUBLIC HEARING TO CONSIDER REZONING APPROXIMATELY 0.78 ACRES LOCATED AT APPROXIMATELY 3990 SOUTH 1900 WEST FROM LIGHT MANUFACTURING (LM) TO COMMUNITY COMMERCIAL (CC), TO CONSIDER REZONING APPROXIMATELY 0.47 ACRES LOCATED AT APPROXIMATELY 3971 SOUTH 1900 WEST FROM REGIONAL COMMERCIAL (RC) TO COMMUNITY COMMERCIAL (CC), AND TO CONSIDER REZONING APPROXIMATELY 89.01 ACRES LOCATED AT APPROXIMATELY 4150 SOUTH 1900 WEST FROM LIGHT MANUFACTURING (LM) TO BUSINESS PARK (BP)

Commissioner Yeoman moved to open a public hearing to consider rezoning approximately 9.45 acres in Bingham Industrial Park at 7:25 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to open a public hearing to consider rezoning property at 3990 South 1900 West, 3971 South 1900 West, and 4150 South 1900 West. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Tony Reynolds stated that on June 7, 2005, the City Council adopted a new Zoning Ordinance. The new ordinance renamed zoning districts. C-1 and C-2 Zones were now called Regional Commercial; Planned Commercial was now Community Commercial; and Planned Manufacturing was now Light Manufacturing. The new Zoning Ordinance also added a new Business Park Zone. After reviewing the new zoning map the staff felt there were several areas that needed to be rezoned in order to comply with the new Zoning Ordinance. Mr. Reynolds said the first rezone recommended by the staff was Bingham Industrial Park Phase Nos. 1, 2, and 3 and adjoining parcels at 3321 and 3345 South 1900 West. The staff felt it should be rezoned from Light Manufacturing to Manufacturing. It would then become the only area in Roy City with a manufacturing designation.

Mr. Reynolds said the second rezone recommended by the staff involved properties near 4000 South 1900 West. It was divided into three areas. Area No. 1 was the small strip mall at 3990 South 1900 West. The staff recommended that it be rezoned from Light

Manufacturing to Community Commercial. Area No. 2 was the gas station at 3971 South 1900 West. The staff recommended that it be rezoned from Regional Commercial to Community Commercial. Area No. 3 included Iomega Business Park East, the Ogden Airport, the office building and storage units at 1890 and 1840 West 4000 South, Wasatch Executive Park Phase No. 1, and the undeveloped portion of the Wasatch Executive Park. The staff recommended that it be rezoned from Light Manufacturing to Business Park.

Commissioner Kirch asked if changing the zoning would affect property values or usage. Tony Reynolds said it would not.

Commissioner Kirch stated that the uses allowed in a Business Park Zone were different than those in a manufacturing zone. A Business Park Zone would have more professional type buildings. A Community Commercial Zone would help limit the impact on surrounding residential uses.

Commissioner Stokes felt a Business Park Zone was more compatible with the residential area surrounding the Wasatch Executive Park. It would allow the City to have more control over what uses went in.

Tony Reynolds reviewed the types of permitted and conditional uses in a Business Park Zone. A conditional use required notification to allow property owners within 300 feet.

Commissioner Kirch asked about the ATM machine in the Wasatch Executive Park. Tony Reynolds said it would become a non-conforming use.

Chris Lipsey stated that she was the PTA president of North Park Elementary. They would love to have the undeveloped portion of Wasatch Executive Park for a new school and tear down the old one.

Edna and Bill Barnes were also concerned about what would go on the undeveloped portion of Wasatch Executive Park.

Commissioner Kirch moved to close the public hearing for the Bingham Industrial Park rezone at 7:48 p.m. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to close the public hearing for the rezone at 3990 South 1900 West, 3971 South 1900 West, and 4150 South 1900 West at 7:48 p.m. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Yeoman moved to recommend that City Council rezone approximately 9.45 acres in Bingham Industrial Park Phase Nos. 1, 2, and 3 located at approximately 3350 South 1900 West and adjoining parcels at 3321 and 3345 South 1900 West from Light Manufacturing to Manufacturing subject to staff and engineering recommendations. Commissioner Kirch seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council rezone approximately 0.78 acres located at approximately 3990 South 1900 West from Light Manufacturing to Community Commercial, 0.47 acres located at approximately 3971 South 1900 West from Regional Commercial to Community Commercial, and 89.01 acres located at approximately 4150 South 1900 West (including Iomega Business Park East, the Ogden Airport, and the developed and undeveloped portions of Wasatch Executive Park) from Light Manufacturing to Business Park. Commissioner Yeoman seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

7. ADJOURN

Commissioner Yeoman moved to adjourn at 7:53 p.m. Commission Stokes seconded the motion. Commission members Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Attest:

Bill Merx
Vice Chairman

Michelle Drago
Secretary

dc:pjul2605