

ROY CITY PLANNING COMMISSION

November 22, 2005

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on November 22, 2005, 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:

Brad Hilton, Chairman	Mark Larson, Planner
Blaine Hoopes	Michelle Drago, Secretary
Gennie Kirch	
Bill Merx	
Karlene Yeoman	

Excused: Doug Allred
Michael Stokes

Others present were: Richard Buckley and Gary Reed.

Pledge of Allegiance: Karlene Yeoman

1. APPROVAL OF OCTOBER 25, 2005, MINUTES

Commissioner Hoopes moved to approve the minutes of October 25, 2005, as corrected. Commissioner Merx seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR STORAGE UNITS LOCATED AT APPROXIMATELY 5288 AND 5304 SOUTH 2775 WEST

Commissioner Yeoman moved to open the public hearing at 6:33 p.m. Commissioner Kirch seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Mark Larson stated that the Kentwood Garage Subdivision was approved by the City in 1989. It was an 'after-thought' subdivision. Originally, this property was to have been used for storage units for homes in the Kentwood Subdivision, but it didn't

work out. About the only use for the property was storage units. Therefore, the Kentwood Garage Subdivision was born. It extended south from 5200 South to approximately 5500 South along the east side of 2775 West and contained 18 lots. The lots ranged from 3,400 to 6,700 square feet and were only about 35 feet deep. The subdivision was approved with 7 foot front yard setbacks and zero lot lines for the side and rear yards. An 8-foot masonry wall was required along the rear (east) property line. The wall could be incorporated into the back wall of the storage units.

Mr. Larson said Richard Buckley was seeking approval of a conditional use permit to construct a 5,040 square foot storage unit on Lot Nos. 12 and 13. The building would contain three separate spaces. Mr. Buckley planned to maintain ownership of all three. The building would be built over the adjoining property line of both lots. According to the site plan, there would be one driveway and an overhead garage door on each end of the building and one in the middle. The required street improvements of curb and gutter were already in place in front of both lots. Mr. Larson said Mr. Buckley would have to connect to secondary water and underground power. That meant some required street improvements. Electricity would only be used to power lights. No water or sewer hookups were allowed in this subdivision. The spaces could not be used for office or living spaces. The building would be constructed of gray CMU block. The site would have 19% landscaping. The driveways on the north south side would be shared with adjoining property owners. The roof overhang on the back was 6 inches from the property line, which met building code requirements.

Commissioner Kirch asked if there would be an 8-foot masonry wall. Mr. Larson said there would be. Richard Buckley said the wall on either side of the site was a different height. He would match the existing heights. The back wall of the building would also act as the fence.

Mark Larson stated that because the subdivision was approved in 1989, Mr. Buckley's request was being considered under the old Zoning Ordinance.

Commissioner Merx stated that Section 1014 of the current Zoning Ordinance said that all buildings or structures were to be located on a single lot. The building proposed by Mr. Buckley straddled a property line. He asked if the old Zoning Ordinance allowed a building to be built over a property line. Mark Larson said the

old Zoning Ordinance did not address the issue. The building code would allow a structure to be constructed over a property line.

Mark Larson stated that the lot line could be eliminated by amending the subdivision plat. The Planning Commission asked if Mr. Buckley would be agreeable to combining the two lots. Mr. Buckley said he was.

Chairman Hilton asked if any other units in this subdivision straddled property lines. Richard Buckley said there was.

Chairman Hilton asked if there were any comments from the audience. There were none.

Commissioner Merx moved to close the public hearing at 6:48 p.m. Commissioner Yeoman seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve a conditional use permit and site plan for storage units located at approximately 5288 and 5304 South 2775 West subject to the staff and engineering report; that the back wall of the building serve as part of the required fence; and that the site plan follow the old ordinance regarding building over a property line. Commissioner Merx seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER AN AMENDED CONDITIONAL USE PERMIT FOR NUAMES HIGH SCHOOL LOCATED AT APPROXIMATELY 4074 SOUTH 1900 WEST

Commissioner Kirch moved to open the public hearing at 6:50 p.m. Commissioner Hoopes seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Mark Larson stated that NUAMES had requested that their conditional use permit for a school on Building 6 of the Golden Spike Technology Park be amended. When their original conditional use permit was approved, they were required to have 175 parking stalls. When the development was subdivided, the lease agreement for the lot on which NUAMES was located was limited to 126 parking stalls. Based on current enrollment, NUAMES didn't feel they needed more than 126 parking stalls. The current Zoning Ordinance does not have a specific parking requirement for schools. The parking was based on the needs of each school as determined by the City. Golden Park Technology Park had a reciprocal access and parking agreement. Based on the current needs of NUAMES, the DRC was not concerned about reducing the parking requirement from 175 to 126. Most of the students were being bused, which wasn't originally planned.

Commissioner Hoopes asked what ordinance the amended conditional use was being considered under. Mark Larson said it was being considered under the current Zoning Ordinance.

Gary Reed, NUAMES principal, stated that they could live with 126 parking stalls. That might be a different story in six years. He had had preliminary discussions with Ogden City about putting in a parking lot on the Ogden Airport immediately south of this development.

Commissioner Kirch stated that this conditional use permit was for this site at this time.

Commissioner Merx was concerned about the reciprocal parking agreement. Mark Larson said the reciprocal agreement had been recorded with the subdivision plat.

Mark Larson asked how the drop off area was working. Gary Reed said they had not been able to use the drop off area as planned because the construction wasn't finished.

Commissioner Kirch stated that the parking requirements for a school were based on the type of facility it was. This was not an high school where there were a lot of activities to attract a lot of kids and parents at one time.

Chairman Hilton asked if there were any comments from the audience. There were none.

Commissioner Kirch moved to close the public hearing at 7:17 p.m. Commissioner Merx seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Hoopes moved to amend the conditional use permit for NUAMES High School located at approximately 4074 South 1900 West, in Building 6 of the Golden Spike Technology Park, by reducing the required parking from 175 parking stalls to 126 based on the reciprocal parking agreement in effect. Commissioner Kirch seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

4. PUBLIC HEARING TO CONSIDER A PETITION TO REZONE APPROXIMATELY 87.00 ACRES LOCATED AT APPROXIMATELY 1700 WEST 5600 SOUTH FROM MANUFACTURING TO REGIONAL COMMERCIAL

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

Mark Larson stated that the City had initiated a petition to rezone approximately 87 acres located at approximately 1700 West from Manufacturing to Regional Commercial. The petition was in compliance with the Future Land Use Map of the General Plan. The rezone would allow for possible development of areas within Hill AFB. The rezone would not create non-conforming uses.

Chairman Hilton asked if there were any comments from the audience. There were none.

Commissioner Yeoman moved to close the public hearing at 7:18 p.m. Commissioner Kirch seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Yeoman moved to recommend that the City Council rezone approximately 87 acres located at approximately 1700 West 5600 South from Manufacturing to Regional Commercial. Commissioner Merx seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

5. OTHER BUSINESS

Chairman Hilton asked about what was happening with the property on the southeast corner of 3100 West 6000 South. Mark Larson said the staff had spoken with a potential buyer very briefly. The City hadn't received any officials plans or requests.

There was discussion about the status of the commercial development at 4000 South Midland Drive.

6. ADJOURN

Commissioner Yeoman moved to adjourn at 7:33 p.m. Commissioner Hoopes seconded the motion. Commission members Hilton, Hoopes, Kirch, Merx, Stokes, and Yeoman voted "aye." The motion carried.

Brad Hilton
Chairman

Attest:

Michelle Drago
Secretary

dc:pnov2205