

ROY CITY PLANNING COMMISSION

February 28, 2006

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on February 28, 2006, 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, Chairman	Tony Reynolds, Community
Doug Allred	Services Director
Brad Hilton	Mark Larson, Planner
Gennie Kirch	Michelle Drago, Secretary
Karleen Yeoman	

Excused: Dave Collins
Blaine Hoopes

Others present were: Mayor Joe Ritchie; Craig Boyer; Kirk Dean;

Pledge of Allegiance:

1. APPROVAL OF JANUARY 24, 2006, MINUTES

Commissioner Hilton moved to approve the minutes of January 24, 2006, as corrected. Commissioner Kirch seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR A RESTAURANT AND A DRIVE THROUGH WINDOW LOCATED AT APPROXIMATELY 5519 SOUTH 3500 WEST

Commissioner Kirch moved to open the public hearing at 6:32 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Mark Larson stated that Kirk Dean was proposing to construct a new fast-food restaurant known as Warren's which would be located approximately 5519 South 3500 West. It would have a drive through window on the north side. Both the restaurant and the drive through window were conditional uses in a CC Zone. The site was located between Lots-A-Pizza Pie and Kent's Commercial Center. The building would be approximately 3600 square feet in size with 90 fixed seats and an upstairs mezzanine. Mr. Dean estimated they would serve 300 to 500 cars a day. Fifty percent of the cars would go through the drive up window. The site had common access with Kent's Commercial Center on 3500 West and the lot to the north. Craig Boyer currently owned the Warren's and Lots-A-Pizza Pie sites. Before a building permit could be issued, Mr. Boyer needed to record a reciprocal access and drainage easement for both sites. The site had 34 parking stalls and good circulation. The drive through window was required to have enough room to stack three cars. Eighteen percent of the site was landscaped. Mr. Larson said the site naturally drained to the southwest corner. It had taken quiet a bit of engineering to get it to drain to a retention pond on the northwest corner and from there to 5500 South. There was a pedestrian walkway from 3500 West to Kent's Grocery store.

Mr. Larson reviewed the building elevations with the Planning Commission. All four sides of the building had similar architecture and met the City's new architectural standards. There was a light pole in the southeast corner of the site and lights on the building. A 6-foot monument sign was proposed along 3500 West. The dumpster was located in the back and enclosed with white vinyl. Mr. Larson said the site consisted of two different parcels. The building actually straddled a property line. Mr. Boyer needed to combine the two parcels into one. Mr. Larson said Mr. Boyer would be responsible to comply with the disconnection requirements of the Hooper Water Improvement District and UDOT's requirements for a right-of-way permit.

Commissioner Allred asked what type of landscaping would be located along the west side of the site. Mr. Larson showed the Planning Commission the landscaping plan. Commissioner Allred was concerned about light pollution from the cars in the drive through lane. Mr. Larson pointed out that the vehicle light from the drive through lane would be directed at the east wall of the Kent's Grocery Store where there were no windows or doors.

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

Commissioner Kirch asked if the proximity to Kent's would affect the amount of sunlight available for the landscaping along the west side of the site. Mr. Dean's didn't feel it would be a problem.

Commissioner Hilton asked if the landscaping would be carried around the carwash. Kirk Dean said there would be a grassed retention area south of the carwash, but he didn't have any plans to landscape around the carwash.

Commissioner Yeoman moved to close the public hearing at 6:46 p.m. Commissioner Allred seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to recommend that the City Council approve conditional use permits for a restaurant and a drive through window located at approximately 5519 South 3500 West subject to the recommendations of the staff listed in the staff report. Commissioner Hilton seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR
BATTING CAGES LOCATED AT APPROXIMATELY 5160 SOUTH 1900 WEST

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

Mark Larson stated that Monty Vorwaller was proposing to make facade changes to the Sparetime Family Fun Center and install batting cages. The batting cages were a conditional use in the RC Zone. The site was surrounded by streets: 1900 West on the west, 5150 South to the north, Airport Road to the east, and 5200 South to the south. The site contained 2.52 acres, and the existing building was 39,413 square feet in size. Based on the building size, 121 parking stalls were required. The site plan showed 123. Mr. Larson said the site plan showed the batting cages on the west side of the building. Some parking stalls would be displaced by the batting cages. They were being replaced with additional parking on the east side of the building.

Mr. Larson said there were currently four approaches on 5150 South. The two on the west end would be replaced by one new approach. Mr. Vorwaller was proposing to install sidewalk from 1900 West to the northeast corner of the building. It would be necessary to move some light poles to make room for the sidewalk. Landscaping had been added along 1900 West and around the batting cages. Mr. Larson reviewed the new building elevations with the Planning Commission. The facade changes would apply to all four sides of the buildings. There would be wall pac lights on the building. He also reviewed the details of the batting cages.

Mr. Larson stated that the DRC felt the sidewalk should be extended the entire length of 5150 South. The extension of the sidewalk would mean the loss of a few parking spaces, which have to be replaced. The DRC was also concerned about the accessibility of parking spaces immediately adjacent to the building due to the proximity of the driveway approach. The DRC suggested that those stalls be relocated elsewhere. In response to the City's notice to adjoining property owners, the City did receive a call from James Davis.

Tony Reynolds stated that the staff was concerned about the site plan because it contained a detailed account of the plans for the west side of the site while the plans for the east side of the site were temporary. The City owned real estate in this area left from

the realignment of Airport Road with Riverdale Road. UDOT had also given 5200 South to the City, which dead ended just east of the bowling alley. Mr. Vorwaller wanted to acquire the City's property for an expansion to the bowling alley. He didn't want to spend money making improvements to the east side of the site that would have to be torn out.

Brett Wahlen, Mr. Vorwaller's engineer, stated that the City had targeted this area for redevelopment. The building on this site was 46 years old. He felt the facade changes would speak volumes about what Mr. Vorwaller was trying to do. The batting cages would provide an additional entertainment function for Roy City. The lighting from the batting cages would be shielded so it wouldn't be an intrusion onto 1900 West or neighbors. The location of the existing building created some strange parking angles.

Commissioner Yeoman felt the parking next to the building would be very tight. She agreed with the staff's recommendation that it be relocated. She asked if the parking lot would be repaved. Mr. Wahlen said it would. Commissioner Yeoman asked about the landscaping proposed on the east side of the site. Tony Reynolds stated that if Mr. Vorwaller wanted to expend, he would have to have a site plan approved. At that point, the City would require further improvements. Commissioner Yeoman was concerned about the overall appearance of the east side of the site. The parking lot was dark and the dumpsters weren't enclosed. Mr. Wahlen said there would be wall pac lights on the east side. He agreed the parking immediately adjacent to the building was awkward. However, that was what was currently there. Mr. Vorwaller's goal was to make the parking usable and accessible.

Commissioner Yeoman was concerned about the placement of the batting cages in front of the building on 1900 West in downtown Roy. Was there anyway to put the batting cages on the east side of the site? Brett Wahlen said landscaping improvements had been added along 1900 West and around the batting cages to provide a buffer.

Chairman Merx asked if there would be screening for the batting cages. Brett Wahlen said there would be nets all around the outside of the cages.

Commissioner Allred asked about the height of the cages. Tony Reynolds said they were 45 feet high.

Commissioner Kirch asked about hours of operation. Monty Vorwaller said the batting cages would be used seasonally and would be closed at 10:00 p.m. Commissioner Kirch was concerned about hours beyond 10:00 p.m. because of nearby residential uses.

Commissioner Yeoman asked about the extension of the sidewalk. Brett Wahlen said they would extend the sidewalk if they had to even though they preferred not to.

Chairman Merx asked for comments from the audience.

Dale Wysong, Elks Lodge, stated that the Elks didn't have any problem with the bowling alley. It provided entertainment. They were concerned about the future development of 5200 South and had been trying to acquire property from Mr. Lee.

Commissioner Yeoman moved to close the public hearing at 7:24 p.m. Commissioner Kirch seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Hilton moved to recommend that the City Council approve facade changes and a conditional use permit for batting cages located at approximately 5160 South 1900 West subject to the staff recommendations and complying with the concerns of the DRC. Commissioner Kirch seconded the motion. Commission members Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

4. OTHER BUSINESS

There was a discussion about the URMMA Land Use Training on March 1, 2006.

Commissioner Allred asked about the status of the Sign Ordinance. Tony Reynolds said the staff was working on reconciling changes of the new Zoning Ordinance with the old one. The City had received a draft copy of a new Sign Ordinance.

Tony Reynolds updated the Planning Commission and upcoming projects and land use bills being proposed at the State Legislative.

5. ADJOURN

Commissioner Yeoman moved to adjourn at approximately 8:00 p.m. Commissioner Hilton seconded the motion. Commission members

Allred, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:pfeb2806