

ROY CITY PLANNING COMMISSION MINUTES

May 23, 2006

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on May 23, 2006, 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 were in attendance:

Bill Merx, Chairman
Dave Collins
Brad Hilton
Gennie Kirch
Karlene Yeoman

Mark Larson, Planner
Char Wolverton, Secretary

Excused: Doug Allred and Blaine Hoopes

Others present were: Jay and Dawn Fluckiger; and John Saunders.

Pledge of Allegiance: Karlene Yeoman

1. APPROVAL OF MAY 9, 2006, MINUTES

Commissioner Yeoman moved to approve the May 9, 2006, minutes as corrected. Commissioner Collins seconded the motion. Commission Members Collins, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

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

Mark Larson stated that the proponents were seeking approval of a site plan for an addition to Aaron's Jewelry located at approximately 5718 South 1900 West. This was a permitted use in the Regional Commercial Zone. The proposed addition was 1,155 square feet and would be located on the back and north side of the jewelry store, as well as improvements on the south side of the site. The site plan included double access which was beneficial to both Family Dollar and Aaron's Jewelry. The back of the property was gravel surfaced with a storage building enclosed by a chain link fence. Mr. Larson stated that the City Engineer reviewed the site plan and storm drainage information and submitted the following comments. 1) Elevations on the site plan indicate that 4 inches of run off water will pond in the parking area prior to spilling into the designated retention area. Plans should indicate how the 4 inch pond is drained following a storm. 2) Plans should specify curb and sidewalk details. 3) Secondary water is currently not available to the site. The

existing backflow prevention system used to prevent potential contaminants from entering the culinary water system should be inspected by the Roy City Water Department.

Mr. Larson showed the building elevations. He stated that the DRC had reviewed the plan and recommended approval subject to the above-mentioned conditions.

Chairman Merx asked if changes had been made to the ramp in the front of the building. John Saunders, draftsman, stated that several changes had been made to the site plan, as the width of the property was not shown accurately on the original drawings. The current Site Plan was scaled correctly. There was currently no interior curbing, and the owners of the property wanted it to remain that way. Adding curbing would present more of a problem than a benefit. He stated that the jewelry store didn't receive much traffic. He felt the raised sidewalk would protect the building. Mr. Saunders stated that he just heard about the drainage problem today, but he was willing to install a catch basin to drain the parking area. He would also install wheel stops at the parking area on the west side to create a barrier there.

Commissioner Kirch asked if there was an agreement regarding cross-access with Family Dollar. Mr. Saunders stated that he tried to gain an access agreement. However, the owners of Family Dollar didn't want that so he planned to match the existing driveway. He added that a second access was not required because there was room for two-way traffic on the site. Chairman Merx stated that the access to Family Dollar was uneven and steep and wondered if patrons would use Aaron's access to get to Family Dollar. Mr. Saunders said he would watch for that problem to occur. Commissioner Collins stated that since the second access wasn't necessary, it could be closed if needed. Chairman Merx thought it was nice to have the properties adjoin.

Mr. Larson stated that he had talked to the proponents about the interior curb issue. There was curb all the way from Family Dollar to the access. If the proponents didn't incorporate curb into the plan, the curb would end at Aaron's property line. Mr. Larson said the curb was recommended but not required by ordinance.

Commissioner Hilton asked if the parking lot would be blacktop or concrete. Mr. Saunders said it would be concrete. Commissioner Hilton said he would be more concerned about recommending curb if the parking lot was blacktopped. Mr. Saunders said it would be possible to bring the curb around and have it dive into the concrete access. Commissioner Collins felt the owners would want the site to look good; hence, they would make sure it is esthetically pleasing. Mr. Larson stated that without curb along the front, it would be possible for vehicles to get on the landscaping. However, the downfall was that curbing would also decrease the size of the access. Mr. Larson said it would also be beneficial to have curbing around the detention pond and dumpster in the back of the property. Mr. Saunders stated that he would be willing to accommodate the Commission's recommendations. However, he felt curbing was a lot of money for the benefit. There were only four parking spaces and vehicle traffic would be mainly employees. Commissioner Yeoman asked

if curbing was necessary. Mr. Larson stated that the engineered drawing showed curb, but it was not required.

Commissioner Hilton asked if a catch basin was placed, how much lower would the detention pond have to be? Mr. Saunders said the difference in elevation would be about two feet. Commissioner Hilton suggested installing curbing around the detention basin and dumpster.

Commissioner Collins moved to approve the amended site plan for Aaron's Jewelry located at approximately 5718 South 1900 West subject to engineering and DRC recommendations, Fire Marshal approval, and the installation of interior curbing around the detention basin, dumpster site, and along the west side in the front of the property. Commissioner Yeoman seconded the motion. Commission Members Collins, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

3. CONSIDERATION OF AN EXTENSION FOR THE DEVELOPER'S AGREEMENT FOR SHADY MEADOWS ESTATES SUBDIVISION NO. 3 LOCATED AT APPROXIMATELY 5275 SOUTH 3575 WEST

Mark Larson stated that the Escrow and Developer's Agreements for Shady Meadows Estates Subdivision No. 3 were approved in March of 2004. Those agreements were good for two years. The developer had not completed the improvements and Washington Federal had asked that the Escrow Agreement be extended. The Developer's Agreement allowed for the Planning Commission and City Council to grant a one-year extension to the Escrow Agreement. Mr. Larson stated that the improvements were approximately one month from being completed.

Commissioner Hilton moved to recommend that the City Council approve of a one-year extension of the Escrow and Developer's Agreements for Shady Meadows Estates Subdivision No. 3 located at approximately 5275 South 3575 West. Commissioner Kirch seconded the motion. Commission Members Collins, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Chairman Merx expressed concern about using a Developer's Agreement to extend an Escrow Agreement when the Developer's Agreement wasn't available for review. Commissioner Collins asked if anyone had checked to see if escrow funds were still in the account. Mr. Larson stated that half of the escrow amount, approximately \$100,000, still remained.

4. DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

Mark Larson stated that Chapter 10, item F of the old Zoning Ordinance stated that; “No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty-five (25) percent of the rear yard. The new Zoning Code stated that; “All accessory buildings located on a residential lot shall occupy a maximum area of twenty-five (25) percent of the total lot area and shall not exceed eight hundred (800) square feet. Mr. Larson said there had been some problems with the new ordinance, and he would prefer to see the limit of 800 square feet removed from the new ordinance. He felt it would be better to not have minimum square footage requirements. If the Commission agreed, he would bring the document back to them in ordinance form. The Commission agreed.

Mr. Larson stated that the second concern was about corner lots. Chapter 10, Section B2 of the old ordinance stated; “On corner lots, fences, walls, hedges, or other screening material greater than four feet (4') in height will be permitted within the street side yard setback area up to six feet (6') in height, provided it is not closer than twelve feet (12') to a driveway on an abutting lot and all the clear view requirements are met.” The new Code allowed a 6' wall, hedge, fence, etc. on any rear or side yard except fences located on the front property line or on the side property line within the front yard may not exceed 48 inches in height. Mr. Larson stated that he would prefer to revert back to the requirements of the old ordinance.

Commissioner Collins felt it was an aesthetic issue. Chairman Merx wanted to see requirements that a fence must come out from the corner of the home rather than including the front yard. Mr. Larson said the issue was privacy for corner lot owners.

Commissioner Kirch said she had generally seen 6' fences come out from the corners of houses and asked if this was being addressed for the few who wanted to bring their fence around to the front yard. Mr. Larson said he had received many complaints about the lack of privacy that went with a corner lot. He had received few complaints about aesthetics.

Commissioner Yeoman asked if Chapter 10, Section B2 of the old ordinance should be incorporated into the new ordinance. Mr. Larson recommended that the Commission think about making that change.

Chairman Merx didn't want to see a 6' fence extending out to the street, especially on a corner lot, and recommended that the height be limited to 4' on the front property line and on the side property line within the front yard.

Commissioner Hilton stated that one of the downfalls of a corner lot was lack of privacy.

Commissioner Collins stated, in relation to accessory buildings, that the current ordinance allowed a one-story, 25-foot high accessory building in the backyard. He had received many complaints about this and feels that 25-feet was too high. Mr. Larson stated that the 25-foot allowance was to the pitch of the roof; the ceiling height was to 18-feet. Commissioner Collins stated that 25-feet was higher than most homes and recommended that the allowance be lowered, and that the City consider variances if requested, to allow more control of accessory buildings. Mr. Larson stated that the height of 25-feet was set to allow for RV storage. Commissioner Collins recommended an allowance of 14-feet to the pitch and 10-feet to the ceiling. Many of these buildings had loft or storage in the top. He wanted to see that better controlled. Commissioner Hilton stated that while drafting the General Plan, two whole workshops were held on the subject, and it was decided that 25-foot was the "happy medium." Mr. Larson said he would look into it further and bring the changes back in ordinance form.

5. ADJOURN

Commissioner Kirch moved to adjourn at 7:45 p.m. Commissioner Yeoman seconded the motion. Commission Members Collins, Hilton, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Char Wolverton
Secretary

dc:may2306