

ROY CITY PLANNING COMMISSION

September 12, 2006

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on September 12, 2006, at 6:00 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:

Bill Merx, Chairman	Mark Larson, Planner
Doug Allred	Michelle Drago
Blaine Hoopes	
Gennie Kirch	
Karlene Yeoman	

Excused: Dave Collins and Brad Hilton

Others present were: Nycole Hooker; Linda Reimer; Dave Whitaker; Mark Jones; and Charley Jones.

Pledge of Allegiance: Blaine Hoopes

1. APPROVAL OF APPROVAL OF AUGUST 22, 2006, MINUTES

Commissioner Hoopes moved to approve the minutes of August 22, 2006, as corrected. Commissioner Yeoman seconded the motion. Commission members Allred, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A SITE PLAN AND A CONDITIONAL USE PERMIT FOR A RESTAURANT WITH A DRIVE THROUGH WINDOW LOCATED ON PAD G OF THE KENT'S COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 5585 SOUTH 3500 WEST

Commissioner Kirch moved to open the public hearing at 6:04 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Mark Larson stated that there were two parts to the item on the table. KB Family, LLC was requesting approval of a site plan for a building on Pad G of Kent's Commercial Subdivision. The pad was located at approximately 5585 South 3500 West. Nycole Hooker and Linda Reimer were requesting approval of a conditional use permit for a restaurant with a drive-through window. The restaurant would be in the north space in the building.

Commissioner Hoopes asked if the requests should be handled separately. Mark Larson said any motion should be worded to separate the issues.

Mark Larson stated that the new building would contain 7,100 square feet and would have five potential spaces. The building itself was a permitted use, which only required approval from the Planning Commission. If the other uses in the building were permitted, the Planning Commission would not review them. All conditional uses would be brought back to the Planning Commission and City Council. Grounds For Coffee was planning to occupy 1,300 square feet on the north side of the building. It would have a drive-through window on the north side. The restaurant and drive-through window were both conditional uses. Mr. Larson said Pad G was part of the overall Kent's Commercial Subdivision, and as such, all of the utilities, storm drainage, landscaping, parking, etc. were already installed. The City Engineer didn't have very many comments because of the existing utilities. He had emphasized secondary water. The site plan for the pad included 11 new parking spaces, which were over and above the adequate parking through the development. Access to the drive-through window was on the east side of the building. Mr. Larson said the elevation of Pad G was five to six feet below the sidewalk. That would help lights from vehicles in the drive-through lane from affecting traffic on 3500 West or the homes on the east side of 3500 West. There was additional landscaping on the southeast corner of the site to shield the additional parking.

Commissioner Kirch was concerned about the location of the dumpster. It appeared that waste removal trucks could interfere with the drive-through traffic. Dave Whitaker, contractor for KB Family, LLC, wasn't aware of any traffic conflicts with waste removal trucks in other parts of the development. The trash was usually picked before 6:00 a.m.

Commissioner Yeoman asked how the elevation change would be landscaped. Mark Larson said the site plan called for grass.

Mark Larson stated that the east side of the building was actually the back. The sidewalk around the pad directed traffic to the front of the building.

Chairman Merx asked how wide the sidewalk along the east side of the building was. It appeared to be too narrow. Mark Larson said the building code called for a three-foot landing. Dave Whitaker said the sidewalk would be buffered by a tubular handrail that would run the length of the building. The handrail would direct pedestrians to the south instead of allowing them to step into the drive-through lane. Chairman Merx suggested that the doors swing to the north. Mr. Whitaker said they would.

The Planning Commission reviewed the floor plan for the overall building, the restaurant, and the building elevations. They discussed the restaurant's menu with the proponents.

Commissioner Allred stated that the elevations showed a full length window on the east side of the restaurant. However, the floor plans showed a sink in that location. Dave Whitaker stated that in order to maintain the appearance of the building from the street, black glass would be installed in front of the sink.

Mark Larson stated that all of the lights would be located on the walls and directed down. The restaurant would have a grease trap. Dave Whitaker stated that each space would have it's own grease trap if it was needed.

Commissioner Kirch asked about the hours of operation. The proponent said her franchise required her to be open from 5:30 a.m. to 8:00 p.m. Commissioner Kirch said there could be a conflict between the dump trucks and the drive-through traffic.

Commissioner Hoopes asked if the proponents had reviewed the comments in the staff report. Dave Whitaker said he had and didn't have a problem with them.

Commissioner Allred asked about signage. Mark Larson said the signs would be located on the building. There was an existing pole sign on the pad for the overall center which had space for a few tenants. Dave Whitaker said KB Family, LLC intended for small signs to be located on the east side of the building for exposure to the street.

The proponents discussed their proposed menu.

Commissioner Yeoman moved to close the public hearing at 6:36 p.m. Commissioner Hoopes seconded the motion. Commission members Allred, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Commissioner Kirch moved to approve the site plan for Pad G for Kent's Commercial Subdivision located at approximately 5585 South 3500 West subject to the conditions set listed in the staff report and to recommend that the City Council approve a conditional use permit for a restaurant and drive-through window to be located in the north space on Pad G subject to the conditions listed in the staff report. Commissioner Yeoman seconded the motion. Commission members Allred, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

3. OTHER BUSINESS

Chairman Merx stated that he would not be able to attend the September 26th meeting. Commissioner Kirch said she might not be there either.

Mark Larson stated that Doug Allred and Dave Collins would be attending the ULC&T's conference on September 14th.

4. ADJOURN

Commissioner Hoopes moved to adjourn at 6:40 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Hoopes, Kirch, Merx, and Yeoman voted "aye." The motion carried.

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:psep1206