

ROY CITY PLANNING COMMISSION

November 14, 2006

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on November 14, 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, Secretary
Dave Collins	
Brad Hilton	
Gennie Kirch	
Karlene Yeoman	

Excused: Blaine Hoopes

Others present were: Kaye Child; Martin Gonzalez; Mosiah Gonazalez; Armando Tezelpa; Frank Longoria; Geovanny Paredes; Ricardo Osorir; Mike Hoth; Dan Midell; and Clyde Ratliff.

Pledge of Allegiance: Brad Hilton

1. APPROVAL OF OCTOBER 24, 2006, MINUTES

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

2. PUBLIC HEARING TO CONSIDER APPROVAL OF A RESIDENTIAL INFILL OVERLAY DISTRICT LOCATED AT APPROXIMATELY 5800 SOUTH 4300 WEST AND PRELIMINARY APPROVAL OF PARK RIDGE SUBDIVISION LOCATED AT APPROXIMATELY 5800 SOUTH 4300 WEST

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

Mark Larson stated that the Park Ridge Subdivision was located immediately south of Emma Russell Park. It was actually a subdivision of Lot No. 48 of Olympia Park West Subdivision No. 3.

It was a complicated design for such a small subdivision. Mr. Hoth was requesting approval of the Residential Infill Overlay (RIO) because the cul-de-sac was 676 feet long, which was over the maximum length of 500 feet set by the Subdivision Ordinance. A RIO allowed for a longer cul-de-sac. The Fire Marshall had reviewed the subdivision and felt comfortable with the proposed plan.

Mr. Larson said the subdivision contained a wetland area on the southwest corner. This was the drainage spot for the surrounding area. Some of the drainage problems had been solved by the development of the neighboring properties. However, surrounding lots still drained to this area because it was the low spot. Park Ridge Subdivision had been designed with backyard swales that directed storm water to the curb. Mike Hoth had received a letter from the Army Corps of Engineers indicating they were in agreement with his mitigation plans.

Commissioner Allred asked how Mike Hoth planned to make sure that the swales were left open and undisturbed by the homeowners.

Mark Larson stated that only 65 feet of the 80 foot frontage on 4300 West was needed. Mike Hoth was proposing to dedicate the remaining frontage to the owners of Lot No. 47 in Olympia Park West No. 3.

Mark Larson stated that the configuration of the cul-de-sac was unusual. Commissioner Collins asked where snow would be placed in the winter. Mark Larson said that snow removal in cul-de-sacs was always a concern. As the last few pieces of land in Roy developed, the Planning Commission would see more and more unusual designs. A Residential Infill Overlay gave a developer the advantage of a longer cul-de-sac with narrower lot widths. None of the lots in Park Ridge took advantage of the narrower width. All of the lots had the normal R-1-10 frontage and setbacks.

Mark Larson stated that the City Engineer had some concerns about secondary water that would be addressed on the final improvement plans. His concerns did not change the design of the subdivision.

Chairman Merx asked if Park Ridge would have depth restrictions like the subdivision to the east. Mark Larson said it would. The City Engineer had required a soil analysis to help determine the depth restrictions.

Mark Larson stated that there was an existing home and accessory building on the property that would be demolished. The development

of this subdivision would allow the City to cover a 7-foot hole on the northwest corner of the subdivision.

Commissioner Kirch asked how the wetlands would be handled.

Mike Hoth stated that this subdivision was located in a low spot and was wet most of the time because of surrounding drainage. That constituted a wetland. He had submitted a wetland delineation to the Army Corps of Engineers. If a wetland area was more than one-fourth of an acre it had to go through a lengthy mitigation process. Because this wetland consisted of 0.04 acres, the Army Corps of Engineers had agreed to allow them to build the subdivision as proposed. After the subdivision was constructed, the Army Corps of Engineers would inspect it and sign it off. Mr. Hoth said the CC&R's would require the homeowners to maintain the drainage swales.

Commissioner Allred asked if there were any existing ditches that would be piped. Mr. Hoth said there was an old ditch that would be covered up. The drainage swales would guide the runoff to the road. There would not be a detention area.

Commissioner Hilton suggested that the CC&R's include language to keep accessory buildings out of the drainage swales.

Commissioner Collins stated that this was one of the areas in Roy that had drainage problems during large storms. He suggested that something be used besides gravity to get the storm water to the curb.

Chairman Merx opened the floor for public comments.

Dan Midell, 5821 South 4175 West, stated that there were drainage problems along the east side of this subdivision which he had documented with pictures. He was concerned about the drainage swales proposed by the developer. He would prefer something like a land drain that would hook into the City's system.

Commissioner Kirch asked if the drain on the north was an open ditch. Dan Midell said it was. He was concerned about it being covered up and the proposed changes in grading. If the ditch was covered up, where would the water go?

Commissioner Collins asked if Mr. Midell would be willing to participate in the expense to fix the problem. Dan Midell said he

had fixed the problems with his property. However, he could see potential problems with this subdivision.

Mark Larson stated that land drains were not shown on the proposed subdivision plan. This area would always have storm water, but there were options to lessen the problem.

Chairman Merx stated that if the elevations of this property were changed, it could affect how the storm water drained from surrounding properties.

Commissioner Kirch asked if it would be possible to put in a pipe to drain the storm water. Mike Hoth felt it would be easier and cheaper to put in piping than the drainage swales. Commissioner Allred said it needed to be actual pipe, not a perforated land drain. Perforated pipe would simply collect ground water, not drainage.

Chairman Merx didn't feel piping would affect the elevations as much as the drainage swales would.

Kaye Child, 4260 West 5850 South, stated that the southwest corner of this subdivision was a catch basin for water. She was concerned about how the new lots would be graded. If the lots were higher than hers, the water would puddle.

Commissioner Allred stated that the drainage swales drained the subdivision on paper, but he was concerned about how the swales would be maintained long term.

Clyde Ratliff, 5854 South 4250 West, was concerned about the safety of the neighborhood children walking to and from school. There was already construction on 4300 West. Now this subdivision was being proposed. How long would 4300 West be torn up?

Mike Hoth planned to start this subdivision in December. He didn't feel it would affect 4300 West that much.

Commissioner Kirch hoped Mike Hoth's construction company would be sensitive to the times children would be walking to and from school, i.e. 8:15 a.m. and 3:20 p.m.

Commissioner Collins moved to close the public hearing at 6:51 p.m. Commissioner Yeoman seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, and Yeoman voted "aye."

Commissioner Kirch felt the infill was a good design. The lots were very nice.

Commissioner Allred was concerned that the homeowners would disrupt the planned drainage swales. Then the drainage plan wouldn't work. Chairman Merx was concerned about how changing the existing grading would affect the surrounding property owners. Commissioner Kirch felt the developer should select the best option to provide for the best long term protection for the homeowners.

There was discussion about whether to approve the subdivision with the direction to solve the drainage problems before going to the Council or having the problem resolved and brought back to the Planning Commission.

Commissioner Kirch moved to recommend that the City Council grant preliminary approval of a Residential Infill Overlay District at approximately 5800 South 4300 West and preliminary approval of the Park Ridge Subdivision located at approximately 5800 South 4300 West subject to the staff and engineering reports and the storm drainage being looked at again to determine the best way (piping or swales) to maintain the storm drainage in perpetuity. Commissioner Allred seconded the motion. Commission members Allred, Collins, Hilton, Kirch, Merx, and Yeoman voted "aye."

3. DISCUSSION REGARDING APPROPRIATE DENSITIES FOR UNDEVELOPED PROPERTIES ZONED SINGLE-FAMILY RESIDENTIAL

Mark Larson stated that he had taken the list prepared by the Planning Commission at its last meeting and tried to determine on which properties an R-1-10 Zone would work.

Commissioner Kirch was concerned about making R-1-10 islands. Mark Larson said there wouldn't be islands or spot zones as long as the City followed the General Plan, which it was.

The Planning Commission reviewed the information provided by the staff and made the following determinations:

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| Yes | 1. | Amidan/Larsen property - 4700 S 4200 W - can be rezoned R-1-10 |
| Yes | 2. | 4975 S 3925 W - can be rezoned R-1-10 |
| Yes | 3. | Openshaw - 5450 S 3925 W - can be rezoned R-1-10 and developed with a development agreement |
| N/A | 4. | 5450 S 3850 W - already developed - cannot be rezoned |
| No | 5. | 5575 S 3850 W - zoning makes no difference on lot yield - do not rezone |
| No | 6. | Adair & adjoining properties - 5375 S 3275 W - cannot be rezoned because of power lines |
| No | 7. | 4950 S 3200 W - cannot be rezoned because of property size |
| N/A | 8. | 4700 S 2950 W - already has preliminary approval - cannot be rezoned |
| Yes | 9. | 4650 S 3500 W - 3 Amigos Church - should be rezoned Community Commercial |
| Yes | 10. | Russell - 4950 S 3050 W - can be rezoned R-1-10 |
| No | 11. | 2940 W 5600 S - already developed - cannot be rezoned |
| No | 12. | City detention pond - 2750 W 6000 S - cannot be rezoned - should amend General Plan to list with a Government use |
| Yes | 13. | Mathie - Can be rezoned R-1-10 |
| Yes | 14. | Seifert - 5550 S 2500 W - should be rezoned R-3 |
| Yes | 15. | Terry - 5175 S 2700 W - can be rezoned R-1-10 |
| Yes | 16. | Wilson/UTA - can be rezoned R-1-10 |

Mark Larson stated that only seven of the sixteen properties studied could possibly be rezoned R-1-10. The total difference in lots was 20. With an R-1-8 Zone there was the potential for approximately 130 lots; with an R-1-10 Zone there was the potential

for approximately 110. The staff would forward the Planning Commission's determinations to the City Council and meet with the City Attorney to determine how to proceed with a City-initiated rezone.

Commissioner Kirch was uncomfortable taking unilateral action. It appeared the City had an agenda. The Planning Commission has always told residents that rezones were initiated by private property owners, not the City. She wasn't sure the possible negative impact was worth the few lots that might be gained.

The Planning Commission wasn't sure 20 lots was worth the trouble a City-initiated rezone could make.

4. ADJOURN

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

Bill Merx
Chairman

Attest:

Michelle Drago
Secretary

dc:pnov1406