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PLANNING COMMISSION

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AGENDA

November 25, 2014

6:00 p.m.

The Roy City Planning Commission meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 505 I South 1900 West. The meeting will commence with the Pledge of Alliance, which will be appointed by the Chair.

Agenda Items

1. Declaration of Conflicts
2. Approval of November 12, 2014 minutes
3. a. Continuation to consider a request for Site Plan and Building Elevation approval for a New Building at the "Our Savior's Lutheran Church" located at approximately 5560 south 2300 West.
3. b. To consider a re-approval of a Conditional Use to allow a Multi-Family Housing development located at approximately 4600 S 3500 W.
3. c. Continuation of Public Hearing – To consider a request for Preliminary Subdivision Approval of West Park Subdivision, a residential subdivision located at approximately 2750 W. 4800 S.
4. Staff Update
5. Commissioners Minute
6. Adjourn

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY MEETINGS

If you need special accommodation to participate in this meeting, please contact Roy City Community Development Department at 24 or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The phone number is (801)-774-1040.

ROY CITY PLANNING COMMISSION

November 25, 2014

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on November 25, 2014, 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:

Gennie Kirch, Chairman
Bob Dandoy
Leland Karras
Lindsey Ohlin

Steve Parkinson, Planner
Michelle Drago, Secretary

Excused: Blake Hamilton, Joe Paul, and Tom Stonehocker

Others present were: Cathy Spencer, Management Services Director; Rick Saathoff; Jeremy Searle; Greg Sagen; Jane Thurman; D.L. Thurman; Emily Beeli; Pieder Beeli; Craig North; Brad Barto; Kent Howard; Lynn Howard; Matt McConkie; Larry Underwood; Kris Gibson; Colby Bond; and Jason Bal.

Pledge of Allegiance: Leland Karras

1. APPROVAL OF NOVEMBER 12, 2014, MINUTES

Commissioner Ohlin moved to approve the November 12, 2014, minutes as written. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

2. CONTINUATION OF CONSIDERATION OF A REQUEST FOR APPROVAL OF A SITE PLAN AND BUILDING ELEVATION FOR A NEW BUILDING FOR "OUR SAVIOR'S LUTHERAN CHURCH" LOCATED AT APPROXIMATELY 5560 SOUTH 2300 WEST

Steve Parkinson stated that on October 28, 2014, the Planning Commission tabled consideration of a site plan and building elevation for Our Savior's Lutheran Church located at 5560 South 2300 West in order to give the applicant time to address deficiencies in the building elevation. The new north façade had bump outs, or columns, that extended from the ground to the roof. The south façade had bump outs and different roofing styles. On the east and west facades there wasn't a distance greater than 30 feet without a bump out. Gables had also been added. The elevation changes were a great improvement.

Mr. Parkinson said the new building would be done with red brick. The brick on the existing chapel was white. The applicant had indicated that the chapel would be replaced in a few years, but there wasn't any guarantee that would actually happen. The Zoning Ordinance said colors needed to be cohesive.

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Mr. Parkinson stated that the Zoning Ordinance did not specify the number of parking stalls that were needed for a church. The number of parking stalls was to be determined by the Planning Commission. The packet included church parking requirements from Clinton, Clearfield, and Ogden. The amount of required parking was determined by the size of the main meeting area, or the chapel. The size of the chapel was not being increased. The site plan showed that the parking lots would be enlarged. The number of parking stalls was being increased from 71 to 91. A few parking stalls would be lost to comply with the parking lot landscaping requirement. The amount of proposed parking complied with the requirements from all three sample cities. Mr. Parkinson felt there was an abundance of parking.

Commissioner Dandoy stated that at the previous meeting there was discussion about the dumpster and accessory building. Mr. Parkinson stated that the site plan did not include details about the dumpster. The accessory building already existed on the site. It was being moved to a new location on the site. It was not new to the neighborhood. It just needed to match the color scheme.

Chairman Kirch asked if the staff could approve the plans for the dumpster. Mr. Parkinson said it could.

Commissioner Karras asked if the sidewalk on the site plan had been changed to enter the courtyard rather than running into a wall. Mr. Parkinson said it had not been changed. The proposed sidewalk plan was not pretty but it met the pedestrian needs.

Steve Parkinson stated that the staff had found that the proposed building met the minimum building standards established in the Zoning Ordinance. The proposed site plan could meet the site design standards established by the Zoning Ordinance. The staff recommended that the Planning Commission approve the site plan and building elevations subject to compliance with all requirements of the City Engineer, Roy Fire Department, Roy Building Division, Roy Planning Division; and that the Planning Commission approve the number of needed parking stalls and color scheme.

Chairman Kirch asked if the Planning Commission had any objections to the proposed color scheme. She didn't have any issues with the two buildings being different colors as there were plans to demolish the chapel.

Commissioner Ohlin said the color of the stucco on the new building would match the brick color of the chapel.

Chairman Kirch felt the increased number of parking stalls would be sufficient. The site plan did need to include details about the dumpster. The stairs and sidewalk was an aesthetic detail, but the proponent had indicated that the sidewalk would be changed to enter the courtyard.

Commissioner Karras moved to approve a site plan and building elevation for a new building for Our Savior's Lutheran Church located at approximately 5560 South 2300 West based on the staff's findings; that the Planning Commission found the amount of proposed parking to be sufficient and that the proposed color scheme complied with the Zoning Ordinance; and that approval be subject to the staff's recommendations, that dumpster details be added to the site plan, and that the sidewalk design provide safe pedestrian

passage. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

3. CONSIDERATION OF RE-APPROVAL OF A CONDITIONAL USE FOR A MULTI-FAMILY DEVELOPMENT LOCATED AT APPROXIMATELY 4600 SOUTH 3500 WEST

Steve Parkinson stated that in December 2013 the Planning Commission held public hearings to consider a Future Land Use amendment, rezone, and conditional use for a multi-family development located at approximately 4600 South 3500 West. The Planning Commission forwarded a recommendation of approval to the City Council for all three actions. In February 2014, the City Council denied the request to amend the Future Land Use Map and rezone. It never even considered the conditional use. On November 18th, the City Council rescinded its decision to deny the Future Land Use amendment and rezone and decided to reconsider those requests at its December 2nd meeting. In the Zoning Ordinance, approval of a conditional use was only good for 180 days. The applicant was asking that the Planning Commission re-approve the conditional use for this project so it would be ready for the Council to act upon when it considered the land use and rezone. Mr. Parkinson said the applicant wasn't proposing any changes to the site plan or building elevations. Everything was the same as originally presented to the Planning Commission.

Chairman Kirch stated that three members of the Planning Commission were new. They did not review the project last December. She explained the proposed project to the Commission. She also explained that UDOT planned to close the intersection of 3500 West and Midland Drive.

Commissioner Dandoy stated that he had read minutes from the Planning Commission and Council meetings regarding this project. He wasn't sure the Planning Commission had received answers to some of their questions. There was a discussion about sidewalk. The sidewalk would stop at the north end of the proposed project, yet school children would still have to continue walking north to school. The Planning Commission asked that the school district look into the situation. He wasn't sure the City had resolved the sidewalk installation for the safety of the children.

Chairman Kirch stated that the school district had to identify safe passage routes for students. If lack of sidewalk was an issue the school district would approach the appropriate city.

Commissioner Dandoy asked where the sidewalk stopped. Mr. Parkinson said it would stop at the north end of the proposed project. The area north of the project was in West Haven as was the area on the east side of 3500 West.

Commissioner Karras said children would take the easiest route.

Chairman Kirch stated that if the children from the project attended Midland Elementary they would walk south to 4800 South, cross 3500 West at the light, and continue east on 4800 South.

Commissioner Dandoy stated that the City Engineer had discussed the water table. The water table in this area was so high that residential homes could not put in basements. Was that still the case? Mr. Parkinson said it was. Commissioner Dandoy asked if the development would have a retention pond. Mr. Parkinson said it would. The pond would be located on the north end of the project.

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Commissioner Dandoy asked why the City Council denied the project in February. Mr. Parkinson said the City Council wanted to keep all commercially zoned land commercial. Now that UDOT planned to change the configuration of the intersection, the property in question was longer viable for commercial development.

Commissioner Dandoy stated that in the Planning Commission's public hearing on December 10, 2013, Jared Hall stated that the Mayor had received notification that UDOT intended to close 3500 West. The City Council made a decision to deny the land use and rezone amendments with full knowledge of UDOT's plans. The City Council wanted to see what West Haven's commercial development plans were. It wanted to keep as much commercial property as possible for sales tax reasons. He felt the Planning Commission needed to understand what had changed the Council's mind. He wanted to make sure the Planning Commission did not stumble.

Steve Parkinson stated that all three actions were on the Council's February agenda. The City Council discussed the land use and rezone amendments, but never looked at the conditional use.

Chairman Kirch stated that the current property owner had been trying to sell this property for some time. She felt the City Council was recognizing that UDOT's plans to close the road limited the commercial viability of this property. There had been concern about the height of the buildings being intrusive for the property owners to the west. She felt the developer had done a good job of addressing the concerns discussed in the public hearings. The apartment buildings had been located along the east side of the site.

Commissioner Dandoy stated that the proposed apartments were three-story buildings. They would cause sight limitations for the people to the west. Moving the buildings closer to 3500 West would help the sight issue. Mr. Parkinson said the closest building apartment building was 183 feet from the back yards of the homes to the west. Commercial buildings could be 40 feet in height and would be built along the back property line so parking could be along 3500 West. Commercial buildings would actually be more of a visual limitation than the apartments would be.

Commissioner Dandoy stated that the cul-de-sac on 3500 West proposed by UDOT changed the dynamics of the proposed site. Access for a commercial use would be difficult. He felt understanding the direction the Council was moving toward and why it had changed its position was a real issue. He felt the Council was fundamentally aware of everything the Planning Commission had discussed. The minutes were very clear that the Council wanted to hold onto all of the commercial property. He was surprised by the Council's decision.

Chairman Kirch stated that the Council had already decided to rescind its decision.

Commissioner Dandoy stated that there was a lot of reference in the minutes to the Leakage Study. Did something in the study change? Steve Parkinson stated that there wasn't a new study. Over time Council members had studied the property and sought opinions from other commercial developers. They learned this was not a viable commercial property.

Commissioner Dandoy felt that UDOT's closure of the 3500 West Midland Drive intersection was the right answer.

Chairman Kirch felt this was a nice project. It was dense, but it could have been denser than it was. Steve Parkinson stated that the Zoning Ordinance allowed a density bonus for projects that put in extra open space amenities. The proposed development would have diverse amenities, including a swimming pool and basketball court.

Steve Parkinson stated that the staff recommended that the Planning Commission recommend that the Council approve a conditional use for a multi-family development located at approximately 4600 South 3500 West based on the staff's original findings and subject to the original conditions.

Kent Howard, Uintah Land Company, stated that they met with the Planning Commission several times last fall. Just prior to the Council's consideration in February, the City received the results of a Leakage Study it had commissioned to try and keep retail dollars in Roy. Since February, the City's own study determined that this site was not a viable commercial site due to UDOT's plans. Some of the Council members took the opportunity to seek input from developers about what type of development would be best. His company had also provided additional data to the Council. He now believed they had the support from the Council to move this project forward. They wanted to have the conditional use ready to approve when the Council discussed this project at its next meeting. They hoped to have all three items addressed.

Chairman Kirch asked how many bedrooms the units would have. Mr. Howard said there would be one, two, and three bedroom apartments. The rents would range from \$800 to \$1100 per month. This would be a high-end project with great amenities to attract good clients. They had a rigorous process for selecting tenants.

Commissioner Dandoy wanted to hear from any members of the audience who wanted to make a comment. Chairman Kirch opened the floor for public comments.

Matt McConkie, Utah Real Estate Apartment Division, said he was an apartment broker. He felt the proposed project was an ideal buffer between the commercial and residential zones. The project softened the harsh edge of the commercial area. He felt high end apartments actually provided more stability to neighboring property values. Apartments actually stabilized a community. Apartments did not get foreclosed on. Professionally managed apartments did not experience destabilization and were professionally maintained. He felt that in time, the surrounding residents would find the project pleasing to look at and see that it would not affect property values.

Steve Parkinson stated that the City Council tabled consideration of the Future Land Use and rezone amendments until December 2nd to allow time for the adjoining property owners to be notified. They would have the opportunity to make comments.

Commissioner Dandoy moved to recommend that the City Council approve a conditional use for a multi-family development located at approximately 4600 South 3500 West based on the staff's original findings and subject to the original conditions. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

4. CONTINUATION OF A PUBLIC HEARING FROM OCTOBER 28, 2014, TO CONSIDER A REQUEST FOR PRELIMINARY APPROVAL OF WEST PARK SUBDIVISION LOCATED AT APPROXIMATELY 2750 WEST 4800 SOUTH

At 6:45 p.m., Commissioner Karras moved to continue the public hearing. Commissioner Ohlin seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

Steve Parkinson stated that the Planning Commission had continued the public hearing from October 28th because it had a few questions it had asked the applicant to research. Since the October meeting, the applicant had submitted a new traffic study that had been reviewed by Mark Miller, the City Engineer, and Joe Perrin, the City's traffic consultant. Mr. Parkinson said he had not had an opportunity to speak with the City Engineer about the traffic study.

Jeremy Searle, Hale Engineering, stated that the latest traffic study was dated November 24th. This was a difficult location. There was only a narrow place to access 4800 South. The property was located between the railroad tracks to the east and the trail and park to the west. The original study proposed that the access be limited to right in and right out turning movements. Due to the decreased density of the proposed development, the access had been updated to a three-quarter access. It would allow right out, right in, and left in turning movements. When they did the traffic study, they took into consideration the adjacent intersection, existing traffic, and traffic after the project was in place. In the AM they found that the intersection functioned at an A level of service with or without the project. In the PM they found that 4800 South was very busy. The addition of the project did not change the level of service. In the PM the intersection's level of service was E. There was concern about how the access would function because of its proximity to 2700 West and the railroad tracks. The proposal they submitted to Mark Miller and Joe Perrin was a three-quarter access. There were currently three lanes on 4800 South – west bound, east bound, and a center turn lane. They proposed that a raised median be installed to eliminate the left out turning movement. There would be a through west bound lane and an acceleration lane for traffic turning left at 2700 West.

Chairman Kirch asked about the bump in the road caused by the old D&RG railroad. Mr. Searle said the bump was only a concern if the access had a left out turning movement. The bump did not prohibit the view for right out, right in, and left in turning movements.

Chairman Kirch asked if the round-about would have one lane or two. Mr. Searle did not know what the design of the round-about would be. The design was in the City Engineer's hands.

Commissioner Dandoy stated that in light of growth in Hooper and West Haven, there had been serious consideration about widening 4000 South, 4800 South, 5600 South, and 6000 South. Steve Parkinson stated that east/west traffic movement was still an issue. The State would focus on 5600 South. The other three roads - 4000 South, 4800 South, and 6000 South - were not State roads. They would have to be widened at the City's expense. He felt all of the roads needed to be upgraded to improve traffic flow, but he did not know that Roy had looked at the roads.

Commissioner Dandoy stated that Roy was really congested. There were certain times of the day, you just didn't travel on certain roads. It could be years before the City looked at its roads. He felt Roy and the State had to come to terms with what to do about growth, or Roy would become a parking lot. He felt the development of Walmart in West Haven would affect Roy immediately.

Chairman Kirch opened the floor for public comments.

Pieder Beeli, 2730 West 4800 South, stated that the raised median would prohibit left turn movements from his home and the barn just to the east. It appeared the west bound traffic lane would become narrower. The width of the current west bound lane helped his family be able to turn into their home without being hit. Shrinking the width of the lane would increase the opportunity for vehicle contact. Development of this property would increase traffic congestion. He felt that congestion could be fatal.

D.L. Thurman, 3100 West, stated that he owned the house at 2730 West 4800 South and the barn just to the east. The raised median would make it impossible for him to get into the barn when he was coming from his home on 3100 West without crossing the railroad tracks to the east. Property owners on the south side of 4800 South would not be able to get into their properties.

Colby Bond, Syracuse, stated that when he considered this site, he read the development agreement the City approved in October 2013. The development agreement applied to the current or future developer of the property. The intent of the agreement was to keep the roads safe. The project approved last year had 155 units. He didn't feel that was the best use for the property. The project he was proposing had 72 units. His proposal would lessen the impact on 4800 South and the City.

Pieder Beeli, felt it would be a mistake for the City to move forward with something that could cause lethal congestion. He felt there was a high probability of a lethal situation, especially in the PM traffic. Congestion from this development would leave traffic on the tracks. He understood that the purchase of this property was contingent on project approval. The developer would not experience a financial loss if the development was not approved. He felt the best solution was for the City to purchase the property and incorporate it into the existing park. He felt that would be a greater value to the community.

Emily Beeli, 2730 West 4800 South, asked if City had found out if there was a possibility of making 2700 West a full intersection. Chairman Kirch did not believe the City had received anything new from Union Pacific.

Chairman Kirch asked if there was a way to shorten the proposed median to allow better access to the Thurman properties. She was concerned about the ability of large vehicles to get in and out. Jeremy Searle felt it would be safer to have the median. He knew there were concerns about make left turns into the property and losing the shoulder area for right turns. The proposed changes would make the area safer. Large vehicles would have to use part of the acceleration lane to make a turn.

Commissioner Karras moved to close the public hearing at 7:11 p.m. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

Steve Parkinson stated that traffic would be a concern regardless of this project. The project had looked at how to mitigate some of the issues. There would be some inconvenience for some. In a few months residents would adjust. There had been a suggestion that the property be developed as a park. Mr. Parkinson felt a park would generate more traffic than a residential development would. A park would still have the same traffic problems. The traffic engineer had brought up the best scenario to allow as much movement as possible. The only reason he had allowed the

discussion about traffic was because of the 2700 West intersection and the uniqueness of the property.

Commissioner Dandoy said it appeared the three-quarter access was the best option. He felt the information from the traffic study was only one part of a two-part question. When the City Council considered the subdivision, it needed to have answers about the design of the round-about. He felt the Planning Commission should recommend that the round-about be constructed in conjunction with this subdivision.

Commissioner Karras moved to recommend that the City Council grant preliminary approval of the West Park Subdivision based on the staff's findings and subject to the conditions recommended by the staff and that the City construct the round-about at 2900 West 4800 South in conjunction with the subdivision. Commissioner Ohlin seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.

5. STAFF UPDATE

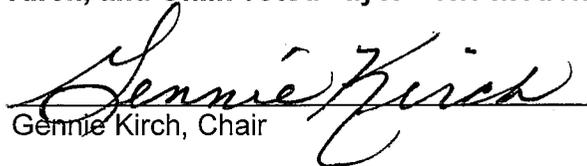
Steve Parkinson reported on the City Council's actions for recent planning items. The Council approved the proposed text amendment to Chapter 17 and shortened the compliance period from 18 to 12 months. The Council approved the Future Land Use and rezone amendments for property at 2654 West 6000 South. It approved, the conditional use for the Southern Comfort Restaurant, and denied preliminary approval of the Walton Subdivision.

6. COMMISSIONERS' MINUTE

There were none.

7. ADJOURN

Commissioner Karras moved to adjourn at 7:28 p.m. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, and Ohlin voted "aye." The motion carried.


Gennie Kirch, Chair

Attest:


Michelle Drago, Secretary