



PLANNING COMMISSION

established 1937

• Chair – Gennie Kirch • Vice Chair – Lindsey Ohlin Members: • Bob Dandoy • Laland Karras • Joe Paul • Tom Stonehacker

AGENDA

May 12, 2015

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 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

Agenda Items

1. Declaration of Conflicts
2. Approval of April 28, 2015 work session minutes
3. Request for approval of a drive up window for Midland Market which is an existing C-Store located at approximately 3805 S. Midland Drive.
4. Commissioners Minute
5. Staff Update
6. Adjourn



ROY CITY PLANNING COMMISSION

May 12, 2015

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on May 12, 2015, 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
Tom Stonehocker

Steve Parkinson, Planner
Michelle Drago, Secretary

Excused: Joe Paul

Others present were: Greg Sagen; Jason Kunzler; Scott Nelson; Harry Multani; Sharan Multani; and Bob Comeaux, Questar Gas.

Pledge of Allegiance: Lindsey Ohlin

There were no declarations of conflict.

1. APPROVAL OF APRIL 28, 2015, MINUTES

Commissioner Karras moved to approve the April 28, 2015, minutes as corrected. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A REQUEST FOR APPROVAL OF A CONDITIONAL USE FOR A DRIVE UP WINDOW FOR THE MIDLAND MARKET CONVENIENCE STORE LOCATED AT APPROXIMATELY 3805 SOUTH MIDLAND DRIVE

Steve Parkinson stated that the City had received a request for approval of a conditional use for a drive up window for the Midland Mark Convenience Store located at approximately 3805 South Midland Drive. The applicants were proposing to put in a drive up window on the north side of the building. Traffic for the window would flow from east to west. The only physical change to the building would be the installation of the window.

Mr. Parkinson said seven parking spaces were required for the site. More than seven spaces were shown. There was enough parking to allow some flexibility. The staff felt the four parking stalls on the west side of the building were questionable. They backed onto or overlapped the public right-of-way; they were not shown on the original site plan; and they only 9'x18'. The Zoning Ordinance required parking spaces to be 9'x20'. The staff felt those stalls should be removed.

Mr. Parkinson said the staff was also concerned about the residential development to the north. The drive up window would completely change the dynamics between the convenience store and the apartments to the north. It would increase noise, light, and traffic along the north property line. The window would be open from 5:00 a.m. to 11:00 p.m. Closing the window during the night might help. The Planning Commission could limit the window hours to 7:00 a.m. to 10:00 p.m.

Mr. Parkinson said the staff had found that the proposed exterior changes could meet the minimum building standards as established in the Zoning Ordinance. The proposed site improvements could meet the site design standards as established in the Zoning Ordinance subject to the conditions recommended in the staff report. The staff recommended that the Planning Commission recommend that the City Council approve a conditional use for a drive up window for the Midland Market Convenience Store located at 3805 South Midland Drive subject to the applicant mitigating all mentioned and potential impacts to the surrounding residential neighborhood; providing elevations of the north façade; and complying with the requirements from each department outlined in the May 7, 2015, DRC review memo.

Chairman Kirch felt the drive through was too tight and suggested that the north parking space on the west side of the building being eliminated for safety reasons. There was a power pole on the northwest corner of the site that caused the drive through to swing to the side. If the parking space wasn't eliminated, a large vehicle would not be able to exit the drive through. She also suggested that bollards be put in the eliminated space to keep the drive lane open

Steve Parkinson felt that on site landscaping could also help define the drive lane.

Commissioner Ohlin asked how wide the drive lane was. Mr. Parkinson said it was 10 feet wide. She asked if there was a fence on the north property line. Mr. Parkinson said there was. She felt that if a vehicle could enter the drive lane it should be able to make it out. Mr. Parkinson felt large vehicles would struggle to exit the drive lane unless the adjacent parking stall was eliminated.

Commissioner Dandoy asked who owned the fence. Mr. Parkinson said the fence was on the property line. The convenience store owned one side; the apartments owned the other.

Chairman Kirch felt the vinyl slats in the chain link fence were added when the apartments were built.

Commissioner Ohlin moved to open the public hearing at 6:11 p.m. Commissioner Stonehocker seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Scott Nelson, CEC Engineering, stated that he was the civil engineer for the project. Sharan Multani and Harry Multani, 3330 South Midland Drive, said they were co-owners of the convenience store.

Scott Nelson said removing the parking space on the west side of the convenience store would not be a problem. He suggested that the remaining parking spaces be signed for small cars only.

Commissioner Dandoy asked if there would still be enough parking if one space was eliminated. Mr. Parkinson said there would. The site was required to have seven parking spaces. More than seven parking spaces were shown on the site plan.

Commissioner Ohlin asked if the handicap parking space was included in the total number. Mr. Parkinson said it was. Commissioner Stonehocker pointed out that it took two parking spaces to make one handicap parking stall.

Commissioner Dandoy asked if the applicants would entertain reducing the spaces on the west side. Mr. Nelson said they would. The space next to the drive lane would be hashed out. All of the other site improvements were simply refreshing what was there before.

Scott Nelson agreed with the staff comments. They would put in the bollard and put similar fencing around the dumpster.

Commissioner Dandoy asked if there would be curb, gutter, and sidewalk along Midland Drive. Mr. Parkinson said there would.

Commissioner Dandoy was concerned about how close the propane tank was to the sidewalk. Mr. Nelson said the applicants inherited the tank location. Commissioner Dandoy asked how far UDOT was encroaching on to the site. Mr. Nelson said they weren't encroaching.

Chairman Kirch asked about combining parcels. Mr. Nelson said the parcels were already combined. There was only one Tax ID Number. Steve Parkinson said the County's website showed a property line on Book 8 Page 405. Mr. Nelson said they would combine the parcels if there were two.

Steve Parkinson suggested that if they were able to purchase the UDOT property that it be combined with the other two parcels.

Sharan Multani stated that he was waiting to see if UDOT landscaped its parcel. If they did, he would offer to maintain it so he didn't have to pay the taxes. If it wasn't landscaped, he would try to acquire from UDOT. Scott Nelson said he would contact UDOT to see what their plans for the parcel were. Mr. Parkinson said he would contact the County to determine if the property was in one parcel or two.

Chairman Kirch asked about the window's hours of operation. Mr. Multani said it would be open from 5:00 a.m. to 11:00 p.m.

Chairman Kirch asked about lighting on the north side of the building. Mr. Multani said there were currently four lights. A sensor turned them on and off automatically. Chairman Kirch said the garage for the adjacent apartments was located along the north property line, which should help buffer the drive through. The drive lane would be lit while the window was open, and there wouldn't be any changes in the lighting. Mr. Multani said that was correct.

Commissioner Stonehocker stated that the applicant needed to resolve the concern about the propane tank. Mr. Parkinson said there needed to be 24 feet between the southeastern parking stalls and the propane tank area. If the parking stalls were angled sixty degrees the required distance could be minimized. Mr. Nelson felt turning the angle of the stalls would resolve the problems.

Commissioner Stonehocker asked about the accessible route. Scott Nelson said that if the handicap parking space was near the entry door it conformed to the ADA standards.

Chairman Kirch opened the floor for public comments.

Bob Comeaux, Questar Gas, was concerned about protection for the gas meter on the northwest corner of the building. The bollard proposed by the Planning Commission would help.

Commissioner Karras moved to close the public hearing at 6:30 p.m. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Commissioner Stonehocker moved to recommend that the City Council approve a conditional use for a drive up window for the Midland Market Convenience Store located at approximately 3805 South Midland Drive based on the staff's findings and subject to the staff's recommendations; the northwest parking stall on the west side of the building being eliminated; an accessible route; that the parking stalls be angled to allow the proper 24 foot clearance for the propane tank; that the parking stalls on the west side of the building be signed for compact cars only; that a bollard be installed to protect the gas meter on the northwest corner of the building; and subject to the comments in the May 7th DRC memo. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

3. COMMISSIONER'S MINUTES

Chairman Kirch invited public comments from the audience.

Jason Kunzler, 5446 South 4175 West, stated that 1,410 signatures were required to place an item on the November ballot. Signed petitions were submitted, but the County disqualified some of the signatures because they weren't registered voters in Roy. They ended up 30 signatures short of the required number. Even though voters would not be able to decide whether chickens should be allowed in residential zones, they still wanted the amendment they were proposing to be brought before the City Council.

Steve Parkinson stated that they would have to file a petition to amend the Zoning Ordinance before the Planning Commission could begin reviewing their ordinance proposal.

Chairman Kirch understood there was quite a support group for the chicken issue. She asked if they could put together a packet about caring for chickens that could be submitted with the petition.

Commissioner Dandoy felt the proposal was well written. He was encouraged by the support group. If the proposed amendment was approved, there would be a group to support and help those getting started.

Steve Parkinson stated that Clinton City recently went through a similar ordinance change. He suggested that Mr. Kunzler's group get a copy of that packet Clinton put together.

Commissioner Karras felt the packet should be part of the proposal.

Chairman Kirch suggested that the proposed amendment include something about providing water for the animals. She felt that would fit well under Item No. 4.

Commissioner Dandoy felt the proposal needed to stand on its own. What was sent to the City Council needed to be clear.

Chairman Kirch asked that the staff provide the Planning Commission with a copy of what it proposed to the City Council a few years ago regarding chickens. At future hearings some public comments might be welcome, but the Commission didn't need to hear a lot. She felt the Commission had heard most of the comments from citizens.

4. STAFF UPDATE

Commissioner Ohlin asked how the Zoning Ordinance would address portable storage units. Mr. Parkinson said they would be considered an accessory building. They would have to be located behind a home. Commissioner Ohlin asked if there was a limit on how long a portable storage unit could remain on a site. Mr. Parkinson said the ordinance did not really address a time limit, but it did indicate where an accessory building could be located. Accessory buildings were not allowed in the front yard setback area.

Steve Parkinson stated that would meet with Councilwomen Becraft and Yeoman to determine when they planned to hold a meeting with the business owners. If it was not going to be soon, he would schedule one on his own. He wanted to discuss temporary signs with the business owners. He planned to have some temporary sign regulations for the Planning Commission to consider at the next meeting. The Planning Commission suggested that Mr. Parkinson allow businesses to give their input on the temporary sign regulations at the business meeting.

Chairman Kirch suggested that Mr. Parkinson show a 'before' and 'after' picture of a different community at the meeting. She felt that would avoid inadvertently eliminating something that would offend the business owners.

Commissioner Dandoy felt the dialogue at the work session was very helpful.

Commissioner Karras still liked the appearance of Clinton City. He made it a point to drive through Clinton and only look at what was eye level. High monument signs could be seen at eye level.

Steve Parkinson said there could be different regulations for different zones.

Commissioner Dandoy stated that he had been approached by some residents along 5600 South. They had been contacted by UDOT about an expansion of 5600 South between 1900 West and 2200 West. Mr. Parkinson said he had not heard about an expansion and was not involved in those communications. Chairman Kirch said most of UDOT's proposals could be found on their website.

Chairman Kirch asked what was happening on the northeast corner of 4000 South and Midland Drive. There was a lot of large construction equipment, and the site had been cleared. Mr. Parkinson was not aware of anything. Chairman Kirch said there huge utility boxes on that corner which were an eyesore. Mr. Parkinson said the boxes probably contained UDOT's signaling equipment. There wasn't much the City could do about them.

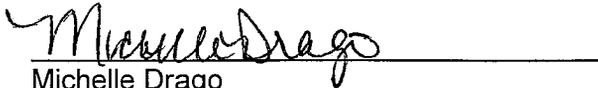
Steve Parkinson updated the Planning Commission about future projects.

5. ADJOURN

Commissioner Stonehocker moved to adjourn at 6:58 p.m. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.


Gennie Kirch
Chairman

Attest:


Michelle Drago
Secretary

dc:pmay1215