



## Agenda Roy City Planning Commission Meeting

6:00 p.m.  
May 28, 2013

City Council/Court Room  
Municipal Building  
5051 South 1900 West

1. Approval of May 14, 2013 minutes
2. 6:00 p.m. Public hearing to consider a request to amend the Future Land Use Map on property located at approximately 2750 W 4800 S.
3. 6:00 p.m. Public hearing to consider a request to amend the Zoning Map on property located at approximately 2750 W 4800 S.
4. 6:00 p.m. Public hearing to consider a request for Preliminary Subdivision approval on property located at approximately 2750 W 4800 S.
5. 6:00 p.m. Public hearing to consider a request for Conditional Use approval allowing Multi-family housing on property located at approximately 2750 W 4800 S.
6. Staff update
7. Adjourn

If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 24 or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact is Tammy Nelson at (801)-774-1040.

ROY CITY PLANNING COMMISSION

May 28, 2013

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on May 28, 2013, 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:

Lee Holt, Chairman  
Gennie Kirch  
Tom Stonehocker  
Karlene Yeoman

Jared Hall, Planner  
Michelle Drago, Secretary

Excused: Blake Hamilton and Joe Paul

Others present were: Matt Lepine; Pete Petermann; Todd Turley; Bruce Mendenhall; Linda Sellers; Mark Loveland; Ashley Loveland; Helene Simpson; Lance Hislop; Teresa Hislop; Jane Thurman; and T. L. Thurman.

Pledge of Allegiance: Lee Holt

1. APPROVAL OF MAY 14, 2013, MINUTES

**Commissioner Yeoman moved to approve the May 14, 2013, minutes as corrected. Commissioner Yeoman seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

2. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE FUTURE LAND USE MAP OF THE GENERAL PLAN FOR PROPERTY LOCATED AT APPROXIMATELY 2750 WEST 4800 SOUTH
3. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE ZONING MAP FOR PROPERTY LOCATED AT APPROXIMATELY 2750 WEST 4800 SOUTH
4. PUBLIC HEARING TO CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL FOR WEST PARK CROSSING TO BE LOCATED AT APPROXIMATELY 2750 WEST 4800 SOUTH
5. PUBLIC HEARING TO CONSIDER A REQUEST FOR APPROVAL OF A CONDITIONAL USE ALLOWING MULTI-FAMILY HOUSING ON PROPERTY LOCATED AT APPROXIMATELY 2750 WEST 4800 SOUTH

**Commissioner Kirch moved to open a public hearing at 6:02 p.m. to consider a request to amend the Future Land Use Map of the General Plan for property located at approximately 2750 West 4800 South. Commissioner Stonehocker seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

**Commissioner Kirch moved to open a public hearing at 6:02 p.m. to consider a request to amend the Zoning Map for property located at approximately 2750 West 4800 South. Commissioner Yeoman seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

**Commissioner Kirch moved to open a public hearing at 6:02 p.m. to consider preliminary subdivision approval for West Park Crossing to be located at approximately 2750 West 4800 South. Commissioner Stonehocker seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

**Commissioner Kirch moved to open a public hearing at 6:02 p.m. to consider approval of a conditional use for multi-family housing on property located at approximately 2750 West 4800 South. Commissioner Yeoman seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

All four hearings were held consecutively.

Jared Hall stated that all of the applications were for property located at approximately 2750 West 4800 South which was currently zoned Light Manufacturing. The site in question consisted of three separate parcels. The overall proposal was for 155 townhomes on 16.28 acres. The approval process consisted of four separate actions. The first was a request to amend the Future Land Use Map from an industrial to a multi-family use. The second step was a request to amend the Zoning Map from Light Manufacturing to R-3. The third application was for preliminary approval of a subdivision plan as the townhomes would be owner occupied. The fourth step was approval of a conditional use for multi-family housing.

Mr. Hall said the property was long and narrow and had limited access. It was located between the Union Pacific rail grade on the east and the old D&RG spur on the west. The D&RG grade was recently converted to a trail. The property in question had limited access. There was single family to the west, but it was separated by the rail grade and inaccessible. The proposed plan had a stub a road to the north for future access to 4000 South. The main trunk road in the plan would be a public road with sidewalk and curb and gutter on both sides. The loop would be privately owned. It would be

maintained by the condominium association. The developers were proposing a density of 10 units per acre. The R-3 Zone allowed a density of up to 12 units per acre. Ten units were about the most that could fit on this property and make the engineering work.

Mr. Hall said the 155 units would be constructed in 26 separate buildings of three to seven units. The majority of the buildings consisted of five units. There would be three separate roof lines and four color schemes. The City required architectural features and a variety of housing styles. The Zoning Ordinance required a multi-family development to provide an open space feature. Forty-seven percent (47%) of the site was open space, which was within the parameters the City liked. The open space feature required by the City would be a central park under the power lines where nothing could be built. There would be a connection to the D&RG trail. There would be an entrance feature on 4800 South. The first building would be 200 feet back so there would be a parkway entrance.

Mr. Hall said all vehicular traffic would be from 4800 South. Due to the proximity of the rail crossing, the City had requested a traffic study. There had been a delay getting the traffic study completed. It had been submitted on May 24<sup>th</sup>, and the City Engineer had not had time to review it. The staff felt this was a good project and that it would add to the area. However, the staff was not prepared to make a recommendation and asked that the Planning Commission continue all the hearings to June 11<sup>th</sup> at 6:00 p.m. He felt the project was headed in the right direction.

Chairman Holt asked if this would be a typical condominium association that would be responsible for maintenance and snow removal. Mr. Hall said the homeowners' association would be responsible for the private road. The main road in the development would be a public road.

Commissioner Kirch stated that each unit would have three bedrooms and a two-car garage with room to park two cars in the driveway. Mr. Hall said there would be plenty of parking throughout the development. The proposed parking complied with the requirements of the ordinance.

Commissioner Kirch asked if it would be better to consider all of the area between the rail grades in conjunction with this request to amend the Future Land Use Map. Mr. Hall felt it would be better to consider only the property referred to in this application. The remaining property between the rail grades could be addressed during the General Plan update. This particular request was for an R-3 Zone. He felt the Planning Commission should consider a mixed use for the rest of the area between the rail grades. This application had jumped ahead of the General Plan update.

Commissioner Kirch stated that the entrance to the development contained three lanes: one ingress, one right turn lane, and one left turn lane. She asked if the developers proposed any traffic calming measures. Mr. Hall said the main trunk line was about had 2,000 feet in length. There was a traffic bump out, which should help to slow the traffic down. The Fire Department had indicated that their fire apparatus could negotiate the bump out. If the Planning Commission wanted more than one bump out, it could make it a condition of approval.

Commissioner Kirch asked about the triangular shaped intersection on the north end of the development. Mr. Hall said the intersection would provide fire access and serve as a temporary turn around.

Commissioner Kirch asked if the detention pond would be a sunken berm and if it would need fencing. Mr. Hall said it would be a sunken berm.

Chairman Holt opened the floor for public comments.

Bruce Mendenhall, 2765 West 4450 South, was opposed to putting more traffic on 4800 South. He asked why the developers couldn't line up the access for this development with 2700 West. Mr. Hall said the property needed to line up with 2700 West was owned by UTA. Mr. Mendenhall felt it would be difficult for traffic from the development to merge onto 4800 South.

Lance Hislop, 4875 South 2700 West, asked if it was normal for a property set aside for a certain use to be changed. Chairman Holt explained that the General Plan was always up for discussion. In fact the City was currently in the process of updating the General Plan. The use of the property in question might have fallen under that update.

Mr. Hislop said the zone requested by the developer was high density. Was there any other high density zoning in the area? The area to the south was zoned RE-20, which was the lowest density zone the City had. He felt continuing the low density on the property in question would be a better fit with the surrounding area. There was single family housing to the east and west of the park. What was the justification for making this property high density? Chairman Holt stated that in the County and other places in Roy, there were places where high density was located next to single family housing.

Jared Hall stated that the developers had filed a petition requesting that the Future Land Use Map be amended and that the property be rezoned. The City did not initiate either action. Due to the nature of the development, he felt it would be best to for the Planning Commission to consider all of the applications at the same time. There might be other uses for this property that would be better, but that was not what was under consideration. The Wasatch Front Regional Council had encouraged cities to look at

high density developments. This proposal contained 16.28 acres; it wasn't two or three lots. The development was large enough to not be considered spot zoning. The two rail grades separated this area from the surrounding low density housing.

Mr. Hislop said the lots located on the west side of 2700 West between 4800 South and 5600 South were slim but were at least half an acre in size. He felt it would be better to continue that type of use north from 4800 South. Chairman Holt said that could be considered if someone wanted to do that. Mr. Hislop felt there would be a better chance of that happening if this rezone were denied.

Jared Hall pointed out that the proposed development contained 10 units per acre. The ordinance provided for multi-family developments to contain up to 12 units per acre. Commissioner Kirch asked how many units per acre were contained in an R-1-8 Zone. Mr. Hall said there were four.

Lance Hislop asked if the traffic study looked at the impact an R-1-8 development would have versus the proposed high density. Mr. Hall said it looked at the number of trips generated. Mr. Hislop asked if it would look at the lack of visibility in this area. Mr. Hall said that would definitely be part of it.

Lance Hislop stated that the lots on the west side of 2700 West between 4800 South and 5600 South were slim but were zoned for animals. There weren't many areas in Roy that offered the property use this area did. How could he talk the Planning Commission into extending the RE-20 Zone to the north?

Commissioner Kirch stated that the property owners had filed a petition requesting an R-3 Zone. The City did not have control over what a property owner wanted to do with his property. Lance Hislop agreed the City didn't have control over what a property owner wanted to do, but in this case the rezone requested meant a change from Light Manufacturing to high density residential. When considering the request, the Planning Commission had the opportunity to propose a low density zone rather than R-3. Jared Hall said that would be setting the City up for a regulatory taking. Commissioner Kirch said the Planning Commission could recommend approval or denial.

Mark Loveland, 4741 South 2675 West, stated that he lived on the east side of the Union Pacific tracks. The proposed development would be in his back yard. Would there be a study to determine how this proposed development would depreciate the value of his property? Mr. Hall said there was no plan to perform that kind of a study.

Chairman Holt stated that he had been a real estate broker for a long time. New multi-family housing did not affect the values of existing housing. A Light Manufacturing use might have a bonus or a minus impact. This development would be owner occupied

housing. Owner occupied multi-family housing stayed in the same category a single family residential.

Mr. Loveland stated that the property in question was currently open. The grade of the proposed development was lower than his. Would the elevations block his view? He felt he would lose his view, and there would be a lot more people in the area. It was terrible trying to get onto 4800 South now. The City planned for 2675 West to continue north and connect to 4000 South. When that happened, there would be a lot of traffic on his street, which would make access onto 4800 South worse.

Chairman Holt stated that as long as there was vacant land, there would be petitions to develop it. Mr. Loveland understood that vacant land would eventually be developed. However, he would rather have warehouses on this property than multi-family. Warehouses would mean less noise and a lot less traffic. The traffic in this area was a mess. If more traffic was added to this area, especially right next to the trail, it would be a true safety concern.

Jared Hall stated that the townhomes would be two stories, which would be 30' to 35' in height. The grade difference was about nine feet.

Helene Simpson, 4753 South 2675 West, was concerned about a lot of the same things everyone else was. She purchased her home 15 years ago and had gotten used to the trains. She loved her view. She didn't like the idea of losing that view for a multi-family development. She didn't have a good feeling about this development. Her \$1 million dollar view was going down the tube. She felt 4800 South was a traffic jam now. She didn't feel this housing development would make it any better.

Ashley Loveland, 4741 South 2675 West, stated that the American Youth Soccer Organization had brought to her attention the need for more park space in Roy. AYSO had hoped the City might purchase this property for a park. It was already next to impossible to find a place for teams to practice. AYSO asked that citizens contact Council members asking for more parks. She felt it would be better for this property to have a recreational use than to see more people move in. It would leave less land for kids to play on.

D. L. Thurman, 4953 South 3100 West, stated that he owned the barn and home on 4800 South. He wanted to be sure they weren't included in the rezone. He wanted to remain Light Manufacturing. There was also a drainage problem that needed to be addressed. He was concerned about how water from his property would drain to the west. He asked for a privacy fence around his properties.

Helene Simpson asked if the City would still hold fireworks at Roy West Park if this property was developed. Chairman Holt felt the City would look at safety concerns. The fireworks might have to be changed to a different park.

**At 6:44 p.m., Commissioner Kirch moved to continue all four public hearings on June 11, 2013, at 6:00 p.m. Commissioner Stonehocker seconded the motion. Commission members Holt, Kirch, Stonehocker, and Yeoman voted "aye." The motion carried.**

Jared Hall stated that he would forward information regarding the traffic study.

Commissioner Kirch asked about fencing requirements around this development. Mr. Hall said fencing was usually only required when there were two dis-similar uses next to each other. Commissioner Kirch felt multi-family and agricultural were dis-similar.

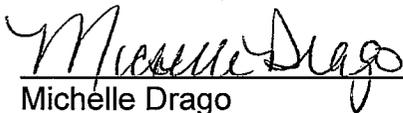
6. ADJOURN

**Commissioner Stonehocker moved to adjourn at 6:46 p.m. Commissioner Kirch seconded the motion. Commission members Kirch, Holt, Stonehocker, and Yeoman voted "aye." The motion carried.**



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Lee Holt  
Chairman

Attest:



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Michelle Drago  
Secretary

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