



Agenda Roy City Planning Commission Meeting

6:00 p.m.
June 10, 2014

City Council/Court Room
Municipal Building
5051 South 1900 West

1. Approval of May 13, 2014 minutes.
2. 6:00 p.m. Public hearing to consider a request for Conditional Use allowing an Electronic Message Center sign on property located at approximately 3805 S. Midland Drive
3. Consideration of a request for Permitted Use approval for a new medical office building located at approximately 5650 South 3500 West.
4. Approval of Resolution No. 1052 establishing Planning Commission meetings for FY2015
5. Staff update
6. 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

June 10, 2014

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on June 10, 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
Tom Stonehocker

Jared Hall, Planner
Michelle Drago, Secretary

Excused: Blake Hamilton and Joe Paul

Others present were: Cathy Spencer, Management Services Director; and K.C. Halls.

Pledge of Allegiance: Leland Karras

1. APPROVAL OF MAY 13, 2014, MINUTES

Commissioner Stonehocker moved to approve the May 13, 2014, minutes as corrected. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Jared Hall stated that the Community and Economic Development was no longer an autonomous department. It had been placed under the direction of Cathy Spencer, the Director of the Management Services Department. Jared introduced Cathy to the Planning Commission.

Cathy Spencer, Management Services Director, stated that until the City felt a need to appoint a department head for Community and Economic Development Services, she would oversee the department.

2. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING AN ELECTRONIC MESSAGE CENTER SIGN ON PROPERTY LOCATED AT APPROXIMATELY 3805 SOUTH MIDLAND DRIVE

Commissioner Karras moved to open the public hearing at 6:04 p.m. Commissioner Stonehocker seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker seconded the motion. The motion carried.

Jared Hall stated that the City had received a request for approval of a conditional use for an electronic message center sign for the Tesoro gas station located at approximately 3805 South Midland Drive. EMC signs were a permitted use in the Regional Commercial Zone, but they were a conditional use in the Community Commercial Zone. The site in question was zoned Community Commercial. In order to have an EMC sign in a Community Commercial Zone, a site had to be larger than three acres or located within 600 feet of a major east/west intersection (4000 South, 4400 South, 4800 South, 5600 South, and 6000 South).

Mr. Hall said the EMC sign proposed at 3805 South Midland Drive did not comply with the conditions regarding the size of a site or for location within 600 feet of a major intersection. The staff had found that the proposed conditional use was not in keeping with the regulations established by Ordinance No.1037 of the Zoning Ordinance. The proposed conditional use could not meet the requirements for conditional uses by the Zoning Ordinance. The staff recommended that the Planning Commission recommend that the City Council deny the request for approval of a conditional use for an EMC sign located at approximately 3805 South 1900 West.

Mr. Hall said EMC signs had not been the problem the staff had anticipated they would be. The Planning Commission could direct the staff to consider a text amendment to Ordinance No. 1037. He felt the staff would be likely to support some measure to allow EMC signs in other locations in the Community Commercial Zone under certain conditions.

Commissioner Dandoy understood the staff did not feel EMC signs were intrusive to residential areas. As a result, the staff was willing to consider an amendment to Chapter 20 to allow EMC signs elsewhere in Community Commercial Zones. Mr. Hall felt the staff's initial concerns regarding EMC signs had been consistently alleviated by the the operation under 1037's restrictions. He felt the City should continue to restrict the height and size of EMC signs. Restrictions on where EMC signs were allowed could be considered on principle.

Chairman Kirch asked if consideration of this particular conditional use should be tabled in order to allow the staff and Planning Commission time to consider an amendment. Mr. Hall felt the Planning Commission should make a recommendation to the City Council rather than tabling consideration. The applicant could then decide whether to withdraw the petition, take a chance with the Council, or wait until the Council considered a recommendation from the Planning Commission regarding an amendment.

Chairman Kirch asked if the applicant could appeal the Council's decision regarding the conditional use. Mr. Hall said the only appeal for a Council decision regarding conditional uses was in district court. He didn't feel an appeal was likely. An amendment would take 30 to 45 days.

Chairman Kirch asked how large the property at 3805 South Midland Drive was. Mr. Hall said it was about one acre in size.

Commissioner Karras stated that he had looked at the property, and didn't see a problem with the proposed sign.

Chairman Kirch stated that when the staff and Planning Commission proposed the regulations for EMC signs in Community Commercial Zones, they determined they did not want EMC signs mid-block. UDOT was widening Midland Drive. There was a potential for more commercial businesses in the Community Commercial Zone. The property in question was located at the junction of 2700 West and Midland Drive. The junction was a problem area for traffic. One of the initial concerns about EMC signs was that they would distract drivers with their flashing.

Commissioner Dandoy stated that there were parameters that governed EMC signs. The applicant could put up a temporary sign until the City had time to consider an amendment, such as a digital sign. Mr. Hall said the City did not consider digital gas numbers an EMC sign. The ordinance specifically called out digital gas price signs to be excluded from the definition of EMC signs, they therefore wouldn't be restricted.

Commissioner Ohlin asked what the reasoning was for the three acre size restriction. Chairman Kirch said the City was trying to prevent business after business having electronic signs. Jared Hall said EMC signs on 1900 West were permitted, but there still wasn't a "sea" of them as might have been expected.

Commissioner Stonehocker said the Planning Commission didn't want Roy to look like Las Vegas.

Chairman Kirch opened the floor for public comments. There were none.

Commissioner Stonehocker moved to close the public hearing at 6:15 p.m. Commissioner Dandoy seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Commissioner Dandoy felt the site in question warranted an exception to the placement rule for EMC signs in commercial zones. He didn't feel traffic from 2700 West would contribute negatively to the thoroughfare. In fairness, he felt that a reasonable exception could be approved.

Chairman Kirch stated that one way to grant the exception might be when a property was the only Community Commercial Zone in the area.

Commissioner Karras had been skeptical about the EMC sign for Davis Hospital, but he never noticed it. He felt an amendment should be made to accommodate the applicant.

Chairman Kirch suggested that the staff be directed to look at an amendment to the sign regulations that would allow exceptions to the placement of EMC signs in Community Commercial zones. She didn't feel EMC signs should be a blanket use like they were in the Regional Commercial Zone.

Commissioner Dandoy felt widening Midland Drive and 3500 West would change more properties from residential to commercial. Properties would be sold as commercial because they would no longer be viable residential property. The Planning Commission needed to look ahead to accommodate commercial growth along this corridor, including the desire for signs.

Chairman Kirch asked about the possibility of making a two-tier Community Commercial Zone. One tier would be side-by-side businesses; the other would be mid-block commercial. She suggested that criteria for an exception might be the addition of an EMC sign to an existing sign.

Commissioner Stonehocker moved to recommend that the City Council deny the request for approval of a conditional use for an EMC sign on property located at approximately 3805 South Midland Drive based on the staff's findings that the requested use could not meet the requirements established by Ordinance No. 1037. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Commissioner Stonehocker moved to direct staff to look at the regulations for EMC signs. Commissioner Ohlin seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

Planning Commission Minutes
June 10, 2014
Page 5

3. CONSIDERATION OF A PERMITTED USE APPROVAL FOR A NEW MEDICAL OFFICE BUILDING LOCATED AT APPROXIMATELY 5650 SOUTH 3500 WEST

Jared Hall stated that the City had received a request for approval of a permitted use for a new medical office building located at approximately 5650 South 3500 West. The property in question was owned by K.C. Halls; the project was known as the Barlow Medical Office Building. The Planning Commission had looked at a conceptual plan for the site. The City Engineer had not completed an engineering review because the grading and drainage plans had not been submitted. Mr. Hall didn't feel the engineering review would change the placement or size of the building. The changes to the parking lot to accommodate the parking landscaping requirement would not significantly impact the design of the parking lot. Any parking lot with more than 20 parking spaces had to landscape 5% of the parking lot. The number of parking spaces exceeded the minimum required by the ordinance. Losing a few spaces to landscaping would not be a problem.

Mr. Hall said the staff had found that the proposed development was an acceptable use in the Community Commercial Zone, and that the proposed development could meet the standards for design and development in the Zoning Ordinance. The staff recommended that the Planning Commission approve the site plan elevation for the proposed Barlow Medical development subject to the following conditions:

1. The satisfaction of all questions and comments from the City Engineer's review, and subject to review and approval of any further corrections and revisions or other materials as might be required by the City Engineer;
2. The addition of 5% landscaping in the interior of the parking lot as described in the staff report; and
3. Subject to all items of the staff report and to further review and approval by members of the Development Review Committee as might be deemed necessary prior to pre-construction and the issuance of any building permits.

Mr. Hall stated that the Planning Commission would not see the site again if it approved the permitted use. The staff would make sure all of the conditions were met before a building permit was issued.

Chairman Kirch asked if the front setback took into consideration the future widening of 3500 West. Mr. Hall said it did. The landscaping included a storm water detention area along 3500 West. The City Engineer still needed to determine whether it would function if part of it was lost when 3500 West was widened. The landscaping design took into

consideration the future widening as well. When 3500 West was widened the site would still have the required 15% of landscaping.

Chairman Kirch asked about cross access agreements. Mr. Hall said the cross access agreements with the properties to the north were put in place when the Maverik and Murray Subdivisions were approved. Michelle Drago asked if the cross access agreements were recorded. Mr. Hall said they were.

Commissioner Dandoy asked why there wasn't access to the properties to the east and south so the entire complex could function better. Jared Hall said K.C. Halls tried for quite some time to work out access to the private road along the south side of the Davis Hospital complex, but was not successful. Chairman Kirch said this property was not part of the hospital complex.

Commissioner Dandoy asked if the road along the south side of hospital property was public or private. Mr. Hall said it was a private access road.

Chairman Kirch felt the proposed design solved some of the problems regarding the site that the Planning Commission was concerned about in the past.

Commissioner Dandoy said his first impression was that the site was too small for such a large building and 100 parking stalls. His real concern was access.

Chairman Kirch didn't feel the tenants of this building would be the type to attract a lot of traffic.

K.C. Halls, Layton, stated that he planned to lease spaces to medical tenants. The parking on the south side of the building would be used for staff parking.

Jared Hall stated that the proposed site plan would not accommodate a drive-up window. A retail or restaurant use would only be considered if it could comply with parking requirements. The site was oriented for medical and office spaces.

Commissioner Karras moved to approve a permitted use and site plan for the proposed medical office building located at approximately 5650 South 3500 West based on the staff's findings and subject to the conditions recommended by the staff, including completion of the City Engineer's review and addition of 5% landscaping to the parking lot. Commissioner Stonehocker seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, and Stonehocker voted "aye." The motion carried.

K.C. Halls thanked the City staff. They had been great to work with.

4. APPROVAL OF RESOLUTION NO. 1052 ESTABLISHING PLANNING COMMISSION MEETINGS FOR FY2105

Commissioner Stonehocker moved to approve Resolution No. 1052 establishing Planning Commission meetings for FY2015. Commissioner Ohlin seconded the motion. A roll call vote was taken: Commission members Dandoy, Stonehocker, Ohlin, Kirch, and Karras voted "aye." The motion carried. (Copy filed for record).

5. STAFF UPDATE

Jared Hall stated that he had taken a position with Murray but would be available to help with the next few Planning Commission meetings as needed.

Jared Hall said the June 24th agenda would include a text amendment and a conditional use for a tattoo parlor.

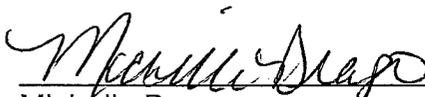
Jared Hall updated the Planning Commission on training.

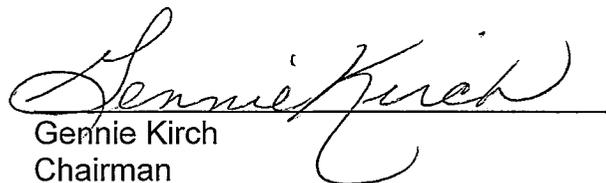
Commissioner Dandoy asked how many lanes 3500 West would have when it was widened. Mr. Hall said the right-of-way would be 110 feet wide. It would have two lanes each way plus a center turning lane.

6. ADJOURN

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

Attest:


Michelle Drago
Secretary


Gennie Kirch
Chairman