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PLANNING COMMISSION

5051 South 1900 West; Roy, Utah 84067

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Web-site: www.royutah.org

AGENDA August 26, 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 5051 South 1900 West. The meeting will commence with the Pledge of Alliance, which will be appointed by the Chair.

Declaration of Conflicts

Agenda Items

Further Actions

- | | | |
|---|--|--|
| 1. | Approval of July 8, 2014 minutes | |
| 2. | 6:00 p.m. – Public Hearing – To consider a request for Preliminary Subdivision approval for Daugherty Estates 1st Amendment a residential subdivision located at approximately 2296 West 6000 South | City Council
Sept. 2, 2014
6:00 p.m. |
| <i>Item pulled from the Agenda</i> | | |
| 3. | 6:00 p.m. – Public Hearing – To consider a request to amend the Future Land Use Map from Light Manufacturing/Warehouse to Very High Density, Multi-Family Residential for the property located at approximately 2350 West 4000 South. | City Council
Sept. 2, 2014
6:00 p.m. |
| 4. | Continuation of a Public Hearing – To consider a request for a text amendment to the Roy City Zoning Ordinance requiring all business generally to be conducted within a wholly enclosed building. (Continued from the public hearing on June 24, 2014 and July 8, 2014) | |
| 5. | Staff Update | |
| 6. | Commissioners Minute | |
| 7. | 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

August 26, 2014

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on August 26, 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
Joe Paul
Tom Stonehocker

Steve Parkinson, Planner
Michelle Drago, Secretary

Excused: Blake Hamilton

Others present were: Larry Talbot and Daryn Murphy.

Pledge of Allegiance: Bob Dandoy

1. APPROVAL OF JULY 8, 2014, MINUTES

Commissioner Stonehocker moved to approve the July 8, 2014, minutes as written. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.

2. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE FUTURE LAND USE MAP FROM LIGHT MANUFACTURING/WAREHOUSE TO VERY HIGH DENSITY, MULTI-FAMILY RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 2350 WEST 4000 SOUTH

Commissioner Stonehocker moved to open the public hearing at 6:02 p.m. Commissioner Ohlin seconded the motion. Commission members Dandoy, Karras, Kirch Ohlin, Paul, and Stonehocker seconded the motion. The motion carried.

Steve Parkinson, Planner, stated that the City had received a request to amend the Future Land Use Map. The applicant was requesting that the land use designation of

2.6 acres located at approximately 2350 West 4000 South be changed from Light Manufacturing/Warehouse to Very High Density, Multi-Family Residential. The property in question was located on the north side of 4000 South across from the Front Runner Station. If the land use designation was changed, the applicants would proceed with a rezone application. The zoning density would be 12 units per acre.

Mr. Parkinson stated that the applicants were proposing to build 31 elderly rental units. The units would be constructed in one three-story building. There would be one and two-bedroom units. The project would include an outdoor garden area. The required covered parking would be in the first story of the building. The applicants were proposing to access the site via the UTA right-of-way located along the east side of the site.

Mr. Parkinson stated that the staff had found that the proposed housing development correlated with Goal 1, Policy D and Goal 3, Policy G of the General Plan. The staff recommended that the Planning Commission recommend approval of the request to amend the Future Land use Map from Light Manufacturing/Warehouse to Very High Density Multi-Family Residential.

Chairman Kirch understood that the requested amendment only dealt with the proposed land use, but she was concerned about the traffic impact of the proposed development. She asked how far the UTA right-of-way was from the railroad tracks. She was concerned that traffic from the Front Runner Station would make it difficult to get in and out of the UTA right-of-way. If UTA's right-of-way was used for access to this site, would property owners to the east lose their ability to access their properties? Access for properties along the right-of-way was discussed by the Planning Commission several years ago. She felt the Planning Commission needed further information before amending the Future Land Use Map.

Commissioner Paul was concerned about how fire trucks would access the site. Mr. Parkinson said the Fire Department had not reviewed the site because an official site plan had not been filed. The Fire Marshal would review the site plan to determine where fire hydrants were needed and if there was adequate access for fire apparatus.

Steve Parkinson stated that if the property was left with a manufacturing use, large trucks could be accessing 4000 South rather than vehicles. Units for the elderly would generate less traffic than units for families with children.

Daryn Murphy stated that he was representing the applicant - Commonwealth Development Corporation. Commonwealth was a development company based in Wisconsin with a regional office in Portland, Oregon. They primarily did residential housing. All of their properties were professionally managed. They liked to develop housing along transportation routes, particularly for seniors. Whenever possible they

liked to put residential units near transit. They felt the property at 2350 West 4000 South was a great site to do that. They were proposing a three-story building. The first story would be parking. In addition to housing units, the building would include an exercise room and a community room. The rental fees would range from \$275 for one bedroom up to \$950 for two bedrooms depending upon a senior's income. Mr. Murphy said there was a growing need for senior housing throughout the west and Utah. There were issues about the site that could be problematic. They were sensitive to the noise issue and planned to put in better windows and insulation to help mitigate it. They had placed the building on the site as far from the tracks as possible. UTA's approval to use their access was an issue. They didn't feel the City Engineer would approve access onto 4000 South due to the proximity of the tracks.

Commissioner Paul stated that this site was close to public transit. Would it be difficult for seniors to cross 4000 South to reach the Front Runner Station? There was not a crosswalk, and 4000 South was a busy road. Mr. Murphy stated that units would be leased to those 55 and older. He felt those in their 50's and 60's would be able to cross 4000 South without difficulty. They need to talk to the City about the possibility of a crosswalk.

Commissioner Dandoy asked about parking. Mr. Murphy stated that the first story of the building would consist of underground parking. The residential units would be located on the second and third stories.

Commissioner Dandoy asked how tall the building would be. Mr. Murphy said that even though the building would contain three stories, it would be 20 to 24 feet high at grade level on the east side due to the slope of the site.

Commissioner Dandoy asked if the retention pond on the southwest corner of the site was required by the City. Mr. Parkinson stated that the EPA, State, and City required that all sites detain or retain their storm water.

Commissioner Dandoy asked if the Planning Commission would be able to review this site plan again. Mr. Parkinson said it would. The rezone would be considered at the next meeting. The third step would be application for a conditional use permit.

Commissioner Stonehocker moved to close the public hearing at 6:23 p.m. Commissioner Paul seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.

Commissioner Dandoy did not see any issues with the request. Given the proximity of the property to the Front Runner Station, he felt the requested multi-family land use designation would fit well.

Chairman Kirch stated that there wasn't any multi-family zoning north of 4400 South. Changing this land use designation would open the door. If the City changed the land use designation and the applicant pulled out, the property would be open to apartments that would allow young children. She wasn't comfortable changing the land use designation alone. She felt it should be attached to a rezone and conditional use permit.

Commissioner Stonehocker moved to recommend that the City Council approve a request to amend the Future Land Use Map from by changing the land use designation of 2.6 acres located at approximately 2350 West 4000 South from Light Manufacturing/Warehouse to Very High Density Multi-Family Residential based on the staff's findings and recommendation. Commissioner Ohlin seconded the motion. Commission members Dandoy, Karras, Ohlin, Paul, and Stonehocker voted "aye." Commission member Kirch voted "nay." The motion carried.

Chairman Kirch stated that this was a small site for a manufacturing use.

3. CONTINUATION OF A PUBLIC HEARING FROM JUNE 24, AND JULY 8, 2014, TO CONSIDER A TEXT AMENDMENT TO THE ROY CITY ZONING ORDINANCE REQUIRING ALL BUSINESS GENERALL TO BE CONDUCTED WITHIN A WHOLLY ENCLOSED BUILDING

Commissioner Karras moved to continue the public hearing at 6:27 p.m. Commissioner Stonehocker seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.

Steven Parkinson stated that on June 24th and July 8th, the Planning Commission discussed a text amendment to the Zoning requested by Code Compliance. The City's Code Enforcement Officer wanted to make language in the Zoning Ordinance clearer about who was allowed to have outdoor display and storage and who wasn't and where it was allowed. The Planning Commission asked that the staff look at Clinton City's ordinance

Mr. Parkinson stated that if a use was not listed in a zoning ordinance, it was not allowed. Roy City's Zoning Ordinance did not allow outside storage or display. He proposed to add a subcategory for convenience stores, personal instruction service, and retail sales and services. The subcategory would read, "*Outdoor storage and display of goods.*" The subcategory would be a conditional use for all three uses in both the Community Commercial and Regional Commercial Zones. For Vehicle and Equipment Repair, Major, and Vehicle and Equipment Repair, Minor, he proposed adding the following subcategory, "*Outdoor storage and display of goods, vehicles that*

are being repaired or are in queue for repairs must be behind a screening fence." The subcategory would be a conditional use for Vehicle and Equipment Repair, Major, in the Manufacturing Zone. The subcategory would be a conditional use for Vehicle and Equipment Repair, Minor, in both the Regional Commercial and Manufacturing Zones.

Commissioner Dandoy felt the subcategory needed to be added to other uses in Table 17. He felt Mr. Parkinson's proposal was a big step forward. He felt it would also help to define what outdoor display actually was.

Steven Parkinson stated that the difference between outdoor storage and display was whether the products were left out overnight. Displays were only out during the day.

Commissioner Dandoy asked how the ordinance would address a credit union in the City that had a fenced lot for repossessed vehicles. Mr. Parkinson stated that he would determine what the ordinance allowed under what was approved on the original site plan. If the repo lot was part of the original site plan, it was a legal use.

Chairman Kirch asked if screen fencing was actually needed for the two vehicle uses. Mr. Parkinson felt there were things the City wanted to have screened to maintain visual appearance

Commissioner Stonehocker pointed out that right now the Zoning Ordinance prohibited any type of outdoor storage or display.

Chairman Kirch asked if 'enclosed' meant under a veranda or overhang. Mr. Parkinson felt the layman's term meant within a building.

Commissioner Dandoy wanted to make compliance of the new regulations as painless as possible for existing businesses. He didn't want to push businesses into leaving Roy.

Steve Parkinson suggested that the conditional use filing fee could be waived for existing businesses as they would have some expense in preparing a site plan. He also suggested giving existing businesses a period of time, such as 18 months, to come into compliance.

Chairman Kirch felt that the proposed change would make doing business in Roy more restrictive rather than allowing businesses to flourish. Could the subcategory be changed to include, 'any outdoor storage or display *beyond* a certain distance'?

Commissioner Stonehocker stated that adding the subcategory was actually making regulations less restrictive because right now all outdoor storage and display was actually prohibited.

Commissioner Dandoy felt presentation about the new regulations would be critical. Businesses needed to understand that the City was trying to bring the Zoning Ordinance in line with what was really going on.

Commissioner Paul asked if businesses were allowed to use easements and park strips. Steve Parkinson stated that park strips were public property. Businesses could not conduct business on public property.

Commissioner Dandoy suggested that when enforcing the new regulations, the Code Enforcement officer shouldn't consider something that could not be seen a nuisance.

Steve Parkinson stated that the zoning regulations would not fit all businesses. A zoning ordinance could never do that. It would address about 95% of the businesses, which left only a few to mitigate. He felt the new regulations would help clean up 1900 West.

Chairman Kirch felt the wording for Vehicle and Equipment Repair, Major and Minor should be changed from 'screening fence' to 'permanently screened.' She felt that would give businesses more flexibility.

Commissioner Stonehocker stated that the Planning Commission would be responding to complaints from citizens, or the City itself, as it dealt with nuisances.

Commissioner Ohlin didn't want zoning regulations to be a large burden on the City's businesses. She wanted to make the compliance process as easy as possible.

Commissioner Dandoy felt the new regulations would give the Code Enforcement Officer some guidance.

Commissioner Paul asked that the Planning Commission's suggestions regarding compliance for existing businesses be forwarded to the City Council – that the filing fee be waived and that they be given a certain period of time to apply for a conditional use permit.

At 7:22 p.m., Commissioner Dandoy moved to continue the public hearing at the next Planning Commission meeting in order to allow the staff time to determine if there were other uses in Table 17 that needed the outdoor display subcategory; to modify the wording for screening for Vehicle and Equipment Repair, Major and Minor; and to make recommendations for helping existing businesses comply with the new regulations, such as waiver of fees. Commissioner Paul seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.

Chairman Kirch asked that staff to look at the way Salt Lake, West Bountiful, Bountiful, Woods Cross, and Clearfield addressed outdoor display and screening of outdoor storage. She felt those communities were similar to Roy because freeway access immediately led into their commercial areas.

4. STAFF UPDATE

Steve Parkinson said there would be a meeting on September 9th. The Planning Commission would consider a rezone petition for the property on 40000 South and some minor subdivisions.

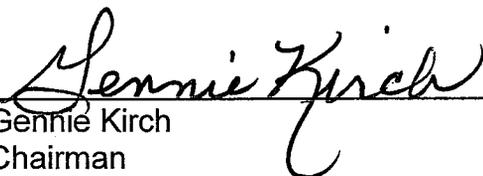
Commissioner Dandoy asked about the status of the closure of 3500 West and Midland Drive.

Commissioner Dandoy asked how much front yard space UDOT could take when widening a road before they considered a home impacted. Mr. Parkinson said an environmental impact study would determine if a home was impacted to the point it had to be purchased and demolished.

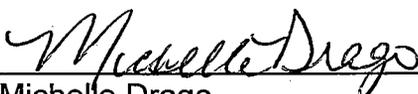
5. ADJOURN

Commissioner Paul moved to adjourn at 7:37 p.m. Commissioner Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Ohlin, Paul, and Stonehocker voted "aye." The motion carried.

Attest:



Gennie Kirch
Chairman



Michelle Drago
Secretary

dc:paug2614