

## ROY CITY PLANNING COMMISSION

March 9, 2010

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on March 9, 2010, 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:

Tom Stonehocker, Chairman  
Dave Collins  
Blake Hamilton  
Lee Holt  
Bill Merx  
Roy Watts

Jared Hall, Planner  
Michelle Drago, Secretary

Others present were: Bradley Trammel; Nicole Trammel; Eric Thatcher; and Paul Moekly.

Pledge of Allegiance: Dave Collins

### 1. APPROVAL OF FEBRUARY 23, 2010, MINUTES

**Commissioner Watts moved to approve the February 23, 2010, minutes as written. Commissioner Holt seconded the motion. Commission members Collins, Holt, Merx, Stonehocker, and Watts voted "aye". The motion carried.**

### 2. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING A RESTAURANT (CATERING SERVICE) ON PROPERTY LOCATED AT APPROXIMATELY 4066 SOUTH 1900 WEST IN THE BP, BUSINESS PARK ZONE

**Commissioner Merx moved to open the public hearing at 6:01 p.m. Commissioner Collins seconded the motion. Commission members Collins, Holt, Merx, Stonehocker, and Watts. The motion carried. All voted "aye."**

Jared Hall stated that Bradley Trammel of Backcountry BBQ & Catering had requested approval of a conditional use permit to operate a catering business in the northeast corner of Building 5 of the Golden Spike Business Park (formerly known as Iomega). Although this would be a catering business, it fell under the restaurant category, which was a conditional use in the Business Park Zone. The proponent did not have plans for a lunch counter or sit down restaurant. This would just be a food preparation area. Building 5

contained a dock and overhead door, which Mr. Trammel planned to use. There would be some interior remodeling that would be handled by building permit. Mr. Hall said that most of the surrounding area was zoned Business Park. There was a residential area to the north, but it wasn't close enough to be impacted. The parking impact from this business would be limited to employees. There was plenty of parking in this area of the business park.

Mr. Hall stated that the DRC had found that the proposal complied with the intent and regulations of the Zoning Ordinance and with the goals of the General Plan. It had also found that restaurants and catering complemented the other uses typically found in the Business Park Zone. The staff recommended that the Planning Commission recommend approval of the conditional use subject to:

1. All items of the staff report and attachments and to further review and approval by DRC staff as might be deemed necessary.
2. The applicant seeking and obtaining appropriate building permits, business licenses, and other approvals necessary for remodel and building alteration.

Commissioner Holt asked if approval of this conditional use permit would automatically allow the proponent to operate an eatery. Mr. Hall said the conditional use was for food preparation and catering. A restaurant would have a greater impact on the parking and hours of operation. The proponent would have to apply for a modification of an existing conditional use permit to operate a restaurant.

Commissioner Merx asked if there was a limit on how much food could be served before the business would be considered a restaurant. Jared Hall said there wasn't. He felt it would be appropriate for the proponent to provide food samples.

Commissioner Collins asked if the changes to the building would meet the building code and Roy City ordinances. Mr. Hall said the remodeling would have to comply with business license standards and building permit requirements.

Commissioner Hamilton arrived at 6:07 p.m.

Chairman Stonehocker asked if the proponent was in attendance.

Bradley Trammel, 3935 South 2225 West, stated that this would be a catering business. He didn't plan to have a lunch counter.

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

**Commissioner Collins moved to close the public hearing at 6:08 p.m. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**

Commissioner Watts felt the request met the City's requirements. He was comfortable that the business would be strictly catering.

**Commissioner Merx moved to recommend that the City Council approve a conditional use permit for a catering business located at 4066 South 1900 West based on the staff's findings and subject to the recommendations of the staff. Commissioner Holt seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**

3. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING THE DEVELOPMENT OF A MEDICAL/DENTAL OFFICE ON PROPERTY LOCATED AT APPROXIMATELY 4040 SOUTH MIDLAND DRIVE IN THE CC, COMMUNITY COMMERCIAL ZONE

**Commissioner Collins moved to open the public hearing at 6:10 p.m. Commissioner Watts seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**

Jared Hall stated asked that the Planning Commission table this discussion and continue this hearing to March 23<sup>rd</sup>. The engineering review was not complete because the applicants had not been able to provide utility information due to reviews of the improvements for the larger subdivision. The staff would not renote the hearing. It would send reminder letters to the adjoining property owners.

Commissioner Merx stated that March 23<sup>rd</sup> was the Republican district caucus meetings. A majority of the Planning Commission members said they planned to attend the March 23<sup>rd</sup> Commission meeting.

**At 6:13 p.m., Commissioner Watts moved to table the discussion and continue the public hearing to March 23, 2010. Commissioner Holt seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**

4. CONSIDERATION OF A REQUEST FOR SITE PLAN APPROVAL TO ADD SEVERAL ONE-CAR GARAGES TO THE EXISTING ORCHARD COVE APARTMENTS LOCATED AT APPROXIMATELY 1801 WEST 4650 SOUTH

Jared Hall stated that this item did not require a public hearing. It would only be reviewed by the Planning Commission. The Orchard Cove Apartments were located at 1801 West 4650 South. The manager was seeking to replace two sections of parking stalls with one-car garages. The existing carports would remain. Eleven stalls near 1900 West would be converted to 10 one-car garage units. Another section of parking on the northeast corner of the site along 4650 South would be converted to 20 one-car garage units. The site would pick up two parking stalls by removing a small section of landscaping. The garages would be constructed of materials (stone, stucco, and shingles) that would match the existing apartment buildings. The back of the units had some relief to meet the City standards. Existing trees and landscaping would help break up the rear facade as well. The proponents had committed to adding more evergreen and deciduous trees. The DRC had found that the proposal complied with the intent and regulations of the Zoning Ordinance and with the goals of the General Plan. The proposal would provide an upgrade to existing and successful multi-family housing stock in Roy. The staff recommended that the Planning Commission approve the site plan for the addition of one-car garages at Orchard Cove Apartments subject to:

1. All items of the staff report and attachments and to further review and approval by engineering and other DRC staff and might be deemed necessary.
2. The applicant seeking and obtaining appropriate building permits for the construction of the buildings and complying with all rules and regulations that pertain to that process.
3. The applicant including the planting of new trees in the landscaped areas adjacent to the new building facades in order to mitigate any potential visual impacts.

Mr. Hall did not anticipate that the DRC would need to look at the site plan again. There weren't any changes anticipated in the drainage patterns.

Commissioner Collins was concerned that the garages would be leased out to those who did not live in the apartment complex. Jared Hall said the garages were tied to specific units. The proponents were trying to upgrade the units. Leasing the garages to those who didn't live in the apartments was not allowed by the Zoning Ordinance.

Commissioner Merx was concerned about the length of the 20 units. Ten one-car garages were 100 feet. Twenty garages would be 200 feet in length. He felt that would be very onerous. Mr. Hall said the landscaping area behind the 20 garages was bermed and

contained a lot of existing trees. The proponent had committed to planting additional trees to break up the facade. That would help the appearance from the street. Commissioner Merx was concerned about how the garages would look from inside the site. Mr. Hall said this was the only location on the site that would support 20 garages. He felt the mass of the apartment buildings and the long lines of the existing carports would balance the length of the 20 units.

Commissioner Hamilton asked if there was a way to tie the garages to the apartment units. Mr. Hall said there was. He felt an additional condition would not have the impact it would if this was a conditional use permit. Because this was a permitted use, violations would be handled as a zoning violation. The use of the garages was limited by what was allowed in the R-4 Zone.

Commissioner Holt felt the garages were tied by the parking ratio.

Commissioner Holt didn't know how the City would micro manage the use of the garages. If there was a problem, the City would go after the owner who would go after the tenant.

Jared Hall stated that if the garages were used for storage rather than parking, it could impact the parking. It might be a good idea to add a condition that items stored in the garages could not impede its parking use.

Commissioner Holt felt that would be crossing the line of what a garage use was.

Commissioner Collins stated that the Zoning Ordinance required that a parking space be 9'x20'.

Jared Hall stated that the parking for Orchard Cove exceeded the minimum requirement of 2.5 parking stalls per unit. It was closer to 3.7. However, if the garages were used for storage rather than parking, it would impact the overall parking.

Commissioner Merx asked if the residents could come back to the City. Jared Hall said they couldn't. The City was approving parking structures.

Commissioner Hamilton asked if there would be more garage units in the future. Jared Hall said the manager would build more if there was room on the site.

Commissioner Watts did not feel there was any way the City could manage the parking versus storage issue.

Commissioner Hamilton felt the garages would be an improvement.

Chairman Stonehocker felt the issue would be self-policing. Other tenants would squawk if they noticed several cars in the parking area that should be in garages.

**Commissioner Holt moved to approve a site plan for the addition of 30 one-car garages to the existing Orchard Cove Apartments located at 1801 West 4650 South based on the staff's findings and recommendations. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**

5. STAFF UPDATE

Jared Hall stated that the hearing for Intermountain Dental's conditional use permit would be on the March 23<sup>rd</sup> agenda. There were a couple of site plan approvals that might be ready.

Commissioner Merx asked when the vacant position on the Planning Commission would be filled. Mr. Hall did not know.

Commissioner Hamilton asked if the packets could be delivered electronically. Mr. Hall said they could. He asked all those interested in receiving their packets electronically to give him their email addresses.

Chairman Stonehocker stated that the AIA Utah Chapter was looking for a place and a sponsor for a BIM Storm (Building Information Modeling). It would cost \$15,000 to put it on, but all the work was done on line.

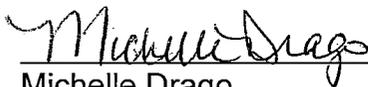
5. ADJOURN

**Commissioner Holt moved to adjourn at 6:40 p.m. Commissioner Merx seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.**



\_\_\_\_\_  
Tom Stonehocker  
Chairman

Attest:



\_\_\_\_\_  
Michelle Drago  
Secretary

dc:pmar910