

ROY CITY COUNCIL WORK SESSION

JULY 6, 2021 - 4:30 P.M.

ROY CITY COUNCIL CHAMBERS 5051 S 1900 W ROY, UTAH 84067

This meeting will be streamed live on the Roy City YouTube channel.

A. Welcome & Roll Call

Mayor Dandoy introduced attendees. He mentioned that Councilmember Burrell would not be in attendance.

B. Discussion Items

1. Proposed Mixed Use for Frontrunner Station and Innovation Center Areas.

Mr. Parkinson explained a couple of work sessions had already taken place. He added that the area had been split into two: the core along with Station North and South. The list of uses, he added, reflected this change, as did the building type. He pointed to the tables for each building type and explained that the building height had been changed from 40 to 35 feet. He mentioned that a town hall meeting had taken place and asked the Council how they wished to proceed with the proposed tables. He went on to say that the comments received during the town hall meeting had been shared with the Council.

Councilmember Wilson explained that there were eight topics that had been recurring. She pointed that one of the most important topics was that the only control over density was achieved through building height. She mentioned that she had investigated this, had looked at 3D models, and had concluded that if everything went as written, there could be an overwhelming development. Traffic, she continued, was also a recurring topic. She added that Law Enforcement issues had emerged as an important topic as well as the loss of community and small-town feel. She explained that some of this could be alleviated with changes in the siting codes along with setbacks. She pointed that transient population had also been an important topic, which she was not sure could be helped. She further mentioned that parking was also a significant issue and added that townhomes had been found to be more accepted than apartments.

Councilmember Paul explained that the development was pushing up against Hinckley drive. He added that to the North, West Haven had a few high-density developments and was also starting to develop on the South side of Hinckley Drive. He asked about the development North of trailer park and was told that there were a lot of multi-family units approved though there had been a halt. Councilmember Paul added that there was a difference in height between the right and left side of 4000 and mentioned that he was wondering if the height of the North side needed to be adjusted. He continued that there was a gradation issue, which had been on the side of allowing more height. This, he went on, made him think that there might be a need to drop height down to 50 feet on the North side which would then allow the people on the hill to be afforded the same thing as the other side: they would be able to look over the new developments.

Mayor Dandoy stated that there was an apartment unit being built in West Haven and that it would likely be a four-story building. Closer to Midland, he went on, there would be a commercial development. Councilmember Paul mentioned that four stories (50 feet) should be the maximum height. Councilmember Wilson pointed to the photo of 4380 South displayed to the Council. Mayor Dandoy asked for a topographical map. He explained that there was almost a 100 feet difference from the top of the area on the North side. Councilmember Wilson explained the different height drops by referring to the map.

Councilmember Paul pointed to an area that was not steeper than the South side though said South side had homes a lot closer together. Originally, because of the separation and gradation, a density of 50 units per square feet would not be a problem, though it would be problematic against the overpass on Hinckley Dr., he added. He further



stated that anywhere on the area should be brought down to 50 feet, which might prevent five-story buildings. Councilmember Paul continued that there was one development for seniors. Councilmember Jackson pointed that at the steepest part there was an issue with water retention.

Mayor Dandoy described the exact heights of different areas. Councilmember Paul stated that a 60-foot height would be possible because of this. He explained that to control density, 50 feet should be the maximum height allowed. Councilmember Wilson stated that she believed this was reasonable.

Councilmember Paul asked whether the developer was the same as the one going on the East side of the rail. Mayor Dandoy confirmed that this was the case. Councilmember Paul stated that if the developer could get by with a four-story building on the West side, they could do the same on the East side. Mayor Dandoy stated that the Council could use stories v. feet, but Councilmember Paul pointed that he preferred to keep the height in feet. He further asked whether 50 feet corresponded to 4 stories. Mayor Dandoy explained that if the Council looked for uniformity, the logic would be to put the height at 60 feet. Councilmember Paul stated that the requirement could be 60 feet with no more than 4 stories.

Mayor Dandoy mentioned that once they reached five stories, apartment buildings required an elevator and explained there were more costs involved. Matt Andrews explained that the roof types could be pitched rather than flat in order to limit the height of a building. Councilmember Paul explained that topographically, the height could be greater on the North side though another story should not be added. Matt Andrews pointed that he did not wish to use West Haven's rules as a guide for Roy's. Councilmember Paul stated that he was trying to accommodate the developer and that he did not know whether there were city partnerships with West Haven. Matt Andrews explained that the South side had been established at no more than 35 feet and that if it were the same developer, they would need to deal with difference heights. Councilmember Paul explained that the person who was developing the 4000 West Haven property was potentially the same developer who would develop the East side.

Councilmember Wilson pointed to the map and explained that, from the West, she had a model of what 60 feet would look like. She described the height and its impact. She mentioned that if the zoning were exactly as it was written with no outdoor parking and less than five-acre parcels, there could be developments similar to what had been discussed and explained the open space areas. She also pointed that depending on where the 60-feet in height were measured, the measurement would change and added that, when on a steep slope, the Council had to specify where the measurement would be performed. Councilmember Paul stated that 60 feet was the length of a bowling lane.

Councilmember Jackson talked about the residents with houses behind them and next to the tracks. Councilmember Wilson explained that residents on the other side of the tracks would be more affected. Councilmember Paul stated that this was where buildings could be taller.

Mr. Andrews explained that if the ordinance stayed as light manufacturing, the developer could build a road and request to build a 60-foot building. He added that the landscaping side of the ordinance required 10% of landscaping and mentioned the setback ordinances. Councilmember Wilson stated that she did not believe the 60-foot height was tiered. Mr. Parkinson explained that being against a residential zone did not make a difference.

Mayor Dandoy asked what the Council wished to do. Councilmember Wilson explained that 50-feet sounded reasonable and pointed that the four-stories limit could be added to the ordinance. Councilmember Jackson stated she agreed. Councilmember Wilson mentioned this gave developers an opportunity while providing moderation for residents.

Councilmember Paul pointed that as the space broadened and approached Hinckley Drive, there could be a consideration to allow 60 feet. Councilmember Wilson pointed to a specific area. Councilmember Paul mentioned there was a proposal for the portion of property next to the Hinckley Dr. on the East side of the track. He added that the proposal might be coming through the later City Council. Mr. Parkinson pointed that a point of division would be required and gave some suggestion.

Mayor Dandoy explained that the challenge was that the Planning Commission might be reviewing a proposal, but that this should not influence the current voting. He added that the PC would make a proposal that could guide the Council. He reminded the Council that this work session was for them to decide what they wanted to do on the North End of the property between the trail and the tracks above 4000. He added that eight-acres of this property belonged to Roy City.

Councilmember Paul suggested going straight up from the blue line shown on the screen. He pointed that said line could be used as a division between 50 and 60 feet. He further described the topography and detailed his suggestion. Councilmember Wilson pointed that this area was flatter and did not have such a steep slope, as the difference was 30 feet. She added that there were fewer homes.

Mayor Dandoy explained that he was hearing the Council having a conversation about putting the North End at 50 feet and the South at 60 feet. He continued that for this to be written in an ordinance, there needed to be specific reference points for measurements and that the Council had to provide Staff with a reference. Councilmember Paul explained that if the demarcation line continued straight west with 3725, this would be the correct area.

Mayor Dandoy asked about the reference. Mr. Parkinson explained that it would start in the northern area of the mobile home park. He added that unless someone tried to annex this corner of West Haven, it would stay this way. Councilmember Paul stated that the northern property line could be continued. Mayor Dandoy clarified that everything North of the straight line from the Roy City property line (North of the trailer park) straight over to the next address would allow a height of 60 feet, while anything south of said line would allow 50 feet.

Councilmember Saxton asked whether the Council had to go to such building height, as both heights were rather consequential. Mayor Dandoy asked Councilmember Saxton what he would like to see happen instead. He added that the issue came down to this particular piece of property which, by definition, was almost worthless as it was landlocked. Councilmember Paul agreed. Mayor Dandoy stated that because of this, any developer would have to pencil what they believed the property to be profitable for. He continued that left as it was, zoned for light manufacturing with 60 feet height for units, a developer could come in and place 60-foot storage units. Instead of storage units, he continued, a development could be added, which as important because of the current issue with UTA. He pointed that as a community station, Roy had to find some way to guarantee ridership: this particular area would allow people to walk the trail to the station and offer ridership to UTA without creating high density around the station. He added this could be argued to be better for both UTA and the City as it lowered the elevation around the station to gain ridership. If the position were negative in terms of adding residential buildings in the area, then there would be an argument to leave light manufacturing.

Councilmember Paul stated that he believed light manufacturing might generate more traffic than multifamily residential near a train station. He pointed, however, that there would be only one parking space per residential unit because people were buying next to a station for the transportation opportunity. He continued that if the City owned the majority of the land developed, the City would be placed in a better bargaining position to dictate what was allowed.

Mayor Dandoy explained access had to be gained to the property, as it did not currently offer access. He went on to say that sales tax revenue was based on population. He added that the Council was striving for a way to balance all residential units that were not six or seven stories up and try to lower the number while still providing UTA the desired ridership. He mentioned that UTA owned between 18 and 20 acres of land in Roy and would like to have 50 units per acre.

Councilmember Paul mentioned that UTA could get by with 25 units per acre which required three stories. Mayor Dandoy stated that State policy would put the number closer to 50 units per acre and that as a community station, the TOD policy stated that UTA was looking to at least 25 units per acre. This number would stay under 50 feet.

Councilmember Paul stated that at 35 feet, it might be possible to meet the 25 units per acre goal. Mr. Parkinson

stated that landscaping and parking would later impact how density would be limited: it was not merely limited by height. He added that apartments with two to three bedrooms would require more parking units. He mentioned the current general plan and pointed that SB 34 had required Roy to look at two options of higher densities and reduced parking: both options had been adopted. Mayor Dandoy stated that even though the plan stated that both options existed, the Council could emphasize the density or the parking. He added that he would much rather see the density part of the law be met rather than the parking. He added, however, that the parking requirement being lowered was problematic and went on to say that a balance had to be found. Allowing the whole area would give the City a chance to fulfill UTA's requirements even with a lowered height around the train station. With the number needed, UTA might use its land without a vote from the City. Councilmember Paul stated that this had already been threatened. Mayor Dandoy listed the different height and pointed that this would allow people to have apartments that were outside of the general area while giving people the option to walk to the train station area. Councilmember Paul asked whether what he proposed would allow what the Mayor was describing. Mayor Dandoy stated this might not be enough. A discussion ensued concerning what each area was on the map.

Councilmember Paul stated that the line could be moved further South. Mayor Dandoy pointed that this could allow the plan to work correctly. Mr. Parkinson described the land owned by Roy City while referencing the map. Mayor Dandoy restated his argument while explaining that he did not care what the Council decided. He mentioned that if done right, this could reduce the footprint height on the UTA property. He added that legislators kept passing these laws to forcing cities to create ridership. Councilmember Wilson stated that the Council's responsibility was not to UTA and that density by height might not be the proper way to go about solving the issue. Mayor Dandoy tried to clarify what the Council wanted by referencing the map. Mayor Dandoy stated he believed he would be able to sell what the Council had described earlier.

Councilmember Wilson stated that there needed to be a zoning overlay rather than a mandate. Mayor Dandoy stated he was not sure what Councilmember Wilson meant but added that every property owner needed to know what they could do on their zone. He continued that the property currently discussed was zoned R-1-8 (8,000 sq foot single family residential). He mentioned that there also was the rail station on the property and added that, at the moment, the zoning ordinance defined the property as an R-1-8. He explained that some people had orchards, there was the train station, parking, etc. He continued that nobody had been forced to do anything but that the potential for density needed to be allowed. Councilmember Wilson stated that without the zoning overlay, options would be changed. She pointed the unused access and continued that this needed to be left as a zoning overlay, or nothing would be done. Mayor Dandoy described what was currently available: 60-foot height limit for storage units. He asked Councilmember Wilson if this was what she wanted. Councilmember Wilson stated that this was not what she wanted but that she would like to see the property owners to have options, which is why she was proposing a zoning overlay. She pointed that without approving the current owners for a secondary access, their land would be unusable for anyone. Mayor Dandoy asked whether Councilmember Wilson wanted to leave the land as light manufacturing. She stated that it was the only other option, hence the zoning overlay requirement and asked Mayor Dandoy what better option he had to propose. Mayor Dandoy stated he had already given his proposal. Councilmember Wilson stated that this proposal did not give the property owners a secondary access. Mayor Dandoy asked Councilmember Wilson whether she was ready to have this conversation. He stated that the Council knew what the property owner wished to do and that what was holding the situation back was UTA and the Council's own decision. Councilmember Wilson asked how the zoning overlay failed to give the Mayor what he was advocating for. Mayor Dandoy stated that his biggest concern was that he did not want 60-foot storage units in the location. Councilmember Wilson asked what, in the event that secondary access did not go through, the Mayor suggested. Councilmember Wilson stated that the Council could choose whatever it wished.

Mr. Parkinson mentioned that the south portion of the land had been approved for storage units with just one access: a second access requirement was not necessary when it came to storage units. Mr. Parkinson stated that with the current zoning, there could be a sand facility, pounding sand all day long in a 60-foot building. An overlay zone, he continued, would require to re-write the ordinance as this was part of Chapter 13: things would have to be started back from 0. Councilmember Paul stated that the overlay zone had been discussed and that it had been decided this was not the easiest route to take.

Mayor Dandoy stated that an overlay would have to go back to the Planning Commission and the City Council and would add a year to the process. Councilmember Paul stated that splitting the land as it had been discussed before would need to be approved and if it were not, the Council could come back and rediscuss later. Mayor Dandoy stated the Council needed to solidify what it wished to do and reminded everyone that SB 150 required that land within a half mile of the station have a specific density. Building residential would set things and no changes would be made later. He added that cutting the land where the line had been placed and allowing heights as had been described might work if the land sold. He added that the library and school could be excluded from the zone.

Councilmember Paul stated that Ogden City wanted some of that land to build an airport and proposed the section be taken out for another day.

Mayor Dandoy restated what the Council had suggested. He added that mixed use could be horizontal and not vertical. He went over each color block on the map.

Councilmember Saxton asked what UTA did for Roy City: what promises had been made to the City? He continued that the cemetery had to be added and pointed that UTA had to work with Roy to make sure this happened: this should be a reciprocal relationship. He asked about who was going to deliver this message to UTA. Mayor Dandoy stated that he had had these conversations with UTA many a time. Councilmember Paul stated that there was a potential negotiated agreement if UTA received what they were looking for. He mentioned that the developer who wished to develop behind the cemetery would have what it wanted but he was not able to go into great details as there was a lot of property acquisitions involved. Mayor Dandoy stated that the Council was aware of these limitations and needed to decide what it wanted so negotiations could commence. He added he could not guarantee anything if the Council did not choose wisely.

Mayor Dandoy restated what the Council had discussed and asked if they could agree to it.

C. Adjournment

The work session was adjourned.