

## ROY CITY PLANNING COMMISSION

March 8, 2011

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on March 8, 2011, 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  
Blake Hamilton  
Lee Holt  
Gennie Kirch  
Bill Merx  
Rhett Zito

Jared Hall, Planner  
Michelle Drago, Secretary

Excused: Roy Watts

Others present were: Adam Bowers; Guo Jin 'Jimmy' Wu; Zackery George; Jessica Coria; Andrea Spencer; and Josh Skinner.

Pledge of Allegiance: Rhett Zito

### 1. APPROVAL OF FEBRUARY 22, 2011, MINUTES

**Commissioner Kirch moved to approve the minutes of February 22, 2011, as corrected. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

### 2. PUBLIC HEARING (CONTINUED FROM FEBRUARY 22, 2011) TO CONSIDER A REQUEST FOR CONDITIONAL USE APPROVAL TO ALLOW A CLASS B BEER LIQUOR LICENSE ON PROPERTY LOCATED AT APPROXIMATELY 1853 WEST 5600 SOUTH

**At 6:04 p.m., Commissioner Merx moved to continue the public hearing. Commissioner Holt seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

Jared Hall stated that on February 22<sup>nd</sup> the staff asked that the hearing be continued in order to allow the proponent to complete a permitted use application. The application had been filed, and the Development Review Committee had verified that the proponent did not

plan to make any exterior changes to the building. The staff had found that the proposed restaurant use was compatible with the site design and with surrounding uses and zones. The application conformed to the standards of the Zoning Ordinance and General Plan. The staff did not have concerns about this location and recommended that the Planning Commission recommend that the Council approve a conditional use for Class B Beer and Liquor licenses subject to:

1. The applicant's making all necessary license applications to the City and State for the serving of alcohol on the premises.
2. The applicant's adhering to all rules and regulations that govern the serving of alcohol on the premises.
3. Subject to further review by the Development Review Committee as might be deemed necessary.

Mr. Hall stated that both licenses were for on premise consumption, but they were slightly different. The State might not have any liquor licenses available at this time. If they did not, the license would not be granted by the City either, and the proponent would be placed on a waiting list through the State. Later when there was a liquor license available, he could be processed for one through the City as well. The City could issue the beer license right upon approval, because the State did not limit those in the same way. The applications for both licenses were being reviewed by the Police Department and others. The conditional use approval and license applications would be considered by the City Council at the same time.

Commissioner Kirch asked if the previous restaurant at this location had a beer license. Mr. Hall said it had not.

Commissioner Merx asked if there was a connecting road behind the building that would allow traffic access to 1900 West as it is almost impossible for drivers to turn west from this site. Mr. Hall said there was. As part of the building permit process, the staff could ask that the asphalt be patched for better traffic circulation.

Commissioner Holt stated that the gas station on the corner and the restaurant were owned by the same property owner.

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

**Commissioner Hamilton moved to close the public hearing at 6:09 p.m. Commissioner Zito seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

**Commissioner Kirch moved to recommend that the City Council approve a conditional use for Class B Beer and Liquor licenses on property located at approximately 1853 West 5600 South based on the findings and recommendations of the staff listed in their report. Commissioner Holt seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

3. NOMINATION FOR CHAIR AND VICE CHAIR FOR 011

**Commissioner Holt moved to nominate Tom Stonehocker as Chairman for 2011 and thanked him for a job well done. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

**Commissioner Stonehocker moved to nominate Lee Holt as Vice Chair for 2011. Rhett Zito seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.**

Jared Hall stated that he would give the nominations to the Mayor who would seek the ratification of the City Council.

4. STAFF UPDATE

Jared Hall stated that the first open house for the General Plan update would be held on March 24<sup>th</sup>. He asked that all members plan to attend to help with booths.

Gennie Kirch asked about the status of McDonald's and O'Reilly Auto Parts. Mr. Hall said McDonald's was under construction; O'Reilly was still working through the entitlement process. Ms. Kirch asked if the staff knew what West Haven had planned for the southwest corner of 4000 South and Midland Drive. Mr. Hall was not aware of anything.

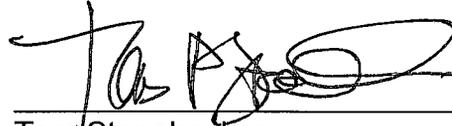
Commissioner Merx asked about the Sonic Burger property. Mr. Hall said it had been acquired by the Bank of Utah who had demolished the old building. Part of the demolition include upgrading a City storm drain.

Commissioner Holt asked about Jiffy Lube. Mr. Hall said they were working through the entitlement process.

Commissioner Hamilton asked about the Park Ridge Subdivision. Mr. Hall said the subdivision required homes to be built at certain floor elevations. There was a concern about the floor elevation of two homes that had been started. The situation was being reviewed.

5. ADJOURN

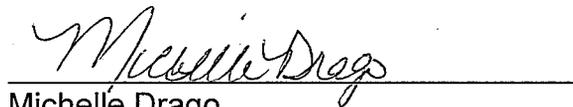
Commissioner Holt moved to adjourn at 6:21 p.m. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Stonehocker, and Zito voted "aye." The motion carried.



---

Tom Stonehocker  
Chairman

Attest:



---

Michelle Drago  
Secretary

dc:pmar811