

ROY CITY PLANNING COMMISSION

February 22, 2011

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on February 22, 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:

Lee Holt, Vice Chairman
Blake Hamilton
Gennie Kirch
Bill Merx
Roy Watts
Rhett Zito

Jared Hall, Planner
Michelle Drago, Secretary

Excused: Tom Stonehocker

Others present were: Terry Atkinson; Jean Atkinson; Adam Bowers; Dean Sisk; Guo Jin 'Jimmy' Wu; and Josh.

Pledge of Allegiance: Roy Watts

1. APPROVAL OF JANUARY 11, 2011, MINUTES

Commissioner Kirch moved to approve the minutes of January 11, 2011, as corrected. Commissioner Watts seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

2. PUBLIC HEARING 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

Commissioner Watts moved to open the public hearing at 6:02 p.m. Commissioner Zito seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

Jared Hall stated that the Zoning Ordinance required the Planning Commission to review beer and liquor licenses throughout the City as they were conditional uses. A Class A license was for off-premise consumption; a Class B was for on-premise/restaurant consumption. After the Planning Commission held a hearing and made a

recommendation, the application was forwarded to the City Council. The Council considered the conditional use and license approval at the same time.

Mr. Hall said the City had received a request for a Class B Beer Liquor license for a restaurant known as So Delicious. It would be located in the old Denny's Restaurant at 1853 West 5600 South. The proponents were planning to remodel the interior of the building only. However, the proponents had not filed the proper permitted use permit. Therefore, the staff asked that the public hearing be continued to March 8th.

Vice Chairman Holt asked if there were any comments from the audience. There were none.

Commissioner Watts agreed that the proponents had to follow proper procedure.

At 6:06 p.m., Commissioner Watts moved to continue the public hearing regarding the conditional use for a Class B beer liquor license at 1853 West 5600 South to March 8, 2011, at 6:00 p.m. Commissioner Kirch seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER A REQUEST FOR CONDITIONAL USE APPROVAL TO ALLOW A CHURCH IN THE BUSINESS PARK ZONE ON PROPERTY LOCATED AT APPROXIMATELY 1821 WEST 4000 SOUTH, BUILDING 3

Commissioner Merx moved to open the public hearing at 6:07 p.m. Commissioner Zito seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

Jared Hall stated that the Christian Worship Center had requested approval of a conditional use to allow a church in the Business Park Zone at 1821 West 4000 South, Building 3, Suite D. They planned to occupy 13,000 square feet formerly used by the Boys and Girls Club. Churches were considered a conditional use in the Business Park Zone. Parking in the business park was good. The Christian Worship Center would most likely use the parking at times that would not coincide with the other commercial and industrial uses in the business park. The DRC had found that the proposed use complied with the intent and regulations of the Zoning Ordinance and the goals of the General Plan. The proposed use could meet the requirements to be granted a Certificate of Occupancy. The DRC recommended that the Planning Commission recommend that the City Council approve a conditional use to allow a church in the Business Park Zone at 1821 West 4000 South subject to:

1. All items of the staff report and any further review and approval by DRC and other City staff as might be deemed necessary.
2. The applicant seeking and obtaining appropriate building permits for any remodeling, new signage, etc.; complying with all rules and regulations pertaining to that process; and making adjustments necessary to be granted a valid Certificate of Occupancy.

Mr. Hall stated that after the conditional use was approved by the City Council, a building permit could be issued, and inspections could be conducted by the Building Official and Fire Department.

Commissioner Kirch asked if the remodel would include a kitchen to handle social activities.

Pastor Dean Sisk, Clinton, stated that the remodel did not include a kitchen at this time. There was a room upstairs where a warming kitchen could be installed in the future. It contained a sink and water. It just needed wiring for an oven. They did not plan to put in a major kitchen.

Commissioner Merx asked about the hours of operation. Would there be any activities during the week? Pastor Sisk said there would be a Wednesday night service. There

would be occasional mid-week activities, such as prayer meeting. Almost all of them would be a night. Sunday would be the primary day.

Vice Chairman Holt stated that Ogden Area Weber Technology Center held night classes all the time. He was not concerned about lighting and security and felt the site was well lit. There was a security guard in Building 2 at the OAWTC. Would the Christian Worship Center occupy all of the space used by the Boys & Girls Club? Pastor Sisk was not sure because he didn't know how much the Boys & Girls Club had used. They were located in the middle of the building. They did not have access to the large gym.

Vice Chairman Holt opened the floor for public comments.

Terry Atkinson, manager of Monte Vista Mobile Home Park, asked how large was the congregation was. Pastor Sisk said the congregation had about 150 people on a Sunday morning. There were about half that on Wednesday night. Ms. Atkinson felt the lighting in the industrial park was excellent. Once in awhile traffic funneled through the mobile home park if there was an accident on 1900 West. The Boys and Girls Club had been very positive. She didn't feel the church would be a problem at all.

Commissioner Merx moved to close the public hearing at 6:17 p.m. Commissioner Kirch seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

Commissioner Merx stated that the last time a church applied for a conditional use it was in a Regional Commercial Zone. The City Council had balked at the application. What happened? Jared Hall said the Council approved the use. Their concerns were related to the building and its suitability. The DRC did not feel that was an issue in this case.

Commissioner Kirch moved to recommend that the City Council approve a conditional use for a church at 1821 West 4000 South, Building 3, based on the staff's findings and recommendations. Commissioner Merx seconded the motion. Commission members Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.

4. STAFF UPDATE

Vice Chairman Holt stated that the Planning Commission wanted to table consideration of a Chairman and Vice Chairman for 2011 until the next meeting when all members could be in attendance.

Commissioner Hamilton arrived at 6:20 p.m.

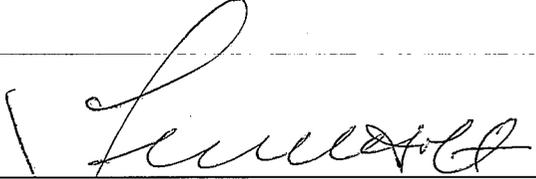
Jared Hall stated that the Steering Committee held its first meeting on the General Plan update. Commission members Merx and Holt were on the Steering Committee. They would update the rest of the Commission. The first of three open houses would be held on March 24th from 5:30 to 7:30 p.m. It would be low key and invitational.

Commissioner Kirch asked if the General Plan update would include fence issues. Jared Hall said there were regulations in the Zoning Ordinance regarding fences that needed to be fixed. Those corrections would be made with a text amendment; not in the General Plan update. Those amendments could be done at the direction of the Council, or they could be done if an application was filed.

In response to a specific situation noticed by Commissioner Kirch, Jared Hall stated that there was not a requirement for a continual fence in the Zoning Ordinance.

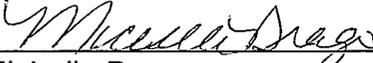
5. ADJOURN

Commissioner Hamilton moved to adjourn at 6:24 p.m. Commissioner Kirch seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, Watts, and Zito voted "aye." The motion carried.



Lee Holt
Vice Chairman

Attest:



Michelle Drago
Secretary