



## PLANNING COMMISSION

• **Chair** – Lindsey Ohlin • **Vice Chair** – Douglas Nandell  
**Members:** • Leland Karras • Gennie Kirch • Joe Paul • Claude Payne • Jason Sphar

# AGENDA - AMENDED

**September 13, 2016**

**6:00 p.m.**

The Roy City Planning Commission regular 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 Allegiance, which will be appointed by the Chair.

### Agenda Items

1. Declaration of Conflicts
2. Approval of August 23, 2016 regular meeting minutes
3. 6:00 p.m. – PUBLIC HEARING – Request to amend the Roy City Municipal Code; Chapter 17 - Table of Uses. To add a provision to allow Domestic Livestock and Fowl along the Utility Corridor as a Conditional Use, within three (3) zones.
4. 6:00 p.m. – PUBLIC HEARING – Consider a request to amend the General Plan (Master Land Use Map) and the Zoning Map for the property approximately located at 5455 S 4300 W:
  - a. General Plan (Future Land Use Map) portion of the property from Commercial to Medium Density, Single-Family Residential
  - b. Zoning Map from RE-20 (Residential Estates) to CC (Community Commercial) and R-1-8 (Single-Family Residential)
5. 6:00 p.m. – PUBLIC HEARING – Consider a request for Preliminary Subdivision approval for Royal subdivision, a two (2) lot residential subdivision located at 2235 W. 4800 S.
6. Request for
  1. Site Plan and Architectural Approval
  2. Conditional Use approvalFor a property located at 4148 South Midland Drive
7. Request for Architectural Approval for the building located at 3531 West 5600 South
8. Commissioners Minute
9. Staff Update
10. Adjourn

*In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: [ced@royutah.org](mailto:ced@royutah.org) at least 48 hours in advance of the meeting.*

#### Certificate of Posting

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 9<sup>th</sup> day of September 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 9<sup>th</sup> day of September 2016.

STEVE PARKINSON;  
PLANNING & ZONING ADMINISTRATOR



## ROY CITY PLANNING COMMISSION

September 13, 2016

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on September 13, 2016, 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:

Lindsey Ohlin, Chairman  
Leland Karras  
Gennie Kirch  
Doug Nandell  
Joe Paul  
Claude Payne  
Jason Sphar

Steve Parkinson, Planner  
Trent Nelson, Assistant City Attorney  
Michelle Drago, Secretary

Others present were: Mayor Willard Cragun; Cathy Spencer, Management Services Director; Todd Grandstaff; Robert Poirier; Brad Hunter; Tyson Hunter; Jacob Briggs; Jeremy McReynolds; Dak Maxfield; and Larry Bouwhuis.

Pledge of Allegiance:

### 1. DECLARATIONS OF CONFLICT

There were none.

### 2. APPROVAL OF AUGUST 23, 2016, MINUTES

**Commissioner Karras moved to approve the August 23, 2106, minutes as corrected. Commissioner Kirch seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

### 3. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND ROY CITY MUNICIPAL CODE; CHAPTER 17 – TABLE OF USES BY ADDING A PROVISION TO ALLOW DOMESTIC LIVESTOCK AND FOWL ALONG THE UTILITY CORRIDOR AS A CONDITIONAL USE WITHIN THREE (3) ZONES

Steve Parkinson stated that the City had received a request to amend Roy City's Zoning Code (Title 10, Chapter 17, Table of Uses) to allow domestic livestock and fowl along the utility corridor as a conditional use in the R-1-10, R-1-8, and R-1-7 Zones. In the west part of Roy, the Utah Power & Light (Rocky Mountain Power) corridor extended north and south the entire length of the community. There was open and unused land in the corridor. Prior to the adoption of the new Zoning Code in 2005, domestic livestock were allowed on physical geographical impediments as a conditional use under the same regulations found in the RE-20 Zone. The provision was removed when the new Zoning Code was adopted. Jacob Briggs was asking that the provision be reinstated along the power corridor only in the R-1-10, R-1-8, and R-1-7 Zones; the zones

found along the power corridor. The RE-20 Zone was also found along the corridor, but it already allowed domestic livestock and fowl. The Planning Commission had discussed the requested amendment in a few work sessions. Based on discussion and direction from the Planning Commission, the staff had prepared a text amendment to Table 17-1, Table of Uses):

For the third and sixth uses of Table 17-1, Barn, Corral, Stable, Coop, Pen or Animal Run and Domestic Livestock and Fowl, include an asterisk (\*) next to the "X" currently identifying these uses and Prohibited in each of the zones R-1-7, R-1-8, and R-1-10. The asterisk would lead to the end paragraph for these uses, where the following statement would be found:

*\*Conditional use in parcels located within the Utah Power & Light Corridor and which otherwise meet the minimum requirements above. A copy of any lease agreement, if applicable, shall be provided with the application for conditional use.*

The staff recommended approval of a text amendment to Title 10, Chapter 17, Table of Uses as proposed.

**Commissioner Nandell moved to open the public hearing at 6:04 p.m. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

Chairman Ohlin opened the floor for public comments.

Jacob Briggs, Clinton, felt the text amendment would provide a great opportunity to put the land in the corridor to use. He wasn't sure how much livestock the land could support as it was not irrigated. He felt making the use conditional would give the Planning Commission the opportunity to address each parcel individually. He thanked the City staff for putting the material together.

**Commission Paul moved to close the public hearing at 6:09 p.m. Commissioner Sphar seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

Commissioner Kirch stated that the Planning Commission was currently reviewing conditional uses found in the Table of Uses to determine if any could actually be permitted. Was this a use that should be permitted? Steve Parkinson said the use could be permitted as long as language in the Zoning Ordinance contained all appropriate conditions. If the use was permitted, the caveat still needed to be in the ordinance.

Commissioner Kirch asked if the use would be open grazing or if there would be boundaries. Mr. Parkinson said there would be boundaries. Utah Power & Light did not own every parcel in the corridor.

Trent Nelson, Assistant City Attorney, asked if the Planning Commission could imagine a scenario where this use would need some flexibility. A conditional use would give the Planning Commission some flexibility.

Commissioner Kirch complimented the staff for the ordinance preparation.

**Commissioner Kirch moved to recommend that the City Council approve a text**

**amendment to Title 10, Chapter 17, Table of Uses adding a provision to allow domestic livestock and fowl along the utility corridor as a conditional use within the R-1-10, R-1-8, and R-1-7 Zones. Commissioner Paul seconded the motion. A roll call vote was taken: Commission members Nandell, Kirch, Payne, Sphar, Ohlin, Karras, and Paul voted "aye." The motion carried.**

4. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE MASTER LAND USE MAP OF THE GENERAL PLAN AND THE ZONING MAP FOR PROPERTY LOCATED AT APPROXIMATELY 5455 SOUTH 4300 WEST BY CHANGING A PORTION OF THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL TO MEDIUM DENSITY, SINGLE-FAMILY RESIDENTIAL AND THE ZONING DESIGNATION FROM RE-20 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) AND R-1-8 (SINGLE-FAMILY RESIDENTIAL)

Steve Parkinson stated that the City had received petitions to amend the General Plan's Future Land Use Map and the Zoning Map for property located at 5455 South 4300 West. The petitioners were requesting that a portion of the property's future land use designation be changed from Commercial to Medium Density, Single-Family Residential and that the zoning designations be changed from RE-20 to Community Commercial and R-1-8.

Mr. Parkinson said the property in question was located on the northwest corner of 5500 South 4300 West. The Planning Commission and City Council discussed the property in a joint work session. Both bodies felt the hard corner should be commercial and that the remainder of the property should have a single-family use similar to the adjacent subdivision in Hooper. The applicant was proposing to build a carwash on a portion of the commercial area. The remaining acre would be left for a convenience store.

Mr. Parkinson said the staff had found that the proposed rezone was the highest and best use of the land. The rezone supported Roy's economic development. The staff recommended approval of the requests to amend the Future Land Use Map and the Zoning Map.

Chairman Ohlin asked how many 8,000 square foot lots would fit on the property. Mr. Parkinson did not know. It would depend on how a subdivision was laid out. Any access onto 5500 South would have to be approved by UDOT because it was a state road.

Commissioner Nandell asked if the City had any plans to widen 4300 West now that Hooper and Clinton had built an extension. The road was now open clear to Antelope Drive. Mr. Parkinson said the City did not have any plans to widen 4300 West. He wasn't sure what plans Clinton, West Point and Syracuse had. He didn't think any of them had immediate plans to widen the road.

**Commissioner Sphar moved to open the public hearing at 6:18 p.m. Commissioner Payne seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

Chairman Ohlin opened the floor for public comments.

Jeremy McReynolds, 5494 South 4425 West, Hooper, stated that the property being considered was in his backyard. In the past few years, 45 new homes had been built by his home; now 5500

South was a mess. Drivers did not pay attention to the crosswalk at 4300 West. His neighborhood was so congested; he took the back way out. He did not feel this was the time to develop this property. The road could not handle the traffic that was there.

Commissioner Paul asked if UDOT had plans to put in a signal at 5500 South 4300 West. Mr. Parkinson was not aware of any plans.

Todd Grandstaff stated that he had an option to purchase and develop this property in question. He had completed extensive studies since the Planning Commission/City Council work session. The studies indicated that the only commercial the site would support was a convenience store and maybe a carwash. All of the commercial business was going to Syracuse, Clinton, and Riverdale. The subdivision would not have access from 5500 South. For the time being, the existing house would remain. The Howard Slough ran through the property. They could leave it alone or enclose it. They were waiting for study results to determine if a carwash was feasible.

In response to a question from Commissioner Paul, Mr. Grandstaff said they hoped to put in a carwash. They would let someone else do the convenience store.

Commissioner Karras asked if all access would be from 4300 West. Mr. Grandstaff said the subdivision access would be from 4300 West. The entrance to the carwash would be on 5500 South.

Commissioner Kirch asked if they planned to create something to prevent subdivision residents from using the carwash to access 5500 South. Mr. Grandstaff said they would put some kind of barrier in place.

Commissioner Paul asked if they owned the property to the north. Mr. Grandstaff said they did not. They had tried to purchase it, but the owner wasn't interested in selling.

Commissioner Paul asked what plans they had for the slough. Mr. Grandstaff said they planned to leave it 'as is.' If they were able to acquire the property to the north, they would put in a pathway to the City's nearby park. There was a spot along the slough for a bench.

Commissioner Paul asked if any of the land could be developed. Mr. Grandstaff said there was some buildable area. If they built a bridge across the slough and a turnaround for a fire engine, there was room for another two to three lots on the other side of the slough.

**Commissioner Nandell moved to close the public hearing at 6:27 p.m. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

Commissioner Kirch stated that prior to 2005, the City Council made a motion to not allow lots smaller than R-1-10; had that motion gone by the wayside? Mr. Parkinson felt the motion only applied to properties being annexed into the City. The adjacent lots in Hooper were 9,000 to 10,000 square feet in size. The lots on the east side of 4300 West were zoned R-1-7.

Chairman Ohlin stated that the Future Land Use Map showed the entire property with a commercial use. Mr. Parkinson said the applicant was requesting that a portion of the property be

changed to medium density, single-family residential. Chairman Ohlin asked if the City was concerned about losing this commercial space. Mr. Parkinson did not feel this location was viable for anything more than a convenience store.

**Commissioner Paul moved to recommend that the City Council approve a request to amend the General Plan's Future Land Use map by changing the future land designation of a portion of the property located at 5455 South 4300 West from Commercial to Medium Density, Single-Family Residential based on the staff's findings. Commissioner Karras seconded the motion. A roll call vote was taken: Commission members Kirch, Paul, Payne, Ohlin, Sphar, and Karras voted "aye." Commissioner Nandell voted "nay." The motion carried.**

**Commissioner Paul moved to recommend that the City Council approve a request to amend Zoning Map by rezoning property located at 5455 South 4300 West from RE-20 (Residential Estate) to Community Commercial and R-1-8 (Single-Family Residential) based on the staff's findings. Commissioner Sphar seconded the motion. Commission members Karras, Payne, Sphar, Ohlin, Paul, and Kirch voted "aye." Commissioner Nandell voted "nay." The motion carried.**

5. PUBLIC HEARING TO CONSIDER A REQUEST FOR PRELIMINARY APPROVAL OF THE ROYAL SUBDIVISION, A TWO (2) LOT SUBDIVISION, LOCATED AT 2235 WEST 4800 SOUTH

Steve Parkinson stated that the City had received a request for preliminary approval of the Royal Subdivision; a two-lot subdivision located at 2235 West 4800 South. The property owners were proposing to split an existing parcel into two lots. The property was zoned R-1-8 and contained 19,600 square feet. Each of the proposed lots would have 9,800 square feet. The existing home met the setback requirements. Each lot met the requirements of the Subdivision and Zoning Ordinances. The staff recommended of the subdivision subject to the conditions listed in the staff report.

Commissioner Paul asked if there would be a shared driveway. Mr. Parkinson said there would not.

**Commissioner Paul moved to open the public hearing at 6:31 p.m. Commissioner Payne seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

Chairman Ohlin opened the floor for public comments.

Larry Bouwhuis, 2350 West, stated that he was a realtor working with the property owners. They had reached the point in their lives where they wanted to sell half of their property for a building lot.

**Commissioner Kirch moved to close the public hearing at 6:36 p.m. Commissioner Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

**Commissioner Paul moved to recommend that the City Council grant preliminary approval of the Royal Subdivision based on the staff's findings and subject to the conditions recommended by the staff. Commissioner Nandell seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

6. CONSIDERATION OF A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL AND A CONDITIONAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 4148 SOUTH MIDLAND DRIVE

Steve Parkinson stated that the Planning Commission considered a site plan for the Wash Factory located at 4148 South Midland Drive during the August 9<sup>th</sup> meeting. It tabled consideration until the DRC completed its review. The proponent was proposing to develop only a portion of the property at this time. The future development was just a concept at this time. The staff had found that the building elevations and proposed materials could meet the zoning standards. The site plan could meet all the requirements of the ordinance. The staff recommended approval of the site plan, architectural details, and conditional use subject to completion of the annexation of the property into Roy City and compliance with all the requirements of the Development Review Committee.

Commissioner Paul asked if the proposed building had enough architectural relief. Mr. Parkinson said the Planning Commission would have to determine if the change of materials would provide enough relief.

Commissioner Kirch asked if the City Council had considered the annexation. Mr. Parkinson said it had not. The newspaper did not publish the public notice correctly. The hearing would have to be rescheduled. Any recommendation from the Planning Commission should be subject to approval of the annexation and zoning.

Commissioner Kirch asked about the staff's geotechnical recommendation. Mr. Parkinson said all new construction was required to provide a geotechnical report. Commissioner Kirch asked about other staff recommendations. Mr. Parkinson said the staff had questioned whether the proposed location of the dumpster was accessible. Commissioner Kirch asked about exterior lighting. Mr. Parkinson said lighting was not shown on the site plan. The staff did not know what the proponent was proposing.

Robert Poirier, Sandy, stated that he was the engineer. The lighting would consist of wall-mounted wall packs with shielded down facing lights. He was not aware of any additional pole lights. If the Planning Commission felt pole lights would increase the safety of the site, the applicant would add them.

Commissioner Paul asked if the carwash would be open 24 hours a day. Mr. Poirier said it would not. It was a carwash and detailing business that would be open during business hours.

Commissioner Kirch asked if there would a light would be needed at the Midland Drive access. Steve Parkinson said lights were generally not required at ingress/egress points.

Commissioner Kirch asked about architectural relief along the 30 feet in the back of the building. Mr. Poirier said the developer intended to use different materials to provide visual relief. Commissioner Kirch recalled that the developer planned to bring the brick out a little. Mr. Poirier said it would be easy to make a small adjustment to the architectural details.

**Commissioner Kirch moved to approve a site plan and architectural details for a carwash/commercial development located at 4148 South Midland Drive based on the staff's findings, subject to the conditions recommended by the staff, and subject to annexation and appropriate zoning. Commissioner Paul seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

**Commissioner Nandell moved to recommend that the City Council approve a conditional use for a carwash located at 4148 South Midland Drive based on the staff's findings, subject to the conditions recommended by the staff, and subject to annexation appropriate zoning. Commission Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

7. CONSIDERATION OF ARCHITECTURAL APPROVAL FOR A BUILDING LOCATED AT 3531 WEST 5600 SOUTH

Steve Parkinson stated that there was an existing building located at 3531 West 5600 South west of the 7-11 and Weber State buildings. One of the current tenants was Southfork Hardware. The owner was seeking architectural approval for exterior changes to the building. A new entrance would be added to the west end. The interior would be modified to allow for another tenant. That staff had found that the proposed secondary entrance could meet the minimum building standards established by the Zoning Ordinance. The staff recommended approval of the exterior remodel subject to the conditions listed in the requirements and recommendations of the Building Official.

Brad Hunter, Ogden, stated that Southfork Hardware was still in business and would remain in the building. They just didn't need that much square footage. The building would be modified to allow 6,400 square feet for another tenant.

**Commissioner Kirch moved to approve the architectural plan for the building located at 3531 West 5600 South based on the staff's findings and subject to the conditions recommended by the staff. Commissioner Sphar seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

8. COMMISSIONER'S COMMENTS

Commissioner Kirch asked if there was anything new regarding the property at 4500 South 1900 West. Mr. Parkinson said there hadn't been anything since the rezone.

Commissioner Paul asked about plans for the old library on 4800 South. Mr. Parkinson said it would be used for storage for a few years. He did not know what the City's long range plan was.

Commissioner Paul asked if UTA had any plans for a crosswalk on 4000 South to provide access for the senior housing. Mr. Parkinson said UTA had applied for and received a TIGER Grant. One of the projects to be funded by the grant was a crosswalk on 4000 South with flashing lights. Commissioner Paul asked if 4000 South would be widened. Mr. Parkinson said there weren't current plans to widen 4000 South, but plans could evolve over time. He felt 4800 South and 5600 South would be widened before 4000 South was.

9. STAFF UPDATE

Steve Parkinson stated that the biggest project right now was a study of the Front Runner Station and 1900 West in conjunction with the Ogden Airport and Hill AFB. The study was being funded by Roy City, Weber County, the Wasatch Front Regional Council, and UTA.

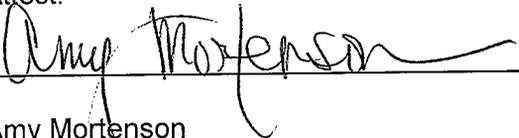
Commissioner Kirch asked if the study would look at the area between the railroad rights-of-way located between 4400 South and 4800 South. Mr. Parkinson hoped that area would be included in the study. She asked about the study's time line. Mr. Parkinson said it would take twelve to eighteen months. There would be two public open houses. The first one would gather background data. Commissioner Paul asked if UTA would make the final decision on property they owned. Mr. Parkinson said the study was to develop a long-range plan for Roy City. There were six entities working on the study. UTA only had a portion.

10. ADJOURN

**Commissioner Kirch moved to adjourn at 7:01 p.m. Commissioner Karras seconded the motion. Commission members Karras, Kirch, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

  
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Lindsey Ohlin  
Chairman

Attest:

  
\_\_\_\_\_  
Amy Mortenson  
City Recorder

dc: 09-13-16