



ROY CITY
Planning Commission Regular meeting
July 14, 2020 – 6:00 p.m.
Digital Work-Session Meeting

The meeting was a regularly scheduled work-session 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:

Jason Sphar, Chair
Samantha Bills
Torriss Brand
Ryan Cowley
Jason Felt
Annette Mifflin
Claude Payne

Steve Parkinson, City Planner

Excused: Commissioners Don Ashby, Chris Collins, and Assistant City Attorney, Brody Flint

Others in attendance: None.

Pledge of Allegiance: Not executed due to digital meeting difficulties.

1. DECLARATIONS OF CONFLICT

There were none.

2. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM R-1-10 (SINGLE-FAMILY RESIDENTIAL) TO R-1-7 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY LOCATED AT APPROXIMATELY 4712 WEST 4300 SOUTH.

Scott Wynn, 5300 Adams Ave Parkway #12, Ogden, Applicant, presented a summary of the application. He was a patio homebuilder based out of Weber County and was looking to the rezone this space from an R 1-10 to R 1-7 zone to accommodate smaller lots for retirees and seniors. He presented images of the buildings and patios.

City Planner Steve Parkinson noted this was a public hearing to consider the change from an R 1-10 to an R 1-7 zone. He said there were seven single family homes in both cases. The property was in the northwest corner of the of the street, and across the street was a k-12 school. East of the property was zoned R 1-7. The General Plan had this area noted as medium density residential which R 1-7 was also defined, so staff recommended that the Planning Commission forward a recommendation to City Council for approval based on both the agenda plan including a medium density, and that the zoned R 1-7 was contiguous to this property.

Commissioner Payne moved to open the public hearing. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried

Chairman Sphar opened the floor for public comments.

Commissioner Cowley moved to table the Public Hearing until later in the meeting so that the person who requested to speak can have time to log in to the meeting. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

3. PUBLIC HEARING – TO CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM RE-20 (RESIDENTIAL ESTATES) TO LM (LIGHT MANUFACTURING) FOR PROPERTY LOCATED AT APPROXIMATELY 2449 WEST 4000 SOUTH.

Applicant withdraw the application; no action was taken.

4. CONSIDER A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL FOR ROY ASSISTED LIVING LOCATED AT APPROXIMATELY 4850 SOUTH MIDLAND DRIVE

Chris McCandless, 9071 South 1300 West, Sandy, Co-Applicant, presented a short presentation on the application.

Steve Smith, Co-Applicant, reminded the Planning Commission of its past actions on this application. DMC Investments was the former property owner. He had worked with this property for about fifteen years. They tried to develop the property according to City guidelines. One of the challenges they faced was somewhat self-imposed because they wanted to develop the whole property at once, as opposed to one part at a time. They split the property last year and sold the north part to Weber Development to build their Charter school on the north part of the property. They also partnered with CW Management to develop the Southern half of the property. Both of the principles were native Utahans, Chris McCandless, and Wayne Hauser, and he had a personal relationship with both individuals. One of the things that made him choose CW was their history of dealing. There were challenging properties with unique issues they had dealt with in the past.

Mr. Candless, with CW Management Corporation, sold the property to Sheldon Kilpac, who was also present at the meeting. The property construction looked great so far. They were using the permitted uses afforded in the existing zone at this point. They wanted to offer a more affordable product and had a personal connection to the building's progress and purpose.

He added that the project's services and amenities were similar to what one would expect to find in an assisted care facility. The building itself was being built in two parts, not necessarily by choice. They had a sewer line that ran right through the property. This was necessary also for an additional access, and there were plans to make the passage wider if staff felt it necessary. There were a few main issues with the project: The dumpster needed to relocate; they had more parking spaces now. The first floor of the building was reserved for a dining room, and the other floors would have elevator access, all made with a steel frame. The architect for the project was Peter Walker.

Staff noted there was a thirty-five-foot level that needed to be designed to the pitch of the roof. They added emergency fire access from Mr. Kilpatrick on the north side of the school's property to the south side road.

City Planner Mr. Parkinson asked if Commissioners had any questions. Commissioner Cowley asked what the ultimate distance between the parking and the back of the neighborhoods was (the code required at least ten feet).

Mr. Candless was under the impression the plan was in compliance with the code. There could be some tweaking to the plan to make sure. Commissioner Felt asked if there was still an issue with the water detention pond. Mr. Candless thought this issue was resolved but said he would double check.

Mr. Parkinson presented an overview of the application and architect's review for an assisted living facility. The location was 4850 South Midland Drive, just south of the new academy being built on 48 and 35 in Midland. Zoning map-wise, they normally did not institute this within a site plan review, but he wanted to let everybody know that this area was zoned commercial. This was a permitted use within that zone.

As for the site plan, there were some issues dealing with the DRC. These were mainly zoning code questions. The DRC encompassed more than just planning; it included building engineering, fire, and public works. They needed all departments to look at this and make sure they met the other sections of the ordinance. As for planning, there were a few items listed in the adjustments, but none of them were significant enough that it could not be approved tonight. All DRC comments were satisfied. The parking stalls were required to be a minimum of ten feet from the property lines with that area landscaped, and that was how the applicant had it drawn. The developers did a great design concept to get not only the building size that they wanted, but also to continue to protect residents to the south by pushing the building as far north as they could. With regard to landscape, everything had a building or designated landscape plan. The whole building would be broken up into different sections. The project by and large met or could meet the ordinance, so Staff would recommend approval of both the site plan and the architecture review of the building as stated within the Staff report.

Commissioner Payne moved to approve the Site Plan for Roy Assisted Living located at approximately 4850 South Midland Drive, with the conditions as stated in the staff report. Commissioner Mifflin seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.

Commissioner Brand moved to approve the Architectural for Roy Assisted Living located at approximately 4850 South Midland Drive, with the conditions as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.

Commissioner Cowley asked if the gentleman that requested to speak on Item #2 had logged into the meeting yet. Mr. Parkinson replied that he had not.

Commissioner Cowley moved to re-open the Public Hearing for Item #2. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.

Commissioner Cowley moved to close the public hearing. Commissioner Brand seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

Commissioner Cowley moved to recommend to the City Council that they approve the request to amend the Zoning Map from R-1-10 (Single-Family Residential) to R-1-7 (Single-Family Residential) for property located at approximately 4712 West 4300 South with the conditions and facts as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

5. CONSIDER A REQUEST FOR CONDITIONAL USE APPROVAL FOR DAVID STEWART TO USE 2.36 ACRES (102,801.6 SQ.-FT) LAND WITHIN THE POWER CORRIDOR FOR LIVESTOCK ON THE PROPERTY LOCATED AT APPROXIMATELY 3248 WEST 5700 SOUTH

David & Samantha Stewart, 3432 West 5700 South, Applicants, presented their application. They were seeking approval for conditional use on a in the power corridor just east of their property. Their proposal was to allow the use of Pacific Court or Rocky Mountain Powers Land underneath the power corridor to pasture their farm animals: their horses. The property was just under two and a half acres. Mr. Stewart showed a number of slides of the property and their animals. They had already installed a fence around the property within that plot, and sixteen-foot gate to allow access 24/7 for the power company. They also intended to install temporary shade for the for the animals. They had the full intention of maintaining the ground the fence and were hoping to allow their livestock to graze on the property. They also intended to use an electric fence, to prevent any damage to the existing vinyl fence along the residential area on the east side of the property.

Commissioner Cowley wondered what the dimensions for the temporary shade structure would be. Mr. Stewart said it would be simple cattle panels with a tarp cover. It would not be a permanent structure and would not exceed twelve by twelve feet.

When asked if there would only be the two horses on the property, it was noted the staff report possibly indicated they would use the space for cattle. Mr. Stewart hoped to eventually add cattle on the property, and knew the land was approved for up to six livestock animals.

Mr. Parkinson presented an aerial map of the subject property, noting that it was just over two acres in size. The Council amended the ordinance a few years ago to allow properties even though they were not allowed to have farm animals in order to use this power land corridor for animals within these zones, so they made it a conditional use for that purpose. The conditions really were that they had a part of the agreement, and that the number of animals did not go over the acreage on which they were being kept. Staff recommended approval because it met the zoning requirements.

Commissioner Cowley moved to approve the request for Conditional to allow up to 6 Domestic Livestock (Horse and/or Cow) for grazing on approximately 2.36 acres owned by PacifiCorp located at approximately 3248 West 5700 South with the conditions as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

6. CONSIDER A REQUEST FOR A DRIVE-UP WINDOW FOR ROY KWICK STOP LOCATED AT APPROXIMATELY 4484 SOUTH 1900 WEST

Amarjit Kaur, 4484 South 1900 West, applicant, presented the application, noting that there was about twenty-one feet from the drive-through over to the curb and gutter, and about seventy-two feet from the drive-through to the entrance. Photos of the location were presented, including an aerial view, and a view with several cars lined in the proposed drive-through to demonstrate how the installation would not impede traffic. There was ample space to add a drive-through to the existing structure.

Commissioner Mifflin asked when they would move the temporary signage the City previously asked them to remove. Mr. Kaur said they would be taking down the sign, changing the location, and adding a permanent sign, which would fit the City's aesthetic.

Mr. Parkinson presented the project and request. He was given a measurement of sixty-two feet when he had asked. The ordinance required space for three vehicles to stack in front and behind it. The applicant had plenty of space to meet this requirement. The only concern was that the popularity could create lines down the street, but they met the basic ordinance. It will look more appealing with the added windows and structures as part of the plan, bringing it more dimension. Staff would recommend approval.

Commissioner Mifflin moved to approve the Site Plan for Roy Kwick Stop located at approximately 4484 South 1900 West, with the conditions as stated in the staff report. Commissioner Brand seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.

7. COMMISSIONERS MINUTE

The group wondered how long they would be social-distancing due to the COVID-19 pandemic. Mr. Parkinson said he did not know; the increase in cases led to continued enforcement of social distancing.

8. STAFF UPDATE

City Planner Parkinson said there was development on Midland and 4000 North and South, so there was a lot of construction. The townhomes and AutoZone were also under construction. The City's Building Official left Roy in May, and went to a 3rd part company, but the company he joined won the new City bid. He knew the City and he would continue to serve the City in a slightly different capacity. The last time they discussed the General Plan, he missed the July deadline but would have the notification in the August magazine about the meeting and timing.

9. ADJOURN

Commissioner Brand moved to adjourn at 6:53 p.m. Commissioner Mifflin seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.

Jason Sphar
Chair

Attest:

Morgan Langholf
City Recorder

dc: 07-14-19