

## ROY CITY PLANNING COMMISSION

January 9, 2018

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on January 9, 2018, 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, Chair  
Torriss Brand  
Leland Karras  
Doug Nandell  
Joe Paul  
Claude Payne  
Jason Sphar

Steve Parkinson, City Planner

Excused: Brody Flint; Assistant City Attorney

Others in attendance: Brian Stewart, Gary Lea, Glenda Moore, Erica Ashby, Don Ashby, Gennie Kirch, Richard Crookston, Clo Crookston, Cherrill Martin, Tracy Charlton, Ken Crockett, Max Wiesinger, Stephen Fackrel, Stephen Bott, Niranjana Singh, Amarjit Kaur, Vipenjit Singh

Pledge of Allegiance: Commissioner Brand

### 1. DECLARATIONS OF CONFLICT

There were none.

### 2. APPROVAL OF NOVEMBER 14, 2017, REGULAR MEETING MINUTES

**Commissioner Karras moved to approve the November 14, 2017, regular meeting minutes as written. Commissioner Nandell seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

### 3. APPROVAL OF NOVEMBER 28, 2017, JOINT WORK-SESSION MEETING MINUTES

Commissioner Nandell noted that Chair Ohlin was not present at the above stated meeting. Therefore, the signature page of the minutes needed to reflect Commissioner Nandell's signature, rather than Chair Ohlin's signature.

**Commissioner Paul moved to approve the November 28, 2017, joint work-session meeting minutes as amended. Commissioner Sphar seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted "aye." The motion carried.**

4. APPROVAL OF DECEMBER 12, 2017, REGULAR MEETING MINUTES

**Commissioner Nandell moved to approve the November 14, 2017, regular meeting minutes as written. Commissioner Karras seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

5. PUBLIC HEARING: CONSIDER A REQUEST TO AMEND THE FOLLOWING MAPS FOR THE PROPERTY LOCATED AT APPROXIMATELY 1920 WEST 4400 SOUTH
- A. GENERAL PLAN (FUTURE LAND USE MAP) FROM MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL TO VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL
  - B. ZONING MAP FROM R-1-8 (SINGLE-FAMILY RESIDENTIAL) TO R-4 (MULTI-FAMILY RESIDENTIAL)

Vipenjit Singh, the proponent, indicated he was representing the property owners. He explained that the benefits of this proposal included increased home values in the surrounding area, as well as increased tax revenues for the City of Roy.

Steve Parkinson, City Planner, presented the staff report, as well as an aerial map of the subject property. He made a point of clarification regarding the noticing of this item: the notice listed the R-2 zone instead of R-4. If there were any issues with this aspect of the noticing, the item could be continued to a future meeting. However, he noted that both the R-2 and R-4 zones required a minimum of 7,500 square feet for duplexes. The subject property wasn't large enough to support any other type of structure.

Chair Ohlin asked if there were legal concerns regarding the noticing. Mr. Parkinson stated that this depended on the public.

Mr. Parkinson stated there was an existing single-family home on the subject property. The future land use map showed the area being commercial to the east and south, and residential to the west. Church, schools and government uses were also shown. Staff did not feel the proposed amendments were in the City's best interest, and therefore recommended denial.

**Commissioner Paul moved to open the public hearing. Commissioner Nandell seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

Chair Ohlin opened the floor for public comments.

Gennie Kirch, 1951 West 4335 South, said in speaking with the neighbors, they were under the impression that this project would be a basement apartment rather than a duplex. She explained that if it were to be a basement apartment, the City's ordinance dictated that only family members could reside in the unit. Ms. Kirch stated she viewed this proposal as spot zoning, and noted the property across the street was a home. She also explained that 15 years ago a proposal came forward for two triplexes on the lot west of the subject property. However, the application was denied due to the size of the project. Furthermore, the Planning Commission and City Council had determined at the time that 4400 South was a natural barrier.

Ms. Kirch was concerned with the precedence this action would set, if the proposal were to be approved. She asked the Planning Commission to recommend denial.

Chair Ohlin asked Ms. Kirch if the other residents in her neighborhood fully understood the misunderstanding regarding the noticing. Ms. Kirch stated that she, along with two of her neighbors to the west, were the only residents who were noticed on this item. Ms. Kirch explained that the intersection where the subject property was located was heavily trafficked, and she did not believe R-4 zoning was appropriate for the area.

Brian Stewart, 1942 West 4400 South, stated his property was located adjacent to the subject property. Mr. Stewart stated that he knew the applicants and they were exemplary individuals. However, he was concerned with the traffic, parking and the safety of the area. He said higher density often equated to higher crime rates. Mr. Stewart was against the proposal as it was outlined.

Max Wiesinger, 1975 West 4550 South, expressed concerns with the traffic in the area. In addition, he said the schools in the area were already over capacity. Mr. Wiesinger was against the proposal as it was outlined.

**Commissioner Karras moved to close the public hearing. Commissioner Paul seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

Mr. Parkinson explained that the difference between the R-2 and R-4 zones was minimal. The square footage requirements were the same in both zones; the main difference pertained to triplexes. However, the subject property was not large enough to support a triplex; it could only support a duplex. Mr. Parkinson stated that the Commission could not take schools into consideration; it was the school district's responsibility to meet the needs of the community.

Commissioner Paul stated with regards to traffic and schools, this proposal would be a matter of adding one more residence. Therefore, he felt those arguments were irrelevant. His main concern with the proposal was that it would create an island, which could potentially set a negative precedence in the future.

Commissioner Nandell concurred with Commissioner Paul's remarks and said the proposal was not compatible for the area.

**Commissioner Nandell moved to recommend to the City Council that they deny the request to amend the General Plan (Future Land Use Map) from Medium Density, Single-Family Residential to Very High Density, Multi-Family Residential for property located at approximately 1920 West 4400 South with the facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye”. The motion carried.**

**Commissioner Nandell moved to recommend to the City Council that they deny the request to amend the Zoning Map from R-1-8 (Single-Family Residential) to R-4 (Multi-Family Residential) for property located at approximately 1920 West 4400 South with the facts as stated in the staff report. Commissioner Karras seconded the motion.**

**Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye”. The motion carried.**

Mr. Parkinson stated the City Council would make a final decision on this matter during their first meeting in February.

6. CONSIDER A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL FOR WILDWOOD APARTMENTS LOCATED AT APPROXIMATELY 4500 SOUTH 1900 WEST

Stephen Fackrel, Stephen Bott & Ken Crockett, the proponents, stated they were proposing a townhome development with 75 rental units. The community would include a park at the northwest corner, clubhouse, splash pad, a fenced dog area and walking path. They were only proposing one extra unit in excess of what was presently allowed in the zone, and they felt the amenities they would be providing exceeded the density bonus required for the development. They believed their project met all of the conditions as stated in City ordinance.

In regards to parking, the proponents indicated there were some one-bedroom units that only had single car garages; however, all of those units would also have double driveways. There would be extra parking stalls provided for the interior units. Mr. Parkinson clarified that according to City ordinance every residence, regardless of size, required two parking stalls plus a half visitor's stall per unit.

After subsequent review of the site plan, it was noted the purpose of the fencing on the property was to serve as a decorative feature as well as direct foot traffic around the development; it was not intended to serve as a barrier to keep people out.

Mr. Parkinson presented the architectural renderings, and stated each of the units would have porches and gables in front of the doors. Garages would be situated at the back of the units. Mr. Parkinson stated that the project met requirements for materials, and he distributed samples for the Commission's review.

A memo from the Design Review Committee (DRC) was also presented to the Commission, and Mr. Parkinson stated that there was nothing the DRC included in their report that could not be resolved. The project would have two access points. It was up to the Commission whether or not to grant an extra bonus unit, based on the amenities the developers would be providing. Mr. Parkinson noted that the park was the only amenity that would be open to the public. The Fire Department's feedback was also included in the DRC's memo.

**Commissioner Karras moved to approve of the Site Plan for Wildwood Apartments located at approximately 4500 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Nandell seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye”. The motion carried.**

**Commissioner Karras moved to approve of the Architectural review for Wildwood Apartments located at approximately 4500 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Nandell seconded the motion.**

**Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye”. The motion carried.**

7. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR AN OUTDOOR DISPLAY FOR EZ-PAWN LOCATED AT APPROXIMATELY 5672 SOUTH 1900 WEST

Gary Lea, the proponent, stated that as long as the store had been open, they had always had some type of outdoor display. The display would only be set up during the store’s hours of operation. Staff required the business to re-establish landscaping on the property, and Mr. Lea indicated that he was presently working with the landlord on the matter. He said there were massive amounts of weeds on the property prior to EZ-Pawn moving to this location; those weeds had since been removed and replaced with gravel. Mr. Lea asked the Commission to specify the landscaping requirements. Mr. Parkinson stated the landscaping requirements were relatively minimal; it was his recollection that when the site plan was originally approved, lawn and trees were required. However, xeriscaping was also a permissible option. The layout of parking spaces was reviewed, and it was noted that the outdoor display would occupy three spaces at a time, at most. Mr. Parkinson did not believe this would impede the availability of parking to customers.

Mr. Lea mentioned the pawn business existed before his company acquired it in 2011; he did not know how long it had previously been in operation.

**Commissioner Nandell moved to approve the request for site plan approval for “Outdoor Display” for EZ-Pawn located at approximately 5672 South 1900 West, based on the staff’s findings and subject to the conditions recommended by the staff. Commissioner Payne seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

8. CONSIDER A REQUEST FOR ARCHITECTURAL REVIEW APPROVAL FOR MURPHY’S SOAP & SUDS CARWASH LOCATED AT APPROXIMATELY 4350 WEST 5500 SOUTH

Todd Grandstaff, the proponent, stated this had been an ongoing project for a couple of years. The site plan had been approved, but they were waiting on a couple of pending administrative items before they could move forward. Using the aid of several concept images, Mr. Grandstaff explained that the exterior of the building would be atlas brick, with base coloring at the bottom. The primary colors would be broken up by wainscot. The building layout also included an area where customers could take their dogs to be bathed as well.

Mr. Parkinson stated the proposal met every architectural requirement of City ordinance. He remarked that the pet bath area was an added bonus.

**Commissioner Karras moved to approve the Architectural review for Murphy’s Soap & Suds Carwash located at approximately 4350 West 5500 South, based on the staff’s findings and subject to the conditions recommended by the staff. Commissioner Paul seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

9. ELECTION OF CHAIR AND VICE CHAIR FOR 2018

Commissioner Paul nominated Torris Brand as Chair for 2018. Commissioner Sphar seconded the motion.

**Commissioner Paul motioned to close the nominations. Commissioner Karras seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

Chair Ohlin nominated Joe Paul as Vice Chairman for 2018. Commissioner Sphar seconded the motion.

**Commissioner Karras motioned to close the nominations. Commissioner Payne seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

10. COMMISSIONERS MINUTE

Chair Ohlin announced her resignation from the Planning Commission, and stated that tonight would be her last meeting. She said she enjoyed serving with staff and fellow Commissioners.

11. STAFF UPDATE

Mr. Parkinson provided updates on various projects happening throughout the City. In response to a question from the Commission, he explained that in order to no longer allow car washes in Roy, any zones where they were currently listed as a permitted use would need to be amended. There was further deliberation on the matter.

12. ADJOURN

**Commissioner Karras moved to adjourn at 7:06 p.m. Commissioner Paul seconded the motion. Commissioners Brand, Karras, Nandell, Ohlin, Paul, Payne, and Sphar voted “aye.” The motion carried.**

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Torris Brand  
Chair

Attest:

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City Recorder

dc: 01-09-18