



ROY CITY
Planning Commission Work Session
May 22, 2018 – 6:00 p.m.
Community Development Conference Room
5051 South 1900 West

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:

Torris Brand, Chair
Don Ashby
Samantha Bills
Ryan Cowley
Leland Karras
Claude Payne
Jason Sphar

Steve Parkinson, City Planner
Assistant City Attorney, Brody Flint

Excused: Chris Collins and Commissioner Douglas Nandell

Others in attendance: Glenda Moore, Eric Lee, Randy Scadden, Bryon Saxton, Chris Lewis, Nathan Hale, and John Hammond

Pledge of Allegiance: Commissioner Sphar

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF APRIL 24, 2018, REGULAR MEETING MINUTES

Commissioner Payne moved to approve as amended the April 24, 2018, work session meeting minutes with the correction discussed. Commissioner Sphar seconded the motion. Commissioners Ashby, Bills, Brand, Cowley Karras, Payne, and Sphar voted "aye." The motion carried.

3. APPROVAL OF MAY 8, 2018, REGULAR MEETING MINUTES

Commissioner Cowley moved to approve as written the May 8, 2018, regular meeting minutes as written. Commissioner Karras seconded the motion. Commissioners Ashby, Bills, Brand, Cowley Karras, Payne, and Sphar voted "aye." The motion carried.

4. CONSIDER A REQUEST FOR APPROVAL TO CHANGE THE BUILDING COLOR SCHEME OF THE WASH FACTORY LOCATED AT APPROXIMATELY 4148 SOUTH MIDLAND DRIVE.

Steve Parkinson, City Planner, presented the staff report regarding a request to change the building color scheme of The Wash Factory located at the address listed above. The original color approved by the City was red, but the developer wanted to change it to blue. The building had already been constructed. Mr. Parkinson confirmed that there was nothing in the ordinance that prohibited the requested color.

John Hammond, 2066 Lonsdale Drive in Salt Lake City, explained that they wanted to use red initially because they wanted to incorporate it into their logo; however, he said "red was simply too red."

The Planning Commission agreed that blue was a better color for the building.

Commissioner Karras moved to approve the request to change the Building Color Scheme of the Wash Factory located at approximately 4148 South Midland Drive with the conditions and facts as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Ashby, Bills, Brand, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.

5. DISCUSSION ON AMENDMENTS TO TITLE 10, CHAPTER 17, TABLE 17-2 "TABLE OF USES"

Mr. Parkinson explained that the City Council and Planning Commission had asked staff to consider removing or limiting carwashes in the table of uses. Currently, carwashes are allowed in the C-C, R-C, L-M and M zones, but not allowed in the business parks and recreational zones. Mr. Parkinson was unsure of whether the City wanted to remove the use completely or only allow it in one or two zones. If the use was completely removed from the Table of Uses, all existing carwashes would be grandfathered in. He asked for direction from the Planning Commission on this issue.

The Commissioners understood that this was coming before them because there was a public outcry from the general public when the two most recent carwashes were approved. The suggestion was made to restrict the use to one or two zones, but not eliminate it completely. Others felt that they could remove the use completely for now because the City could put the use back on the Table of Uses later.

There was a concern about infringing upon free speech if they eliminated the use. The City can regulate time and place, but they have to allow it somewhere. Brody Flint, Assistant City Attorney, said that carwashes were not a protected class, like sexually-oriented businesses. Eliminating the use would not violate any constitutional rights.

The Commission discussed the option of making carwashes a conditional use. Mr. Parkinson explained a conditional use request must be approved unless the potential issues could not be mitigated.

In response to a question from the Commission, Mr. Parkinson said he did not know the exact number of carwashes that were located in Roy City.

Commissioner Bills wondered if people were opposed to carwashes because they thought that the properties could be better utilized with other development. Carwashes didn't generate sales tax for the City.

There was a discussion about the benefit of sales tax generating businesses, office uses, and allowing the market to determine what is developed. Commissioner Karras said that he struggled with telling a property owner what he had to build on his property.

Commissioner Bills asked if the City Council had seen a lot of the public at the meetings where the carwashes were approved, and staff said that there hadn't been any.

Chair Brand opened the floor for the public to provide comments.

Glenda Moore, 2088 West 2835 South, said that she and her husband figured that there were 17 carwashes within 7.6 square miles in Roy City. That was probably more than any other

community around them. Mrs. Moore would rather see downtown Roy become a destination location than an area of carwashes. It would be more beneficial to the City if people came here for retail uses.

Chair Brand said that this was the vision of most of the Planning Commission and City Council, but the City was neither the developer nor property owner. Business owners seemed to think that carwashes were profitable, or they wouldn't be building them.

Randy Scadden, 4433 South 1800 West, noted that two new carwashes were approved on 1900 West, which brought the total number of carwashes on that street to six. Mr. Scadden explained critical density, which is the theory behind successful carwash chains. The rule of thumb is one tunnel carwash per every 30,000 in local population, with only two or three miles between locations. Mr. Scadden said that Roy was oversaturated with carwashes.

Nathan Hale, 5088 South 2325 West, was amazed that the City had allowed this number of carwashes into the City. He thought that the Planning Commission would be keeping tabs on this and limit it. On the other hand, Mr. Hale said that Roy did need more businesses in the community. He asked if a moratorium would be sufficient.

Mr. Parkinson explained that a moratorium was only good for six months. They could specifically limit the number of carwashes in the ordinance. He gave the example of tattoo parlors, which were limited to one every 10,000 residents.

Attorney Flint said that they needed to be cautious in writing restrictive language, because the City didn't want to be making decisions that could be consider arbitrary.

Mr. Parkinson asked the Planning Commission for direction on this issue. Some of the Commissioners wanted to limit carwashes to two zones, but they were unsure of which zones those should be. After some discussion, Chair Brand requested that staff put together a map showing the locations of the existing carwashes and what zone's they're in. With that information, the Commission would be better able to make a recommendation to the City Council.

6. DISCUSSION ON A FORM BASE CODE FOR DOWNTOWN & THE FRONT RUNNER STATION

Mr. Parkinson initiated a discussion regarding the potential form base code for Downtown and suggested that they talk about having a more intense central business district that becomes less intense as development moves away from that.

A comment was made that the Focus Roy Plan had defined the downtown area along 1900 West between 5700 South and 5300 South. The location in question could be developed as a walkable area with wide sidewalks, as was previously discussed in the joint work session.

Commissioner Karras felt that there shouldn't be any height restrictions except those outlined by Hill Air Force Base.

Chair Brand felt that a walkable community meant that people had to live in the area, the buildings were taller, and there was higher density. Mr. Parkinson said that was the reason they were talking about creating the form base code, as it would allow mixed-use developments. Currently, the code focused on allowed uses, while the form base code would focus on the aesthetics of a development.

The conversation turned to the UTA property at the Front Runner station, and Mr. Parkinson explained that density was important to UTA, so the City would have to work with them on the matter. UTA's main priority would be to get enough residential units in the development to make the mixed-use profitable for them; they may be willing to compromise on the designs of the buildings if they get something close to the density they wanted.

In discussing possible design standards for the form base code, the Commission felt that they should have many design options available to developers. It would allow flexibility and possibly more modern designs.

A suggestion was made that underground parking be included in the form base code for the UTA property, because this would be a prime location for it.

7. COMMISSIONERS MINUTE

The Planning Commission expressed a desire to start looking at the undeveloped properties mentioned by the Mayor during the work session and start getting those rezoned to invite the kind of development they wanted to see. Staff confirmed that they would start looking into it.

8. STAFF UPDATE

Mr. Parkinson reported on the rezone request for property at 4000 South and Midland Drive. The Planning Commission had recommended approval of the rezone, 6 to 1; and the City Council denied it unanimously. That decision was taken back to the City Council, rescinded, and they voted in favor of the rezone, 3 to 2. The Mayor cast the deciding vote.

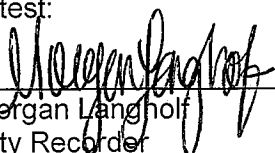
9. ADJOURN

Commissioner Karras moved to adjourn at 7:34 p.m. Commissioner Payne seconded the motion. Commissioners Ashby, Bills, Brand, Cowley Karras, Payne, and Sphar voted "aye." The motion carried.



Torris Brand
Chair

Attest:



Morgan Langholz
City Recorder