



ROY CITY
Planning Commission Regular Meeting
June 12, 2018 – 6:00 p.m.
City Council Chambers/Courtroom
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
Douglas Nandell
Claude Payne
Jason Sphar

Steve Parkinson, City Planner
Assistant City Attorney, Brody Flint

Excused: Commissioner Chris Collins

Others in attendance: Glenda Moore, Richard Jorgensen, Tyler Ketcham, Randy Scadden and Joseph Earnest

Pledge of Allegiance: Commissioner Karras

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF MAY 22, 2018, WORK-SESSIONMINUTES

Commissioner Karras moved to approve the May 22, 2018, regular meeting minutes, as written. Commissioner Payne seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”. The motion carried.

3. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM RE-20 (RESIDENTIAL ESTATES) TO R-1-7 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY LOCATED AT APPROXIMATELY 4248 S. 2900 W.

Richard Jorgensen, 4248 South 2900 West, applicant, said that the subject property had been zoned RE-20 for many years, and they wanted to rezone to R-1-7 to facilitate a subdivision. He had submitted a concept map of what the subdivision would look like. There would be nine lots ranging in size from about 9,000 to 12,000 square feet. Mr. Jorgensen said that the surrounding developments were zoned R-1-6 and R-1-7.

Steve Parkinson, City Planner, added that the Future Land Use Map designation for the subject property was Medium-Density Residential, which included the R-1-6, R-1-7, R-1-8, and R-1-9 zones. Staff recommended approval of the rezone request.

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

Chairperson Brand opened the floor for public comments.

No comments were made.

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

Commissioner Nandell moved to recommend to the City Council that they approve the request to amend the Zoning Map from RE-20 (Residential Estates) to R-1-7 (Single-Family Residential) for property located at approximately 4248 South 2900 West with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”.The motion carried.

4. CONSIDER A REQUEST TO AMEND TITLE 10 ZONING REGULATIONS, CHAPTER 17 - TABLE OF USES, TABLE 17-2 NON-RESIDENTIAL ZONING DISTRICTS, REMOVING “CAR WASH” AS A LISTED USE WITHIN THE CC, RC AND LM ZONES

Mr. Parkinson explained that staff had received requests from both the Planning Commission and City Council to consider the carwash use in the City. At the previous Planning Commission work session, the Commission requested the staff put together a map showing the location of each carwash in the City. There were currently 12 carwashes that were in operation or approved to be constructed, and the majority of them were along 1900 West. All of the carwashes fall within the RC and CC zones.

Brody Flint, Assistant City Attorney, addressed the potential risk the City would face if they chose to remove the carwash use completely. The City can limit certain uses within a zone but banning all carwashes would place more burdens on the City to defend their decision when it is challenged.

Chair Brand asked staff if they recommended a particular zone for carwashes to be allowed, and Mr. Parkinson said that the Manufacturing Zone and possibly Light Manufacturing would be good options. They wanted more tax-generating businesses to come into the commercial zones.

The Commission agreed that carwashes should be allowed in the Manufacturing Zone, and they discussed the developable areas in the Light Manufacturing zone.

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

Chairperson Brand opened the floor for public comments.

Richard Jorgensen, 4248 South 2900 West, said that he lives very close to the newest carwash. He asked if the current Code protected residents that would be affected by the carwashes, such as a minimum distance from residences or requiring sound-reducing fencing.

Glenda Moore, 2088 West 2835 South, said that she was not completely against carwashes, even though she doesn't use them. Her major concern was the number of carwashes on 1900 West. She wanted the City to save that area for commercial developments that would bring in some tax money.

Commissioner Karras moved to close the public hearing. Commissioner Nandell seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted "aye". The motion carried.

Mr. Parkinson read the current ordinance language for carwashes and noted that the requirements were different depending on the zone. There were height restrictions and basic setback requirements. The only requirement for fencing was to have opaque material. There was no language requiring any distance between carwashes.

Commissioner Ashby suggested that they allow carwashes in the Manufacturing Zone but remove it from all others. Commissioner Karras agreed and said that the City could change this in the future if necessary.

Mr. Parkinson reminded the Commission that any existing carwashes or active applications have vested property rights and would be permitted.

Commissioner Ashby moved to recommend to the City Council approval of the request to amend Title 10 Zoning Regulations, CH 17 - Table of Uses, Table 17-2 - Table of Allowed Uses - Non-Residential Zoning Districts removing "Car Wash" as a listed use within the CC, RC and LM zones. Commissioner Payne seconded the motion. Commission members Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted "aye". The motion carried.

5. CONSIDER A REQUEST TO AMEND TITLE 10 ZONING REGULATIONS, CHAPTER 10 GENERAL PROPERTY DEVELOPMENT STANDARDS, TO ADD 10-10-43 SWIMMING POOL, PRIVATE STANDARDS

Mr. Parkinson explained that the current Code didn't have any regulations for swimming pools. It was included in the ordinance prior to 2005, but somehow it was lost when it was adopted that year. Staff had examined the code of various cities surrounding and drafted the proposed language. Mr. Parkinson presented the language, which included requirements for fencing, a self-locking and self-latching gate, and lighting directed away from adjacent properties and toward the pool. The pool must be a minimum of 20 feet away from an adjacent residential home.

Commissioner Nandell suggested that they change the distance requirements from 20 feet to 15 feet, because many of the lots in Roy were quite small.

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

Chairperson Brand opened the floor for public comments.

No comments were made.

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

Commissioner Nandell moved to recommend to the City Council approval of the request to amend Title 10 Zoning Regulations, CH 10 - General Property Development Standards, adding 10-10-43 Swimming Pool, private based on the staff’s findings and subject to the conditions recommended by the staff, with the change to require a minimum of 15 feet from an adjacent residential structure. Commissioner Karras seconded the motion. Commission members Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”. The motion carried.

6. CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL APPROVAL FOR QUICK QUACK CAR WASH LOCATED AT APPROXIMATELY 5331 S. 1900 W.

Joseph Earnest, 492 West 1200 North Springville UT, representing the applicant, introduced himself and the Quick Quack Car Wash company. They currently have 50 automatic express tunnel car washes throughout Utah, Texas, Colorado, Arizona, and California. They started in Utah 22 months ago, and now they have 10 operational sites in the state and many in various phases of development. Mr. Earnest then addressed the proposed site plan. The hours of operation would be from 7 a.m. to 7 p.m. during the winter and 7 a.m. to 9 p.m. during the summer. To mitigate lighting concerns, the exterior lights would automatically shut off at 10 p.m. The building lights would stay on for security purposes. Mr. Earnest briefly addressed water usage and said that they recycle about 98% of the water they use. To mitigate sound, the vacuum areas had one CMU enclosed central vacuum engine at the end of each row, which produced much less noise than individual engines. The noise from 1900 West would create more noise than the carwash and vacuums. Regarding traffic, Mr. Earnest explained that the site was designed to contain the traffic and prevent stacking onto the main road. He then spoke of how Quick Quack Car Wash gets involved with the communities in which they are located. He also showed pictures of other facilities and confirmed that the building design would meet all of Roy City requirements.

Mr. Parkinson said that carwashes are a permitted use in the zone, so approval would basically be subject to the DRC comments. Staff recommended approval of the application.

Commissioner Ashby moved to approve the Site Plan for Quick Quack Car Wash located at approximately 5331 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Nandell seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”. The motion carried.

Commissioner Ashby moved to approve the Architecture for Quick Quack Car Wash located at approximately 5331 South 1900 West with the conditions and facts as stated in the DRC report. Commissioner Karras seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”. The motion carried.

7. COMMISSIONERS MINUTE

Commissioner Nandell said that this would be his last regular meeting as a Planning Commissioner. He thanked the current and past administration for the opportunity to serve the residents of Roy City.

Chairperson Brand thanked Commissioner Nandell for his service to the City.

8. STAFF UPDATE

Mr. Parkinson reported that the City received the grant that would help them with the General Plan update, which would include the creation of the form-based code.

9. ADJOURN

Commissioner Nandell moved to adjourn at 6:53 p.m. Commissioner Payne seconded the motion. Commissioners Ashby, Bills, Brand, Karras, Nandell, Payne, and Sphar voted “aye”. The motion carried.

Torris Brand
Chairperson

Attest:

Morgan Langholf
City Recorder

dc:06-12-18