



ROY CITY
Planning Commission Regular meeting
August 14, 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
Chris Collins
Ryan Cowley
Leland Karras
Claude Payne
Jason Sphar

Steve Parkinson, City Planner

Excused: Commissioner Samantha Bills and Assistant City Attorney, Brody Flint

Others in attendance: Julie Brown Fagan, Jack Fagan, David Waltgo, Pam Brown Klomp, John Heiner, Reed Swenson, Ken Berg, Belinda Brown-Roukles, Nathan Hale, Coury Morris, Viengsay Sundara, Stephen McCallum, Nancy Roberts

Pledge of Allegiance: Commissioner Karras

1. DECLARATIONS OF CONFLICT

Commissioner Ashby declared a potential conflict with Item 3 and said he would be recusing himself.

2. APPROVAL OF JUNE 12, 2018, WORK SESSION MINUTES

Commissioner Karras moved to table the July 10, 2018, minutes due to the fact that the minutes announced on the agenda are different than those presented. Commissioner Payne seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

3. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE FOLLOWING MAPS, FOR THE PROPERTY LOCATED AT APPROXIMATELY 4593 SOUTH 1900 WEST
- A. GENERAL PLAN (FUTURE LAND USE MAP) FROM COMMERCIAL TO VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL.
 - B. ZONING MAP FROM CC (COMMUNITY COMMERCIAL) TO R-4 (MULTI-FAMILY RESIDENTIAL)

NOTE: Commissioner Ashby recused himself from the discussion.

Howard Layton, 6550 South Wheel Rock Drive, Suite 200 in Salt Lake City, said that he was representing the applicant. He gave a brief history of the subject property and said that the shape and depth of the property, as well as the lack of frontage, make this property undesirable as a commercial property. The highest and best use of the property is multi-family. Their intention was to combine this property with the neighboring properties to create a multi-family

development. Mr. Layton noted that the surrounding properties were already zoned R-4, so the request would be compatible with the neighborhood.

Steve Parkinson, City Planner, presented the staff report regarding the request to rezone the subject property to R-4. He noted that the back portion of the property had been included in a recent rezone request by Lou Brown, so the property had two different zone designations. The Lou Brown property had been approved for a multi-family use and the site plan was being finalized. Originally, the three properties here were included in the site plan, but the developer backed out when the City Council paused on the application. Mr. Parkinson briefly talked about potential access for these properties and said that all three would have to work together with UDOT to make that happen. Staff recommended approval of the rezone.

Commissioner Karras moved to open the public hearing. Commissioner Cowley seconded the motion. Commissioners Brand, Collins, Cowley, Karras, Payne, and Spharvoted “aye”. The motion carried

Chair Brand opened the floor for public comments.

Julie Brown Fagan, 5876 South 1050 East in South Ogden, said that she was representing the neighboring property at 4571 South. Ms. Fagan was interested in the development not only as a trustee, but as someone who grew up in Roy and who worked with the U.S. Department of Housing and Urban Development for 23 years. She gave a history of her family and the subject properties. Her cousin, Lou Brown, asked her to share some of his thoughts, since he couldn't attend the meeting. He pointed out that the commercial, retail, and business market was slow, and the market was moving in a completely different direction. Online shopping was making capital purchases for businesses impractical, and commercial properties can sit on the market for years without any viable offers. Housing is the highest and best use of the subject properties; however, the City Council has continually denied any proposal for housing here. She urged the City to reconsider market demands and welcome this kind of development.

Robert Boyle, 1947 West 4600 South, sent an email. The following was read into the record by Steve Parkinson:

“I appreciate your notification of a request to re- zone nearby property to very high density residential status. I will not be in town the night of the meeting so thought I would send you a brief email in lieu of physical attendance.

There are numerous studies that show the pros and cons of such housing. For example, a Purdue University Indianapolis showed that rates of murder, rape, robbery and aggravated assault are generally higher in areas with high-density residential developments and commercial property, and generally lower in areas characterized by industry, parks and schools. This is somewhat dependent on socioeconomic factors. You are the professionals so I'll let you sift through other data you deem necessary to make a sound decision.

I just want to express that I have never seen quality of life improve with overcrowded conditions. As logic would imply, it declines for all impacted. Home values would be adversely impacted, the conditions on 1900 West would worsen and demands on local

schools would almost certainly increase class sizes. The above mentioned probability of an increase in crime, and its impacts on the City, is also worthy of noting. The winners of such an enterprise are generally not home owners in the affected area, but the recipients of jamming as much profit as possible in to as little space as possible. **Please put careful weight on the quality of life for us all in making this important decision.”**

There were no further public comments.

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

There was no further discussion.

Commissioner Karras moved to recommend to the City Council that they approve the request to amend the General Plan (Future Land Use Map) from Commercial to Very High Density, Multi-Family Residential for property located at approximately 4593 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Sphar seconded the motion. Commissioners Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye”. The motion carried.

Commissioner Karras moved to recommend to the City Council that they approve the request to amend the Zoning Map from CC (Community Commercial) to R-4 (Multi-Family Residential) for property located at approximately 4593 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Collins seconded the motion. Commissioners Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye”. The motion carried.

NOTE: Commissioner Ashby rejoined the meeting.

4. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND TITLE 10 ZONING REGULATIONS; CHAPTER 17 – TABLE OF USES - TABLE 17-2 “FOOD TRUCKS” AND CHAPTER 31 – DEFINITIONS - SITE PLAN.

Mr. Parkinson presented the staff report regarding a request that came as a result of some confusion regarding site plans. Currently, the code contains language directing people to Chapter 14 for permitted uses, Chapter 15 for conditional uses, and Chapter 16 for temporary uses, and each of those chapters has a different site plan requirement. To be consistent with what already exists, staff took a deeper look at temporary uses—which would include food trucks—and modified the definition. Staff recommended approval of the proposed changes.

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

Chair Brand opened the floor for public comments. There were no public comments.

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

There was no further discussion.

Commissioner Sphar moved to recommend to the City Council approval of the request to amend Title 10 Zoning Regulations; chapter 17 – Table of Uses - Table 17-2 “Food Trucks” and Chapter 31 – Definitions - Site Plan. Commissioner Ashby seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

5. PUBLIC HEARING – CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF MIDLAND SQUARE COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 4088 SOUTH MIDLAND DRIVE.

Ken Berg, representing Berg Civil Engineering, gave his business address as 11038 North Highland Blvd #440 in Highland. He said that he was available to answer any questions the Commission may have.

Mr. Parkinson presented the staff report regarding the preliminary subdivision and said that the property was currently vacant. The applicant came to the City a few months ago to request a rezone for the back portion of the property, which was denied by the City Council. A month later, it was brought back, and a rescinded vote was taken in favor of the rezone. The applicant would now like to subdivide the property into three parcels: one residential and two commercial parcels. Staff recommended approval of the application.

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

Chair Brand opened the floor for public comments. There were no comments.

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

There was no further discussion.

Commissioner Cowley moved to recommend to the City Council approval of the request for preliminary subdivision approval of Midland Square Commercial subdivision located at approximately 4088 South Midland Drive, based on the staff’s findings and subject to the conditions recommended by the staff. Commissioner Karras seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

6. CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL APPROVAL FOR MIDLAND SQUARE PHASE 2 LOCATED AT APPROXIMATELY 4088 SOUTH MIDLAND DRIVE

Mr. Parkinson presented the site plan for the residential portion of the proposed project. The request was taken to the City Council for approval, and the Council requested that the back yards of the townhomes face away from the existing single-family homes as much as possible, and that a 25-foot buffer be included along the east and south property lines. The applicant has revised the site plan and lost a few units accommodating the Council's request, but they were willing to do so to move the project forward. The DRC hadn't completed their review, but Mr. Parkinson didn't foresee any problems that would stop development.

Commissioner Karras moved to approve the Site Plan for the Midland Square Phase 2 located at approximately 4088 South Midland Drive with the conditions and facts as stated in the staff report. Commissioner Ashby seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.

Commissioner Ashby moved to approve the Architectural for the Midland Square Phase 2 located at approximately 4088 South Midland Drive with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.

7. CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL APPROVAL FOR IHC CLINIC LOCATED AT APPROXIMATELY 1915 WEST 5950 SOUTH

Stephen McCallum, representing the applicant, gave his address as 90 South 400 West #110 in Salt Lake City. The proposed project would replace the existing IHC clinic on 1900 East. The new clinic would be about 35,000 square feet, which was double the size of the existing clinic. IHC felt that with this clinic they would be able to serve the community for 40-60 years. He presented renderings of the building and samples of the exterior materials. He presented the site plan and identified parking areas for patrons and staff. The tallest point of the building would be 38 feet in height.

Mr. Parkinson noted that the DRC hadn't completed their review of this application, but staff didn't foresee any issues that would delay development. He briefly discussed access and the minimal affect this would have on the adjacent neighborhood.

Commissioner Cowley moved to approve the Site Plan for the IHC Clinic located at approximately 1915 West 5950 South with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.

Commissioner Cowley moved to approve the Architectural for the IHC Clinic located at approximately 1915 West 5950 South with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.

8. CONSIDER A REQUEST FOR SITE PLAN & ARCHITECTURAL APPROVAL FOR TEXACO LOCATED AT APPROXIMATELY 4395 SOUTH 1900 WEST

Mr. Parkinson presented the staff report regarding proposed upgrades to the existing Texaco building, including a drive-thru lane and color changes.

Commissioner Payne moved to approve the Site Plan for the Texaco located at approximately 4395 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Sphar seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

Commissioner Payne moved to approve the Exterior Color for the Texaco located at approximately 4395 South 1900 West with the conditions and facts as stated in the staff report. Commissioner Sphar seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

9. COMMISSIONERS MINUTE

There was none.

10. STAFF UPDATE

Mr. Poulsen presented the Commissioners with new tablets that they would use for their Planning Commission duties. The staff reports would no longer be printed but rather sent to them digitally. He noted that if the Commissioners served their full terms, they would be able to keep the tablet for personal use when their term was expired.

11. ADJOURN

Commissioner Karras moved to adjourn at 7:13 p.m. Commissioner Cowley seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.

Torris Brand
Chair

Attest:

Morgan Langholf
City Recorder