



**ROY CITY**  
**Planning Commission Regular meeting**  
**September 11, 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  
Brody Flint, Assistant City Attorney

Excused: Commissioner Samantha Bills

Others in attendance: Nate Boswell, Karl Thompson, Elise Thompson, Blain Henderson, Dan Wright, Julie Wright, Scott Christiansen, Todd Johnson, Glenda Moore, Cathryn Lykins, Shauna Thomas, Bill Greenwald, Kathy Greenwald, Jason Wolf, Chris Baron, Gordon Barrow, Ed Weakland, Janine Dean, Jacqueline Thompson, Robin Sveum, Gloria Sveum, Kipp Johnson, Joan Peterson, Roger Peterson, Reid Wiberg, Chris Lewis, Todd Porter.

Pledge of Allegiance: Commissioner Sphar

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF JULY 10, 2018, REGULAR MEETING MINUTES

**Commissioner Sphar moved to APPROVE the July 10, 2018 minutes. Commissioner Payne seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

3. APPROVAL OF AUGUST 14, 2018, REGULAR MEETING MINUTES

**Commissioner Karras moved to APPROVE the August 14, 2018 minutes. Commissioner Payne seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

4. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE FOLLOWING MAPS, FOR THE PROPERTY LOCATED AT APPROXIMATELY 4593 SO. 1900 WE.

City Planner Steven Parkinson explained that this public hearing was for the Planning Commission to make a recommendation for the zoning designations for the six unincorporated islands within Roy City, should they be annexed. He presented a map of the City and identified the islands. In 2016, Roy City tried to incorporate these islands, but there was a lot of

resistance and the majority of the property owners removed themselves from the request. A few months ago, Weber County Commission passed an ordinance allowing cities within the County to annex these islands, and last Tuesday the City Council passed a resolution with the intent to annex. Mr. Parkinson then addressed each of the six areas and staff's recommendation for zoning. They recommended that Area 1 be zoned Light Manufacturing, and Areas 2, 3, 4, 5, and 6 be given a new zoning of RE-15. The reason staff was proposing a new zone was so that they could accommodate the new properties and make sure that they have all of the same rights that they had with the County, primarily with allowed uses. Mr. Parkinson said there was some question about the appropriate lot width that should be required, and he asked for the Planning Commission to make a recommendation on the matter.

The Commission asked about the ramifications of choosing a wider lot width over a shorter one in these areas. Mr. Parkinson explained that the County required a minimum of 100 feet for lot width, but that may not allow for some properties to subdivide. If they reduced the width to 85 feet, which was consistent with the R1-15 zone, then more properties could subdivide if the owner so desired.

There was a brief discussion regarding animal rights and how they would be grandfathered in.

**Commissioner Karras moved to OPEN the public hearing. Commissioner Cowley seconded the motion. Commissioners Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried**

Chair Brand opened the floor for public comments.

Ed Weakland, 2449 West 4000 South, explained that his commercial property and half a dozen others on the street have 30-foot graveled accesses, and in the past Roy City has denied them conditional use permits to run their businesses because those accesses did not meet City standards. He was concerned that he would be denied a permit when he went in to get his business license renewed.

Kathy Greenwald, 5302 South 3450 West, expressed her concerns with losing animal rights. Her property was half an acre in size, but they didn't currently utilize their animal rights. When she chooses to sell her property in the future, she wanted to be sure that subsequent property owners could have large animals if they so desired.

**Commissioner Karras moved to CLOSE the public hearing. Commissioner Payne seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.**

Mr. Parkinson addressed the concerns raised by the residents, beginning with Mr. Weakland's concerns about a conditional use permit. He assured Mr. Weakland that if Weber County had been issuing him a business license, Roy City would do the same. He noted that a 30-foot access wasn't ideal, but it's what he had. He saw no reason why the Council wouldn't grant him a business license.

Jaqueline Thompson, 5084 South 3550 West, asked if Mr. Weakland would need to have some sort of non-conforming documentation on file for his property, and Mr. Parkinson said that they could certainly give him that.

Mr. Weakland said there were about half a dozen other properties on that road that were part of Roy City. They were zoned commercially and paid commercial property taxes, but the City had not allowed them business licenses because of their access. He asked if those property owners would be given the same rights that he received. Mr. Parkinson said that was something that would have to be addressed with the City Council.

Mr. Parkinson then addressed Ms. Greenwald's concerns about animal rights by explaining that lots with a square footage of 20,000 square feet would be allowed two horses. Larger lots would be granted more animals. Since her lot was over 20,000 square feet, her or any subsequent owners would be able to have two horses, and that would not change.

Gloria Sveum, 5309 South 3675 West, said their main concern with coming into Roy was maintaining the covenants that they had with Weber County. Mr. Parkinson said the purpose of the new zoning was to make sure these owners had the same rights that they had with the County.

The Commission briefly discussed the motions, and the consensus was to set the minimum lot width at 85 feet.

**Commissioner Karras moved to recommend that the City Council APPROVE the creation of a new zoning district called RE-15, with development standards as presented, with the change that the lot width requirement be 85 feet. Commissioner Collins seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.**

**Commissioner Ashby moved to recommend that the City Council APPROVE the zoning designation for Area 1 as Light Manufacturing and Areas 2-6 with the newly created zone of RE-15. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.**

5. CONSIDER A REQUEST TO AMEND THE SITE PLAN FOR SUNRIDGE ASSISTED LIVING CENTER LOCATED AT APPROXIMATELY 3673 WEST 5600 SOUTH.

Nate Boswell, one of the owners of Sunridge Assisted Living Center, explained that the original site plan for the center included a few parking stalls to the east of the lot. However, UDOT did not approve their extra access onto 5600 South, so they eliminated the access and parking stalls and applied for the site plan that was currently approved. Since that time, they again reached out to UDOT and they decided to approve the second access with some limitations, including a gate and the stipulation that only full-time employees can park in this area. Mr. Boswell said that the site plan before them now was the original plan that included the access and the parking stalls.

Mr. Parkinson noted that he had not received comments back from the Fire Department on that fire lane and access, but staff was still recommending approval of the amendment.

**Commissioner Sphar moved to APPROVE the request to amend the site plan as presented. Commissioner Karras seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

**6. CONSIDER A REQUEST SITE PLAN & ARCHITECTURAL APPROVAL FOR BURGER KING LOCATED AT APPROXIMATELY 5370 SOUTH 1900 WEST.**

Jason Wolf, 1185 West 3050 South in Ogden, explained that they hoped to obtain site plan approval tonight, conditioned upon re-platting some of the property. They intended to convert an existing restaurant into a Burger King.

Mr. Parkinson added that there would be a few changes to the existing site, including the addition of a second drive isle for ordering. The site plan, as presented, met the ordinance requirements for car stacking, parking, and setbacks. There were some conditions included in the staff report because the DRC hadn't finished their review. Staff recommended approval.

**Commissioner Sphar moved to APPROVE the Site Plan for the Burger King located at approximately 5370 South 1900 West, with the conditions and facts as stated in the staff report. Commissioner Cowley seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted “aye.” The motion carried.**

**Commissioner Sphar moved to APPROVE the Architectural for the Burger King located at approximately 5370 South 1900 West, with the conditions and facts as stated in the staff report. Commissioner Cowley 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 ABSOLUTE AUTO LOCATED AT APPROXIMATELY 3399 SOUTH 1900 WEST.**

Todd Johnson, 1916 West 3350 South, North Layton, said that he had come to the Planning Commission a few years ago and received site plan and architectural plan approval for the commercial site, but he did not complete the project. He was back before the Commission for reapproval.

Mr. Parkinson noted that the original approval was in July of 2016. The DRC had not finished their review of the site plan, so that was included in the conditions listed in the staff report.

**Commissioner Sphar moved to APPROVE the Site Plan for the Absolute Auto located at approximately 3399 South 1900 West, 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 Sphar moved to APPROVE the Architectural for the Absolute Auto located at approximately 3399 South 1900 West, 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. COMMISSIONERS MINUTE**

There was none.

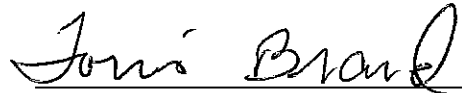
9. STAFF UPDATE

Mr. Parkinson stated that the City Council, starting in October, would be starting their meetings at 5:30 p.m. rather than 6:00 p.m. He asked if the Planning Commission wanted to do the same thing, or if that would be feasible.


After some discussion, the consensus among the Commissioners was to maintain the start time of their meetings at 6:00 p.m.

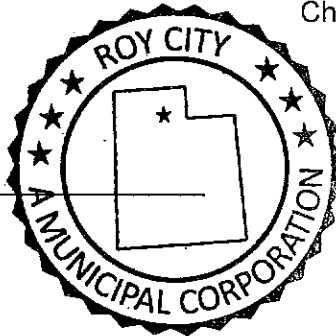
10. ADJOURN

**Commissioner Karras moved to ADJOURN at 6:56 p.m. Commissioner Collins seconded the motion. Commissioners Ashby, Brand, Collins, Cowley, Karras, Payne, and Sphar voted "aye." The motion carried.**

  
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Torris Brand  
Chair

Attest:

  
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Morgan Langholz  
City Recorder



dc: 09-11-18