



**ROY CITY**  
**Planning Commission Regular meeting**  
**December 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  
Samantha Bills  
Chris Collins  
Ryan Cowley  
Leland Karras  
Claude Payne  
Jason Sphar

Steve Parkinson, City Planner  
Assistant City Attorney, Brody Flint

Excused:

Others in attendance: Glenda Moore, Yvonne Poulsen, Darla Fink, Dan Phelps and Chad Geilman

Pledge of Allegiance: Commissioner Karras

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF SEPTEMBER 11, 2018, REGULAR MEETING MINUTES

**Commissioner Karras moved to approve the September 11, 2018, regular meeting minutes as written. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Collins, Cowley Karras, Payne, and Sphar voted “aye.” The motion carried.**

3. APPROVAL OF OCTOBER 9, 2018, REGULAR MEETING MINUTES

**Commissioner Karras moved to approve the October 9, 2018, regular meeting minutes. Commissioner Payne seconded the motion. Commissioners Bills, 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 4953 SOUTH 3500 WEST.
- A. GENERAL PLAN (FUTURE LAND USE MAP) FROM MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL TO COMMERCIAL
  - B. ZONING MAP FROM R-1-8 (SINGLE-FAMILY RESIDENTIAL) TO CC (COMMUNITY COMMERCIAL)

Daniel Phelps, the applicant, gave his address as 3766 North 3675 West in Morgan, Utah. He explained that he was one of the owners of the properties in question, and he was requesting a rezone from residential to commercial. He previously owned the assisted living facility that was

in this area several years ago. The purpose of the rezone was to facilitate the construction of some small office buildings, and he currently had a dentist that was interested in the property to the north of the existing home. Mr. Phelps believed that commercial was the best use of the property because of the heavy traffic of 3500 West, there was already commercial development to the north, and UDOT would require them to give up some property to facilitate the future widening of 3500 West.

Steve Parkinson, City Planner, explained that the request was to amend the General Plan designation of the property from Medium Density Single-Family Residential to Commercial, and to rezone the properties from R-1-8 to Community Commercial. He presented the current zoning map and said that there was a hodgepodge of different zoning in this area. There was a commercial development to the north of the subject properties. Generally, single-family homes on a busy road were not ideal. If they were to build three single-family homes on the property, UDOT would require them all to share a single access onto 3500 West. There was no question that UDOT would prefer commercial development to access the road. Staff recommended approval of both requests.

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

Chairman Brand opened the floor for public comments.

Chad Geilman, 4946 South 3500 West, stated that his home was directly across the street from the existing home on the subject property. The residents here had already been greatly inconvenienced by UDOT over the years. Mr. Geilman said that getting in and out of their driveway was difficult, and at times impossible. He was concerned that having commercial developments across the street would impede his access and increase traffic. If a commercial development were to come in, he requested that the access be pushed down so that the access wasn't directly across from their driveway.

Yvonne Poulsen, 4838 South 3575 West, said that her home was adjacent to the southern lot, and she also had concerns about increased traffic with a commercial development. The traffic on 3500 West was already horrendous, and it was particularly bad before and after school. She also expressed concerns that the commercial development would decrease the value of her home and impede her view. She commented that there was a home to the north that was torn down to make room for a commercial development, but nothing has been developed yet. It seemed foolish to rezone to commercial when there were other commercial properties sitting vacant. Ms. Poulsen had considered purchasing the subject property to keep the property vacant and save her views, but the cost was too high.

Darla Fink, 4838 South 3575 West, said her biggest concern was with decreasing property values and loss of privacy. She asked if there would be height and setback restrictions on a commercial building here. Ms. Fink preferred that the properties remain residential.

Mr. Geilman commented that there had been several accidents caused by drunk drivers on the road, and into his yard. He was concerned about safety.

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

Mr. Parkinson said the City was aware of the traffic concerns on 3500 West, and that was the reason for UDOT’s plan to widen the road to two lanes in each direction with a turn lane. If the subject properties were developed commercial, UDOT would require them to do certain things to mitigate traffic, such as installing a deceleration lane. The access point for these properties would likely be at the southern end of the development, but that wouldn’t be certain until UDOT approved an access. Drunk and reckless driving would happen with or without this commercial development. Mr. Parkinson noted that commercial developments do not normally affect home values. The woman that owns the nine acres of commercial land to the north would not sell just a portion of the land for development, but she had insisted that the entire nine acres be developed together, which is why the property has sat vacant. The City could not halt development of this property just to wait for the other property to develop. Regarding privacy, Mr. Parkinson stated that under the residential zoning, someone could construct a home that was 35 feet tall and it would have to be 25 feet from the property line. A commercial development could also be up to 35 feet, but the setback requirement was 20 feet or one foot for every foot of height on the building. If someone chose to build a 35-foot commercial building, there would need to be a 35-foot setback.

There was a brief discussion regarding the traffic conditions of 3500 West, and the comment was made that the City didn’t have much control over that, as the road belonged to UDOT.

Mr. Phelps said it was unlikely that the commercial building would go up to 35 feet in height because the site would need that space for parking. He anticipated any commercial uses here to be low impact.

**Commissioner Karras moved to recommend to the City Council that they APPROVE the request to amend the General Plan (Future Land Use Map) from Medium Density Single-Family Residential to Commercial for property located at approximately 4953 South 3500 West with the conditions and facts as stated in the staff report. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Cowley Karras, and Payne, voted “aye” with Sphar voted “nay.” The motion carried.**

**Commissioner Karras moved to recommend to the City Council that they APPROVE the request to amend the Zoning Map from R-1-8 (Single-Family Residential) to CC (Community Commercial) for property located at approximately 4971 South 3200 West with the conditions and facts as stated in the staff report. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Collins, Cowley Karras, and Payne, voted “aye” with Sphar voted “nay.” The motion carried.**

#### 5. ASSIGNING MEMBER(S) TO BE ON THE GENERAL PLAN STEERING COMMITTEE

Mr. Parkinson explained that he met with the third-party contractor that would be updating the General Plan, and they wanted to put together a Steering Commission that would meet three to five times during the process. They would like two volunteers from the Planning Commission, one from the City Council, and a few from various boards. They also suggested a high school

student on the board to represent the future, so he would be approaching the Youth Council for a volunteer. Mr. Parkinson asked for volunteers from the Planning Commission.

After some discussion, it was determined that Commissioner Karras and Commissioner Collins would participate on the Steering Committee.

6. ELECTION OF CHAIR AND VICE CHAIR FOR 2019

Mr. Parkinson led the elections.

**Commissioner Karras moved to nominate Torris Brand to serve as Chair. Commissioner Sphar seconded the motion. Commissioner Karras motioned to close the nominations. Torris Brand will serve as chair for 2019 due to no additional nominations.**

**Chair Brand moved to nominate Leland Karras to serve as Vice-Chair. Commissioner Sphar seconded the motion. Commissioner Cowley motioned to close the nominations. Leland Karras will serve as vice-chair for 2019 due to no additional nominations.**

7. COMMISSIONERS MINUTE

The Commission suggested that the City website be updated with the new Commissioners.

Mr. Parkinson reported that the City Council would vote on a new City Manager on January 15, 2019. The candidate was Matthew Andrews, who was currently serving as the unofficial Finance Director.

8. STAFF UPDATE

9. ADJOURN

**Commissioner Karras moved to adjourn at 6:58 p.m. Commissioner Cowley seconded the motion. Commissioners Bills, 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 Langholf  
City Recorder

dc: 12-11-18