



ROY CITY
Planning Commission Regular meeting
July 9, 2019 – 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
Leland Karras
Annette Mifflin
Claude Payne
Jason Sphar

Steve Parkinson, City Planner

Excused: Commissioner Ryan Cowley and Assistant City Attorney, Brody Flint

Others in attendance: John Owens, Mollie Zemer, Cindy Danner, Rex Danner, Dusti Turner, Mrs. Turner, Wendy Packer, Casey Packer, Joann Farhatina, David Tracy, Glenda Moore, Kay Buckley, Edward Welch, Marco Toscano, and Joe Jepson.

Pledge of Allegiance: Commissioner Sphar

1. DECLARATIONS OF CONFLICT

There were none.

NOTE: Agenda Item 8 was moved up.

8. CONSIDER A REQUEST FOR ARCHITECTURAL APPROVAL FOR BARCLAY GROUP
LOCATED AT APPROXIMATELY 1967 & 1985 WEST 5700 SOUTH

Mollie Zemer, 2390 E. Camelback Rd, Suite 200, Phoenix, explained that they were acquiring the former Gold's Gym building and the two adjacent spaces. Their intention was to improve the exterior and eventually the interior, in phases. She presented renderings of the exterior elevations.

Steve Parkinson, City Planner, presented the staff report and explained that this was a request for architectural approval for the exterior of the building, which requires Planning Commission approval. They plan to eventually occupy the entire building. Staff reviewed the request and addressed their concerns with the applicant. Staff recommended approval of the application with the conditions listed in the staff report.

Commissioner Karras moved that the Planning Commission APPROVE the Architectural review for Barclay Group located at approximately 1967 & 1985 West 5700 South based on the materials presented or substantially similar to those materials with the conditions as

stated in the staff report. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

2. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM LM (LIGHT MANUFACTURING) TO RE-20 (RESIDENTIAL ESTATES) FOR THE PROPERTY LOCATED AT APPROXIMATELY 5149 SOUTH 2700 WEST.

James Packer, 5149 South 2700 West, explained that he wanted to rezone the property to facilitate the construction of a pole barn. The barn would be a nice improvement to the property.

Steve Parkinson, City Planner, presented the staff report and said that the applicant wanted to rezone the property from LM to RE-20 to facilitate the construction of a pole barn on his property. Single-family homes are considered non-conforming uses in the LM Zone, and the Code doesn't allow a non-conforming uses to be expanded. The Future Land Use Map designated this whole area as Low Density Residential, so the request was in line with the General Plan. The applicant has reached out to some of the other property owners in the area, and several expressed interest in being included in this rezone.

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

Chairman Brand opened the floor for public comments.

David Tracy, 5125 & 5135 South 2700 West, asked if multi-family housing was allowed in the RE-20 Zone. He also asked if the use of his property would change with this rezone. He worried that his lots would be worth less if there was residential zoning on both sides. He asked if the rezoned properties could keep their horses.

Dusty Turner, 5097 South 2700 West, said that she wanted her property to be under consideration with this rezone.

Kay Buckley, 5121 South 2700 West, was also wondered if the properties would keep their animal rights.

Marcos Toscano, 5161 South 2700 West, asked about property values and allowed uses of the RE-20 Zone.

No further comments were made.

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

Mr. Parkinson explained that the RE-20 Zone was for single-family housing only. The neighborhood will essentially remain the same, it would just allow the applicant to build his barn. The uses would not change. Regarding animal rights, he explained that those that currently have large animals were non-compliant, since the LM Zone did not have animal rights. The change to

RE-20 would bring that use into compliance. Mr. Parkinson did not know how this would change property values.

Commissioner Karras moved that the Planning Commission recommend that the City Council APPROVE the request to amend the Zoning Map from LM (Light Manufacturing) to RE-20 (Residential Estates) for property located at approximately 5149 South 2700 West with the conditions and facts as stated in the staff report. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

3. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE ZONING MAP FROM R-3 (MULTI-FAMILY RESIDENTIAL) TO CC (COMMUNITY COMMERCIAL) FOR THE PROPERTY LOCATED AT APPROXIMATELY 3926 WEST 4000 SOUTH.

NOTE: Items 3 and 4 were discussed simultaneously.

John Owens, 376 East 4000 South, Suite 120 in Salt Lake City, explained that the rezone request was being made in connection with a subdivision of the property. He has spoken with Mr. Parkinson about modifying the request to keep Lot Six zoned R-3 to keep his option open.

Steve Parkinson, City Planner, presented the staff report for Items 3 and 4. The first request was an administrative action, and the second was a legislative action. They would open the public hearing for both item, but two motions would need to be made. The Future Land Use Map identifies this property as Commercial, so the rezone application was in line with the General Plan. The applicant had requested that one lot remain zoned R-3, because that lot didn't have frontage on a main road and it may be difficult to find a commercial tenant. If they did find a commercial tenant, they would come back and apply to rezone that lot to CC. The proposed subdivision met all aspects of the subdivision ordinance. Staff recommended approval of both applications.

Mr. Owens made a few comments about the subdivision. They would be doing soil studies so that they could put more definitive information on the plat that addresses ground water. They were also in the process with UDOT that would address a few concerns listed in the staff report. He noted that the access off of 4000 South would be substantially wider than the private drive that accesses the building on the other side.

Commissioner Sphar moved to open the public hearing for Items 3 and 4. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried

Chairman Brand opened the floor for public comments.

Cindy Danner, 2678 West 3900 South, was concerned about the possibility of having multi-family housing behind their home. They had a large swimming pool on their property, and she was worried about the safety of any children that would live in the housing. If the property were commercial, she wouldn't be concerned.

Casey Marker, 2706 West 4000 South, asked if his property would be excluded from this rezone.

No further comments were made.

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

Mr. Parkinson addressed Mr. Marker’s concerns and stated that his property was zoned CC already. It would not be included in the rezone. Regarding the swimming pool, he stated there should be a six foot fence around the pool, per ordinance. Mrs. Danner confirmed that the existing fence was chain link, but they would like to change to vinyl. Mr. Parkinson said that the developer would seek out a commercial user for that property, but he wanted to keep his options open at this time.

Commissioner Collins moved that the Planning Commission recommend that the City Council APPROVE the request to amend the Zoning Map from R-3 (Multi-Family Residential) to CC (Community Commercial) for portion of the property located at approximately 3926 South Midland with the conditions and facts as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

4. PUBLIC HEARING – CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL OF ROYWELL SUBDIVISION FOR PROPERTIES LOCATED AT APPROXIMATELY 2792 WEST 4000 SOUTH.

NOTE: Items 3 and 4 were discussed simultaneously.

Commissioner Karras moved that the Planning Commission recommend that the City Council APPROVE the request for preliminary subdivision for the Roywell Subdivision located at approximately 2792 West 4000 South with the conditions and facts as stated in the staff report. Commissioner Collins seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

5. CONSIDER A REQUEST FOR ARCHITECTURAL APPROVAL FOR BONNEVILLE MEATS LOCATED AT APPROXIMATELY 1815 WEST 4000 SOUTH.

Edward Welch, from Morgan, Utah, described the changes proposed to the Bonneville Meats site. The buildings would be manufactured steel, with a front façade on the receiving side that would match the center building.

Steve Parkinson, City Planner, presented the staff report and explained that the applicant was requesting to add onto the existing building.

Commissioner Payne moved to APPROVE the Architectural review for Bonneville Meats located at approximately 1815 West 4000 South based on the materials presented or substantially similar to those materials with the conditions as stated in the staff report. Commissioner Collins seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

6. CONSIDER A REQUEST FOR ARCHITECTURAL APPROVAL FOR KFC LOCATED AT APPROXIMATELY 5445 SOUTH 1900 WEST.

Mr. Parkinson noted that the applicant wasn't present due to a scheduling conflict. He explained that there was an existing KFC on the property, and the applicant intended to add some lighting fixtures on top of the roof pointing down toward the building. The purpose of the lighting was to increase safety on site. The proposal met the standards of the ordinance, and staff recommended approval.

Commissioner Collins moved to APPROVE the Architectural review for KFC located at approximately 5445 South 1900 West based on the materials presented or substantially similar to those materials with the conditions as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted "aye." The motion carried.

7. CONSIDER A REQUEST FOR ARCHITECTURAL APPROVAL FOR MIDAS CARS LOCATED AT APPROXIMATELY 5550 SOUTH 1900 WEST.

Joann Farhatina, 5550 South 1900 West, said that Midas Cars recently moved into the existing building and painted it before they got their license to improve the building. She was here to get a permit for the paint job they had already done.

Steve Parkinson, City Planner, added that the City Code doesn't have specific standards regarding paint colors. Staff recommended approval.

Commissioner Collins moved to APPROVE the Architectural review for Midas Cars located at approximately 5550 South 1900 West based on the materials presented or substantially similar to those materials with the conditions as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted "aye." The motion carried.

9. CONSIDER A REQUEST FOR ARCHITECTURAL APPROVAL FOR DIAMOND J MANAGEMENT GROUP LOCATED AT APPROXIMATELY 5975 SOUTH 1900 WEST.

Joe Jepson, 1444 South Beacon Street in Salt Lake City, said that they were looking to put in a small laundromat at the address listed above. The building was currently vacant. He briefly described the design of the building and materials, including metal.

Steve Parkinson, City Planner, stated that the current ordinance doesn't allow metal as an exterior material, but staff was in the process of changing that. The ordinance amendments would come to the Planning Commission and City Council for approval in the near future. Mr. Parkinson felt that the Planning Commission could allow for the metal material in this design knowing that the ordinance would be changing.

Commissioner Bills moved to APPROVE the Architectural review for Diamond J Management located at approximately 5975 South 1900 West with board and batten wainscot based on the materials presented or substantially similar to those materials with

the conditions as stated in the staff report. Commissioner Karras seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

10. COMMISSIONERS MINUTE

11. STAFF UPDATE

Mr. Parkinson reported on the ordinance update and stated that the last section was at his desk for review.

12. ADJOURN

Commissioner Karras moved to adjourn at 7:04 p.m. Commissioner Collins seconded the motion. Commissioners Bills, Brand, Collins, Karras, Mifflin, Payne, and Sphar voted “aye.” The motion carried.

Torris Brand
Chair

Attest:

Morgan Langholf
City Recorder

dc: 07-09-19