



ROY CITY
Planning Commission Regular meeting
September 12, 2023 – 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:

Ryan Cowley, Chair
Torriss Brand
Jason Felt
Janel Hulbert
Daniel Tanner

Steve Parkinson, City Planner
Patrick Tan, Assistant City Attorney

Excused: Commissioners Samantha Bills, Chris Collins and Jason Sphar

Others in attendance: Chase Andrizzi, Kevin Homer, Cindi Buckley, Byron Burnett, Glenda Moore, and Bryan Flamm

Pledge of Allegiance: Commissioner Hulbert

1. DECLARATIONS OF CONFLICT

Chairman Cowley asked if anyone wished to declare a conflict, and Commissioners Felt announced that he worked for a company which had contracted in the past with one of the applicants who would speak that evening, although he did not have any personal involvement with the specific project which would be discussed in the meeting.

2. APPROVAL OF THE JUNE 13, 2023, REGULAR MEETING MINUTES; APPROVAL OF THE JUNE 27, 2023, WORK-SESSION MINUTES; APPROVAL OF THE JULY 11, 2023, REGULAR MEETING MINUTES; AND APPROVAL OF THE AUGUST 8, 2023, REGULAR MEETING MINUTES;

Commissioner Tanner requested that lines 199 through 205 of the June 13th minutes be amended.

Commissioner Hulbert moved to approve the minutes with the changes as discussed. Commissioner Felt seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted “aye.” The motion carried.

3. CONTINUATION - A REQUEST FOR SITE PLAN APPROVAL FOR KOOL KIDZ CHILDREN CENTER LOCATED AT APPROXIMATELY 1845 WEST 4400 SOUTH.

Applicant Cindi Buckley gave her address as 3949 South 37 West, West Haven Utah, and reminded the Planning Commission that she had come before them in June in regards to purchasing the building located at 1845 West 4400 South to establish a daycare. She stated they were there that evening to seek approval for the site plan. Ms. Buckley explained that she had to submit plans for a playground, and discussed how in June she had thought she would need to use her parking lot for a playground, although she had since met with State licensing who had determined she would have enough space in the front left side of the property to put a playground

in without having to utilize the parking lot. She acknowledged they still needed to get permits to build, but wanted to ensure they had permission from the Planning Commission before they moved forward.

Mr. Parkinson shared an aerial view to orient the Planning Commission to the location of the site and indicated the surrounding businesses. He highlighted where the playground would be located, and reiterated Ms. Buckley's point that they would not need to cut into the parking lot in order to have enough space for a playground. He stated Staff recommended approval with the conditions listed in the Staff report.

The Commissioners concurred they were happier with the new plan. City Planner Parkinson explained that the applicant would put a retaining wall on the sloped grass area to bring it up and match the sidewalk.

Commissioner Brand moved to approve the Site Plan review for Kool Kidz Childcare Center with the conditions as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted "aye." The motion carried.

4. CONSIDER A REQUEST FOR CONDITIONAL USE & SITE PLAN APPROVAL FOR A CELL TOWER FOR VERIZON WIRELESS LOCATED AT APPROXIMATELY 2977 WEST 5200 SOUTH

Applicant Troy Benson gave his address as 136 South Main Street, Salt Lake City Utah, and explained he was presenting on behalf of Verizon Wireless. He recalled they had actually received previous approval from the City Council for a different area, located near the aquatic center, some years ago. He discussed how at the time, they had worked with the former City Manager, Brody Flint, to have one of the intersections of the walkway and two parking stalls removed to make way for the site, although since then other members of City Staff had proposed some alternatives that would be more conducive to pedestrian traffic. Mr. Benson expressed he was open to do whatever the City felt was best, and emphasized they had come up with their current plan based on what they thought the wishes of the City were. Mr. Benson then explained this would be a 100 foot tall tower which would improve Verizon's service in the area, as well as some ground equipment that included a backup generator. He noted the generator kicked on once a month to ensure it worked; otherwise, it only turned on in the event of a power outage.

Mr. Benson reiterated that the current proposal would take out part of the walkway in the parking lot, and said one alternative was to move the site farther down so it did not take up the walkway, although it would take up four parking stalls rather than two. In response to a question from a Commissioner, Mr. Parkinson stated the ADA parking stalls were closer to the front of the aquatic center and should not be impacted by this plan.

Mr. Parkinson overviewed this site plan approval request, and indicated on the map where the original tower had been planned to be installed as well as the location of the current request. He gave some background and noted City Council had requested it be moved to this parking lot, and he and City Staff had then requested that the site be moved within the parking lot so it did not take up part of the walkway in the lot. City Planner Parkinson discussed there were hundreds of stalls so taking up four of them did not make a significant difference, and there would be more of

an impact in removing access to the walkway. City Planner Parkinson shared the zoning map and noted this would be a conditional use. He also highlighted the DRC comments and reported based on their comments the site could be approved, although they needed to ensure they had ADA compliance. He summarized that Staff recommended approval, with the conditions as outlined.

Commissioner Hulbert clarified the reason the site had moved is because the original site would have taken up too much space, and Mr. Parkinson replied City Council wanted to expand the Bowery and thought the original site for the tower would have gotten in the way of that expansion. She expressed she was not thrilled to put such a large tower in a parking lot but felt it was the best of their options. Mr. Parkinson pointed out this location was far away from residents, and added it would not take away any grassy areas that could be used for recreation.

Commissioner Felt moved to approve the Conditional Use for Verizon Wireless. Commissioner Tanner seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted “aye.” The motion carried.

Commissioner Tanner moved to approve the Site Plan review for Verizon Wireless with the conditions as stated in the staff report. Commissioner Felt seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted “aye.” The motion carried.

5. TO CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR RAILRUNNER LOCATED AT APPROXIMATELY 2449 WEST 4000 SOUTH

Mr. Parkinson recalled they had seen this item about a year ago, and since then, no action had been taken although the previous contractor had sold the rights to the current applicants, who were now moving forward with the project with some changes.

Applicant Chase Andrizzi presented on behalf of the applicant DAI Railrunner. He explained the applicant had purchased this from Lincoln Construction, who had been given approval in June of 2022. He acknowledged that the approval had lapsed, so they needed to work towards getting approval again. He situated the site and noted they were close to the Rail Runner Station and there was a subdivision to the south which they used as an access point. He shared images of their site plan, which he noted was very similar to the original site plan that the first applicant had created. Mr. Andrizzi also highlighted that it was missing Phase III, which was because they were waiting on getting approval before continuing with those plans. He then indicated some of the amenities had changed since the initial plan, and said instead of a pickleball court they had added a pool, maintenance shed, and clubhouse. He also illustrated they had been able to add some additional parking, so they had about three and a half stalls per dwelling unit. He elaborated that every unit had a two car garage, and some units had a driveway as well for additional parking. Mr. Andrizzi stated they had gone down five units from the original plan as well.

Mr. Andrizzi shared some renderings which addressed the elevation of the frontloads which would be constructed and some townhomes. He also shared images of the planned clubhouse and discussed what materials would be used. Mr. Andrizzi drew the Commission's attention to an adjacent UTA trail and explained they would tie this in for pedestrian access. Mr. Andrizzi also broke down the parking and elaborated there were 442 garage stalls, two for each unit, plus 117 additional off-street parking sites and a number of driveways.

Mr. Parkinson oriented the Commission as to the location of the site and commented this plan did meet the Code as far as parking was concerned, although they needed to review the buildings to ensure height and materials were in accordance with the Code. He added that since the buildings were only two stories high he did not anticipate there being an issue with height. He discussed the materials used for the pool and clubhouse, and also overviewed the parking. City Planner Parkinson reiterated the plan met the ordinance as far as parking was concerned as the zone required two parking stalls per three-bedroom unit. He stated they would need to meet with UTA, but reported they had expressed that they would be amenable to pedestrian access to their trail. He then discussed that they needed to ensure that setback requirements were met, but clarified they would just move buildings back as needed although they would not change the overall layout of the plan. City Planner Parkinson summarized that City Staff recommended approval.

The Commissioners expressed they were in favor of the changes that the new applicant had made and felt it improved quality of life for residents.

Commissioner Felt moved to approve the Site Plan review for RailRunner with the conditions as stated in the staff report. Commissioner Hulbert seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted “aye.” The motion carried.

6. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR MIDLAND MARKET LOCATED AT APPROXIMATELY 3805 SOUTH MIDLAND DRIVE

The applicant was not in attendance that evening and so Mr. Parkinson presented on their behalf. Mr. Parkinson gave an overview of the request and noted this was located in an odd area of Roy. He shared aerial images, and noted the applicant had come before the Planning Commission in 2015 or 2016 to request a drive through window. He explained their current request was to put in a walk-in cooler, which would take up three parking stalls. Mr. Parkinson reported there were several issues, the largest of which was there was a 20 foot setback that would require the building to be reduced by 17 feet. He explained the other main issue was that the site required six parking stalls, and by removing three of them, it would reduce them to just five stalls. He summarized that based on these problems alone, Staff recommended tabling this. The Commissioners discussed they were in favor of this, and also all expressed that they wanted to see a presentation from the applicant in person.

Commissioner Tanner moved to table the Site Plan and Architectural reviews for Midland Market because the applicant wasn't in attendance to speak on their behalf and/or answer questions and that the site will require significant changes to it to comply with zoning code. Commissioner Hulbert seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner voted “aye.” The motion carried.

7. COMMISSIONERS MINUTE

Chairman Cowley asked if they were still accepting applications for alternates, and Commissioner Tanner replied they technically still were, although they had quite a few so it was time to pass the applications on to the Mayor to consider. Chairman Cowley clarified they did not have any say on these applications; it was solely the Mayor's prerogative. Commissioner Tanner explained the Mayor's recommendation would be forwarded to Council and they would vote on the appointment. Commissioner Hulbert asked when they would need an alternate, and it was replied that

Commissioner Felt's term was completed in June and so at that point they would need a new alternate.

8. STAFF UPDATE

Mr. Parkinson announced several projects were coming to an end, including Park 43 on 4300 West. He said all the buildings were up, if not already finished. He reported Abington Heights was also nearly completed. Mr. Parkinson lastly noted they had an upcoming work session in which they would discuss the airport overlay zone and subdivision zone.

9. ADJOURN

Commissioner Tanner moved to adjourn at 6:47 p.m. Commissioner Brand seconded the motion. Commissioners Brand, Cowley, Felt, Hulbert, and Tanner The motion carried.

Ryan Cowley
Chair

dc: 09-12-23