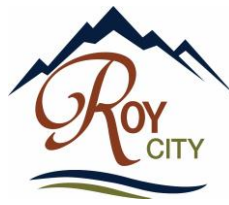


Chair
• Ryan Cowley

Vice-Chair
• Jason Felt

City Planner
• Steve Parkinson



Commission Members
• Samantha Bills
• Torris Brand
• Christopher Collins
• Janel Hulbert
• Jason Sphar
• Daniel Tanner

PLANNING COMMISSION - AGENDA

September 12, 2023

6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the City Council Chamber / Court Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

[This meeting will be streamed live on the Roy City YouTube channel.](#)

Agenda Items

1. Declaration of Conflicts
2. Consent Items:
 - 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

Legislative Items

Administrative Items

3. Continued - A request for Site Plan approval for Kool Kidz Children Center located at approximately 1845 West 4400 South.
4. A request for Conditional Use & Site Plan approval for a Cell Tower for Verizon Wireless located at approximately 2977 West 5200 South
5. A request for Site Plan & Architectural review approval for RailRunner located at approximately 2449 West 4000 South
6. A request for Site Plan & Architectural review approval for Midland Market located at approximately 3805 South Midland Drive
7. Commissioners Minute
8. Staff Update
9. Adjourn

In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: ced@royutah.org at least 48 hours in advance of the meeting.

Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) "Electronic Meetings" of the Open and Public Meetings Law, any Commissioner may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.

Certificate of Posting

The undersigned does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 8th day of September 2023. A copy was also provided to the Standard Examiner, posted on the Roy City Website, Public Notice Website and at the Roy City Municipal Building on the same date.

Visit the Roy City Web Site @ www.royutah.org
Roy City Planning Commission Agenda Information – (801) 774-1027


Steve Parkinson, City Planner



49 2. APPROVAL OF THE APRIL 11, 2023 REGULAR MINUTES

50
51 **Commissioner Bills moved to approve the April 11, 2023; regular meeting minutes as**
52 **written. Commissioner Tanner seconded the motion. Commissioners Bills, Brand, Cowley,**
53 **Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.**

54
55 3. APPROVAL OF THE MAY 9, 2023 REGULAR MINUTES

56
57 **Commissioner Brand moved to approve the May 9, 2023; regular meeting minutes as**
58 **written. Commissioner Hulbert seconded the motion. Commissioners Bills, Brand,**
59 **Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.**

60
61 4. PUBLIC HEARING – TO CONSIDER AMENDING THE ZONING MAP FROM RE-20
62 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) FOR PROPERTIES
63 LOCATED AT APPROXIMATELY 5839 SO., 5859 SO., & 5867 SO. 3500 WE.

64
65 Chairman Cowley turned this item over to Mr. Wilson, who recommended they table it. He
66 explained there had been an error in the noticing, and so his opinion would be to move this to the
67 next meeting’s agenda. He elaborated he had posted a notice which mistakenly indicated the
68 meeting would be online, rather than in person.

69
70 **Commissioner Tanner moved to table this item until July 11, 2023, meeting. Commissioner**
71 **Payne seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar**
72 **and Tanner voted “aye.” The motion carried.**

73
74 5. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING
75 REGULATIONS: AMENDING CH 19 – OFF-STREET PARKING AND LOADING –
76 SECTION 6 – LOCATION OF REQUIRED OFF-STREET PARKING, ADDING AN
77 EXCEPTION FOR WINTER PARKING WITHIN FRONT YARD SETBACK

78
79 Mr. Parkinson explained they were there to examine the sample ordinance as written. He said
80 they should continue to use the language the Planning Commission had come up with to allow
81 for front-yard parking during an active winter storm. He noted some of the caveats the Planning
82 Commission had wished to include was that all other locations had first been utilized, and also
83 that the vehicles would have to be removed within twelve hours after the end of the snowstorm.

84
85 Chairman Cowley clarified this essentially provided an exception for parking during storms, since
86 people could not park on the street during snowstorms.

87
88 Commissioner Hulbert asked about the policing of this, and Mr. Parkinson said the Enforcement
89 Officer would have to drive by and catch violations. He acknowledged this was difficult, but there
90 were not realistically other options. He noted it was difficult with one person.

91
92 **Commissioner Tanner moved to open the public hearing. Commissioner Payne seconded**
93 **the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted**
94 **“aye.” The motion carried.**

95

96 Chairman Cowley opened the floor for public comments. He reminded the members of the
97 public they had three minutes to speak.
98

99 Kevin Homer of 5398 S. 4000 W. Roy wondered if the definition should be expanded to include
100 utility vehicles, rather than only trucks and cars. He also felt if the point of this was to get cars
101 off of the road, the ordinance should not be limited to only two cars on the lawn. He pointed out
102 if a homeowner had a large enough yard and more than two vehicles, they should be allowed
103 to park all of them on their lawn.
104

105 Glenda Moore stated her address as 2088 W. 3825 S. Roy. She opposed the whole change,
106 and worried it opened Pandora's box, and people would begin to just park on the front lawn all
107 the time. She argued lawns would be destroyed and worried no one would fix the grooves made
108 by vehicles after the storm. She did not think it was fair to expect police or enforcement officers
109 to drive around and look for violations.
110

111 No additional comments were made.
112

113 **Commissioner Hulbert moved to close the public hearing. Commissioner Bills seconded**
114 **the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted**
115 **“aye.” The motion carried.**
116

117 Commissioner Tanner opined they needed to be responsible citizens and said the intent of
118 allowing parking on the front lawn was for convenience. He said when it came to getting personal
119 property off City streets when called for during storms, that was the responsibility of the
120 homeowner. He thought they were looking at this from the perspective of a small number of
121 homeowners who had multiple vehicles and reiterated his point about the need to be responsible.
122 He felt if someone wanted to buy five cars, they needed to have space on their property to store
123 all of those vehicles. He voiced he was not in favor of this, since he felt finding storage was the
124 responsibility of the citizen. He commented people could have all the cars they wanted, but it was
125 their job rather than the City's to find parking for them.
126

127 Commissioner Brand agreed with Commissioner Tanner's comments. He felt people could use
128 their backyard for storage of extra vehicles.
129

130 Mr. Parkinson agreed this ordinance seemed excessive and thought it did not seem necessary to
131 allow parking on the front lawn when they had already made so many other allowances for
132 parking. He did not think there were any amendments which could make this palatable for him.
133

134 Commissioner Hulbert thought it was good they had considered and explored this issue
135 thoroughly but said after thinking about it and driving around the City she did not think it was
136 needed. She said from what she had seen, there was not a large enough number of people who
137 would benefit from this ordinance.
138

139 **Commissioner Tanner moved to recommend to the City Council that they deny the**
140 **proposed amendments to Title 10 Zoning Regulations: amending CH 19 – Off-Street**
141 **Parking and Loading – Section 6 – Location of Required Off-street Parking, adding an**
142 **exception for winter parking within Front Yard Setback. Commissioner Brand seconded**

143 **the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted**
144 **“aye,” The motion carried.**

145
146 6. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR PANDORA’S BOX
147 LOCATED AT APPROXIMATELY 1821 WEST 4000 SOUTH

148
149 Applicant Aaron Davis presented a slideshow which included photographs of the site located at
150 1821 West 4000 South. He indicated Pandora’s Box occupied 8500 square feet of the property,
151 and said they needed a dumpster. He showed the area in which they wanted to build an enclosure
152 for the dumpster. He explained they intended to build a six-foot, three-sided cinderblock wall, and
153 pointed out there were no other good places to put this. He explained a large parking lot extended
154 out from where the dumpster would be located, and commented there were not many other
155 spaces for parking. In response to a question, he elaborated the dumpster did not need to be
156 particularly large and would probably be about twelve feet deep and eight feet tall.

157
158 Mr. Parkinson reiterated this was a request for a site plan approval and oriented the Commission
159 as to the location in the City. He said the structure would only be large enough to encompass
160 whatever dumpster they wanted to put in there. He said Staff’s recommendation was to approve
161 it, since it was out of the way and not really visible from the street.

162
163 **Commissioner Sphar moved to approve the Site Plan for Pandora’s box with the conditions**
164 **as stated in the staff report. Commissioner Tanner seconded the motion. Commissioners**
165 **Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted “aye.” The motion carried.**

166
167 7. TO CONSIDER A REQUEST FOR PRELIMINARY SUBDIVISION APPROVAL FOR
168 TIGARD PHASE 3 LOCATED AT APPROXIMATELY 3025 WEST 4600 SOUTH

169
170 Applicant Robert Fuller thanked the Planning Commission for the opportunity to be there that
171 evening. He stated he had a hayfield located near 3100 West 4600 South which was zoned R-
172 1-8, and said he had a plat created to break the property into parcels, since he had been unable
173 to sell the property to the City in the past. Mr. Fuller elaborated there had been a time in which
174 the City had expressed interest in using the property as a cemetery, although those plans had
175 fallen through. He added he had then tried to sell it as a park, which had not worked either.

176
177 Mr. Parkinson presented next and explained they had already had phase one and phase two in
178 the area. He noted the property had an odd configuration, which was compounded by how the
179 lots themselves were laid out. He said there were two power lines and a large water line which
180 ran through the property, so the applicant was not able to get more than what was shown.

181
182 Mr. Parkinson noted the applicant was in compliance with the parameters of the R-1-8 zone. He
183 said there were some issues the Staff had found, but regardless, he and Staff still recommended
184 approval since it was just the subdivision of land to the R-1-8 standard and the lots were not going
185 to be any smaller than they were supposed to be.

186
187 The Commissioners discussed it was always great to see plans for more single-family homes.
188 They thought it was good to see homes balance out the other types of developments in the area.
189

190 **Commissioner Sphar moved to approve the Preliminary Subdivision for Tigard phase 3**
191 **with the conditions as stated in the staff report. Commissioner Tanner seconded the**
192 **motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted**
193 **“aye.” The motion carried.**

194
195 8. COMMISSIONERS MINUTE

196
197 Chairman Cowley expressed appreciation for Commissioner Payne.

198
199 Commissioner Tanner spoke about the UDOT Open House, which had been held the previous
200 week. He reported their plan to widen 56 was to do the south side first, and then switch over to
201 the north side. He said that way, there would still be some access up 5600. He also thought
202 UDOT had been more interested in the freeway exchange than in widening 56. He also reported
203 UDOT intended to widen 1800 North and put in an overpass over the railroad tracks in Clinton.
204 Commissioner Tanner reported UDOT thought all these projects would be completed by 2026,
205 although he did not agree that was feasible.

206
207 Commissioner Bills added she had attended the UDOT meeting as well, and she noted UDOT
208 had plans to put in additional trails alongside the road, which was in keeping with their General
209 Plan. The Commissioners discussed they were glad they had advocated to have extra trails
210 included in the General Plan, since they felt if it had not been in the Plan then UDOT would not
211 have thought to include the trails as part of their plans.

212
213 9. STAFF UPDATE

214
215 Mr. Parkinson announced the Station Area plan had been approved by the City Council in the
216 previous week and was now being sent to UTA and Wasatch Front Regional Council for their
217 approval as well. He explained it needed the approval of both UTA and Wasatch Front Regional
218 Council but said the City had been working with representatives of both entities throughout the
219 development of the plan so he did not imagine it would be rejected by either of them.

220
221 10. ADJOURN

222
223 **Commissioner Payne moved to adjourn at 7:45 p.m. Commissioner Tanner seconded the**
224 **motion. Commissioners Bills, Brand, Collins, Hulbert, Payne, Sphar and Tanner voted**
225 **“aye”. The motion carried.**

226
227
228
229
230 _____
231 Ryan Cowley
232 Chair



ROY CITY
Planning Commission Work-Session
June 27, 2023 – 6:00 p.m.
Community Development Conference Room
5051 South 1900 West

1 The meeting was a regularly scheduled work-session designated by resolution. Notice of the
2 meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the
3 agenda was posted.

4
5 The following members were in attendance:

6
7 Ryan Cowley, Chair Steve Parkinson, City Planner
8 Samantha Bills
9 Torris Brand
10 Jason Felt
11 Janel Hulbert
12 Claude Payne
13 Jason Sphar
14 Daniel Tanner

15
16 Excused: Commissioner Chris Collins and Matt Wilson, City Attorney

17
18 Others in attendance: Paul Wilson

19
20 Pledge of Allegiance: Commissioner Bills

21
22 1. APPROVAL OF THE MAY 23, 2023 WORK-SESSION MINUTES

23
24 Chairman Ryan Cowley stated that on line 34 of the May 23rd minutes, the word 'neither' needed
25 to be changed to 'either.'

26
27 **Commissioner Tanner moved to approve the May 23, 2023, work-session meeting minutes**
28 **with the correction mentioned. Commissioner Hulbert seconded the motion.**
29 **Commissioners Bills, Brand, Cowley, Felt, Hulbert, Payne, Sphar and Tanner voted "aye."**
30 **The motion carried.**

31
32 2. CONTINUED DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS,
33 AMENDING CH 13 - MIXED USES - 10-13-2 – USES - § 2) DEFINITION OF USES – TO
34 ALLOW STORAGE STRUCTURES AS AN ACCESSORY USE.

35
36 Mr. Parkinson presented this item for discussion, and noted it was a continued conversation from
37 the previous meeting, where they had regarded storage structures as their own building types.
38 However, since then, Mr. Parkinson and Mr. Wilson had decided it would be better to categorize
39 storage structures as accessory use, since it was an existing category in the Code. To that end,
40 he explained he and Mr. Wilson had changed the language somewhat in the Code and said they
41 would functionally be considered similar to a parking structure. He specified as well the change
42 in language as to what defined a storage structure.

43
44 Mr. Parkinson outlined some of the specifications of storage structure as an accessory use, which
45 included that setback needed to be a certain distance from the main structure and minimum side
46 and rear setbacks had to be at least ten feet. He added storage structures could be no more than
47 25 feet tall and had to be similar colors and textures to the primary building as well.
48

49 Mr. Parkinson discussed details of the facade and went more in depth about what kind of materials
50 could be used on the structures, and noted minimum transparency was 15%.

51
52 Mr. Parkinson explained storage structures would only be allowed in the Gateway zone, and
53 indicated on a map where that region was located. He specified they would not be allowed on
54 1900, and in general storage structures would only be permitted on secondary roads. He went
55 over a map of the City and discussed some exceptions and areas in which storage structures
56 would not be allowed. He showed some commercial properties from an aerial view and indicated
57 where their storage structures would be permitted to be placed, and expressed the intent was for
58 storage structures to be in the back of the building whenever possible.

59
60 Mr. Parkinson highlighted the south area of Roy City and noted that commercial properties which
61 faced 200 would not be allowed to have storage structures, since the setback from the road to
62 the businesses was not deep enough.

63
64 Mr. Parkinson summarized the intent of his presentation that day was to give the Commissioners
65 something to consider, and clarified they did not need to make any final decisions that evening.
66 He asked the Commissioners what they thought, and he shared his own opinion that back-of-curb
67 was the most reasonable thing but acknowledged that was not always possible. He also thought
68 permitting structures to be 75 feet from the back of the structure rather than from the curb made
69 more sense.

70
71 Commissioner Spahr thought they needed to be careful to not cater to a small number of
72 properties. He felt back-of-curb was hard for him to agree with, since their intent was to put things
73 towards the road, and he thought it made more sense to base it off the building rather than the
74 curb.

75
76 Commissioner Payne agreed they could do back of structure rather than the curb, but they would
77 need to find the happy medium as to what the minimum distance was. He noted it was difficult
78 since all parcels were laid out in different ways, and in some cases 50 feet might be too much.

79
80 Mr. Parkinson pointed out they needed to consider that some old buildings might get torn down
81 in the future as well, which would impact what the setbacks were for the surrounding buildings.

82
83 Commissioner Hulbert clarified they did not have to consider parking, since there were still parking
84 guidelines in the Code that any commercial property would be subject to.

85
86 Mr. Parkinson confirmed that was correct, and clarified a business would have to have space for
87 both their minimum mandatory parking spaces as well as room for a storage structure in order to
88 build one.

89
90 Mr. Parkinson reiterated some buildings might get demolished or rebuilt in a way that would impact
91 the setback distance of storage structures. He said the setback from main buildings did not have
92 to be 50; they could go with 25 feet or whatever else they thought was appropriate.

93
94 Commissioner Hulbert wondered which option gave businesses more of an opportunity to be
95 creative with the storage structures.

96

97 Chairman Cowley clarified the intent of the structures was storage of the business's own goods.
98
99 There was a brief discussion in which it was clarified what kinds of businesses and properties
100 were allowed to build a storage structure, as long as they had the room for one.
101
102 Commissioner Hulbert summarized it primarily was stores and service businesses which would
103 be permitted to have structures.
104
105 Mr. Parkinson stated it was less important what the use of the building was; the main thing was
106 the way the storage structure interacted with the overall aesthetic of the property and the street.
107
108 Commissioner Payne thought 50 feet was the most reasonable thing to do.
109
110 Commissioner Hulbert thought they should try to accommodate the growth of businesses as best
111 as possible.
112
113 Commissioner Spahr expressed he was okay with going down to 25 feet, as long as it was from
114 the back of the property.
115
116 Mr. Parkinson noted in most cases, buildings built new would accommodate space for storage
117 structures, and so whatever standard the Commission set would primarily impact businesses who
118 had to retrofit a storage structure on their property.
119
120 Chairman Cowley pointed out new buildings could also just be built in a way which had more
121 storage space inside the main building.
122
123 Chairman Cowley wondered if it was worth it to sacrifice potential future commercial space for the
124 sake of adding these storage structures. Commissioner Payne thought they should vote on it.
125
126 Commissioner Tanner pointed out they were creating policies which attracted certain kinds of
127 businesses and said in the areas in which old buildings were demolished he would rather build
128 new commercial areas instead of building storage spaces for existing businesses.
129
130 Mr. Parkinson pointed out they were not necessarily zoned to add more commercial buildings in
131 some of the areas they were considering allowing storage structures.
132
133 Commissioners Hulbert and Payne expressed they were in favor of 25 rather than 50 feet behind
134 the primary structure.
135
136 Commissioner Tanner clarified they could pick any number they wanted; it did not have to be 25
137 or 50.
138
139 Commissioner Hulbert said she liked 25 feet since she thought it gave businesses more options.
140
141 Chairman Cowley said he was not worried about the properties that were already there since he
142 thought they could be accommodated, but he did want to incentivize future businesses to come
143 in that were more future-thinking and would be able to grow bigger. Chairman Cowley stated he
144 was more in favor of 50 feet, and Commissioner Tanner agreed with this.

145 Commissioner Hulbert pointed out with building costs, some people might not be able to purchase
146 larger buildings and properties, and if they could only afford a smaller property then they would
147 not necessarily have space to add a storage structure as well if the minimum was 50 feet.

148
149 Chairman Cowley replied there were other places they could store things; storage units did not
150 have to be on the actual commercial property and things could be kept in storage units that were
151 not on-site.

152
153 Commissioner Hulbert acknowledged this point, although still felt 25 feet would be fairer to all
154 businesses. She also pointed out if the minimum was 25, property owners could still choose to
155 put the structure 50 feet away from their primary building as well and voiced the opinion 25 feet
156 just gave people more prerogative over their properties.

157
158 Commissioner Hulbert spoke about window requirements as well and clarified 15% was just the
159 minimum requirement for windows and they could have more.

160
161 Mr. Parkinson clarified the front of the structure was considered to be whichever facade faced the
162 street and said he would work on the language to make that point clear.

163
164 The Commissioners briefly discussed they did not think there needed to be strict guidelines on
165 facade requirements for the sides which did not face the street.

166
167 Mr. Parkinson summarized that two of the Commissioners were in favor of 25 feet, and two others
168 preferred making it 50 feet. He said while it was not a unanimous decision, it still gave him some
169 direction.

170
171 3. DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING
172 CH 9 – PUBLIC NOTICE REQUIREMENTS, AS PER HB 43 (2023)
173

174 Mr. Parkinson summarized this was a state statute, so the Commissioners would not be able to
175 make any changes to this change. He commented the bill was somewhat confusing, since it
176 eliminated the need to post public notices in some places but had added some places as well.
177 Mr. Parkinson specified public notices were no longer required to be in the newspaper, although
178 they could choose to continue to put notices in the newspaper if they wanted to.

179
180 Mr. Parkinson said for meetings about the General Plan and General Plan amendments they
181 would eliminate newspaper notices. Mr. Parkinson explained since notices needed to be in three
182 places, those three places would now be the public website, the City Municipal building, and the
183 City official website. He said they would also send notices to all affected entities as well as the
184 applicant.

185
186 Mr. Parkinson said for meetings such as this one, where they did not come to any decisions in
187 the meeting, they would just have to be noticed in three places as well. He said for meetings
188 about zoning ordinances, they would be noticed in three places and also emailed to all adjacent
189 cities. He further stated zoning ordinances now needed to be sent out to all affected entities and
190 expressed that would be difficult to realistically do in areas that had a lot of residences. Mr.
191 Parkinson discussed he had spoken with the City Attorney about this and had been told they
192 would be able to identify specific affected areas within a zone and would only need to notify people

193 within that specific area. He lastly noted there was not a section which addressed re-zones, so
194 he had chosen to keep their exciting practice of mailing notices to people within 300 feet.

195
196 Mr. Parkinson said Mr. Wilson had already gone through this document, and said he still had
197 some grammatical issues to work through. He explained this would not go before the City Council
198 for some time; the intent of the presentation was just to bring it to the Commissioner's attention.

199
200 4. COMMISSIONERS MINUTE

201
202 The Commissioners had nothing to report. They held a brief discussion about a recent internet
203 outage in their area. They also expressed appreciation for Commissioner Payne and his long
204 service to the Commission, as well as his upcoming retirement.

205
206 Mr. Parkinson noted once Commissioner Payne stepped down, they would need one more
207 alternate Commissioner. He said he had received one application so far and told the
208 Commissioners if they knew of anyone to have them turn in an application.

209
210 5. STAFF UPDATE

211
212 Mr. Parkinson did not have any updates, and asked if there were any questions about ongoing
213 projects. One of the Commissioners noted there was a portion of Airport Road near the
214 roundabout which was torn up and the road was closed, and asked if that was part of Riverdale
215 or Roy. It was discussed that it was part of Riverdale, and the Commissioners noted it had been
216 closed for some time.

217
218 Commissioner Bills asked if the project on 4000 and 1900 was being done by the City or UDOT,
219 to which Mr. Parkinson replied it was being done by UDOT. The Commissioners quickly
220 discussed this project and debated what the best option for that intersection was.

221
222 6. ADJOURN

223
224 **Commissioner Sphar moved to adjourn at 6:53 p.m. Commissioner Payne seconded the**
225 **motion. Commissioners Bills, Brand, Cowley, Felt, Hulbert, Payne, Sphar and Tanner**
226 **voted "aye." The motion carried.**

227
228
229
230
231
232

233 dc: 06-27-23

Ryan Cowley
Chair



ROY CITY
Planning Commission Regular meeting
July 11, 2023 – 6:00 p.m.
City Council Chambers/Courtroom
5051 South 1900 West

1 The meeting was a regularly scheduled work-session designated by resolution. Notice of the
2 meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the
3 agenda was posted.

4
5 The following members were in attendance:

6
7 Jason Felt, Vice Chair Steve Parkinson, City Planner
8 Samantha Bills Matt Wilson, City Attorney
9 Torris Brand
10 Janel Hulbert
11 Jason Spahr
12 Daniel Tanner

13
14 Excused: Commissioners Chris Collins and Ryan Cowley

15
16 Others in attendance: Kevin Homer, Glenda Moore, Jean P. George, Linda Palfreyman, Tim
17 Oliver, Nolan Parker, Cambria Hulbert, Rachel Carrion, Jim Williams, Wyle Williams, David
18 Young, Doug Armstrong, Pam Armstrong, Cindi Buckley, Christey Peterson, Anglea Day, Shaun
19 Day, Alan Walker, Joseph Western Larry Thomas and Linda Bingham

20
21 Pledge of Allegiance: Commissioner Spahr

22
23 1. DECLARATIONS OF CONFLICT

24
25 Commissioner Spahr said he lived in the neighborhood they would be discussing that evening,
26 and knew the applicants. He added although he lived there, he had not spoken about the issue
27 nor been approached about the topic by any of his neighbors.

28
29 2. APPROVAL OF THE JUNE 13, 2023 REGULAR MINUTES

30
31 3. PUBLIC HEARING – TO CONSIDER AMENDING THE ZONING MAP FROM RE-20
32 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) FOR PROPERTIES
33 LOCATED AT APPROXIMATELY 5839 SO., 5859 SO., & 5867 SO. 3500 WE.

34
35 Applicant Tim Oliver gave his address as 5859 S. 3500 W., Roy City, and the other applicant Jim
36 Williams stated his address was 5867 S. 3500 W., Roy. He explained he lived on 3500 and State
37 Road 8, and he knew the State planned to widen the road, which would take away a large portion
38 of their front yard. He had also seen that the Roy City General Plan intended to add more
39 commercial to their street as well, and he explained his request was to just do those changes
40 now, since he knew they were coming and he wanted to prepare for them.

41
42 Commissioner Spahr commented road 3500 had been scheduled to be widened several times,
43 but each time the money had been repurposed for another project and it never got done.

44
45 Mr. Parkinson summarized the request and gave an aerial view of the properties in question. He
46 said that per their newly adopted General Plan, this area was designated as residential and mixed
47 use, which he believed was a change from the old one but was not sure. He said the zoning map
48 showed that this area was currently all single-family residential, so this would begin the process

49 of rezoning. He said it was something that needed to be done and this happened to be the first
50 request like it for that specific area, so Staff recommended approval.

51
52 Commissioner Spahr asked what “community commercial” entailed, to which Mr. Parkinson
53 explained community commercial was a commercial zone which allowed for the kinds of
54 businesses in that area, including Kent’s market and some offices. He elaborated it included a
55 wide range of businesses that were allowed to be in that zone, and he said they would do
56 something similar to what they had done downtown near the Front Runner Station and do mostly
57 medium-box developments. He noted the lots there were very big and deep, so they could
58 possibly have a good project in them if several lots were to be sold to one developer.

59
60 Mr. Parkinson added if they created a mixed-use zone, there could be some residential as well.

61
62 Commissioner Spahr clarified they did not have a developer yet and so did not know what type of
63 project would go there; they were simply changing the zone that evening. Commissioner Spahr
64 added 3500 was a State highway, and said these properties were both flanked by fairly substantial
65 commercial activity already so it was inevitable that the area would continue to develop in that
66 direction.

67
68 **Commissioner Tanner moved to open the public hearing. Commissioner Bills seconded**
69 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
70 **motion carried.**

71
72 Vice Chair Felt opened the floor for public comments.

73
74 Rachel Carrion of 5823 S. 3500 W., Roy stated she lived right next door to the properties on the
75 north side, and expressed she wanted to be considered as well for the zoning change. Mr. Wilson
76 explained if the current applicants wanted to delay, they could include her, or if she wanted to get
77 with other homeowners in the area she could submit another application. Mr. Wilson assumed
78 the current applicants would not want to delay further since they had already been delayed once
79 before due to a noticing error. He explained she would have to express her intentions to be
80 included in the proposed change ahead of time, since they would have to post a public notice.

81
82 Nolan Parker, 5910 S. 3650 W., Roy explained he and other homeowners in the area had bought
83 in that part of town specifically because it was all residential, and he argued adding commercial
84 properties would change the neighborhood. He expressed concerns about increased light
85 pollution and more trash if commercial developments went in, and he also worried he would lose
86 the view of the mountains that he had from his home. He wondered where the storm drain would
87 go as well. Mr. Parker was concerned about the loss of property value of his home, and pointed
88 out the only group who stood to benefit from this was the developers. He lastly noted wildlife in
89 the area would suffer from this change as well. He stated he had spoken with many of his
90 neighbors, who all shared his concerns.

91
92 Larry Thomas of 5838 S. 3500 W., Roy said he had moved there 16 years ago, and said they had
93 about three or four accidents in front of his house every month. He complained the street was
94 not wide enough, and said he had even been in accidents in front of his home. He stated the
95 drainage there was also bad, and advocated for better curb, gutter, and sidewalks on the streets
96 before they did anything else. He complained the City did not control the area, and said he never

97 saw police in the area. Mr. Thomas felt if the City did not protect the area, they did not have the
98 right to develop commercial in the area. Mr. Thomas firmly stated commercial should not go in
99 the area, and was upset at the thought of having to move and the expenses that went along with
100 moving.

101
102 No additional comments were made.

103
104 **Commissioner Spahr moved to close the public hearing. Commissioner Hulbert seconded**
105 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
106 **motion carried.**

107
108 Mr. Parkinson reiterated this was just a request to rezone; there was not a development planned
109 for the area. He said developers would not spend the time and money to create a site plan if it
110 was not a guarantee the area would even be zoned in a way where they could develop. He
111 commented as well that light pollution was already an issue in that area, and he noted as well that
112 people could not mandate their views remained unobstructed as their property rights ended right
113 at their property line.

114
115 Mr. Parkinson added even if commercial did not go in the area, single family homes could also go
116 in there which would also block the view of the mountains. He discussed that there had been
117 funding in the past to widen the street, and explained the reasons the money had not been
118 allocated for the street project. He reiterated this rezone was not spearheaded by the City; the
119 request had come from homeowners.

120
121 Mr. Parkinson elaborated this was in line with the General Plan, and these homeowners were just
122 taking advantage of that. He explained as well that there were no sidewalks on that street since
123 it was under the jurisdiction of UDOT, and the City could not just go in and add sidewalks.

124
125 Commissioner Bills asked about the application process for Ms. Carrion and others who might be
126 interested in being part of the rezone.

127
128 Mr. Parkinson explained the process of the application, and said they would have to apply
129 separately and follow the steps of the amendment process. Mr. Parkinson elaborated if the
130 original applicants wanted to amend their original application to include other property owners, it
131 would have to go through the process again and they would need to hold another public hearing.

132
133 Commissioner Spahr summarized that evening they could only talk about the three properties on
134 the original application; they could not make decisions on anything else before it had been
135 properly noticed. Commissioner Spahr thought Ms. Carrion could reach out to other homeowners
136 and see if they wanted to get involved.

137
138 Commissioner Bills thought it was unfair to make the original applications wait any longer, or to
139 ask them if they wanted to include other people and postpone the application.

140
141 Vice Chair Felt asked the applicants if they wanted to postpone, and the applicants responded
142 they were okay with that. Vice Chair Felt clarified this would delay them by at least 30 days since
143 it needed to be noticed as there would be another public hearing. One of the applicants inquired
144 about the \$400 fee, and Vice Chair Felt explained they would need to pay again since the City

145 would have to send out notices, although he commented if they had more people involved it would
146 cost less per person. Vice Chair Felt elaborated that if they wanted to table the application until
147 the next month, they would not have to re-do their entire application. One of the applicants
148 expressed they wished to table the application.
149

150 **Commissioner Hulbert moved to table the item in order for the applicant to include**
151 **additional neighboring properties.. Commissioner Tanner seconded the motion.**
152 **Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye,” The motion**
153 **carried.**
154

155 4. CONTINUATION – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING
156 REGULATIONS: AMENDING CH 13 - MIXED USES - 10-13-2 – USES - § 2) DEFINITION
157 OF USES – TO ALLOW STORAGE STRUCTURES AS AN ACCESSORY USE.
158

159 Mr. Parkinson recalled they had held a public hearing about this issue several months ago, and
160 reported that since then they had held a work meeting about this item. He explained this would
161 change the language of chapter 13 of their zoning ordinance to allow storage structures as a
162 secondary accessory use, and also updated the guidelines about setbacks, facade, and distance
163 from the primary building. He said based on the Commission’s previous discussion, the minimum
164 distance from the primary building would be 25 feet, and the minimum for windows on the facade
165 facing the street would be 15%.
166

167 **Commissioner Hulbert moved to recommend to the City Council that they approve the**
168 **proposed amendments to Title 10 Zoning Regulations: amending CH 13 - Mixed Uses - 10-**
169 **13-2 – Uses - § 2) Definition of Uses – to allow storage structures as an accessory use..**
170 **Commissioner Brand seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert,**
171 **Payne, and Sphar voted “aye,” Commissioner Tanner voted “Nay,” The motion carried.**
172

173 5. PUBLIC HEARING – TO CONSIDER AMENDING TITLE 10 ZONING REGULATIONS:
174 AMENDING CH 17 - TABLE OF USES TABLE 17-2 TABLE OF ALLOWED USES NON-
175 RESIDENTIAL ZONING DISTRICTS ADDING STATE OWNED LIQUOR STORE AS A
176 PERMITTED USE IN THE COMMUNITY COMMERCIAL (CC) ZONE.
177

178 Mr. Parkinson discussed since they had eliminated the regional commercial zone, they needed
179 to have a zone in which liquor stores would be allowed to operate. He said this was essentially a
180 formality; the State mandated how liquor sales were controlled in areas near residential areas,
181 community areas, or churches. He explained they simply needed to have a zone which included
182 State-run liquor stores as a use in a commercial area, and added at the moment the only zones
183 which allowed this were Downtown East and Downtown West.
184

185 **Commissioner Spahr moved to open the public hearing. Commissioner Bills seconded**
186 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye.” The**
187 **motion carried.**
188

189 Vice-Chair Felt opened the floor for public comments.
190

191 Kevin Homer of 5398 S. 4000 W. Roy appreciated the comment about what zones currently
192 permitted government-controlled liquor sales since he had been under the impression that none

193 of the zones currently allowed that. He expressed while he was in favor of the ordinance change,
194 he did not think the State government controlling liquor sales in general. He did not think the
195 government should create a monopoly on any business, and thought private businesses should
196 be allowed to run liquor stores. He acknowledged the Planning Commission was not the body
197 who could affect this change, and noted he would speak to the City Council about this as well.
198

199 No additional comments were made.
200

201 **Commissioner Bills moved to close the public hearing. Commissioner Sphar seconded**
202 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye.” The**
203 **motion carried.**
204

205 **Commissioner Sphar moved to recommend to the City Council that they approve the**
206 **proposed amendments to Title 10 Zoning Regulations: amending CH 17 - Table of Uses**
207 **Table 17-2 Table of Allowed Uses Non-Residential Zoning Districts adding State Owned**
208 **Liquor Store as a Permitted Use in the Community Commercial (CC) zone. Commissioner**
209 **Tanner seconded the motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner**
210 **voted “aye,” The motion carried.**
211

212 Commissioner Hulbert asked if the community commercial zone included mixed use as well, and
213 Mr. Parkinson explained while the General Plan expressed they wanted to have a commercial
214 mixed use zone, it did not exist yet and so they had gone to community commercial since it was
215 the only zone which existed in the area. He explained the goal was for Staff to write code for a
216 commercial mixed use zone, but clarified again this would be in the future and that kind of zone
217 did not currently exist.
218

219 6. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING
220 REGULATIONS: AMENDING CH 9 – PUBLIC NOTICE REQUIREMENTS, AS PER HB 43
221 (2023)
222

223 Mr. Parkinson explained there had been changes made to the noticing requirements as part of
224 House Bill 43. He reported newspaper requirements had been eliminated since they were costly
225 and few people read the newspaper anymore. He elaborated it was more effective to get noticing
226 requirements from the public website, and said the general public could access notices from any
227 City in Utah that way. Mr. Parkinson also discussed there had been updates as to what entities
228 needed to receive notices. He said another change was clarifying what three spaces their notices
229 would be posted in; previously, their ordinance had just specified there would be three public
230 notices but now it specified all notices would be posted at the City Hall building, the public website,
231 and the City official website.
232

233 Mr. Parkinson added the applicant would always receive a notice as well.
234

235 Mr. Parkinson also discussed going forward, they would email people notices rather than sending
236 them in the mail, since it was much faster and more effective. He said another change was the
237 notice had to specify what the affected area was; if they did not the assumption was the whole
238 City would be affected. Mr. Parkinson said they would continue to notice people if they lived less
239 than 300 feet away from the affected area, and explained those notices would be mailed and
240 emailed.

241 Commissioner Hulbert commented she loved a lot of the changes, and specifically she was glad
242 they had clarified where the notices were posted. She thought this made it much easier for
243 people. Mr. Parkinson imagined it was the intention of the legislators to make it simpler.
244

245 **Commissioner Spahr moved to open the public hearing. Commissioner Tanner seconded**
246 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
247 **motion carried.**
248

249 Vice-Chair Felt opened the floor for public comments.
250

251 Kevin Homer, 5398 S. 4000 W. Roy, said he had been following House Bill 43 since it had been
252 introduced earlier that year. He was glad to see that they had not gotten rid of public noticing
253 overall, and was also happy to know they would not be wasting money on newspaper notices any
254 more. He liked they were sending emails as well. Mr. Homer did think they should expand the
255 area that was noticed, and he pointed out sending emails was essentially free so he thought there
256 was no reason to not send them to a larger radius. He commented he did not go to the public
257 notification website very often, but said there was a website which emailed people when there
258 was a public notice which might affect them. He opined that the website link should be posted
259 prominently on the City’s website so people could add themselves to the list to be notified.
260

261 David Young, 4870 S. 2575 W., Roy, wondered how the City would get a hold of everyone’s email
262 addresses. He said he had several emails, and did not check all of them, and he imagined this
263 was the case for many people. He discussed how the public website was a little difficult to
264 navigate. However, he did agree that removing newspaper notices was a wise idea.
265

266 No additional comments were made.
267

268 **Commissioner Spahr moved to close the public hearing. Commissioner Hulbert seconded**
269 **the motion. Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The**
270 **motion carried.**
271

272 Mr. Parkinson commented people could sign up to be notified about meetings through the Roy
273 City website as well. He explained if people signed up online they could get emails about Council
274 meetings and Planning Commission meetings, as well as all public notices.
275

276 Commissioner Spahr clarified the differences between public notices, which were for everyone
277 and were posted everywhere, and specific notices, which only impacted a small number of people
278 in a given area. He said for the specific notices only people within a 300 foot radius needed to
279 be notified.
280

281 **Commissioner Spahr moved to recommend to the City Council that they approve the**
282 **proposed amendments to Title 10 Zoning Regulations: amending CH 9 – Public Notice**
283 **Requirements, as per HB 43 (2023). Commissioner Tanner seconded the motion.**
284 **Commissioners Bills, Brand, Felt, Hulbert, Spahr and Tanner voted “aye,” The motion**
285 **carried.**
286

287 7. CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR KOOL KIDZ CHILDREN
288 CENTER LOCATED AT APPROXIMATELY 1845 WEST 4400 SOUTH.

289 Mr. Parkinson first noted that for administrative items such as this one the public would not be
290 allowed to speak. He clarified public comments were only permitted for legislative items.
291

292 Applicant Cindi Buckley gave her address as 3935 S. 3750 W., West Haven and stated she was
293 the owner of Kool Kidz Academy in Clinton, Utah. She explained they were looking to expand to
294 a second location in Roy City. She stated they had 24 employees at their current center, and
295 discussed they worked hard to take care of their employees, and expressed all her employees
296 were great with children. Ms. Buckley also introduced the manager of the facility, and said she
297 worked hard to ensure they stayed in compliance with all State licenses and permits.
298

299 Ms. Buckley said one of the features of the academy was date night for the parents, and explained
300 they watched children when their parents went on dates. She noted this was especially
301 appreciated by military families. She said they also helped families in crisis, and made sure
302 children were cared for in bad housing situations. Ms. Buckley expressed they worked with
303 children who had behavioral issues as well, and she made the point that these were all ways that
304 the academy served the community. She said she took a lot of pride in the Kool Kidz family, and
305 expressed that she wanted to expand to Roy and grow the academy.
306

307 Ms. Buckley stated they were considering 1845 W 4400 S in Roy City as the site for the new
308 academy. She said they had a couple obstacles in their way, namely that they would need to be
309 permitted by the City to add an outdoor playground. She explained in order to add the playground
310 it would take out some of their parking spaces. Ms. Buckley noted the State would also have to
311 come in and tell them how many children they could serve in the new facility, and she added she
312 hoped to serve around 80 to 100 children. She then spoke about the fencing around the site, and
313 commented she intended for it to look nice and match the surrounding area well.
314

315 Mr. Parkinson commented he was representing the City in this meeting, although he also helped
316 applicants through the process, and after the meeting he expressed to Ms. Buckley he would be
317 willing to help her further.
318

319 Mr. Parkinson indicated the playground was intended to go on the northern corner of the site, and
320 said it would impede the circulation and flow of traffic in the parking lot and would remove at least
321 one stall. He commented Staff could work with that and try to find ways around that, and reminded
322 the Commission they only needed to consider this from a planning perspective, not from the point
323 of view of Fire or Engineering. He thought as well they could find solutions for the fencing, and
324 he expressed he thought this could be approved as long as the suggestions from Staff were
325 accepted.
326

327 Vice Chair Felt felt this was a nice, family friendly business that he would be happy to see in Roy;
328 however, he wanted to see a more thorough site plan. Mr. Parkinson thought it would be difficult
329 to come up with a more comprehensive site plan without comments from the Fire and Engineering
330 department.
331

332 **Commissioner Brand moved to table the Site Plan for Kool Kidz in order for the applicant**
333 **to receive all of the comments from the remaining. Commissioner Hulbert seconded the**
334 **motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted “aye.” The**
335 **motion carried.**
336

337 Mr. Parkinson commented he was just waiting to hear back from Engineering and acknowledged
338 there were some issues with dead ends in the parking lot and the flow of traffic. He explained to
339 Ms. Buckley that to table the item just meant they would reevaluate the request once they got
340 comments back from Engineering, and he said once he got comments from them he could pass
341 them along to her so she could begin to develop the site plan.
342

343 8. TO CONSIDER A REQUEST FOR SITE PLAN APPROVAL FOR NORTH STAR
344 BUILDINGS LOCATED AT APPROXIMATELY 3399 SOUTH 1900 WEST.
345

346 Applicant Alan Walker stated his address as 4496 W. 1560 N., and explained he was a general
347 contractor and his company did a wide range of projects. He gave background on the proposed
348 development, and explained they would use the existing building on the property for storage. He
349 clarified nothing would be permanently stored outside. He noted the current owner had not
350 followed the plan accordingly, and he said they had not closed or vinyled the building
351 appropriately. Mr. Walker stated his company was willing to take on the cost of completing the
352 structure in accordance with the site plan created by the City.
353

354 Mr. Walker also addressed the question about UDOT, and said he did not know how much access
355 they could have or what the frontage was. He expressed he was fine with 20 feet of landscaping
356 at the front, and noted this was what the current owner had as well. He said he did not have a
357 plan for landscaping or irrigation, and he asked if they could use fake plants that would not require
358 water. Mr. Walker explained there would not be parking in the first 20 feet, although he felt this
359 was counterproductive. He also commented there had been a question about a dumpster
360 enclosure, and he asked if he actually needed to have a dumpster on site since he could just take
361 trash to a dump site. He expressed he wanted to be a good neighbor.
362

363 Mr. Parkinson explained this was a site plan approval for an existing building located at 399 S.
364 1900. W, and gave an aerial view of the property. He noted it was a bit of a strange property, and
365 indicated it was located in the manufacturing zone of the City. He also commented some of the
366 property owners in that area, including the adjacent property to the one in question, had
367 historically done things without approval from the City.
368

369 Mr. Parkinson shared the original site plan, which he commented was hard to decipher. He
370 highlighted where the access road and 20 foot setback and landscaping were supposed to have
371 been located, although he said the landscaping and parking had never actually been installed.
372 He explained the City and the current landowner were going back and forth about the required
373 landscaping, and said the landowner was recalcitrant to install landscaping since the adjacent
374 landowner had not done proper landscaping. Mr. Parkinson said as long as the landowner could
375 install landscaping, the City was willing to work with him on a variety of options, including
376 xeriscaping.
377

378 Mr. Parkinson also expressed concern about having a commercial building without a dumpster,
379 although he said he and Staff did not think this was a huge issue. He summarized the applicant
380 had modified the initial site plan and adapted it to his needs, and he expressed he and Staff
381 recommended approval and did not think any of the challenges were insurmountable.
382

383 Mr. Parkinson explained the access to the property was through a frontage road off of 3500 which
384 was primarily for Hanson's. He explained not all of the road was in UDOT's right-of-way, so they

385 could only require 20 feet. He highlighted which parts of the road were UDOT's and which parts
386 were private property.

387
388 Vice Chair Felt commented on the curb, and Mr. Parkinson explained he had just taken what had
389 been approved. Mr. Parkinson elaborated this would be considered a change of use, and that
390 required a letter to UDOT since while it was not their road, it was their right-of-way.

391
392 **Commissioner Hulbert moved to approve the Site Plan approval for North Star Buildings**
393 **located at approximately 3399 South 1900 West with the conditions as stated in the staff**
394 **report. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Felt,**
395 **Hulbert, Sphar and Tanner voted "aye." The motion carried.**

396
397 9. COMMISSIONERS MINUTE

398
399 The Commissioners expressed Vice Chair Felt had done a great job filling in for Chairman Cowley
400 that evening.

401
402 10. STAFF UPDATE

403
404 Mr. Parkinson reported the ongoing projects they had were well on their way to completion. He
405 commented on the townhome project on 4300 W. 5500 S., and said six of the eight total buildings
406 installed, and some even had stucco completed on the outside.

407
408 11. ADJOURN

409
410 **Commissioner Sphar moved to adjourn at 7:28 p.m. Commissioner Tanner seconded the**
411 **motion. Commissioners Bills, Brand, Felt, Hulbert, Sphar and Tanner voted "aye". The**
412 **motion carried.**

413
414
415
416
417 _____
418 Jason Felt
419 Vice-Chair

420 dc: 07-11-23

49 concerns about safety, so he now wanted to move ahead with his initial application to get the
50 rezone done as soon as possible.

51
52 Cathy Auburn stated she lived at 5891 S. 3500 W. Roy, and agreed with Mr. Williams' and Mr.
53 Oliver's comments. She wanted to move the application forward.

54
55 City Planner Steve Parkinson restated the request to rezone the properties, and explained it had
56 just been three properties last month when this was first brought to the Planning Commission,
57 although since that time more people had expressed interest, so they had started a new
58 application entirely which had been properly noticed for the public hearing that evening.

59
60 Mr. Parkinson shared aerial photos and the future land use map, and noted this area was zoned
61 commercial on the future land use map. City Planner Parkinson noted the rezone request was in
62 line with the future land use map and General Plan, and stated he and Staff recommended
63 approval.

64
65 **Commissioner Tanner moved to open the public hearing. Commissioner Hulbert**
66 **seconded the motion. Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted "aye."**
67 **The motion carried.**

68
69 Vice Chair Felt opened the floor for public comments.

70
71 Byran Burnett, 4375 S. 2675 W., Roy, noted some townhomes had been built behind his property
72 which he thought were taller than what was permitted by the City. He acknowledged this had
73 been done by the City Council. He then complained he had brought this issue to the Planning
74 Commission several times previously, and he had been told by the Planning Commission the
75 zone behind his house was light industrial, although that was not true. He also complained a train
76 had also been put behind his home without a sound barrier. Mr. Burnett expressed that he hoped
77 he and his fellow applicants would be listened to this time. He then made some comments about
78 building heights in whatever developments could be proposed in the area once it was zoned
79 commercial, as well as concerns about increased traffic. He commented the amount of traffic
80 would vary wildly depending on what businesses moved into a development, so the Planning
81 Commission should be mindful of what tenants they attracted. He pointed out that as long as a
82 developer met the designations of the Planning Commission and Code requirements, the City
83 could not have control over what kind of businesses the developer picked for the site, so he
84 advocated for there to be more guidelines about the selection of tenants for developments in the
85 City.

86
87 Cindy Mecham, 5792 S. 3600 W., Roy, said her backyard would meet the new development. She
88 asked about what kinds of businesses would be coming in, and asked if there would be bright
89 lights coming into her home now from the commercial area. She also asked if there would be
90 another meeting after this and what the next steps in the process were.

91
92 No additional comments were made.

93
94 **Commissioner Hulbert moved to close the public hearing. Commissioner Sphar seconded**
95 **the motion. Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted "aye." The**
96 **motion carried.**

97 Mr. Parkinson commented that the City had gone to great lengths to protect residents from
98 commercial. He acknowledged the comments about light, noise, and traffic, and assured
99 residents that commercial developments were not permitted to flood residential backyards with
100 light and they were required by Code to put up fences.

101
102 Mr. Parkinson did not imagine the area would get any noisier than it currently was. He
103 acknowledged it was difficult to come in with a rezone request when they did not know what kind
104 of businesses were coming in, and explained since the area was not already zoned commercial
105 they had not yet received any proposals from developers for the area. He anticipated UDOT
106 would appreciate the area being zoned commercial since that would allow them to have just one
107 point of access and control the flow of traffic better.

108
109 Mr. Parkinson discussed the kind of stores which were considered community commercial,
110 including hair salons, restaurants, mom and pop shops, and even things such as dentist offices.
111 He conceded there would be a bit more noise and traffic during the day, but it would not be
112 exorbitant. He next discussed that for the community commercial zone, building heights would
113 be capped at 40 feet, and he noted few businesses used pitched roofs for their buildings. He
114 stated setbacks would be 25 feet.

115
116 Mr. Parkinson explained if the Planning Commission recommended approval that evening, the
117 application would move on to the City Council, although he anticipated it might get pushed back
118 to the September meeting as the Council was busy preparing for Roy Days.

119
120 Commissioner Brand announced 3500 was going to be widened into a State Highway, and he
121 emphasized the Planning Commission had no control over that, and due to the widening the traffic
122 would increase regardless, so he considered complaints about traffic a non-starter as far as
123 opposition to the rezone was concerned. He then discussed how they had hired many consultants
124 and held several open meetings in regard to the decision to rezone the area to community
125 commercial, and said they had taken a lot of information in. He firmly stated the rezone was a
126 well-thought out plan, and felt the rezone was the best thing for the growth of Roy City. He said
127 the applicants there that evening were taking advantage of that change.

128
129 **Commissioner Brand moved to recommend to the City Council that they approve the**
130 **Rezone request. Commissioner Sphar seconded the motion. Commissioners Brand, Felt,**
131 **Hulbert, Sphar and Tanner voted “aye,” The motion carried.**

132
133 6. CONSIDER A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL FOR
134 JACKSON C-STORE LOCATED AT APPROXIMATELY 4805 SOUTH 1900 WEST

135
136 Matthew Anderson introduced himself and explained he would be representing the applicant that
137 evening. He detailed the site plan and said there was a car wash and small store. He explained
138 that currently on the property, there was an automatic car wash as well as two self-serve bays,
139 but they planned to demolish the self-serve bays in order to improve the flow of traffic. He
140 elaborated that the self-serve bays were too close to the drive-through window on the back of the
141 store, so it would aid the circulation of traffic if the self-serve bays were removed and turned into
142 an asphalt lot.

143

144 Mr. Parkinson oriented the Planning Commission as to the site of the car wash, and noted it was
145 a staple business in that part of town. He explained the drive-through window was very popular
146 and had high volume and said there was a chokehold on traffic in the area between the self-serve
147 bay and the window. He clarified there would be no significant change to the property beyond
148 the removal of the self-serve bays. Mr. Parkinson commended the applicant for understanding
149 the flow of traffic so well and for making a change which would be conducive to their business as
150 well as traffic, and he recommended approval.

151
152 **Commissioner Tanner moved to approve the Site Plan review for Jackson C-Store with the**
153 **conditions as stated in the staff report. Commissioner Spahr seconded the motion.**
154 **Commissioners Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The motion carried.**

155
156 **Commissioner Brand moved to approve the Architectural review for Jackson C-Store with**
157 **the conditions as stated in the staff report. Commissioner Spahr seconded the motion.**
158 **Commissioners Brand, Felt, Hulbert, Spahr and Tanner voted “aye.” The motion carried.**

159
160 7. CONSIDER A REQUEST FOR CONDITIONAL USE FOR OUTDOOR SALES WITH SITE
161 PLAN APPROVAL OF A FOOD TRUCK AREA FOR SACCO'S FARM LOCATED AT
162 APPROXIMATELY 6050 SOUTH 1900 WEST

163
164 Brandy Fowers introduced herself as the applicant and gave an overview of the request. She
165 stated the food truck area was part of the extended business plan for Saccos, and discussed how
166 they had spent the last year and a half getting Sacco's ready and they now wanted to turn Sacco's
167 into an outdoor space. She explained they wanted a semi-permanent food truck in which people
168 could come learn how to prepare and cook the food that was grown on the farm. She elaborated
169 they wanted people to be able to sample their popular items, namely bacon bombs. She thought
170 this would really embody their farm-to-table brand. Ms. Fowers also expressed it was important
171 to her that they did this safely, and clarified she wanted the food truck to have a clean, commercial
172 kitchen.

173
174 Ms. Fowers elaborated it would be considered “semi” permanent since one of the trucks would
175 be hers, but she also wanted to allow for other food trucks to come in and out of the area. She
176 imagined there would be days they could not cook, so they could bring in taco trucks or other
177 trucks so there would still be food. She noted that currently, the space was just a parking lot for
178 her neighbors. She highlighted several features of the plan, including picnic tables and green
179 space. She noted they would re-asphalt as well so it was clear where people could park.

180
181 Commissioner Hulbert asked about parking, and Ms. Fowers said they would only have their
182 existing parking lot. Ms. Fowers indicated on the map where parking was located, and said the
183 parking lot did have the capacity to accommodate two food trucks. She explained she had not
184 wanted to asphalt the lot, which was currently compacted dirt, until she knew what she was going
185 to do with the property.

186
187 Ms. Fowers talked about the importance of her farm and the ability to do true farm-to-table, as
188 well as some of the challenges she had faced in the process of getting Sacco's up and running.

189
190 Commissioner Spahr recalled the last time Ms. Fowers had come before the Planning
191 Commission and said he had been very impressed with her presentation. He also commented

192 he had been to her store several times and thought it was very well done. Ms. Fowers spoke
193 about how Sacco's was very important to her, in part because she had taken out a lot of loans to
194 invest in the space, but also because the farm was her family's future and she thought farm
195 education was very important. Ms. Fowers expressed how she thought it was wonderful to be
196 able to teach people how to farm in whatever setting they were in, even if they did not have a lot
197 of acreage.

198
199 Ms. Fowers commented the building had been recently redone after the roof had collapsed. She
200 said the reason farm-to-table places worked were because people were able to taste, feel, and
201 touch the produce and products they were buying, and she thought adding a food truck would
202 allow people to do that at Sacco's.

203
204 Mr. Parkinson said the extension of the green area was the only unapproved portion, and he said
205 the extension should alleviate some issues with parking. He clarified Ms. Fowers was not
206 changing anything to the south. He said the changes would be on the north end of the property
207 as the shed and dumpster would move in order to accommodate more parking. Mr. Parkinson
208 said Staff recommended approval, although he noted it was a conditional use permit since
209 everything was supposed to be inside the building. He also noted Ms. Power's plan was aligned
210 with the City's food truck ordinance.

211
212 Ms. Fowers explained from a financial standpoint, she preferred to do food trucks rather than
213 extend the actual kitchen because she could sell the food truck if she had to. She said she had
214 looked at other options, and thought the food truck was the most in-line with her business plan.

215
216 **Commissioner Tanner moved to approve the Conditional Use for Sacco's for Outdoor**
217 **Sales (Food Trucks) with the conditions as stated in the staff report. Commissioner Sphar**
218 **seconded the motion. Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted "aye."**
219 **The motion carried.**

220
221 **Commissioner Sphar moved to approve the Site Plan review for Sacco's with the**
222 **conditions as stated in the staff report. Commissioner Hulbert seconded the motion.**
223 **Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted "aye." The motion carried.**
224

225 8. COMMISSIONERS MINUTE

226
227 No comments were made.

228
229 9. STAFF UPDATE

230
231 Mr. Parkinson apologized for an error about a packet and issues about some people not receiving
232 Outlook emails, and explained he had been attempting to update their Outlook accounts in order
233 to comply with State statutes about Microsoft Office. He explained any issues would be rectified.

234
235 10. ADJOURN

236
237 **Commissioner Tanner moved to adjourn at 6:52 p.m. Commissioner Sphar seconded the**
238 **motion. Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted "aye". The motion**
239 **carried.**

240
241
242
243
244
245
246
247

dc: 08-08-23

Jason Felt
Vice-Chair