

Chair

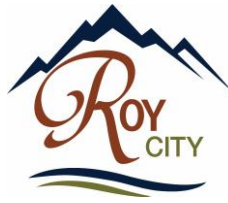
- Ryan Cowley

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





ROY CITY
Planning Commission Regular meeting
June 13, 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	Ryan Cowley, Chair	Steve Parkinson, City Planner
8	Samantha Bills	Matt Wilson, City Attorney
9	Torris Brand	
10	Janel Hulbert	
11	Claude Payne	
12	Jason Sphar	
13	Daniel Tanner	

14
15 Excused: Commissioners Chris Collins and Jason Felt

16
17 Others in attendance: Kevin Homer, Glenda Moore, Pete Brent, Nora Brent, Aaron Davis, and
18 Robert Fuller

19
20 Pledge of Allegiance: Commissioner Payne

21
22 1. DECLARATIONS OF CONFLICT

23
24 There were none.

25
26 **Special presentation**

27
28 Mayor Dandoy thanked the Planning Commission for the opportunity to acknowledged
29 Commissioner Payne. Mayor Dandoy recalled when he began as a City Councilmember, there
30 had been many issues with pointing blame for problems at City staff members, even when it was
31 not their fault. He recalled at one point, they changed City Managers five times in five years, and
32 it even became difficult to hire for the position at all because they had garnered such a poor
33 reputation of holding City Managers accountable for things beyond their control. Mayor Dandoy
34 explained the issue at the time was not the staff, but rather their antiquated, outdated Code. He
35 said they had not had a General Plan and their Code was in great need of updating and
36 modernization. He discussed the Code inhibited them from fulfilling many of their plans.

37
38 Mayor Dandoy commended Commissioner for calling the problems with their Code to the City's
39 attention, and for his work in updating the Code and General Plan in a way that enticed developers
40 to come to Roy City. Mayor Dandoy opined Roy City was a better place because of Commissioner
41 Payne's contributions, and he expressed the rule that after nine years a commissioner had to step
42 down was outdated. Mayor Dandoy bestowed a Mayor's coin upon Commissioner Payne.

43
44 Mr. Parkinson also spoke highly of Commissioner Payne's experience, and thanked him for his
45 work on the Planning Commission and also presented a plaque thanking him for his years of
46 service.

2. APPROVAL OF THE APRIL 11, 2023 REGULAR MINUTES

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

3. APPROVAL OF THE MAY 9, 2023 REGULAR MINUTES

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

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

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

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

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

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

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

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

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

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

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

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

No additional comments were made.

Commissioner Hulbert moved to close the public hearing. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Cowley, Hulbert, Payne, Sphar and Tanner voted "aye." The motion carried.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. COMMISSIONERS MINUTE

Chairman Cowley expressed appreciation for Commissioner Payne.

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

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

9. STAFF UPDATE

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

10. ADJOURN

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

Ryan Cowley
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

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

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

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

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

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

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

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

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

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

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

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

Chairman Cowley clarified the intent of the structures was storage of the business's own goods.

There was a brief discussion in which it was clarified what kinds of businesses and properties were allowed to build a storage structure, as long as they had the room for one.

Commissioner Hulbert summarized it primarily was stores and service businesses which would be permitted to have structures.

Mr. Parkinson stated it was less important what the use of the building was; the main thing was the way the storage structure interacted with the overall aesthetic of the property and the street.

Commissioner Payne thought 50 feet was the most reasonable thing to do.

Commissioner Hulbert thought they should try to accommodate the growth of businesses as best as possible.

Commissioner Spahr expressed he was okay with going down to 25 feet, as long as it was from the back of the property.

Mr. Parkinson noted in most cases, buildings built new would accommodate space for storage structures, and so whatever standard the Commission set would primarily impact businesses who had to retrofit a storage structure on their property.

Chairman Cowley pointed out new buildings could also just be built in a way which had more storage space inside the main building.

Chairman Cowley wondered if it was worth it to sacrifice potential future commercial space for the sake of adding these storage structures. Commissioner Payne thought they should vote on it.

Commissioner Tanner pointed out they were creating policies which attracted certain kinds of businesses and said in the areas in which old buildings were demolished he would rather build new commercial areas instead of building storage spaces for existing businesses.

Mr. Parkinson pointed out they were not necessarily zoned to add more commercial buildings in some of the areas they were considering allowing storage structures.

Commissioners Hulbert and Payne expressed they were in favor of 25 rather than 50 feet behind the primary structure.

Commissioner Tanner clarified they could pick any number they wanted; it did not have to be 25 or 50.

Commissioner Hulbert said she liked 25 feet since she thought it gave businesses more options.

Chairman Cowley said he was not worried about the properties that were already there since he thought they could be accommodated, but he did want to incentivize future businesses to come in that were more future-thinking and would be able to grow bigger. Chairman Cowley stated he was more in favor of 50 feet, and Commissioner Tanner agreed with this.

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

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

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

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

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

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

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

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

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

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

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

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

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

4. COMMISSIONERS MINUTE

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

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

5. STAFF UPDATE

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

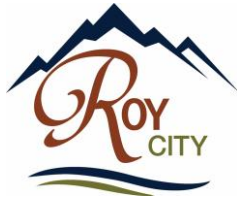
Commissioner Bills asked if the project on 4000 and 1900 was being done by the City or UDOT, to which Mr. Parkinson replied it was being done by UDOT. The Commissioners quickly discussed this project and debated what the best option for that intersection was.

6. ADJOURN

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

Ryan Cowley
Chair

dc: 06-27-23



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

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

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

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

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

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

Vice Chair Felt opened the floor for public comments.

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

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

Larry Thomas of 5838 S. 3500 W., Roy said he had moved there 16 years ago, and said they had about three or four accidents in front of his house every month. He complained the street was not wide enough, and said he had even been in accidents in front of his home. He stated the drainage there was also bad, and advocated for better curb, gutter, and sidewalks on the streets 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

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

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

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

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

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

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

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

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

Vice-Chair Felt opened the floor for public comments.

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

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

No additional comments were made.

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

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

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

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

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

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

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

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

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

Vice-Chair Felt opened the floor for public comments.

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

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

No additional comments were made.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. COMMISSIONERS MINUTE

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

10. STAFF UPDATE

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

11. ADJOURN

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

Jason Felt
Vice-Chair

dc: 07-11-23



ROY CITY
Planning Commission Regular meeting
August 8, 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 Torris Brand
9 Janel Hulbert
10 Jason Sphar
11 Daniel Tanner

12
13 Excused: Commissioners Samantha Bills, Chris Collins, Ryan Cowley and City Attorney Matt
14 Wilson.

15
16 Others in attendance: Tim Oliver, Kathy Opperman, Bruce Preece, Victoria Preece, Jim Williams,
17 Catherine Williams, Brandy Fowers, Russ Fowers, Cambria Hulbert, Bryan Burnett, Cindy
18 Mecham, Matthew Anderson, Kelly Bingham, Linda Bingham, Rachel Carrion, Jordan Day and
19 Matt West.

20
21 Pledge of Allegiance: Commissioner Tanner

22
23 1. DECLARATIONS OF CONFLICT

24
25 None

26
27 2. APPROVAL OF THE JUNE 13, 2023, REGULAR MINUTES

28 3. APPROVAL OF THE JUNE 27, 2023, WORK-SESSION MINUTES

29 4. APPROVAL OF THE JULY 11, 2023, REGULAR MINUTES

30
31 **Commissioner Hulbert moved to table the June 13, 2023, regular meeting minutes, the**
32 **June 27, 2023, work-session minutes and the July 11, 2023, regular meeting minutes due**
33 **to not being able to review them. Commissioner Tanner seconded the motion.**
34 **Commissioners Brand, Felt, Hulbert, Sphar and Tanner voted “aye.” The motion carried.**

35
36 5. PUBLIC HEARING – TO CONSIDER AMENDING THE ZONING MAP FROM RE-20
37 (RESIDENTIAL ESTATES) TO CC (COMMUNITY COMMERCIAL) FOR PROPERTIES
38 LOCATED AT APPROXIMATELY 5809 SO., 5823 SO., 5839 SO., 5859 SO., 5867 SO.,
39 5891 SO., 3500 WE.

40
41 Tim Oliver of 5859 S. 3500 W. Roy City indicated he was one of the applicants for this project.
42 He said since the last time they had come before the Planning Commission, three more property
43 owners had expressed interest in joining this application to rezone.

44
45 Jim Williams of 5867 S. 3500 W. Roy also introduced himself as an applicant and discussed how
46 he and Mr. Oliver had realized there were several other people who wished to get involved in the
47 application after their original Planning Commission public hearing, so they had chosen to table
48 their original application and have everyone do the application together. However, he had

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

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

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

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

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

Vice Chair Felt opened the floor for public comments.

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

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

No additional comments were made.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. COMMISSIONERS MINUTE

No comments were made.

9. STAFF UPDATE

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

10. ADJOURN

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

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dc: 08-08-23

Jason Felt
Vice-Chair



STAFF REPORT

Planning Commission

September 12, 2023

Agenda Item #3

SYNOPSIS

Application Information

Applicant: Cindi Buckley
Request: Continuation of a request for Site Plan approval of an outdoor playground for Kool Kidz Childcare Center
Address: Approximately 1845 West 4000 South

Land Use Information

Current Zoning: CC: Community Commercial
Adjacent Zoning: North: BP: Business Park South: CC: Community Commercial
East: CC: Community Commercial West: CC: Community Commercial

Staff

Report By: Steve Parkinson
Recommendation: Approval with conditions.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 14 – Permitted Uses
- Roy City Zoning Ordinance Title 10, Chapter 19 – Off-Street Parking and Loading

ANALYSIS

Last Meeting:

The Commission tabled this item during the July 11, 2023 meeting. The applicant has made several changes to their proposed site plan, and is ready to proceed forward with approval.

Project Overview:

The property is on the West side of 1900 West, facing towards the Ogden Airport on the south side of 4400 South. (Exhibit "A")

Staff Review & Comments:

Elevations: The building already exists and there are no proposed changes to the exterior of the building.

Site Plan: There are a few issues with the site plan, from a Planning & Zoning standpoint these aren't large items that the site couldn't meet the ordinance after some minor modifications. (see exhibit "B")

Landscaping: Some of the existing turf is being proposed to be within the playground area. The removal of the turf itself is fine, it is the unknown of what will take its place.

Summary: The proposed site can for the most part meet all of the minimum requirements of the code. There are still a department or two that haven't provided their comments, however the Planning portion of the DRC Memo can be found in exhibit "C".

The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.

CONDITIONS FOR APPROVAL

1. Compliance to the requirements and recommendations within this report.
2. Compliance to all requirements as discussed in this meeting



FINDINGS

1. The proposed site plan can meet all of the requirements of the Zoning Ordinance.
2. The proposed building elevations can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can Approve, Approve with conditions, or Table.

RECOMMENDATION

Staff recommends approving the Site Plan review with the conditions that all current and future DRC review comments are complied with along with any conditions as stated in the Staff report or during this Planning Commission meeting.

EXHIBITS

- A. Aerial Map
- B. Proposed Site Plan
- C. DRC Review Memo

EXHIBIT "A" – AERIAL



EXHIBIT “B” – PROPOSED SITE PLAN





Date: 5 September 2023

To: Cindi Buckley

From: Steve Parkinson – Planning & Zoning Administrator
Wasatch Civil – City Engineer
James Weston – Fire Marshall
Gaile Supp – Building Official
Ross Oliver – Public Works Director

Subject: Kool Kidz Children Center Site Plan – 1845 W 4400 S – plans submitted August 3, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Engineering –

A. Traffic and Access

- I. Previous concerns have been resolved by moving the west play area out of the parking lot.

B. Grading

- I. An engineering design is needed for the retaining wall. It appears to be over four feet in height.

C. Water Quality Report

- I. Water Quality Report / LID – A water quality report and LID design are not required because the site is less than 1 acre.
2. Other – Construction activities will require a Roy City Land Disturbance Permit and acceptable erosion control measures.

Building – (Listed below are comments for the site plan as it relates to the IBC and/or IRC.)

- I. All previous comments have been satisfied
2. How tall will the retaining wall be along the walking bridge, to make the area level? Please provide details.

Fire – (Listed below are comments for the site plan as it relates to fire protection and the IFC.)

- I. No comments at this time

Public Works -

A. Street Division

- I. No comment.

B. Sewer & Water System

- I. No comment.

C. Storm Water (all items must be turned in before work begins)

- I. The Roy City Storm Water Land Disturbance Permit will need to be filled out and approved prior to any work beginning.



Planning –

A. Site Design Standards

1. The Western playground area, with it being sloped:
 - a. Where will the play equipment be located?
 - b. Where will the proposed shade device be located? What is the overall height and size?
 - c. What are your plans for under the walkway?
 - i. Will the grassy area be leveled off with the bridge walkway? If so, provide details on the retaining wall.
 - ii. If to remain sloped, What will be installed to keep the children from going under the walking bridge and play in an area not part of your approved play area?
2. The Eastern playground area
 - a. Where will the play equipment be located?
 - b. Where will the proposed shade device be located? What is the overall height and size?



STAFF REPORT

Planning Commission

September 12, 2023

Agenda Item # 4

SYNOPSIS

Application Information

Applicant: Troy Benson
Request: Request for Conditional Use and Site Plan approval for a Cell Tower
Address: Approximately 2977 West 5200 South

Land Use Information

Current Zoning: R; Recreational
Adjacent Zoning: North: R-1-8: Single-Family Residential South: R; Recreational
East: R-3: Multi-Family Residential West: R-1-8: Single-Family Residential

Staff

Report By: Steve Parkinson
Recommendation: Recommends approval with conditions.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
 - 10-10-24 - Table 10-1 – Minimum Lot and Setback Requirements ...
- Roy City Zoning Ordinance Title 10, Chapter 15 – Permitted Uses
 - 10-15-8 – Additional Site and Building Design Standards
 - 10-15-9 – Findings and Conditions
- Roy City Zoning Ordinance Title 10, Chapter 17 – Table of Uses
 - 10-17-1 - Table 17-1 – Table of Allowed Uses – Non-Residential Zoning Districts

ANALYSIS

Background:

The applicant is looking for approval for a Cell Tower which is a Conditional Use within the “R” zone. The proposed site is 0.021 acres (924 sq.-ft.) in total (see exhibit “D”). This originally was brought before the Planning Commission on February 8, 2022, with a location west of the Aquatic Center and just off of 5200 South, the Commission approved the Site, but when they went to the City Council to approve the lease agreement the Council requested that the site be moved into the parking lot.

Site Plan: The project will be on the southern end of the Aquatic Center’s parking lot. (see Exhibit “A”). There are a few issues with the site plan but it can meet Roy City’s requirements. These aren’t large items that it couldn’t meet the ordinance after some minor modifications.

Elevations: The Cell tower is proposed to be 100 feet tall with a six foot lighting rod atop of it. There will also be a canopy which will cover generators along with other minor equipment.

Summary: The DRC’s review can be viewed in Exhibit “E”.

According to Chapter 15 of the Zoning Code, The Commission shall approve a Conditional Use:

- 1) If reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
- 2) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. (§10-9a et. seq. U.C.A., as amended)



The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.

CONDITIONS FOR APPROVAL

1. A signed and approved contract from the City Council
2. Compliance to the requirements and recommendations of the DRC.
3. Compliance to all requirements as discussed in this meeting

FINDINGS

1. The proposed site plan can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval, Approval with conditions, Table or Deny.

RECOMMENDATION

Staff recommends approving both the Conditional Use and the Site Plan with the conditions that all current and future DRC review comments are complied with along with any conditions as stated in the Staff report or during this Planning Commission meeting.

EXHIBITS

- A. Aerial Map
- B. Zoning Map
- C. Proposed Site Plans
- D. Proposed Tower Elevations
- E. DRC Review Memo

EXHIBIT “A” – AERIAL

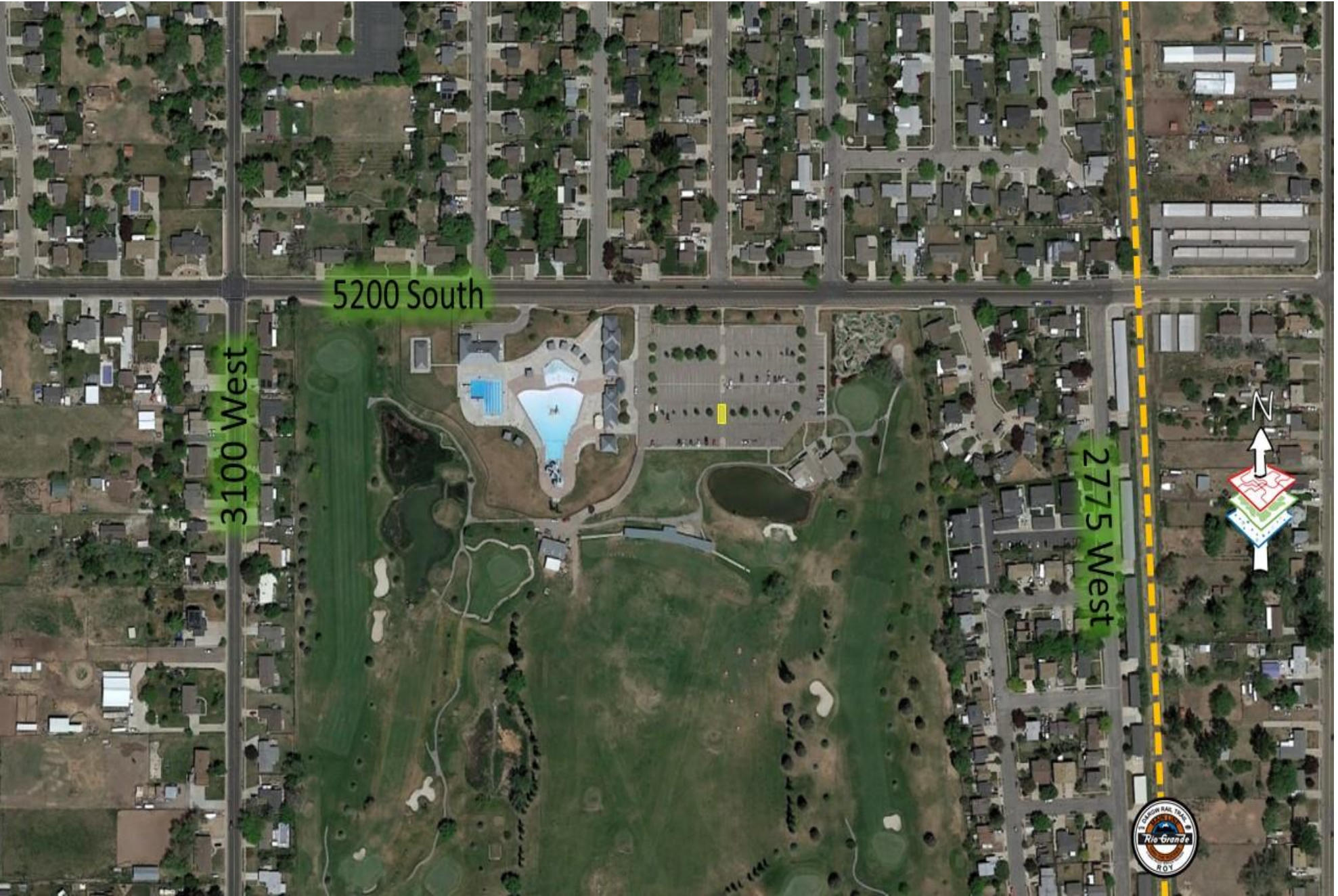


EXHIBIT "B" – ZONING MAP



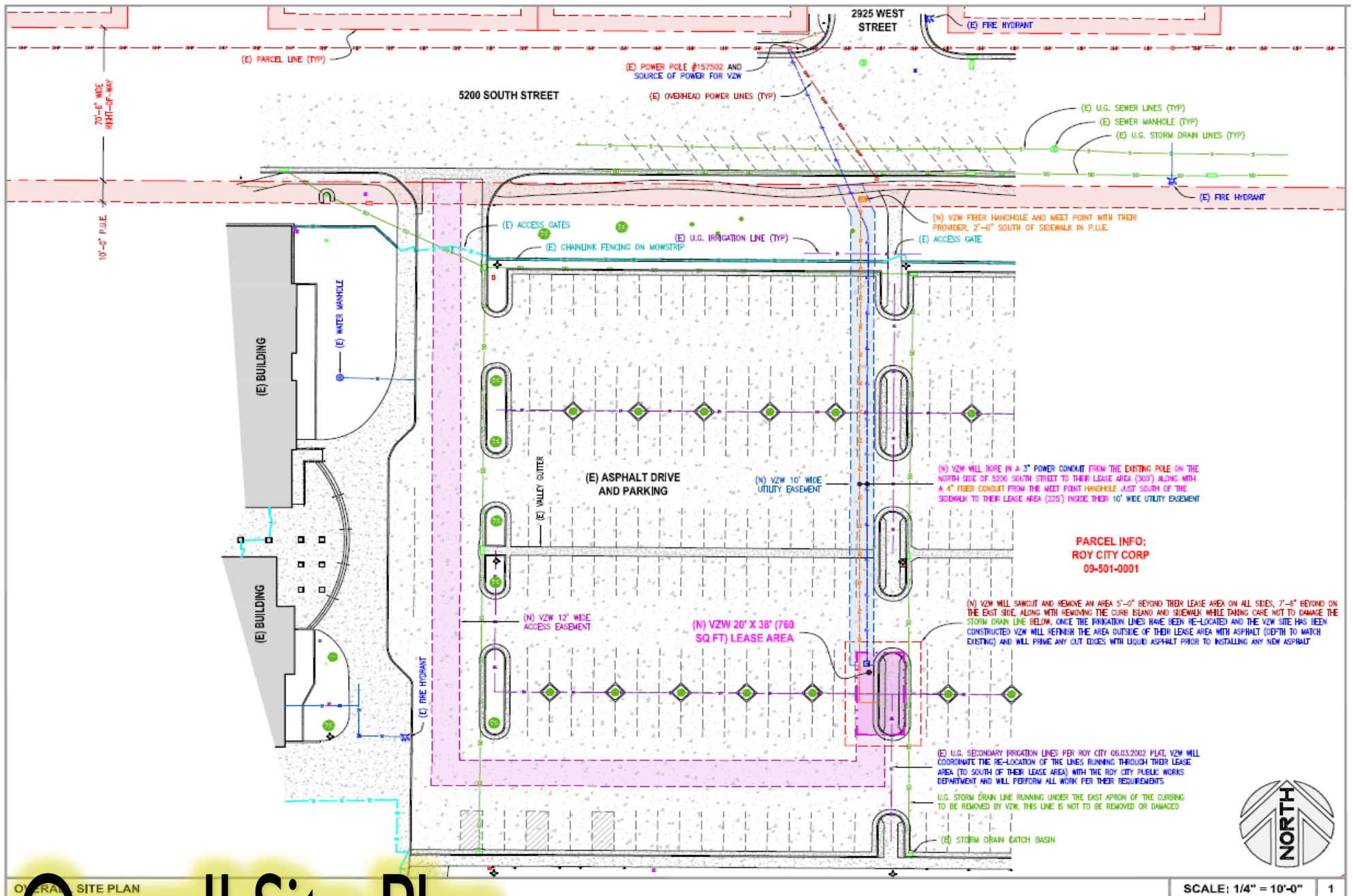
Legend

	City Boundary		DT-E		CC		R-1-6		Parcels
	DT-W		M		R-1-7		R/O		RMH-1
	DT-G		LM		R-1-8		D&RG Trail		I-15
	S-C		R		R-1-10		Railroad		
	S-N		R-2		R-1-15				
	S-S		R-3		RE-15				
	BP		R-4		RE-20				

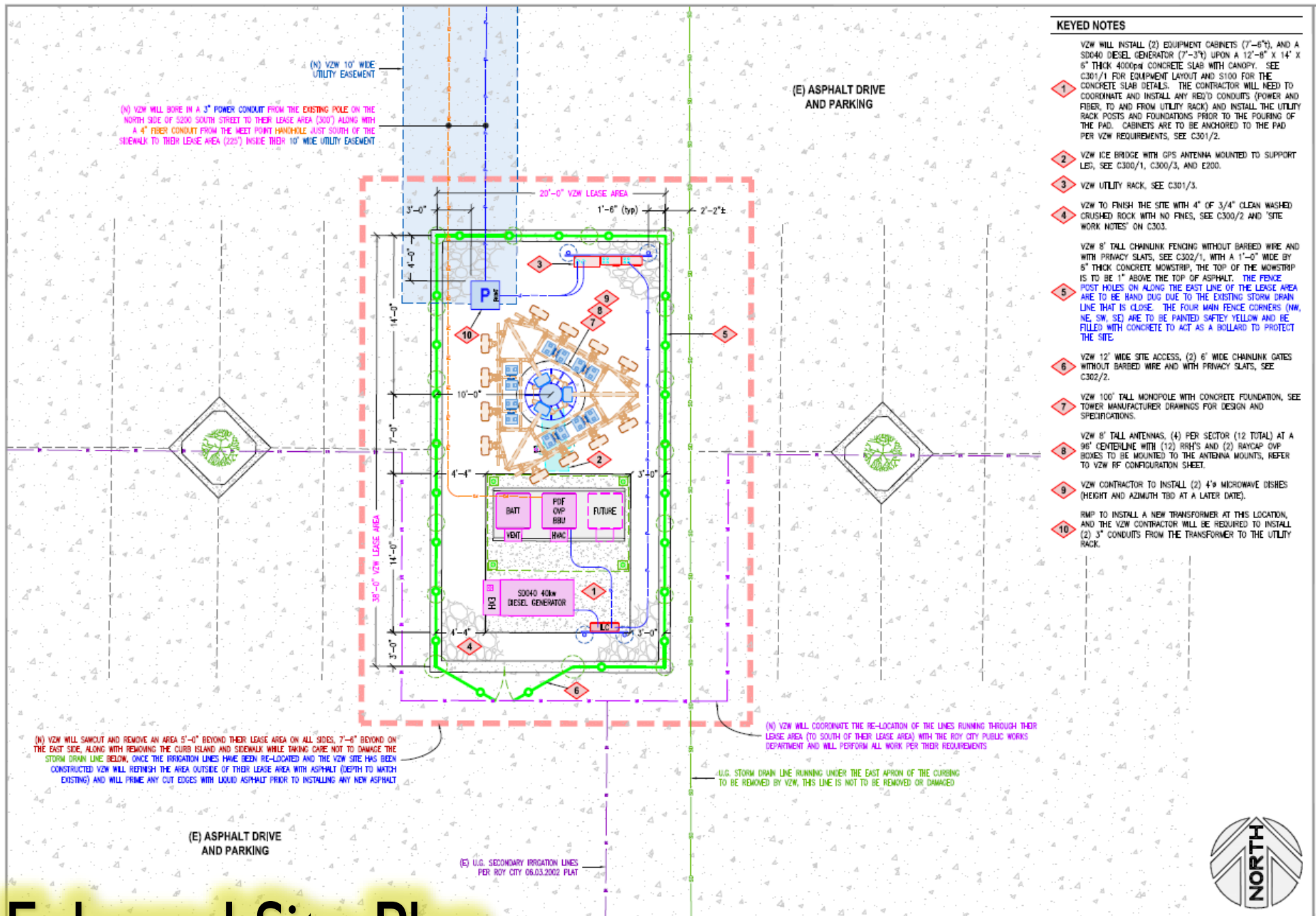
Zoning
Map



EXHIBIT "C" – PROPOSED SITE PLAN



Overall Site Plan

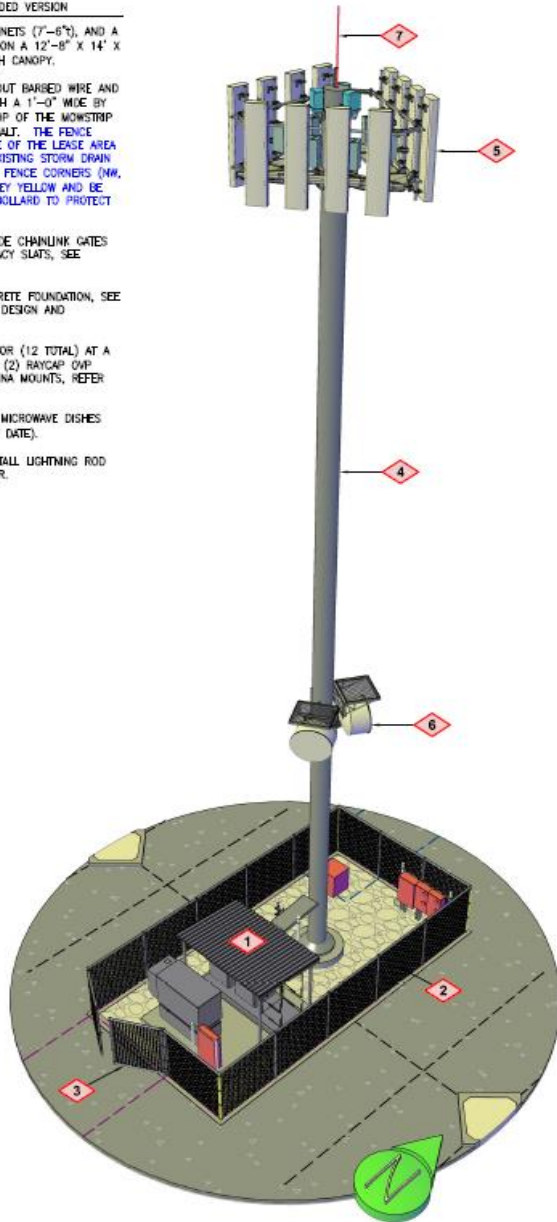


Enlarged Site Plan

EXHIBIT "D" – PROPOSED ELEVATIONS

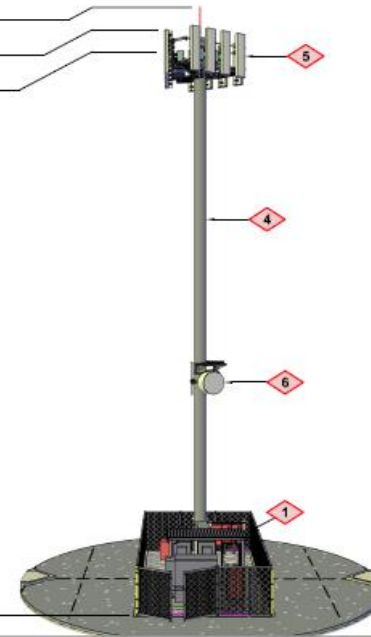
KEYED NOTES – SEE C101 FOR EXPANDED VERSION

- 1 VZW WILL INSTALL (2) EQUIPMENT CABINETS (7'-6"), AND A SD040 DIESEL GENERATOR (7'-3") UPON A 12'-0" X 14' X 6" THICK 4000psi CONCRETE SLAB WITH CANOPY.
- 2 VZW 8' TALL CHAINLINK FENCING WITHOUT BARBED WIRE AND WITH PRIVACY SLATS, SEE C302/1, WITH A 1'-0" WIDE BY 6" THICK CONCRETE MOWSTRIP, THE TOP OF THE MOWSTRIP IS TO BE 1" ABOVE THE TOP OF ASPHALT. THE FENCE POST HOLES ON ALONG THE EAST LINE OF THE LEASE AREA ARE TO BE HAND DUG DUE TO THE EXISTING STORM DRAIN LINE THAT IS CLOSE. THE FOUR MAIN FENCE CORNERS (NW, NE, SW, SE) ARE TO BE PAINTED SAFETY YELLOW AND BE FILLED WITH CONCRETE TO ACT AS A BOLLARD TO PROTECT THE SITE.
- 3 VZW 12' WIDE SITE ACCESS, (2) 6' WIDE CHAINLINK GATES WITHOUT BARBED WIRE AND WITH PRIVACY SLATS, SEE C302/2.
- 4 VZW 100' TALL MONOPOLE WITH CONCRETE FOUNDATION, SEE TOWER MANUFACTURER DRAWINGS FOR DESIGN AND SPECIFICATIONS.
- 5 VZW 6' TALL ANTENNAS, (4) PER SECTOR (12 TOTAL) AT A 96' CENTERLINE WITH (12) RH'S AND (2) RAYCAP OVP BOXES TO BE MOUNTED TO THE ANTENNA MOUNTS, REFER TO VZW RF CONFIGURATION SHEET.
- 6 VZW CONTRACTOR TO INSTALL (2) 4'x MICROWAVE DISHES (HEIGHT AND AZIMUTH TBD AT A LATER DATE).
- 7 VZW CONTRACTOR TO INSTALL THE 6' TALL LIGHTNING ROD AS SUPPLIED BY TOWER MANUFACTURER.



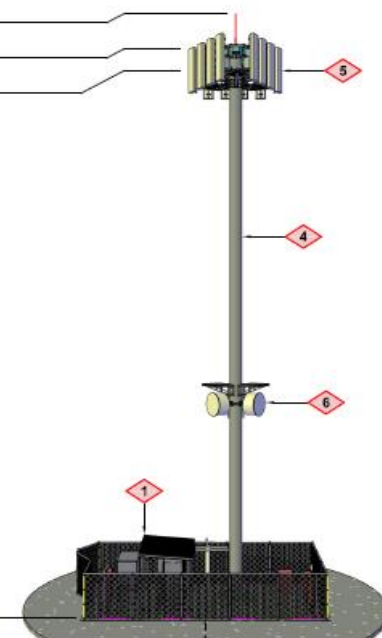
SITE ELEVATION
NORTHWEST VIEW

TOP OF LIGHTNING ROD AND
OVERALL HEIGHT IS 106'-0"
TOP OF MONOPOLE AND
ANTENNAS IS 100'-0"
CENTERLINE OF VZW
ANTENNAS IS 96'-0"



SITE ELEVATION
LOOKING NORTH

TOP OF LIGHTNING ROD AND
OVERALL HEIGHT IS 106'-0"
TOP OF MONOPOLE AND
ANTENNAS IS 100'-0"
CENTERLINE OF VZW
ANTENNAS IS 96'-0"



SITE ELEVATION
LOOKING WEST



EXHIBIT "E" – DRC REVIEW MEMO

MEMO

Date: 6 September 2023

To: Troy Benson
Joel Hartman; TAEC

From: Steve Parkinson – Planning & Zoning Administrator
Wasatch Civil – City Engineer
Mike King – Deputy Fire Chief
Gaile Supp – Building Official
Armando Perez – Police Liaison
Ross Oliver – Public Works Director
Matt Wilson – City Attorney
Michelle Howard – Parks % Recreation Director

Subject: Verizon Cell Tower – 2977 We. 5200 So. – plans submitted August 2, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Engineering –**A. Utilities**

1. The location for the tower is at the designed pedestrian path through the parking lot. We recommend that two of the parking spaces next to the tower be striped to prevent parking and to allow a continuous corridor for pedestrian travel.

B. Storm Drainage and Drainage

1. We recommend that the storm drain that is located adjacent to the tower location be video-inspected following construction.
2. The proposed location appears to be near a high point, and no drainage impacts are anticipated.

C. Utilities

1. The proposed structure does not appear to impact the existing site drainage pattern.

D. Water Quality Report

1. Water Quality Report / LID – A water quality report and LID design are not required because the site is less than 1 acre.
2. Erosion Control Plan – Construction activities will require a Roy City Land Disturbance Permit and acceptable erosion control measures before beginning construction.

Building – (All comments below are Site Plan Review only)

1. A Geotechnical investigation will need to be performed on the development site. A copy of the report shall be provided to Roy City and to the engineer of record for the project and incorporated into the structural design of the building. A copy of the geotechnical report shall be submitted to Roy City for review prior to submitting of a building permit.
2. Please move the site off the accessible pathway.

Fire – (All comments below are Site Plan Review only)

Listed below are comments for the site plan as it relates to fire protection and the IFC.

1. No additional comments



Public Works -

- A. Street Division
 - 1. No comments
- B. Sewer & Water Division
 - 1. No comments
- C. Storm Water (all items must be turned in before work begins)
 - 1. Roy City Land Disturbance Permit will need to be filled out and approved before work can begin.
 - 2. Site plan with BMP's

Parks & Recreation -

- 1. The area for the cell tower is currently designated as part of a pedestrian sidewalk and "crosswalk" area in the parking lot. The cell tower placement would essentially block/stop that walkway. Perhaps move it west so that the pathway continues.
- 2. With the cell tower in the middle of the parking lot, it's likely to get damaged by vehicles running into it, what is the responsibility (and response time) in the event it needs repairs.
- 3. How will they access the tower when the parking lot gates are closed and locked for any needed maintenance?

Police -

- 1. No comments

Planning -

- 1. Need to either move the proposed site west so it is out of the island OR remove the entire walkway leading from 5200 South.
- 2. No barbed-wire allowed atop of the fence.
- 3. Sheet C101 reference two other sheets (C300/2 & C303) which weren't provided at this time. What is it referencing?
- 4. What color will the privacy slats be?



STAFF REPORT

Planning Commission

September 12, 2023

Agenda Item # 5

SYNOPSIS

Application Information

Applicant: Chase Andrizzi, DAI Utah
Request: Request for Site Plan approval of an addition for RailRunner
Address: Approximately 2449 West 4000 South

Land Use Information

Current Zoning: S-S: Station-South
Adjacent Zoning: North: S-S: Station-South South: R-3; Multi-Family Residential
East: R-1-8; Single-Family Residential West: R-1-8; Single-Family Residential

Staff

Report By: Steve Parkinson
Recommendation: Recommends approval with conditions.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 13 – Mixed Use

ANALYSIS

Project Overview:

This property vacant and is between 4000 South to the North, West Park Subdivision to the South, D&RG Trail to the West and the Union Pacific Railroad to the East. (Exhibit “A”) The property is approximately 16.38 acres (713,512.8 sq.-ft.) in lot area.

This originally came before the Planning Commission just over a year ago on June 14, 2022. The original developers have sold the rights to DAI Utah and they have modified the overall layout. The overall project will have three (3) phases, phase 1 & 2 are being developed first with phase 3 to come at a later date.

Staff Review & Comments:

Parking: It appears that each unit will have a 2-Car garage, which meets the minimum number of stalls for 3-bedroom units. The site also has 117 additional parking spaces for visitors as well 113 units have driveways long enough for additional visitor parking. The project has more parking than required.

Site Plan: There are several issues with the site plan that once corrected might change the site plan itself, but on a holistic view those changes won't change the concept or overall development.

Elevations: No elevations have been provided for staff to review.

Summary: The proposed site can for the most part meet all of the minimum requirements of the code. For your information the Planning portion of the DRC memo can be found in Exhibit “C”.

The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.

CONDITIONS FOR APPROVAL

- Compliance to the requirements and recommendations within this report.
- Compliance to all requirements as discussed in this meeting



FINDINGS

1. The proposed site plan can meet all of the requirements of the Zoning Ordinance.
2. The proposed building elevations can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval, Approval with conditions, Table or Deny.

RECOMMENDATION

Staff recommends approving the Site Plan review with the conditions that all current and future DRC review comments are complied with along with any conditions as stated in the Staff report or during this Planning Commission meeting.

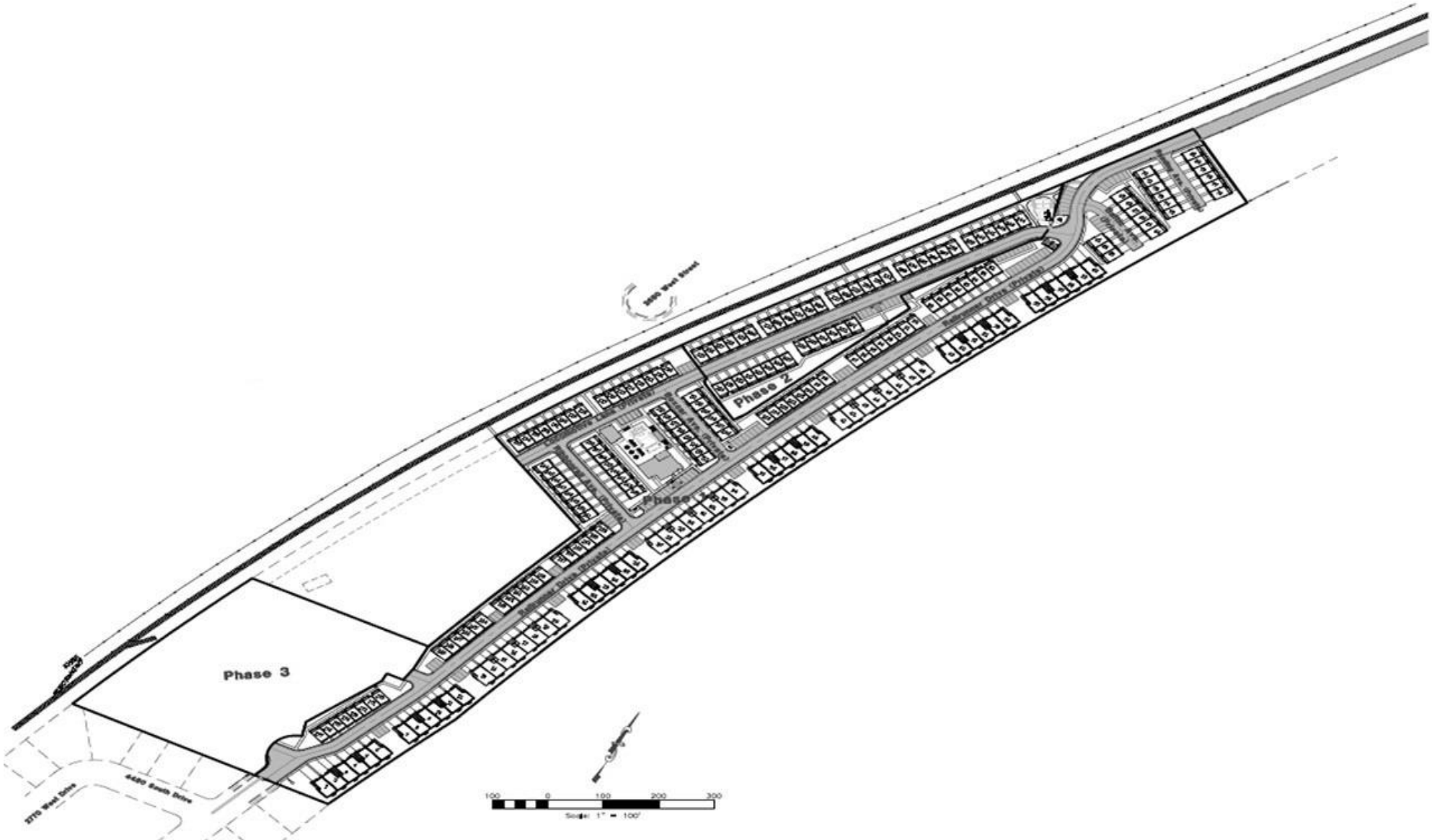
EXHIBITS

- A. Aerial Map
- B. Proposed Site Plan
- C. Planning Portion of the DRC Review Memo

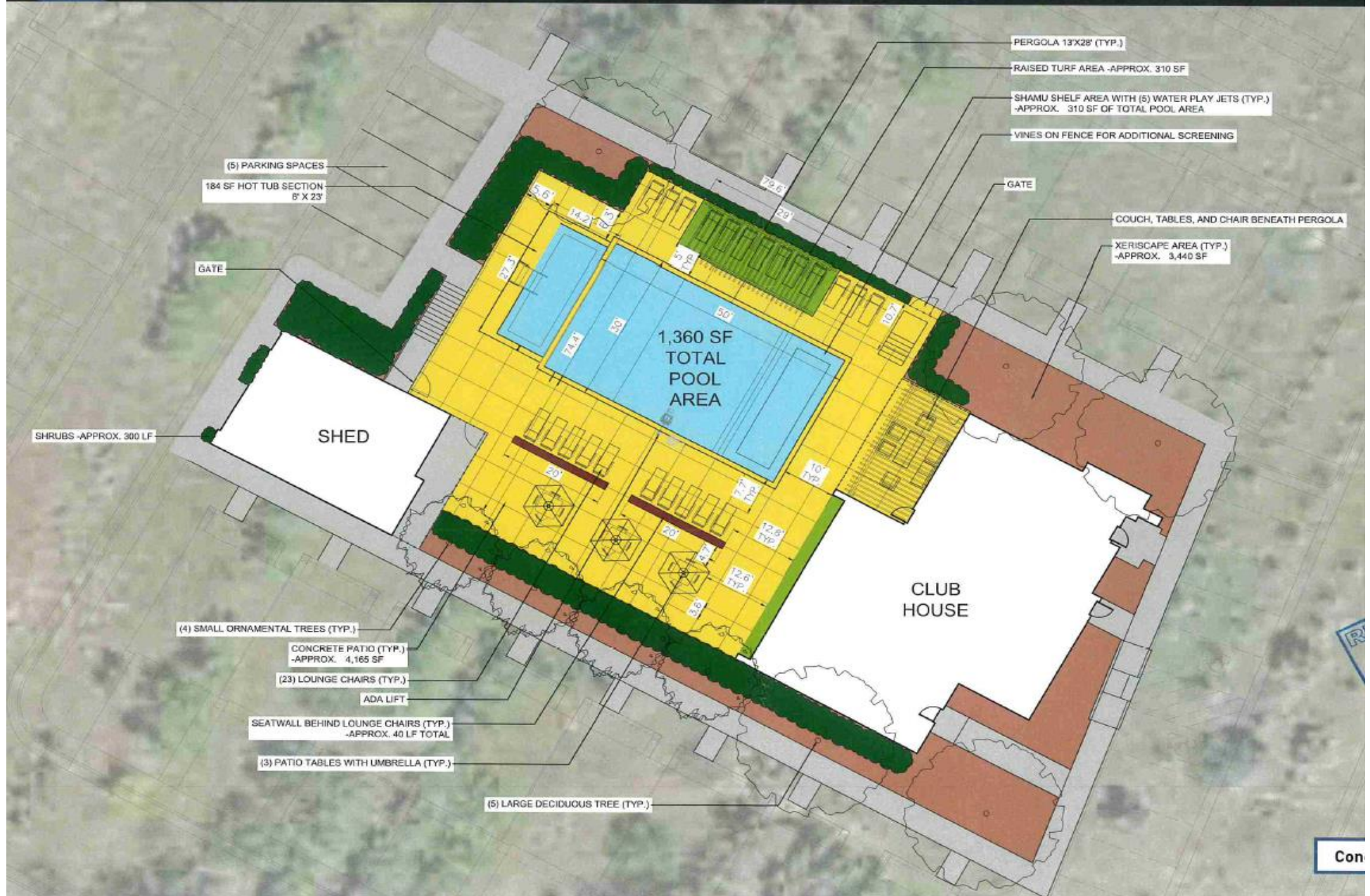


The Railrunner

ROY CITY, WEBER COUNTY, UTAH
MAY 2023



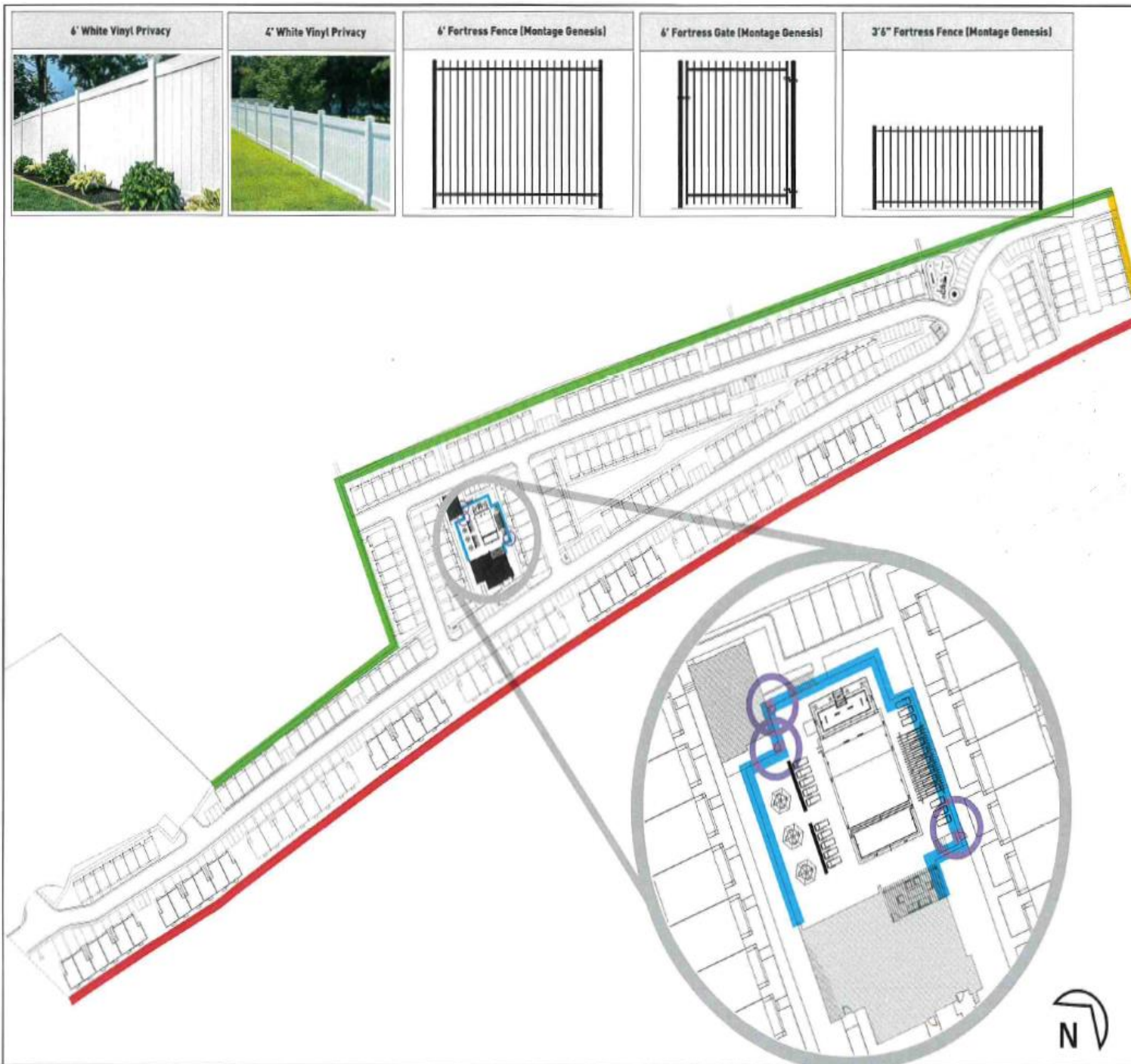
Clubhouse and Pool



Con

Playground





RAILRUNNER

PROPOSED FENCING PLAN

Fencing Key	
	6' White Vinyl Privacy Fence
	4' White Vinyl Privacy Fence
	6' Fortress Fence
	6' Fortress Gate
	3'6" Fortress Fence

NOTE: Backyards adjacent to 6' white vinyl privacy fence will be individually fenced and connected to the property fence with no gates



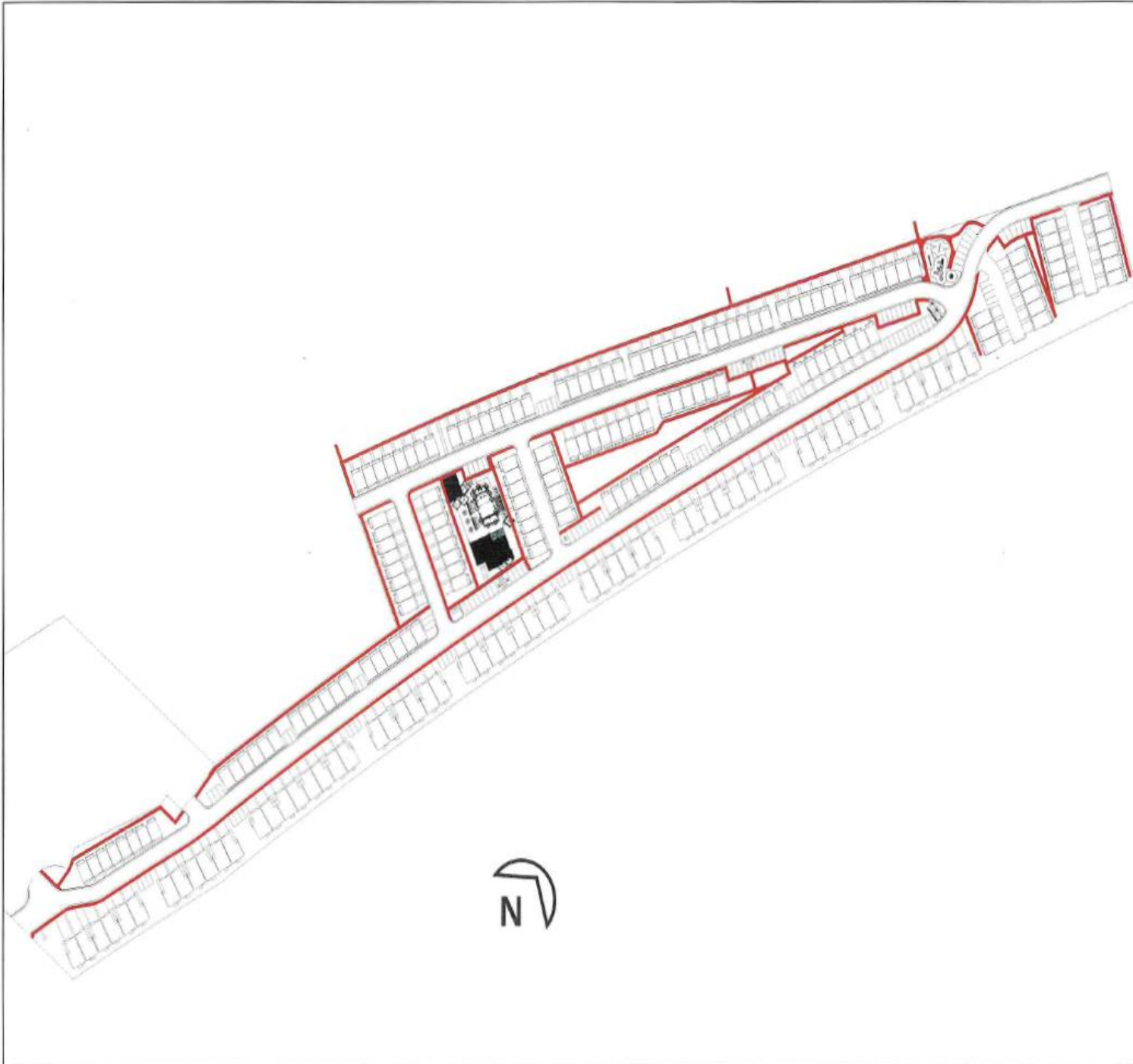


RAILRUNNER

PARKING DETAIL

Parking Spaces		
	Driveway Parking	226
	Garage Spaces	442
	Street Spaces	117
	Total Spaces	785

DAI
UTAH'S FOREMOST LAND DEVELOPER



RAILRUNNER

WALKING PATHS





Date:

To: Chase Andrizzi

From: Steve Parkinson – Planning & Zoning Administrator

Subject: The RailRunner Site Plan – 2449 We. 4000 So. – plans submitted August 14, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Planning –

A. General

1. The previous plans had a round-a-bout as the entrance at the southern access into the project, what happened to it? What is being proposed to distinguish between the public street and the private street? The round-a-bout was that mechanism to distinguish between the two.
2. Provide a traffic study regarding the access in & out from 4000 South. Study should take into account slope, trail and RR tracks and recommended solutions to the problems.
3. Building Addresses will be provided at a later date.
4. Road names will be verified also at a later date.
5. The previous developers started the process to subdivide this area but it appears that this has already been recorded with the county without City's approval. Please provide a subdivision plat.

B. Site Plan

1. The Site plan shows unit numbers 1 thru 60 with small rectangle shape bump-outs, are those decks/balconies? Or patios? If deck/balcony, please provide the distance from the distance between them and property line.
2. Provide details on the retaining walls.
3. The minimum distance between buildings is 15'. Please provide measurements on plans showing the distance between every building.
4. Minimum parking space dimensions are 9'x20' unless they abut a 6' minimum wide walkway or a 2' minimum wide landscaping.
5. The plans indicate that there will be 785 total parking spaces. 117 surface visitor parking stalls, 226 driveway parking stalls (113 unit with 20' minim driveways) and that each unit will have a two (2) car garage, but without building plans staff is unable to determine if this is correct.
 - a. The number of required parking stalls is based on the number of bedrooms and with not knowing the number of units with one, two or three bedrooms, staff is unable to determine the required number of stalls.
6. The number of bicycle parking spaces is also based on the number of bedrooms.
7. Provide details of the dumpster enclosures (materials, colors).
8. Will having only one dumpster for the whole project be sufficient for the needs of the residents? Having it at the northern end of the project be reasonable? Or will each unit have a separate garage can?
9. If each unit has a separate garbage can then the developer will need to contract with a disposal company for the pick-up. Please take in mind where will the cans be placed. If inside each garage, the garage needs to be big enough to accommodate two parking spaces that are 9'x20 plus the can.
10. The fencing around the pool area needs to have gates that are self-closing and self-latching.

C. Architectural

1. Nothing was submitted for review.



D. Site Lighting

1. Provide details of the proposed streets lights, including type of fixture, color of pole and fixture and overall height. Maximum height is 20'.
2. Provide a photometric drawing. Footcandles and property lines cannot be more than 0.0.



August 8, 2023
Agenda Item #6

SYNOPSIS

Application Information

Applicant: Gregory; ECS
Request: Request for Site Plan and Architectural approval for Midland Market
Address: Approximately 3805 South Midland Drive

Land Use Information

Current Zoning: CC; Community Commercial
Adjacent Zoning: North: CC; Community Commercial
South: CC; Community Commercial
East: RMH-I: Residential Manufactured Home
West: A-I; Agriculture [West Haven]

Staff

Report By: Steve Parkinson
Recommendation: Table

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 – General Property Development Standards
- Roy City Zoning Ordinance Title 10, Chapter 14 – Permitted Uses
- Roy City Zoning Ordinance Title 10, Chapter 19 – Off-Street Parking and Loading

ANALYSIS

Project Overview:

The property is on the Northwestern side of Midland Drive, just east of 2700 West. (Exhibit “A”) The proposed site changes are for an addition (cooler) to the western side of the main building.

Staff Review & Comments:

Elevations: The proposed addition (cooler) has metal as the exterior material of the building. Within the CC zone metal is not an approved exterior material. The cooler will need to be covered with a different material that is consistent or enhances the existing structure.

Parking: The building is approximately 2,000 sq.-ft, thus requiring a minimum of six (6) parking stalls. The site had eight (8) prior to the proposed additional, the addition will remove three (3) of those stalls.

Removal of the two (2) self-wash bays creates more space for all of those uses coming together.

Site Plan: The proposed addition is within the required 20-foot setback and will need to be moved outside of the setback.

Summary: The proposed addition has several large issues that need to be resolved, which will change the overall request.

One issue that still remains as noted within the Planning portion of the DRC memo, in 2015 when the Drive-up window was approved, there was supposed to be some landscaping in the northeast triangle of the site, it was never installed, and regardless if this proposed addition actually is built, the landscaping will need to be installed.

The Planning Commission will need to determine if the proposed development meets the intent of the Zoning Ordinance.



CONDITIONS FOR APPROVAL

1. Compliance to the requirements and recommendations within this report.
2. Compliance to all requirements as discussed in this meeting

FINDINGS

1. The proposed site plan can meet all of the requirements of the Zoning Ordinance.
2. The proposed building elevations can meet all of the requirements of the Zoning Ordinance.

ALTERNATIVE ACTIONS

The Planning Commission can Approve, Approve with conditions, or Table.

RECOMMENDATION

Staff recommends tabling the Site Plan & Architectural review due to the fact that some of the DRC comments will cause the site and addition to change significantly.

EXHIBITS

- A. Aerial Map
- B. Proposed Site Plan
- C. Proposed Building Elevations
- D. DRC Review Memo

EXHIBIT "A" – AERIAL

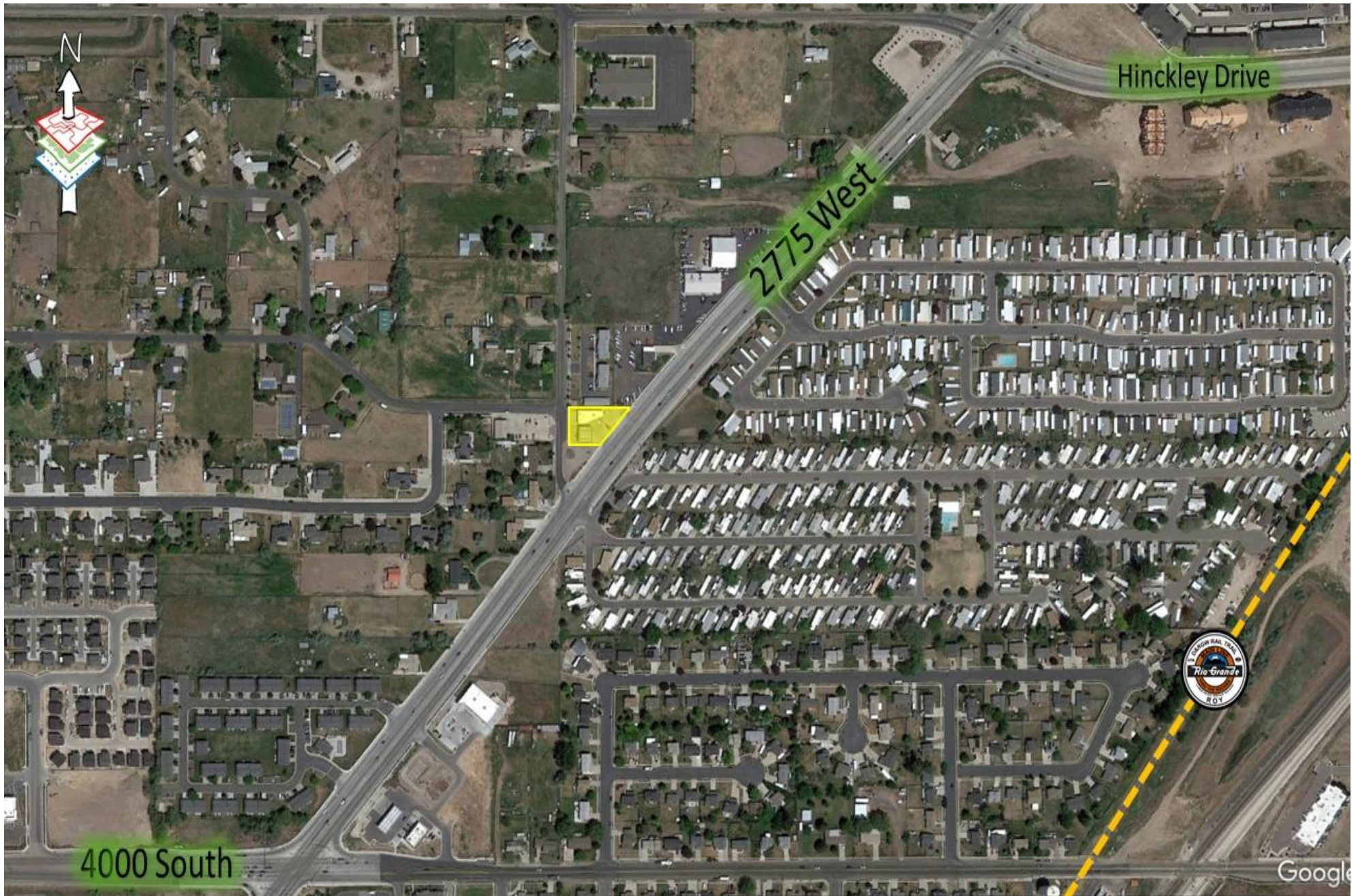


EXHIBIT "C" – PROPOSED SITE PLAN

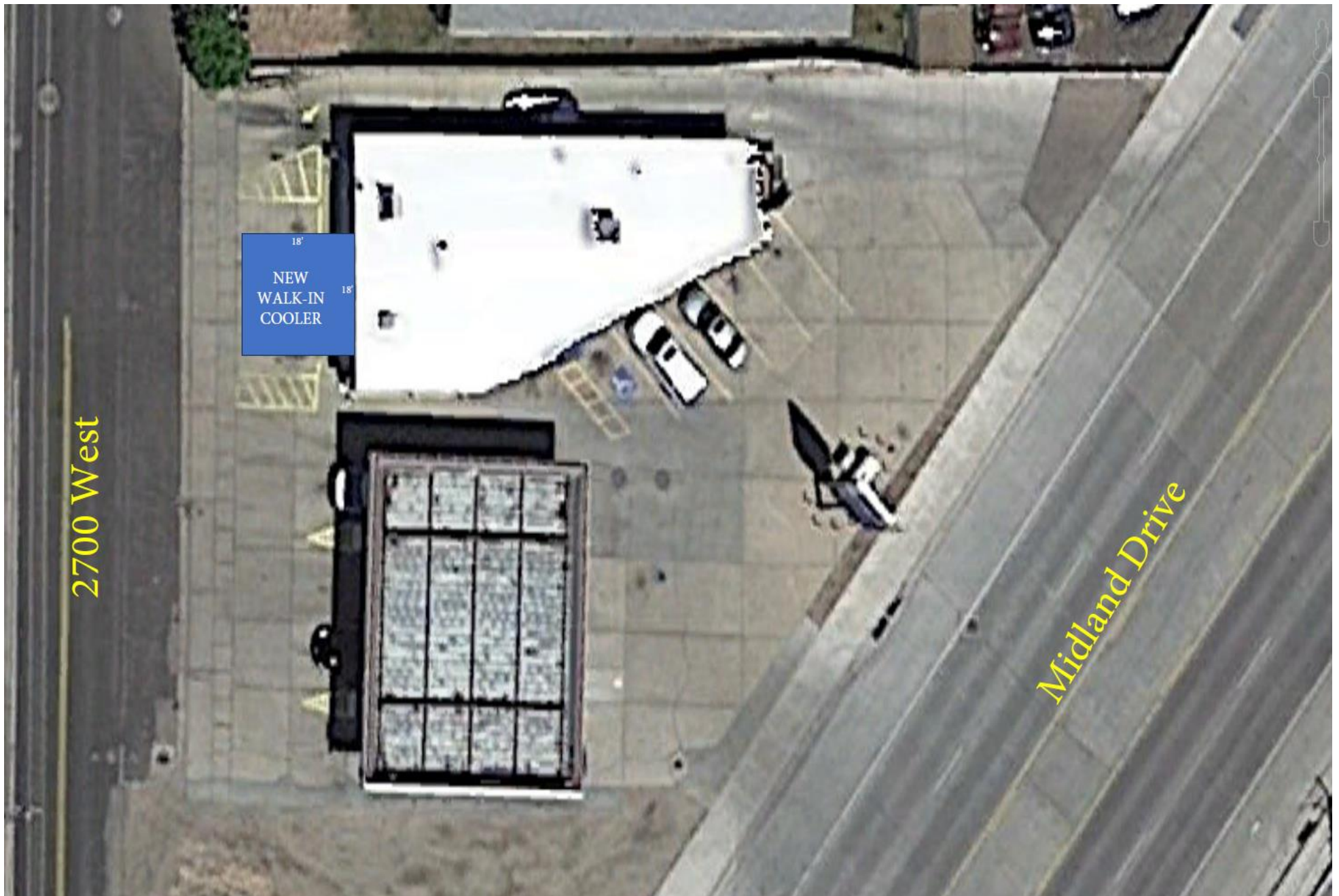
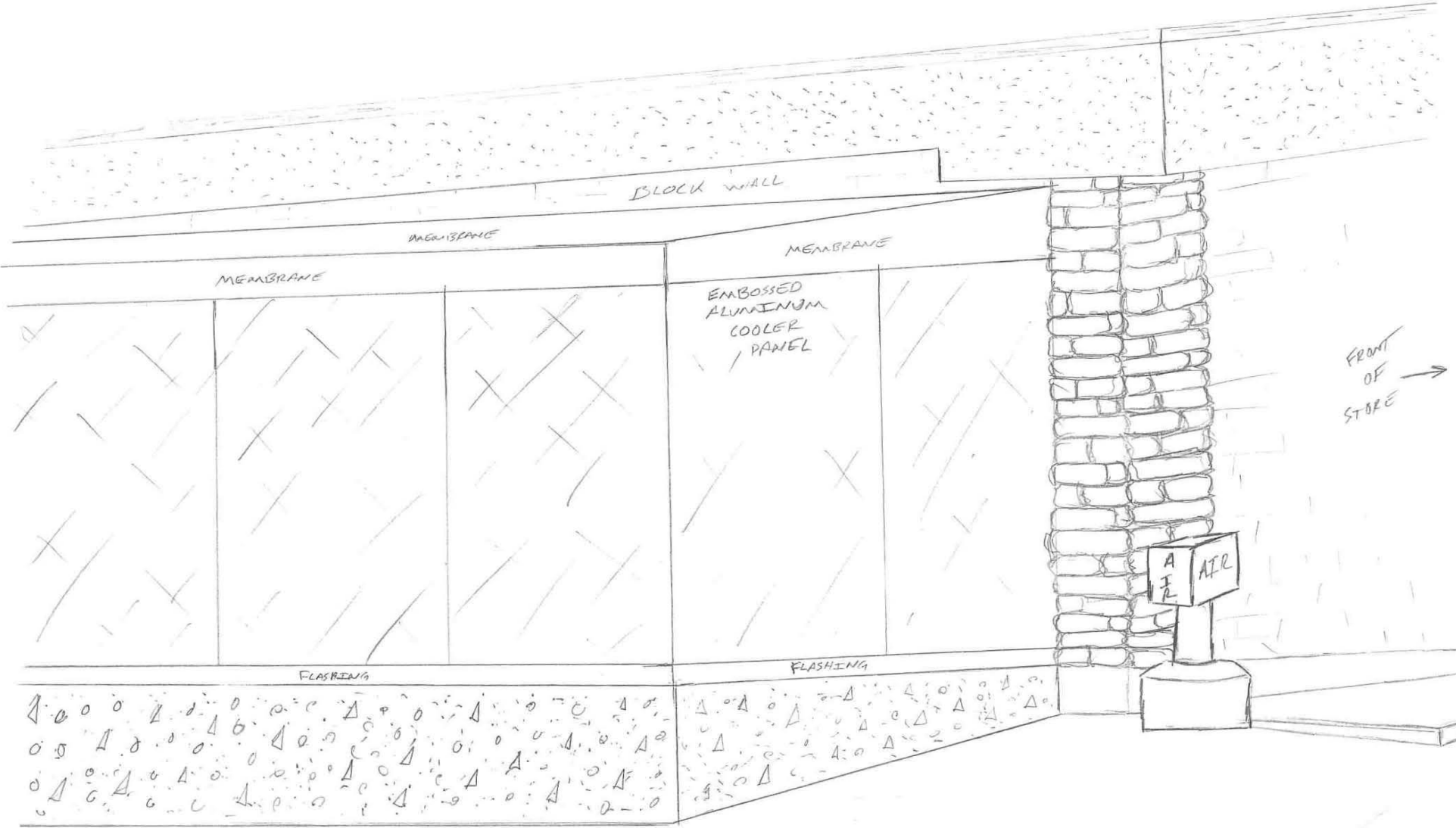
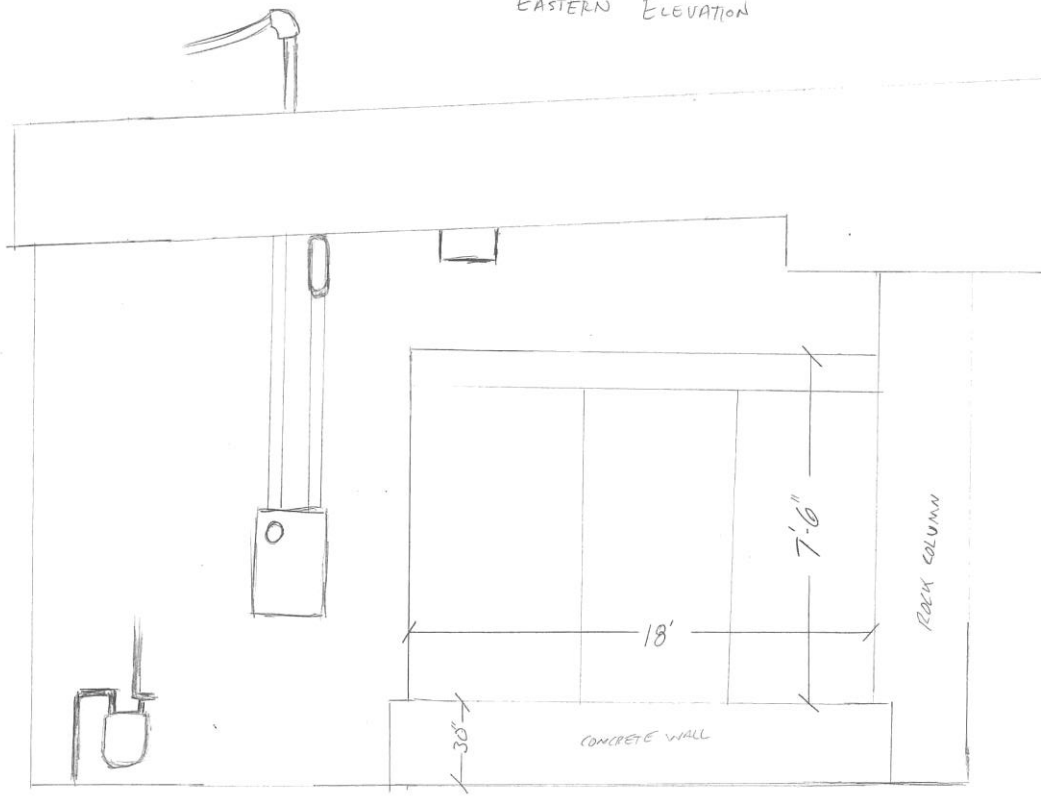


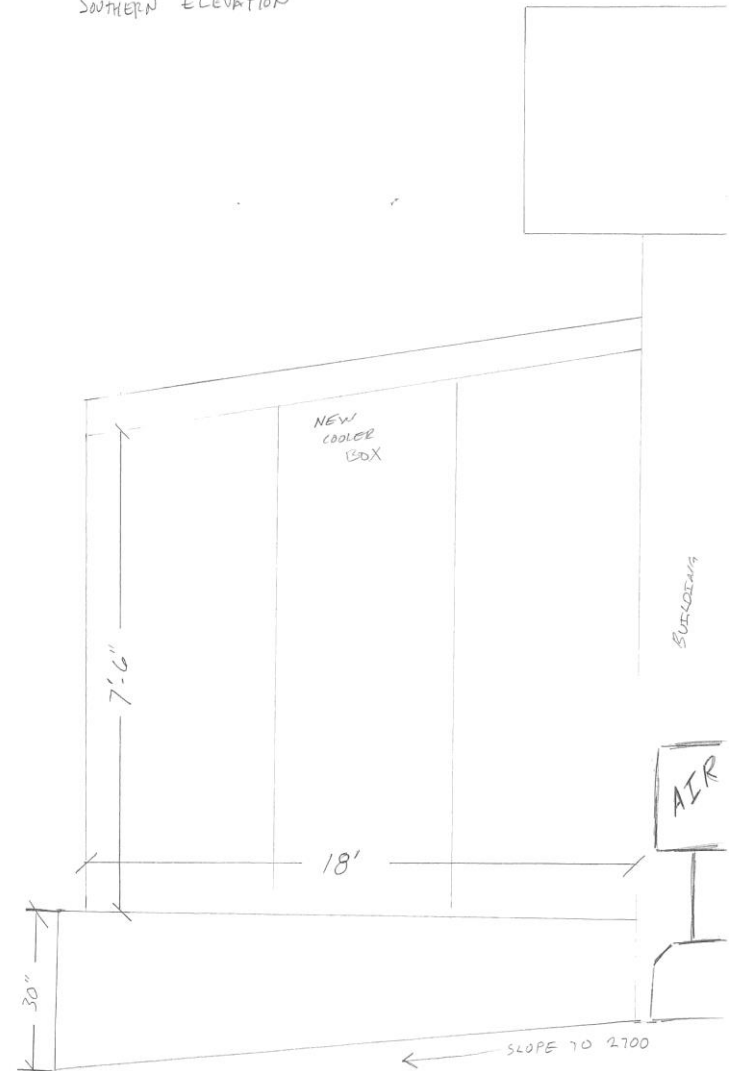
EXHIBIT "D" – PROPOSED BUILDING ELEVATIONS



EASTERN ELEVATION



SOUTHERN ELEVATION





Date: 6 September 2023

To: Gregory; Environmental Control Systems

From: Steve Parkinson – Planning & Zoning Administrator
Wasatch Civil – City Engineer
Mike King – Fire Marshall
Gaile Supp – Building Official
Ross Oliver – Public Works Director

Subject: Midland Market Site Plan – 3805 S Midland Drive – plans submitted August 18, 2023

If there are comments below that require corrections OR changes to plans, resubmittal of plans is required.

We have tried to address all items of concern with reference to all applicable City codes or for the general Health, Safety and Welfare of the public, however, this review does not forego any other items of concern that may come to our attention during additional reviews.

Engineering –

A. Utilities

1. The applicant should verify through blue stakes that the proposed structure will not conflict with any existing utilities.

B. Drainage

1. The proposed structure does not appear to impact the existing site drainage pattern.

C. Water Quality Report

1. Water Quality Report / LID – A water quality report and LID design are not required because the site is less than 1 acre.
2. Erosion Control Plan – The developer's contractor must obtain a Roy City Land Disturbance Permit before beginning construction.

Building – (Listed below are comments for the site plan as it relates to the IBC and/or IRC.)

1. Provide the specifications for the cooler.
2. Specify where access will be provided.
3. Will this be attached to the building or separate?
4. Provide distance to property line from new cooler.

Fire – (Listed below are comments for the site plan as it relates to fire protection and the IFC.)

1. If the existing building has a sprinkler system. Plans need to show for the cooler, if the building does not have an existing system the cooler will need to be evaluated.

Public Works -

A. Street Division

1. No comment.

B. Sewer & Water System

1. No comments

C. Storm Water (all items must be turned in before work begins)

1. The Roy City Storm Land Disturbance Permit will need to be filled out and approved prior to any work beginning.
2. Provide a Site Plan showing all BMP's



Planning -

A. General

1. Still need to pay appropriate Application Fees

B. Site Plan Review

1. The proposed structure is within the 20-foot setback and will need to be moved outside of the required setback.
2. Six (6) parking stalls are required for this building, the location of the proposed structure eliminates three (3) stalls, leaving only five (5) stalls.
3. When the Drive-up window was approved in 2015, there was a requirement for an area to be landscaped. It appears that was never completed. This must be installed regardless of if this is approved or constructed.
4. Also, during the time of the drive-up window approval, the dumpster enclosure was required to be of similar colors and materials as the main building. It appears that this too wasn't followed and will need to be corrected regardless of if this is approved or constructed.

C. Architectural Review

1. Metal is not an approved exterior material. The exterior of the proposed structure will need to have a different material placed on it. Will need to provide a sample of the color and type of material.