



**ROY CITY**  
**Planning Commission Regular meeting**  
**May 11, 2021 – 6:00 p.m.**  
Digital Regular Meeting

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

The following members were in attendance:

Ryan Cowley, Chair  
Samantha Bills  
Torriss Brand  
Ryan Cowley  
Annette Mifflin  
Claude Payne  
Jason Sphar

Steve Parkinson, City Planner  
Brody Flint, Assistant City Attorney  
Matt Andrews, City Manager

Excused: Commissioners Don Ashby and Chris Collins

Others in attendance: Kevin Jones, Brady Purser, Katherine Purser, Jeremy McReynolds, Sheldon Greener, Shane Brown, Brenda Nelson, Jayson Adams, Stephanie Liechty, and Marc Purser.

Chair Ryan Cowley made the following statement:

I, Ryan Cowley, Chair of the Roy City Planning Commission and in accordance with Utah Code Section 52-3-207(4) have determined that conducting a meeting in the Roy City Council Chambers presents a substantial risk to the health and safety of those who would be present, the basis for this determination is that due to the infectious nature and potentially dangerous health effect of contracting the COVID-19 virus there is not sufficient space in the Council Chambers to provide appropriate safe physical distancing for the safety individuals who would attend. Accordingly, the May 11<sup>th</sup>, 2021 meeting will be held electronically without an anchor location.

Pledge of Allegiance: Commissioner Felt

1. DECLARATIONS OF CONFLICT

There were none.

2. APPROVAL OF APRIL 13, 2021, REGULAR MEETING MINUTES

**Commissioner Bills moved to approve the April 13, 2021; regular meeting minutes as written. Commissioner Payne seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.**

3. PUBLIC HEARING – CONSIDER A REQUEST TO AMEND THE FOLLOWING MAPS, FOR THE PROPERTY LOCATED AT APPROXIMATELY 5445 SO. 4300 WE.

- A. GENERAL PLAN (FUTURE LAND USE MAP) FROM MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL TO VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL
- B. ZONING MAP FROM RE-20 (RESIDENTIAL ESTATES) TO R-3 OR R-4 (MULTI-FAMILY RESIDENTIAL)

Kevin Jones, 5445 South 4300 West, applicant, stated he has been renting this property for the past 10 years. The owners have since agreed to sell it to Mr. Jones, and he is now seeking to develop the property. The current owners have consented to Mr. Jones's seeking a re-zone for the subject property. Mr. Jones explained that the property to the south will also be developed. The intention is to build town homes on the property, which would serve as a transition between commercial and existing residential zones.

Terry Smedley, 448 South 2360 West, Marriot Slaterville, applicant, explained that the townhomes would be managed by a parent company.

Chairman Cowley asked if the applicants had any intentions to incorporate commercial use in their development project. The answer given by one of the applicants was that no, it would only be townhomes.

Steve Parkinson, City Planner, presented the staff report as well as an aerial photo of the subject property. He noted that the rezone and General Plan amendment were two proposed action items that went hand-in-hand with one another. The Howard Slough runs through the subject property. Any changes to the southern portion of the property will require approval from the Army Corps of Engineers and/or the State Engineer's Office. Mr. Parkinson presented the Future Land Use Map as well as the existing zoning map. The Future Land Use Map shows medium density residential in the proposed rezone area. Staff recommended approval, with a preference for the R-3 zoning.

**Commissioner Payne moved to open the public hearing. Commissioner Felt seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.**

Chairman Cowley opened the floor for public comments.

Jeremy McReynolds, 5494 South 4425 West, Hooper, expressed concerns with traffic on 4300 West, 5600 South, 6000 South, and 4800 West. He also stated that the area in question was a wetland. He then read language from the General Plan pertaining to the Howard Slough, stating that it was a sensitive wetland.

Chairman Cowley stated that the items tonight pertained only to density and rezoning, which were issues independent to whether or not the area in question was a sensitive wetland. Mr. McReynolds encouraged the Planning Commission to table these items. He further stated that he did not want town homes adjacent to this property. He discussed improvements that he has made to his own home, adding that the traffic and area schools were already at capacity.

[00:30:58 – 00:31:32]

*Mr. McReynolds made additional comments; however, due to technical issues with the internet connection, some of what was stated was inaudible on the recording. Members of the group also acknowledged the comments as inaudible.*

Stephanie Liechty, 5292 South 4475 West, Hooper, stated she lived in the neighborhood west of the property in question. Ms. Liechty was concerned with the potential of adding 40+ new families to the area, which could potentially put 80 more cars on the road. She asked if the

City was planning to widen roads to accommodate for this growth. She also asked how the City planned to accommodate children in getting to school safely. She agreed with Mr. McReynolds's comment that nobody wanted town homes in their backyard. She was concerned that the town homes would be rental units instead of owner-occupied, stating that the existing residents wanted to live near more established neighborhoods.

Chairman Cowley agreed that additional cars would create more traffic. He stated that the City did not have a site plan for the proposed town homes yet, so he did not know what an in and out into the development would look like. Regarding transportation to and from schools, it was noted that the school district managed those needs with the appropriate entities; in this case, UDOT owned 5600 South.

Mr. Parkinson stated that regarding owner-occupancy versus rental units, the City could not dictate occupancy.

Marc Purser, 4351 West 5350 South, Hooper, stated that in his opinion, the best transition between commercial and residential zones would be no development at all. He agreed with concerns expressed regarding traffic. He added that currently he enjoyed the privacy of his neighborhood, and a town home development would change that create safety concerns. He requested that the zoning remain as is, which was medium density. Mr. Purser also asked what the jurisdiction of Roy City Police versus Weber County, and how this would work if a transition zone of multi-family housing was developed.

Chairman Cowley explained that in his neighborhood there were unincorporated pockets of Weber County that were recently annexed into Roy City within the past couple of years. However, interlocal agreements were in place in the case of emergencies. Mr. Parkinson added that the Police and Fire Departments would also have the chance to review any site plans that came forward.

Sheldon Greener, 5638 South 6800 West, Hooper, stated that he was on the Hooper City Planning Commission and understood the process that was taking place. He recently lived in a neighborhood adjacent to the property in question, and many of his old neighbors had reached out to him with several concerns regarding the proposed rezone. Mr. Greener expressed concerns regarding the process of this proposed rezone. He said it was not fair to the people who purchased property in the area, even if they had considered what Roy City's Future Land Use Map looked like. He said this change was being made with short notice and little input from those who would be affected by the change. He explained that if there was a natural barrier between Roy and Hooper, the citizens of Hooper would feel less like this change was being dumped on them. He recommended putting in some sort of a border between the two cities. He also echoed concerns pertaining to owner occupancy versus rental units, as well as heightened traffic, crime, and overcrowding in schools. He asked that the Planning Commission deny this rezone application.

Katherine Purser, 4351 West 5350 South, Hooper, echoed the concerns previously stated by others. Regarding, Mr. Greener's suggestions to create a barrier along the border of the two cities, she asked if a fence could be one possible solution.

Mr. Parkinson stated that a barrier would depend upon the property owner, as well as review from the Army Corps of Engineers. He noted that the northern portion of the slough was dedicated to Hooper City, and the portion to the east was dedicated to Roy City. The property to the south was under private ownership. He further discussed potential barrier solutions, noting several options.

Brady Purser, 5440 South 4425 West, Hooper, echoed the concerns previously stated by others. He enjoyed the open space and ability to see wildlife in his backyard.

Jeremy McReynolds stated that he did a lot of charity work dealing with human trafficking and Utah was a main hub for this type of crime. He expressed concerns pertaining to safety, as increased density would also increase potential for crime.

Sheldon Greener asked if a fence would be required around the existing residential areas in Hooper.

Mr. Parkinson said that to his knowledge, yes, that would be correct; while he believed a fence would be required along the west and north as the land developed, he would need to verify this information within City Code.

No further comments were made.

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

Commissioner Mifflin stated that the public comments reflected a desire on the part of residents to not have renters in the area.

Brody Flint, City Attorney, asked that the Planning Commission consider fundamental issues of fairness in their discussion on this item. He stated that it would be inappropriate for the Planning Commission to take a stance on home renters being second-class to home buyers and then base a decision upon that stance. He stated that this would be considered prejudicial and could put the City at legal risk. Mr. Flint clarified that the current analysis being made was on the zone.

Commissioner Mifflin asked if the property management company overseeing the townhomes would be located in state or out of state. She stated she had been a single income renter for most of her life and she was not a drug dealer, nor had her children caused mischief in the neighborhood. She added that she knew many other people in similar positions. Property management companies usually required potential tenants to pass extensive background checks. To her first point, she felt it would make a big difference to people if the property management company was local or not.

The applicant responded stating an intent to use an in-state company to manage any new development project that takes place. Mr. Parkinson concurred that most of the property management companies that oversaw Utah developments were local. He added to Mr. Flint's previous remarks by stating that even if the units were sold, the City could not oversee whether or not they were rented out by owners or not.

Chairman Cowley asked if there was a way for townhomes to be built on portion of the parcel, and for single-family homes to be built on the other portions of the parcel. He noted that this has been in other parts of Hooper. Mr. Parkinson stated that the zoning was R-3, which did allow for single-family or multi-family duplexes, so the developer would have options. There was further discussion on an appropriate motion to make.

**Commissioner Bills moved to recommend to the City Council that they approve the request to amend the General Plan (Future Land Use Map) from Medium Density Single-Family Residential to Very High Density Multi-family Residential) for property located at approximately 5445 South 4300 West with the conditions as discussed. Commissioner Brand seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.**

**Commissioner Felt moved to recommend to the City Council that they approve the request to amend the Zoning Map from RE-20 (Residential Estates) to R-3 (Multi-Family Residential) for property located at approximately 5445 South 4300 West with the conditions that Single-Family Residential is West of the Slough and Multi-Family is East of the Slough. Commissioner Spahr seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted “aye.” The motion carried.**

4. DISCUSSION ON ORDINANCE CHANGES CONSIDER A REQUEST FOR SITE PLAN AND ARCHITECTURAL APPROVAL FOR TERRY'S TOWNHOMES LOCATED AT APPROXIMATELY 5154 SOUTH 2700 WEST

Doug Terry, 2509 West 5175 South, applicant, presented the site plan for his project. He explained that the townhomes would be 31 feet tall. There were several trees on the property and they were planning to keep most of them. A landscaping plan was not yet available but the applicant was in the process of creating one. The townhomes would be around 1,700 square feet, two-level homes, with two-car garages. The project would take place in two phases, beginning at the south end of the property. Mr. Terry identified where additional parking, dumpsters, and sidewalks would be located. The development would also have an HOA in place.

Steve Parkinson, City Planner, presented the staff report as well as an aerial map of the subject property. He stated there was an existing single-family home on the north side of the property. Mr. Parkinson noted that his memo in the DRC Report was included in the staff report distributed to the Commission prior to this meeting. He stated that emergency access was an issue that needed to be addressed; once this was done, the site plan would change significantly. He recommended that the Planning Commission table this item until the developer can implement the Fire Department's requirements. Mr. Parkinson also noted that the architectural plan did not include elevations which needed to be provided.

The Commissioners agreed that more work was needed. These items were then tabled.

5. COMMISSIONERS MINUTE

Commissioner Mifflin requested that more stakeholders be invited to attend meetings where rezones were taking place. For example, she suggested representation from the school board

and neighborhood councils be present to weigh in on these issues. Mr. Parkinson explained noticing policies and stated that while these representatives are invited, it's not always guaranteed that they will show up.

There was further discussion regarding rezones and their effects on local schools.

#### 6. STAFF UPDATE

Mr. Parkinson reported there had been additional discussion on the ordinance down by the FrontRunner Station. A Town Hall meeting would be taking place with the City Council on May 18<sup>th</sup> to further discuss the matter. He was also hoping to have additional information on the General Plan update by the next work session. Multiple public hearings would take place for this task.

#### 7. ADJOURN

**Commissioner Sphar moved to adjourn at 8:15 p.m. Commissioner Mifflin seconded the motion. Commissioners Bills, Brand, Cowley, Felt, Mifflin, Payne, and Sphar voted "aye." The motion carried.**

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Ryan Cowley  
Chair

Attest:

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Morgan Langholf  
City Recorder

dc: 05-11-21