

**WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007**

MEMBERS PRESENT:

David C. Hill, Chairman
Jennifer Bassarear
Leo Beecher

Gary Sharp
Ryan Westergard

MEMBERS EXCUSED:

Anne Blankenship
Brent Page

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
Don Moore, City Council Member

VISITORS:

Pat Blackley
Pascal Meyer
Jerin Yu
Eric Cheuny
Gloria Watt
Tom Peters
Kellie Smith

LeGrande Blackley
Syd Shurtliff
Vincent Sum
Sidney Stewart
Reed Shurtliff
Randy Daw
Alan Carroll

Byron Rodgers
Hicomedes Huaraco
Shawn Owen
Bruce Webster
Cathy Mckitrik
Ruth Hatch
Monica Collard

PLEDGE OF ALLEGIANCE:

David C. Hill

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections of the minutes of the Planning Commission meeting held October 9, 2007. After corrections were noted, Commissioner Beecher made a motion to approve the minutes as corrected with Commissioner Bassarear seconding the motion and the motion carried.

CONSIDERATION TO CORRECT MINUTES FOR AUGUST 28, 2007

Commissioner Sharp made a motion to table this item for a future Planning Commission meeting until there could be a quorum present of those Planning Commission members who had attended the meeting August 28, 2007. Commissioner Bassarear seconded the motion and the motion carried.

CITY COUNCIL REPORT

City Council Member Don Moore reported on the City Council meeting held October 16, 2007. Please see the minutes of that meeting for the details of his report.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007
PAGE 2**

OPEN SESSION

Chairman Hill opened the meeting to any items that the public would like to bring before the Commission.

Mr. Bruce Webster noted that he would like to comment on the traffic problems on 500 South. He said that he lives on 1500 South and it is becoming a major east/west access because people are traveling on it instead of using 500 South because of its congestion. He noted that 1500 South carries 1/3 more traffic than it should and it is very difficult for him to get out of his driveway because of the traffic. The Commission noted that 500 South is a UDOT road and the city continues to try to push them to make changes because they are aware of the traffic problems both on 500 South and 1500 South.

There were no other comments for the open session.

HOME OCCUPATION—BLR CONSTRUCTION—1432 SOUTH 580 WEST—BYRON RODGERS

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He said that Mr. Byron Rodgers is proposing to operate a contracting business from his home within the R-1-8 Residential Zone. He will be utilizing a room in the home as an office. He has also indicated that he will have 2 trailers stored on the property, in addition to 2 trucks, a mini mobile storage unit and a skid steer loader behind a fence in his back yard.

Mr. Byron Rodgers appeared before the Commission. The Commission asked Mr. Rodgers if he had any comments regarding this item. Mr. Rodgers said that there would be nothing parked on the street because he lives in a cul-de-sac and there is no room for parking anything. The Commission asked Mr. Rodgers how often his equipment was used. He noted that the mini mobile trailer does not move because he uses it more for a garage type of storage. He said that one of the trucks and one of the trailers goes out everyday.

The Commission also asked Mr. Rodgers how much of his equipment could be seen in the backyard. He noted that not much of the equipment can be seen from the street because of where it was located in his backyard as well as he has a chain link fence with slats. He also noted that he was intending to install a 6-foot vinyl fence sometime in the future. He also said his neighbors could not see much of the equipment because of the configuration of his property and the way the neighbors property is located in conjunction with his property.

The Commission noted that typically a home occupation is more of an interior office type of business and does not usually utilize the exterior of a home. They noted they were concerned about traffic in and out everyday as well. Mr. Rodgers noted that he left in the morning and returned in the evening and that would be the only traffic that would be going in and out during the day. The Commission also noted some concern over parking in the area.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007
PAGE 3**

Chairman Hill called for any comments from the public that were present.

Ms. Gloria Watt of 1500 South and 580 West appeared before the Commission. She noted that she was a neighbor of Mr. Rodgers and she saw him come and go everyday and the truck and trailer were in good repair. She also noted that Mr. Rodgers property was in much better shape than it was before, when the previous owner was there. She also noted that she would have appreciated notice about another home occupation that was in her neighborhood because there is a problem with trucks parked on the street.

The Staff said they would check into her concerns about the street parking issues.

Mr. Hicomedes Huaraco appeared before the Commission with a translator. He noted that he had no objections with the home business as long as no vehicles block the entry way into his property.

There were no other public comments.

The Commission noted they did have some concerns of loosing the sense of residential in this neighborhood with this home occupation because of all of the equipment. They said they would be more comfortable if the trailers and the skid steer loader could be stored somewhere off the property. Mr. Rodgers said that this would not be a problem but he would like to be able to keep the mini mobile trailer on the property because it is used like a garage. He did say he would be happy to move the 2 enclosed trailers and skid steer loader to another location to comply with the Planning Commission's requirements.

Commissioner Bassarear then made a motion to approve the conditional use for a home occupation for Byron Rodgers with the following conditions:

1. At no time may any construction equipment including 2 trailers and a skid steer loader be stored on the property.
2. At no time may building or construction materials be stored out doors. All such materials shall be placed within a fully enclosed structure.
3. The home occupation shall be carried on entirely by those individuals that reside at the home. At no time may any non-resident employee be permitted to come to the home for any reason connected to the home occupation.

Commissioner Sharp seconded the motion and the motion carried.

**LANDSTAR RANGER CONDITIONAL USE PERMIT---2536 SOUTH 1250 WEST---
KELLIE SMITH**

Mr. Stephens reviewed this item with the Commission. He noted that the applicant is proposing to operate a trucking company management/brokers office. The business will find loads for

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007
PAGE 4**

trucks to haul and to schedule those loads for specific times. This will mostly be done on the phone. There will rarely be any clients at this location and there will be no trucks on site.

Ms. Kellie Smith appeared before the Commission. She said she had no added comments to the review and there were no questions from the Commission.

Commissioner Westergard made a motion to approve the conditional use for Landstar Ranger and Kellie Smith. Commissioner Beecher seconded the motion and the motion carried.

**MURDOCK CHEVROLET SIGN CONDITIONAL USE—KO MURDOCK—2375
SOUTH 625 WEST**

Mr. Stephens reviewed this item with the Commission. He noted that the city had received several complaints regarding light from a new Murdock Chevrolet video sign along I-15. Several homeowners on the west side of I-15 have complained of excessive light, which changes brightness multiple times each minute. Notice was sent to Murdock to appear before the Commission to discuss this matter and hopefully mitigate the homeowner's concerns.

Ms. Monica Collard appeared before the Commission representing this item. She noted that she works for the sign company who has supplied the sign to Murdock Chevrolet. K.O. Murdock had asked her to represent them at the meeting. She explained that this sign was new to Murdock and they were unaware on how to program it and use it. The sign company has met with Murdock and has been trying to teach them how to program it. The sign company has had a technician adjust the brightness by 50% and Ms. Collard said they were unaware that there were homes so closely located to the sign. She also noted that she would be happy to work with the neighbors and have a technician come out during the evening so that the residents can give suggestions on how to program the sign to help mitigate the bright light.

Several of the Commission members noted they had been to the neighborhood and looked at the sign at night to see how it might be impacting the neighborhood. They said they couldn't see the sign from the yards but could see the brightness from the lights of the sign shining to the neighborhood.

Mr. Randy Daw and Mr. Tom Peters, both of whom are neighbors who live adjacent to the sign, appeared before the Commission. They explained to the Commission that because their homes are higher than their yards, the brightness of the sign is shining in through their windows, even causing some members of their families to not be able to sleep. They said that part of the reason the sign is so bad is because of the flashing and blinking action of the sign.

Ms. Collard noted she had a technician adjust the sign the previous night and wondered if it was any better for the residents. They said they did not go out to see if it was any better, but they would check it out tonight after they returned home.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007
PAGE 5**

Chairman Hill suggested that Ms. Collard and Mr. Daw and Mr. Peters work together to see if they could adjust the sign to work for both Murdock and the adjacent neighbors. He also said he would like them to come back to the Planning Commission's next meeting and see what progress had been made.

Both parties were in agreement with these suggestions and said they would work on the problem together and come back and report to the Planning Commission on their progress.

PUBLIC HEARING—PRIME BUSINESS CENTER FINAL PLAT—1706 SOUTH 500 WEST—PASCAL MEYER

Mr. Stephens reviewed this item with the Commission. He noted that last year the city approved the Woods Cross Business Center Plat at the subject location; that was a 3-lot subdivision which included the Prime Alliance Bank building on the corner of 1880 South 500 West. The owners of the 3 lots have now petitioned the city to vacate the Woods Cross Business Center Plat and approve and record in its place the Prime Business Center Final Plat. This plat consists of 2 lots. The Prime Alliance Bank facility is located on lot 2 and the remaining vacant property is lot 1. The purpose of the proposed vacation and plat approval is to permit the construction of Prime Business Center office building. The plat does include the required crossover and access easements for the adjacent properties. This will permit access to a UDOT approved drive approach on 500 South Street.

Mr. Pascal Meyer, architect for this project, appeared before the Commission. He said that this was the second attempt to develop this property so he was aware of the sensitive nature of the property and its proximity to the adjacent neighborhood and the issues that were associated with it. He said he did not have anything more to add to what Mr. Stephens had noted in his review.

Commissioner Bassarear made a motion to forward to the City Council the Planning Commission's recommendation to vacate the Woods Cross Business Center Subdivision Plat. Commissioner Beecher seconded the motion and the motion carried.

Commissioner Sharp then made a motion to forward to the City Council the Planning Commission's recommendation to approve the Prime Business Center Final Plat. Commissioner Westergard seconded the motion and the motion carried.

PRIME BUSINESS CENTER SITE PLAN—1706 SOUTH 500 WEST—PASCAL MEYER

Continuing with the above item, the Commission reminded Mr. Meyer of the closeness of this project to the adjacent neighborhood. He said they were sensitive to the nature of the property and problems that may arise with the adjacent neighborhood.

The Commission then discussed the separate 6-bay parking garage and the concern of personal storage in the units. Mr. Reed Shurtleff, part owner of the building, said the parking garages would hold personal vehicles and possibly equipment used for the property. He noted they

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
OCTOBER 23, 2007
PAGE 6**

intended on keeping the things inside of the garages. He also noted that without the parking garages being considered, parking requirements were met.

The Commission had some discussion on whether these parking garages may have the possibility in the future of turning into paid storage units. They noted they would like to make sure the garages were used by the tenants of the building only.

Commissioner Sharp then made a motion to approve the site plan for Prime Business Center site plan with the following conditions:

1. Exterior lighting shall not negatively impact the adjacent neighborhood.
2. Applicant shall submit to the city a South Davis Metro Fire Agency review and approval for the site plan.
3. Applicant shall submit to the city evidence that the South Davis Sewer District has approved the project and the relocation of the sewer line.
4. Adjacent garages be used by tenants of building only.
5. A solid fence be extended to tie in with the existing fence on the west side of the property.

Commissioner Bassarear seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens said the city staff would be meeting with Sinclair Oil to review and discuss the site plan and conditional use for their project.

He noted Peak Profile wanted to meet with staff to review and receive any suggestions on a concept plan in the next week or so.

On Thursday, there will be a meeting at 10am at the Front Runner station with UTA who have invited some of the legislators to take a trial run on the Front Runner trains. Anyone of the Planning Commission who is available is invited to attend.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:25 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary