

WOODS CROSS PLANNING COMMISSION
JUNE 27, 2006

MEMBERS PRESENT:

David C. Hill, Chairman
Jennifer Bassarear
Leo Beecher

Anne Blankenship
Gary Sharp
Ryan Westergard

MEMBERS EXCUSED:

Brent Page

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
Jennifer Decker, City Council Member

VISITORS:

Chairl Miller
Rebecca Lee
James Martin
Andrea Mathews
Lisa Naegle
Amber Meier
Niklaus Burningham
Alan Kearsley
LeGrande Blackley
Chad Morris

Peter Miller
Ken Lee
Penny Llewelyn
Brad Mathews
Helen Meier
Catherine Arik
Lori Burningham
Heidi Kearsley
Pat Blackley
Jill Morris

April Johnson
Justin Lee
Terry Hill
Roger Adams
Ann Strickland
Isik Arik
Rex College
Michelle Addison
John Kendrick

PLEDGE OF ALLEGIANCE:

Gary Sharp

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections for the minutes of the meeting held June 13, 2006. After corrections were noted, Commissioner Blankenship made a motion to approve the minutes as corrected with Commissioner Beecher seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Jennifer Decker was at tonight's meeting representing the City Council. She reported on the City Council Meeting held June 20, 2006. Please see the minutes of that meeting for the details of her report.

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**REZONE REQUEST: A-1 AGRICULTURE & R-1-8 RESIDENTIAL TO I-1
LIGHT INDUSTRIAL-JERRY STEVENSON**

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that this item had been tabled at the last Planning Commission so that the applicant, Jerry Stevenson of G & S Development could be present to address the Commission. Mr. Stephens noted that Mr. Stevenson was present at tonight's meeting and would be addressing any questions that the Commission might have at this time.

Chairman Hill then addressed the public noting that this was not an official public hearing since one had been held at the last meeting regarding this matter. He said that he would like to give Mr. Stevenson the opportunity to give information on this proposed project after which the public could address questions to Chairman Hill if anyone had new comments to bring before the Commission. He also noted that if action was taken tonight regarding this item by the Planning Commission, it would then be forwarded to the City Council and another public hearing would be held where comments would be taken. He also noted that if this item were to be approved by the City Council, it would then come back before the Planning Commission for approval on design and layout of the project.

Mr. Jerry Stevenson appeared before the Commission. The Commission asked Mr. Stevenson if he had already purchased the property in question. Mr. Stevenson said that he had purchased 46 acres of property for this project. Mr. Stevenson continued by saying that he had done a similar project to the one he is proposing for Woods Cross in Layton. He invited anyone who was interested to view the project in Layton to see the quality of this project for themselves. He gave general directions on where this business park was located in Layton. He noted that there would be no metal buildings in the project and some buildings would be larger and some smaller. The larger buildings would be planned to be built closer to the railroad tracks.

Mr. Stevenson said that he wanted to develop a business park, not an industrial park. He noted that because of the proximity of this project to the airport, it is a valuable parcel for a job center in the area. He noted that he wanted to be friendly to the neighborhood and believes that residential and business can merge to be good neighbors. Mr. Stevenson continued and noted that he is planning to put in nice landscaping and possibly a berm that would help to separate the business from the residential area.

Mr. Stevenson said that this is an appropriate area for the I-1 Light Industrial zoning and that it is outlined as such in the General Plan. He did also say that he would be very careful about lighting in the area and also that no open fences would be allowed to be installed.

Chairman Hill was concerned about how large some of the buildings might be that would be built in this area. Mr. Stevenson noted that some of the buildings would have to be

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two stories to accommodate fork lifts and pallet stacking. Chairman Hill asked Mr. Stephens what the height restrictions were for this area and it was noted that they must comply with the airport protective area and the most recent addition to the building code, but that the Commission could determine heights of buildings when they review the conditional use and site plans for the area.

Mr. Stevenson noted that if you do above average work then you can ask above average price and that he would make every effort to be a good neighbor with no disruptions and would incorporate beautiful landscaping.

Commissioner Blankenship added that she was concerned that 2600 South was inadequate to handle traffic now and that any new development would make things worse. She said that she saw a need for a second access for safety purposes. There was some discussion as to where a second emergency access could be located and it was noted that it was possible that All State Trucking might be a good alternative to check on for a second emergency access. Mr. Stevenson said that he would be willing to investigate this possibility with the trucking company.

Commissioner Blankenship continued by saying that there is a need to protect existing property and use buffering as you need to. She said she would like to see Mr. Stevenson work with the residents and come up with a win win situation.

Mr. Stevenson said that he could do some things with landscaping and find ways to buffer the neighbors and that there is a need to be careful about what businesses would be going in. He also talked about fencing and how it could also work as a buffer.

Chairman Hill noted that each business would have to go through the conditional use process before they would be allowed to build in the area.

Commissioner Bassarear asked if there was a big hurry to have this area rezoned at this time. Mr. Stevenson said that with the purchase of the 46 acres that there is a need to plan the area as one unit for roads and infrastructure to be installed. He noted that a million dollars would be spent on putting in the infrastructure and that the city's Master Plan shows this area as being developed as I-1 Light Industrial. He said that he could not design a plan for only a part of the property.

The Commission asked what the buffering restrictions were for this area. Mr. Stephens said that a 15 foot buffer was required and that trees were required every 15 feet. He said that trees have a better effect as they grow and would become a better buffer over time.

Commissioner Bassarear asked if part of the rezone could include a park. Mr. Stephens said that the City would have to come up with the money in order to have this area made into a park.

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Commissioner Westergard suggested that a buffer be put in similar to what the A-1 drain looks like and that building could occur on the south side of this type of buffer allowing more space between the homes and the business park.

Chairman Hill said that the developer and the city could come up with a way to create a bigger buffer to help the separation as well.

Mr. Stevenson said that he would put in a berm and then install a wall on top of the berm and landscape both sides to make it look pleasing. He also said that he would be willing to meet with two or three representatives from the neighborhood to show them examples and work with them to their satisfaction.

Commissioner Hill then said that he would allow 2 or 3 spokes people a few minutes to make additional comments that were not already covered in the previous public hearing.

Ruth Hatch appeared before the Commission. She handed out her comments in a written form to the Commission. Please see Exhibit A for her detailed comments.

Chairl Miller also added her comments in written form and expressed them to the Commission. Please see Exhibit B

Roger Adams appeared before the Commission and said that there was a notarized petition (Exhibit C) from over 100 neighbors in the area that are opposed to this development. He noted that there is enough industrial in the area and the Planning Commission has a responsibility to the citizens of Woods Cross to do the right thing on their behalf.

Peter Miller addressed the Commission with his objections to the project as well. Please see Exhibit D.

Chairman Hill then called for any more questions or discussion on this matter from the Commission.

Commissioner Beecher noted that the action taken by the Planning Commission was just a recommendation to the City Council and that any other comments can be addressed to the City Council for the final decision.

Commissioner Blankenship noted that the reason this was chosen to stay Light Industrial was because of the limited access because of the railroad tracks and that this area is not appropriate for commercial building.

Commissioner Sharp wondered what would become of this property if it was not rezoned.

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Chairman Hill noted that the General Plan process took 1 ½ years to complete and the process had thorough review and that it would be a disservice to all involved to not take action on the matter at tonight's meeting, as well as letting the City Council review the matter. He noted that there was no perfect solution but that the matter needed to move forward.

Commissioner Blankenship said that she had mixed emotions and would like to look at the Layton property and the written comments that were given out at the meeting tonight, but that she could see no legal reason for this project not to proceed.

Chairman Hill called for any further questions or discussions.

Commissioner Sharp then made a motion to forward to the City Council the Planning Commission's recommendation for the rezone of the property for Mr. Jerry Stevenson from A-1 Agriculture and R-1-8 Residential to I-1 Light Industrial. Commissioners Sharp, Blankenship, Beecher and Westergard voted for the motion with Commissioner Bassarear voting against the motion. The motion carried with a vote of 4 -1.

Chairman Hill thanked those that were in attendance and encouraged them to continue to be involved with matters concerning Woods Cross City. He also reminded them that they would have another opportunity to voice their concerns at an upcoming public hearing to be held by the City Council at a future date.

PUBLIC HEARING-REZONE REQUEST A-1 AGRUCULTURE TO R-1-8-RESIDENTIAL-SERGAY LISTON

Mr. Stephens reviewed the details of this item with the Commission. He noted that Mr. Sergay Liston owns a long, narrow parcel of property east and adjacent to the Hidden Park Subdivision which is now under construction. Mr. Liston would like to extend the road that is in the Hidden Park Subdivision across his property and stub it to the adjacent property on his east side. He is proposing to develop 2 residential lots, one on each side of the extended road. There would also be a remaining lot fronting on 1500 South.

Mr. Liston has requested that the portion of his property encompassed by the 2 smaller lots on the proposed extension be rezoned to R-1-8 Single Family Residential. He would like to leave the larger remaining parcel fronting on 1500 South within the A-1 Agriculture zone. Mr. Liston will eventually construct a home on the larger lot fronting on 1500 South and would like to retain the agricultural zoning and the horses which now reside on the property.

The Commission had a discussion on the grandfathered horse property at this location and noted that if the horses were ever to be removed for one year that the property would revert from the agriculture zoning to the R-1-8 residential automatically. Mr. Sergay

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Liston was addressed and asked if he wanted to rezone everything to R-1-8 and he said that he would prefer not to at this time.

There was also a discussion about whether lot one could someday be turned into a flag lot and it was decided that there was not a big enough area to do this.

Chairman Hill then opened the public hearing. There were no public comments and Chairman Hill closed the public hearing.

Commissioner Beecher then made a motion to forward to the City Council the Planning Commission's recommendation for approval for the rezone of lots 2 and 3 for Mr. Sergay Liston.

PUBLIC HEARING: PRELIMINARY PLAT REQUEST—SERGAY LISTON

Mr. Stephens then reviewed this item with the Commission.

He noted that Mr. Liston is proposing a turn-around easement and improvements on the east side of lots 2 and 3. Mr. Liston's property contains horses and is also adjacent to the Hidden Park Subdivision. The Planning Commission required that the Hidden Park Subdivision construct a 6-foot tall vinyl fence along the boundary separating the two properties. Mr. Liston wishes to retain the horses and agricultural zoning for lot 1 and has proposed a 6-foot vinyl fence along the north boundary of lot 2. The property east of lot 1 also contains horses. The City also required a 6-foot vinyl fence between the Hidden Park Subdivision and the adjoining City Park. The City, as the adjoining owner, agreed to pay half the fencing costs.

There was some discussion on what type of fencing would work best with the horses in the area. It was decided that a specific type of fencing did not have to be determined at this time and that the Commission would look into this matter in more detail when the final plat was presented for their review.

Chairman Hill then opened the public hearing.

Ms. Pat Blackley said that a chain link fence was not a good alternative for horses either because they can eat anything that grows close to the fence line.

There were no other public comments and Chairman Hill then closed the public hearing.

Commissioner Bassarear then made a motion that the Planning Commission approves the preliminary plat for Mr. Sergay Liston with the following conditions:

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1. That there be fencing along the east side of lots 2 and 3 due to the presence of large animals on the adjoining property.
2. The Planning Commission considers a 6-foot vinyl fence along the south boundary of lot 3 adjoining the City Park. The City would agree to reimburse the developer half of the cost of the fencing improvements at this location.
3. That there is fencing appropriate for large animals on the north boundary of lot 2.

Commissioner Westergard seconded the motion and the motion carried.

AIE INC. CONDITIONAL USE REQUEST—JOHN KENDRICK

Mr. Stephens reviewed the details of this item. He noted that the applicant is proposing to conduct the business of a construction company and also to store tools, materials, and other like items indoors.

Mr. John Kendrick appeared before the Commission. The Commission asked Mr. Kendrick if he was proposing to store any items outside. He said he was not because of his concern of getting items stolen as well as not having anything that would need to be stored out of doors.

Commissioner Beecher made a motion to approve the conditional use request for Mr. John Kendrick with the condition that all storage shall be indoors. Commissioner Sharp seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens noted that he had received some training materials on training management and would be looking at a training session with the Commission in the future.

He also noted that UDOT and the Staff had been communicating about the future of 500 South and Redwood Road and the need to develop it into a nice area. Access management has been agreed upon so that businesses that develop in the area will have free flowing traffic.

There has been a site plan submitted for the Commuter Rail Station that Staff is reviewing and discussion is continuing with UTA on a pedestrian traffic bridge.

There was discussion about the real estate sign that Mr. Smoot still has in place. Staff was directed to draft a letter to Mr. Smoot with the Planning Commission's wish to have the sign removed.

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ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:40 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary