

WOODS CROSS PLANNING COMMISSION
MAY 22, 2007
6:30 P.M.

MEMBERS PRESENT:

David C. Hill, Chairman
Jennifer Bassarear
Anne Blankenship

Brent Page
Ryan Westergard

MEMBERS EXCUSED:

Leo Beecher
Gary Sharp

VISITORS:

Michael Ann Eads
Byron C. Munsee
Jim Allred
Randy Farnsworth

Melvin Richardson
Jim Grambihler
Andy Johnson

Sheri Richardson
Gordon Larsen
Kate Horsley

PLEDGE OF ALLEGIANCE:

Jennifer Bassarear

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections for the minutes of the Planning Commission meeting held May 8, 2007. Commissioner Bassarear made a motion to approve the minutes as written with Commissioner Blankenship seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Tamra Dayley was present at tonight's meeting to report on the City Council meeting held May 15, 2007. Please see the minutes of that meeting for the details of her report.

OPEN SESSION

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

There were no public comments in the open session at tonight's meeting.

RICHARDSON HANGAR SITE PLAN & CONDITIONAL USE—1640 WEST 2350 SOUTH—MELVIN AND SHERI RICHARDSON

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that the applicants were proposing to construct a new aircraft hangar within the Skypark Industrial Park. This hangar structure will be divided into 3 separate aircraft hangar units that the applicants intend to have as separate condominium ownership. This project

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is very similar to many previously approved within the airport industrial park. The Richardson's are also seeking approval for a condominium site plan for the project.

Ms. Sheri Richardson appeared before the Commission.

Chairman Hill asked her if she had any questions or comments and she said she did not. Chairman Hill asked her if she understood the conditions attached to this item. She said she did and did not have any problems with them. She said this was a pretty straight forward request.

Commissioner Page then made a motion to approve the conditional use permit for Richardson Hangar and Sheri and Melvin Richardson with following conditions:

1. The building, as an aircraft hangar, will be used exclusively for the storage, maintenance or construction of aircraft or related aviation use.
2. At no time may any equipment or materials be stored outdoors.

Commissioner Blankenship seconded the motion and the motion carried.

Commissioner Westergard then made a motion to approve the site plan for an aircraft hangar as presented. Commissioner Bassarear seconded the motion and the motion carried.

PUBLIC HEARING-LOT VACATION REQUEST—LOT 39 SKYPARK INDUSTRIAL PARK—SHERI AND MELVIN RICHARDSON

Mr. Stephens continued by saying that the Richardson's are requesting that Lot 39 of the Skypark Industrial Park be vacated to permit the recordation of their aircraft hangar condominium plat.

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

Commissioner Bassarear then made a motion to forward to the City Council the Planning Commission's recommendation to approve the vacation of lot 39 in the Skypark Industrial Park for Sheri and Melvin Richardson. Commissioner Blankenship seconded the motion and the motion carried.

PUBLIC HEARING—RICHARDSON HANGAR CONDOMINIUM—MELVIN AND SHERI RICHARDSON

The Richardson's continued with the request to split the building into 3 separate aircraft hangar condominiums for private ownership.

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

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Commissioner Blankenship made a motion to forward this item to the City Council with the Planning Commission's recommendation to approve the Richardson Aircraft Condominium Plat with the condition that the building addresses be changed as per the Public Works Department. Commissioner Page seconded the motion and the motion carried.

PUBLIC HEARING—SINCLAIR OIL I-1 LIGHT INDUSTRIAL TO I-2 HEAVY INDUSTRIAL REZONE—DAVID STICE

Mr. Stephens reviewed this item with the Commission. He noted that the City Council approved an amendment to the General Plan designating the subject property for future heavy industrial use. Sinclair Oil has proposed the construction of 2 aviation fuel storage tanks and a truck loading facility.

Mr. David Stice appeared before the Commission in regards to this item.

Chairman Hill said that the Commission would like to address some questions in regards to this item. He asked about the odor problem and what kind of measures would be taken to resolve this problem. Mr. Stice said the tanks that would be constructed would be floating roof tanks which would help to reduce odors. He also said that there would be flares on the loading rack so odors displayed from the trucks could be disposed of by these flares which would be shielded by a tube like structure. He said there would be no stack flares.

Chairman Hill then asked about how the facility would be monitored. Mr. Stice said there would be prevention aspects by doing things like having tanks with concrete bottoms to prevent leaks and having above ground pipes so you can see where there may be a leak. Chairman Hill then asked what would happen if there was a leak. Mr. Stice said the tank would be taken out of service and drained to be able to be inspected. He said that tank leaks are usually not catastrophic and that the facility would have time to react to leaks that might occur. Mr. Stice went on to say there will be someone monitoring the facility during active movement of the product. He also said he thought the facility would be inspected at least 5 days a week and possibly 5-7 days a week.

Chairman Hill asked if the property had had a baseline inspection done for any present contamination. Mr. Stice said there had not been an inspection but one could be done if the Commission would like. Chairman Hill pointed out the fact that this facility is very close to one of the City's functioning water wells and expressed his concern about the ground water possibly being contaminated by an accident at the facility. He went on to point out that if there was a baseline inspection, this concern could be measured more accurately in the future.

Chairman Hill noted that he also had concerns over the possibility that the facility could be sold to someone else down the line and would like to make sure that the conditional use details would be ironed out to avoid future problems.

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Commissioner Westergard also voiced his continued concerns with the flare and the burning off of vapors because other refining facilities in the area seem to emit the worst odors when their burner is on and the product is being loaded. He noted that there are homes nearby and there is a concern about the loading dock being able to catch all odors that would be emitted.

Mr. Stice said that as far as the loading of the product goes, it is a hard pipe system and that trucks have to have pipes hooked up to them. He noted that he was aware odors would be an issue especially since there had been problems with other facilities in the area.

Commissioner Westergard went on to say Sinclair had been a good neighbor but recently there had been a hazardous fire at another facility and the more facilities we have in this area, the greater the likelihood there would be of another accident. He also noted his concern for truck traffic in the area.

Mr. Stice said they would work with the Commission on where they would like the trucks to be routed and may need to look at specific times that trucks could be run. It was also mentioned that there would be some construction of the road on 2600 South from Weber Basin Water in the near future that would also greatly affect traffic.

Commissioner Westergard went on to say having these two huge tanks constructed so much closer to the road than the other tanks is also much of a concern.

Mr. Stice said that there would be landscaping and structural screens and he was waiting for a draft from one of his draftsman to see what could be done in this regard.

Chairman Westergard noted that Pioneer pipeline had not done a very good job at hiding their tanks and it was nearly impossible to hide such large tanks so close to the road.

Chairman Hill asked Mr. Stice when the drafts would be completed and suggested that he take the conceptual drawings to Staff to get input on them before bringing them back to the Commission for review.

Chairman Hill then opened the public hearing on this matter.

Mr. Randy Farnsworth living at 1383 West 1900 South, appeared before the Commission. He expressed his concern over the odor problems and the traffic issue. He said there had been a proposal ten years ago to help mitigate odors and sound from other facilities in the area but they had not been take care of. He said he did not feel that the City has stepped up in taking care of these issues. He said that he had spoken with many neighbors and they were upset about so many homes being mixed with so much heavy industrial use, even taking around a petition at one time for the neighbors to sign. He noted that visitors coming to his home comment first thing about the odor and ask how he can live with it. He commented on the fact that the fuel pipelines are very spread out and these tanks could very easily be located elsewhere.

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Mr. Farnsworth went on to comment about the problem of traffic as well. He said that the City needs to work closer with North Salt Lake to rebuild the intersection at 800 West and I-15. He said it was bad enough as it was but when adding more truck traffic it would create even more problems than are already present. He also expressed his concern about what would happen if the refinery were sold sometime down the line.

Ms. Tamra Dayley living at 1402 West 1900 South, appeared before the Commission. She said that she agreed with Chairman Hill and Commissioner Westergard on their comments. She noted that she was very disappointed on the decision made by the City Council to change the General Plan and this was not the first facility to come before the City to ask for expansion. She noted that the other facilities had been turned down for the expansion of more tanks. She also noted that our City would be adding three times the car traffic coming from places like North Salt Lake, because of the light rail station that is being constructed in the City. She said she did not feel that the big picture had been looked at very closely. She went on to say that the new capacity of this facility could double or triple the trucks and we would not be able to monitor or restrict truck traffic and there is a potential for putting many citizens at risk. She said she felt that we were full in Woods Cross City for this type of development and these requests needed to go somewhere else.

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

Commissioner Page then said that he lives by the loading rack on 500 South and they don't get measurable fumes from the loading of the product, just from the production, which Sinclair is not a production facility at this plant.

There was then a discussion by the Commission on if and how fumes could be measured. They asked Mr. Stephens if there were a possibility of locating someone with expertise in this field to discuss with the City how these fumes could be monitored since it seemed to be difficult to do especially with the existing problems with odor at some of the other facilities in the City.

Commissioner Westergard said there had been a presentation in West Bountiful City from the Utah Physicians for a Healthy Environment. He noted that they had talked about health problems within cities with refineries. The physician's recommendations were not to allow any more expansions of petroleum facilities at all. These facilities cannot be monitored easily and are causing many health problems for the citizens who live within these city boundaries.

Mr. Stice noted that they adhere to the State air quality regulations and he could have his air quality engineers come and discuss odor issues with the Commission if they would like.

Mr. Stephens said that he had tried to work with the State air quality standards and that there can still be odors even if the State is regulating them. He suggested that it might be good to go outside of Utah and to maybe go to the industry to see if there is someone who could give the Commission the information they were looking for.

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Commissioner Blankenship noted that it might be advantageous to put standards in the City ordinances to monitor the air quality and start with EPA standards. She said the City might look into contracting this out to someone with this type of experience. Commissioner Page agreed that this may need to be part of the ordinances to try and alleviate this problem that seems to be happening in many parts of the City.

Chairman Hill then said that he did not want to act on this item until the Commission could get more information on potential odor problems, tank layout and other potential issues and how they could be handled.

Commissioner Blankenship then made a motion to table the rezone of the property located at 1000 West and 2600 South until Staff can bring more information to the Commission or find an expert to address and educate the Commission on air quality and environmental impact issues facing this facility by the next Planning Commission meeting. Commissioner Bassarear seconded the motion and the motion carried.

**PUBLIC HEARING—SUMMERSIDE SENIOR CONDOMINIUM FINAL PLAT—2375
SOUTH 800 WEST—RONALD DAW**

Mr. Stephens reviewed this item with the Commission. He noted that the Planning Commission had approved a site plan and conditional use for this project previously. The applicants now wish to file a condominium plat allowing them to sell a certain percentage of the units within the development. Some units will remain as rental or lease.

The Commission had a discussion on some previous concerns over this project turning into an over run apartment building instead of a senior housing complex that may be passed on to younger children when the residents pass away. They discussed that regulations could be placed in the CC&R's limiting the facility to residents who are 55 years of age and older. It was noted that the City Attorney could be consulted on the matter.

Mr. Jim Allred appeared before the Commission representing this item. He noted that the management of the facility would not be relinquished to the homeowner's but would continue to be managed by the investment group. It was noted that by renting some of the units and selling others it gives people options for their circumstances. He went on to explain that these condominiums would be deed restrictive to residents who are 55 years old or older. He also went on to say that there would be services that would be offered such as meals or housekeeping, but this is not an assisted living facility, but services would be available to help facilitate an easier retirement by offering these services. He noted that by offering ownership in these condominiums it is more appealing and is smarter financially because it is much more affordable to own one of the condominiums than to pay to live in an assisted living facility. Although this is not an assisted living facility, it would have the services on site to make life easier for older residents that may want to take advantage of some of the services that would be available.

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The Commission thanked Mr. Allred for working and meeting with adjacent neighbors to address their concerns before the project is started. Mr. Allred said he was happy to be a good neighbor and wanted to continue to do so.

There was a comment from the public from Ms. Michael Ann Eads. She said they had been told at one of the City's Senior Citizen lunches that this property had been set aside for a senior citizens center for the City. The Commission said they had not heard this nor had it come before them for their review.

The Commission had a discussion on the size and number of units and the different amenities that would be offered. They were pleased with the project and felt it would be an asset to the City.

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

Commissioner Page then made a motion to forward this item to the City Council with the Planning Commission's recommendation to approve the Summerside Condominium Final Plat. Commissioner Bassarear seconded the motion and the motion carried.

RUSSELL SITE PLAN AND CONDITIONAL USE—1998 WEST 2425 SOUTH—GENE RUSSELL

Mr. Stephens said he did not see any representatives for this item present at this time.

Commissioner Westergard made a motion to table this item until the applicant could be present. Commissioner Page seconded the motion and the motion carried.

RB'S SITE PLAN AMENDMENT—527 SOUTH 700 WEST—BRAD RANDALL

Mr. Stephens noted that the applicants are proposing to install a natural gas dispenser. It would be located under the south end of the existing canopy and would supply compressed natural gas for specific vehicles made to use this kind of fuel.

Mr. Gordon Larsen from Questar Gas, appeared before the Commission representing this item. He said that Utah is second in the nation for natural gas vehicles and there was a need in Davis County to be able to have a supply of fuel to fill these vehicles. He went on to note the benefits of natural gas vehicles, they are safer and friendlier to environment and that natural gas is much cheaper than regular gas at this time. He said it would be commuters who would be primarily be using this type of fuel. He pointed out where the dispenser would be located on the property and that a line would be run mostly underground to supply the fuel.

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Commissioner Bassarear made a motion to approve the amended site plan as presented for a natural gas dispenser at RB's located at 527 South 700 West. Commissioner Page seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens said he did not have anything for General and Pending at this time.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:50 P.M. with Chairman Hill seconding the motion.

David C. Hill, Chairman

Bonnie S. Craig, Secretary