

**WOODS CROSS PLANNING COMMISSION
SEPTEMBER 12, 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
Tamy Daley, City Council Member

VISITORS:

LeGrande Blackley
Pat Blackley
Elci Chapman
John Butler

PLEDGE OF ALLEGIANCE:

Anne Blankenship

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections of the minutes of the meeting held August 8th, 2006. After corrections were noted, Commissioner Sharp made a motion to approve the minutes as corrected with Commissioner Bassarear seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Tamara Dayley was at tonight's meeting representing the City Council. She reviewed with the Planning Commission the City Council meeting held September 5, 2006. Please see the minutes of that meeting for the details of her report.

MIDDLETON RENOVATION CONDITIONAL USE REQUEST-T.J.

MIDDLETON

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that Mr. Travis J. Middleton was proposing to locate a paint and light renovation company in the AP zoned site. Most of the renovation projects are located in California and Arizona. Any business conducted in the AP zone will be strictly office duties.

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Ms. Elci Chapman was appearing at tonight's meeting on behalf of Travis Middleton. She noted that this business would only consist of receiving mail and doing bookwork. She said that Mr. Middleton did the majority of his business out of town.

The Commission stressed to Ms. Chapman that she talk to Mr. Middleton and let him know the importance of having no outside storage at this facility including boats or other recreational vehicles.

Ms. Chapman said that it would not be a problem and that the airport had similar restrictions that would not allow outside storage as well.

Commissioner Bassarear then made a motion to approve the conditional use for Mr. T.J. Middleton for Middleton Renovation with the condition that all equipment and materials be stored indoors. Commissioner Blankenship seconded the motion and the motion carried.

ELITE HARDWARE CONDITIONAL USE REQUEST—JOHN BUTLER

Mr. Stephens reviewed this item with the Commission. He noted that Mr. John Butler is looking to operate a business of sales and installation of hardware, particular to doors, bathrooms, and cabinets. Mr. Butler is proposing to do this in an existing building located in the AP zone.

Mr. John Butler appeared before the Commission. He noted that he had been in business for over a year and that he did hardware installation for mostly new homes and some home remodels. He said that in this location he plans to have a nice showroom, a small warehouse space and an office space. He also said that his employees are usually there mostly in the morning before they are sent out to work on a job. Mr. Butler is the only one usually there during the day taking care of bookwork and helping customers.

The Commission also reminded Mr. Butler that there is to be no outside storage. Mr. Butler commented that his inventory is small parts and that he did not intend to store anything outside. The Commission also asked Mr. Butler if he had met with the Fire Marshall yet. Mr. Butler noted that he had not and that he would contact the Fire Marshall to have him come and look over his facility to make sure it was in compliance with the Fire Marshall's requirements.

Commissioner Blankenship then made a motion to approve the conditional use for Elite Hardware and Mr. John Butler with the following three conditions:

1. At no time may any portion of the site be used for the outside storage of materials, equipment or vehicles.
2. All activities of the business shall be conducted indoors at all times.
3. Applicant shall submit to the city the approval of the Fire Marshall inspection.

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Commissioner Beecher seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens then reviewed with the Commission a few items of interest.

He noted that the update for the LDS Church walk through was going to be on tonight's agenda, but that Mr. Bradford, who was to appear before the Commission on this matter, was out of town. Mr. Stephens said that it would appear on the next meeting's agenda.

The Liston subdivision final plat would be coming up.

The Mountain View Estates final plat is also coming up, but they are working on finalizing a few items.

Holly Oil Refinery would like to expand its non-conforming use by relocating a couple of small tanks within its loading rack facility and will be coming in to talk to the Commission about it in the future.

There is Planning Commission training coming up right away as well as in December.

The city sponsored dinner would be held next weekend.

The Commission thanked Mr. Stephens for his report on these items.

**PUBLIC HEARING TO CONSIDER AMENDMENT TO THE ZONING
ORDINANCE REGARDING CONVERSION OF MODEL HOMES TO
RESIDENTIAL USE—TIM STEPHENS**

Mr. Stephens reviewed this item with the Commission. He said that some time ago, the Commission noted the need to recommend to the City Council an amendment to the Zoning Ordinance dealing with model home conversions. He wanted to discuss concerns from the Planning Commission regarding the proposed language and listen to any public comment on the matter at tonight's meeting.

Chairman Hill then opened the public hearing.

Mr. LeGrande Blackley appeared before the Commission.

He asked the Commission why they wanted to do this.

Commissioner Westergard noted that his neighbors had asked him when the model home in his neighborhood would be converted back to a regular home from a model home. They had expressed concerns that they did not like having the model home in the

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neighborhood because it was a brand new home and a focal point in entering the neighborhood and they would like to see it look like the rest of the homes in the neighborhood.

Mr. Blackley then commented that he wondered if the Commission had the right to regulate the aesthetics of the homes in the area and if there was really a need to do this. He said that he didn't think that it was really much of a problem and wondered why changing the ordinance was being considered. He also said that he felt like if the model home office had been converted back to a garage, that whoever bought the home would probably just convert it back to the way it had been presented as a model home with the garage being turned back into living space.

Commissioner Westergard then noted that he thought that two or three families were renting and living in the model home near him and that because of the extra space and the separate entrance that it encouraged having more than one family in these types of homes. He noted that the homes should look like and be used as intended as a single family dwelling and that if people needed the extra living space they should look for a bigger home to purchase.

There was no more public comment and Chairman Hill closed the public hearing.

Chairman Hill then called for discussion on this matter.

Commissioner Blankenship said that some of these homes have no usable garages and that model homes need to be converted to where they offer the same amenities as the rest of the subdivision.

Commissioner Hill noted that these homes need to comply with the wording of the ordinance and have a garage.

Commissioner Bassarear said that she would like the model homes to look like any other home in the neighborhood.

Mr. Stephens said that the majority of these types of homes have two car garage space but that only one car space is utilized.

Commissioner Beecher said he wondered what the definition of a model home was. He wondered why people wanting to look at the model homes could not just enter through the front door instead of having a special office built.

Mr. Stephens suggested that maybe model homes could be viewed as a conditional use and be reviewed on a case by case basis as the contractor brought them into the Commission for their review.

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Commissioner Hill said that it would be easy enough to have the contractors come in for a review of the model homes as they would have to appear before the Commission for review of their subdivisions anyway.

Mr. Stephens said that he would look at the residential use areas of the ordinances and see where the ordinances needed to be modified to include model homes as a conditional use and then Staff would come back with new wording for the Commission's review of the ordinances.

Commissioner Sharp then made a motion to table this item and direct Staff to review the residential use areas of the ordinances and come back with suggestions for modification for model homes used as a conditional use. Commissioner Blankenship seconded the motion and the motion carried.

UPDATE OF 500 SOUTH STREETSCAPE STUDY—TIM STEPHENS

Mr. Stephens then presented a PowerPoint presentation regarding the concepts that Woods Cross City would like to see implemented for the 500 South Streetscape.

The Commission then discussed with Mr. Stephens their concern, once again, over the I-15 interchange on 500 South. It was noted that this area is very congested right now and will only continue to be a problem in the future. It was also noted that if it continues to be a major problem, people will find alternative routes through Woods Cross City to try and avoid the traffic problem, causing much more traffic through the city. The Commission asked Mr. Stephens to look into anything that the city could do to expedite the reconstruction of this interchange to try to alleviate the current problem as well as try to avoid major problems in the future, especially with the future of light rail and the traffic it will bring to the city in the future.

The Commission thanked Mr. Stephens for his presentation.

AJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:00 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary