

**WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006**

MEMBERS PRESENT:

David C. Hill, Chairman
Jennifer Bassarear
Anne Blankenship

Brent Page
Gary Sharp
Ryan Westergard

MEMBERS EXCUSED:

Leo Beecher

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
Jon Hadlow, City Council Member

VISITORS:

Jason Smith
Carilyn Vincent
George Happ
Patrick Lucero
Mark Davidson
Larry Clark

PLEDGE OF ALLEGIANCE:

Gary Sharp

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections for minutes of the meeting held November 28th, 2006. After corrections were noted, Commissioner Page made a motion to approve the minutes for the training meeting as written, with Commissioner Blankenship seconding the motion and the motion carried.

Commissioner Bassarear then made a motion to approve the minutes as corrected for the Planning Commission meeting with Commissioner Blankenship seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Jon Hadlow was at tonight's meeting representing the City Council. He reported on the City Council Meeting held December 5th, 2006. Please see the minutes of that meeting for the details of his report.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 2**

**PUBLIC HEARING SKYPARK INDUSTRIAL PARK VACATION OF LOTS 77,
78, 79—JASON SMITH**

Mr. Tim Stephens, the Community Development Director, reviewed the details of this item with the Commission. He noted that several weeks ago the Commission approved a conditional use permit for an aircraft parts manufacturing activity within an existing building on the subject properties. It was noted at that time that the property owner would be requesting a realignment and re-subdivision, that the three existing lots 77, 78, 79 be vacated to permit the recordation of the Skypark Industrial Park Amended Lots 77-79 Subdivision.

Mr. Jason Smith appeared before the Commission and said that he had no additions to the review by Mr. Stephens.

Chairman Hill then opened the public hearing.

Ms. Carilyn Vincent appeared before the Commission. She noted that she leased a portion of the building in question from the airport and wondered what the impact to her business would be. She noted that she runs a business that rebuilds aircraft engines and that she had concerns over small dust particles getting into the engines with this renovation. She said that she was very unfamiliar with the language used on the signs that were posted announcing the public hearing on this matter and said that she had concern over the word vacate. She wondered if she had to vacate the property to make way for a new housing subdivision.

Mr. Stephens explained the process of vacating and that a new plat had to be recorded with the Davis County Recorder for the underlying property, not the building, and that a new plat cannot be recorded over an old one.

Ms. Vincent then said that there are some stationary sheet rock walls and noted that she felt they could be a fire hazard and that some sort of fire walls needed to be built to make things safer. She also expressed concern over the common roof being removed from the building to change the configuration of the building and what impact it would have on her business.

Mr. Stephens noted that Ms. Vincent might want to speak with her Landlord and the builders for this project to get this particular information and noted that the Planning Commission only had certain responsibilities regarding this item.

Mr. Smith then made a comment and said that he appreciated Ms. Vincent's concerns and would take them into consideration and get with her to see if he could help work through them with her.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 3**

Mr. Larry Clark, owner of lot #65, then appeared before the Commission. He asked if the builders would still be responsible for CC&R's and it was noted that they would and that others may need to be enacted and that there would be no land use change. He noted that it would have been nice if the owners and builders would have gotten together with the tenants to explain what was going to be happening.

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

Commissioner Page then made a motion to forward to the City Council the Planning Commission's recommendation to approve the vacation of lots 77, 78, 79 of the Skypark Industrial Park. Commissioner Sharp seconded the motion and the motion carried.

**PUBLIC HEARING SKYPARK INDUSTRIAL PARK AMENDED LOTS 77-79—
JASON SMITH**

Mr. Stephens reviewed the details of this item with the Commission. He noted that the purpose for this subdivision is a realignment of lot lines for lots 77-79 of the Skypark Industrial Park. He noted that the Staff had asked that a cross easement be provided between lots 77 and 78 to permit access to the overhead doors and rear portion of the building that will straddle lots 77 and 78. Mr. Stephens noted that the applicant's engineer did get this information to Staff.

Chairman Hill then opened the public hearing.

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

Commissioner Sharp then made a motion to recommend that this item be forwarded to the City Council with the Planning Commission's recommendation for approval to amend the plat with lots 77-79. Commissioner Bassarear seconded the motion and the motion carried.

**CONDITIONAL USE REQUEST ROCKET POWER CONSTRUCTION/OME
SPECIALTIES—OTTO FERNANDEZ**

Mr. Stephens reviewed the details of this item with the Commission. He noted that the applicant was proposing to operate Rocket Power Construction and OME Specialties from an existing building on 800 South just west of 500 West Street.

Chairman Hill called for Mr. Otto Fernandez to appear before the Commission.

Mr. Fernandez was not present at this time and the Commission decided to move ahead with the meeting to see if Mr. Fernandez might arrive at the meeting at a later time.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 4**

FLEXPAC CONDITIONAL USE AND SITE PLAN REQUEST—MARK DAVIDSON

Mr. Stephens reviewed this item with the Commission. He noted that the applicant was proposing to construct a new building to house a packaging and shipping operation. The business is one which products are packaged and shipped. It was also noted that it will be adjacent to the new Valentine Estates development and might impact this neighborhood.

Chairman Hill was excused from the meeting at this point and Commissioner Blankenship took over and was acting as Chairman Pro-tem in his stead.

Mr. Mark Davidson then appeared before the Commission. He reviewed that this business involved packaging supplies and that most of them were already made and there is no heating or molding of these packaging products taking place.

Chairman Pro-tem Blankenship noted that she was concerned about the loading dock being located on the north side next the adjacent neighborhood. Mr. Davidson noted that this was the only way that they could configure it so that the trucks could fit behind the building for pick up and delivery but that there would be lots of landscape to buffer it from the adjacent neighborhood.

Chairman Pro-tem Blankenship also asked Mr. Davidson if he was aware of the strict lighting requirements. He noted that he was and that he would comply with the requirements for the lighting.

The Commission discussed the problems in the past with some of the businesses in the city negatively impacting the surrounding areas and noted that they would like to see lighting added to the conditional use permit as a condition as well as requiring it in the site plan conditions.

Commissioner Page then made a motion to approve the conditional use permit for Flexpack with the following conditions:

1. Loading, shipping, and deliveries are prohibited between the hours of 10:00 p.m. and 6:00 a.m.
2. At no time may any equipment, materials, or products be stored or business activities take place outside the enclosed building. All such activities or storage shall be accommodated within the fully enclosed building.
3. At no time may any offensive odors, noise, or lighting emanate from the site which would impact the surrounding residential or light industrial areas. Failure to comply with the condition shall result in revocation of the permit.
4. Any degradation of the property due to the applicant's operation may result in revocation of the permit.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 5**

Commissioner Westergard seconded the motion and the motion carried.

Mr. Stephens then reviewed the details of the site plan. He noted that the applicant is proposing to erect a concrete, tilt-up building to house the above mentioned project. He noted that landscaping would include the required tree buffering along the north property line adjacent to the Valentine Estates neighborhood.

Mr. Stephens noted that there is a 20-foot piece of property owned by UDOT on the backside of this property. He said that the city had been in negotiation with UDOT to purchase this property so that it could be absorbed into the existing subdivisions. There had been some questions on whether or not this would take place, as the city has approached UDOT before about absorbing this piece of property owned by UDOT into the city plans with little success.

Mr. Davidson then appeared before the Commission. The Commission asked Mr. Davidson about his lighting plans and he noted that he was going to put in pole lights that face away from the housing development and that they would also have shields.

Commissioner Bassarear was excused from the meeting at this point. Chairman Pro-tem Blankenship then noted that she would be voting on the next few items on the agenda because if she did not, there would not be the required quorum for passing a motion.

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

1. Building shall be painted as per the submitted information.
2. A 6-foot solid fence shall be constructed along the north boundary, a minimum of vinyl.
3. Applicant shall submit South Davis Sewer District approval prior to issuance of building permit.
4. Applicant shall submit South Davis Metro Fire approval prior to issuance of the building permit.
5. At no time may lighting from the site negatively impact the adjacent residential areas. In no case shall wall pack lighting be utilized along the north, east and west face of the building. All such lighting directly visible from the adjoining residential area shall be properly shielded to prevent light trespass on the adjoining residential areas.
6. Applicant shall submit to the City a copy of the recorded document establishing cross easement for access, parking and storm water management for the lot and the adjacent 3-lots covered by the site plan and storm water drainage plans as submitted to the City Engineer's office.
7. In the event the UDOT property is unavailable, the applicant shall return to the Planning Commission to discuss buffering options.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 6**

Chairman Page seconded the motion and the motion carried.

MANUEL'S CONDITIONAL USE AND SITE PLAN REQUEST—MARK DAVIDSON

Mr. Stephens reviewed this item with the Commission. He noted that the applicant was proposing to operate a food processing business specializing in corn based products, such as tortilla chips, and taco shells.

It was noted that many of the same concerns that were attached to the above item were also a concern with this business. Mr. Davidson then appeared before the Commission. He did have a question about delivery vehicles being parked on site and if it would be allowable. The Commission noted that as long as the vehicles were active on a daily basis they were not considered storage, but that it would be considered storage if a vehicle became disabled and was parked for a long period of time and then it would be considered a problem.

Commissioner Sharp then made a motion to approve the conditional use for Manuel's Fine Foods with the following conditions:

1. Loading, shipping and deliveries are prohibited between the hours of 10:00 p.m. and 6:00 a.m.
2. At no time may any equipment, materials, or products be stored or business activities take place outside the enclosed building. All such activities or storage shall be accommodated within the fully enclosed building.
3. At no time may any offensive odors, noise, or lighting emanate from the site which would impact the surrounding residential or light industrial areas. Failure to comply with this condition shall result in revocation of the permit.
4. Any degradation of the property due to the applicant's operation may result in revocation of the permit.
5. Appropriate service vehicles may be parked on site.

Commissioner Page seconded the motion and the motion carried.

Commissioner Westergard then made a motion to approve the site plan for Manuel's Fine Foods with the following conditions:

1. Building shall be painted as per the submitted information.
2. A 6-foot solid fence shall be constructed along the north boundary, a minimum of vinyl.
3. Applicant shall submit South Davis Sewer District approval prior to issuance of building permit.
4. Applicant shall submit South Davis Metro Fire approval prior to issuance of the building permit.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION MEETING
DECEMBER 12, 2006
PAGE 7**

5. At no time may lighting from the site negatively impact the adjacent residential areas. In no case shall wall pack lighting be utilized along the north, east and west face of the building. All such lighting directly visible from the adjoining residential area shall be properly shielded to prevent light trespass on the adjoining residential areas.
6. Applicant shall submit to the City a copy of the recorded document establishing cross easement for access, parking and storm water management for the lot and the adjacent 2-lots covered by the site plan and storm water drainage plans as submitted to the City Engineer's office.
7. In the event the UDOT property is unavailable, the applicant shall return to the Planning Commission to discuss buffering options.

Commissioner Sharp seconded the motion and the motion carried.

The Commission then returned to the Rocket Power Construction/OME item. It was decided that the Commission would like to wait to approve this item until Mr. Fernandez could be present to answer any questions. Commissioner Page made a motion to table this item until Mr. Fernandez could be in attendance. Commissioner Westergard seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens noted that there were some storm drain issues with light rail so they won't be appearing before the Commission until after the first of the year. The city is also moving ahead and working with Landmark Design for the plans for the plaza.

It was noted that the employee appreciation dinner will be held on January 19th.

ADJOURNMENT

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

David C. Hill, Chairman

Bonnie S. Craig, Secretary