

**WOODS CROSS PLANNING COMMISSION
OCTOBER 10, 2006**

MEMBERS PRESENT:

David C. Hill, Chairman
Jennifer Bassarear
Leo Beecher
Anne Blankenship

Brent Page
Gary Sharp
Ryan Westergard

STAFF PRESENT:

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

VISITORS:

Gene Russell
Robert Hogge
Doug Denton
Brian Kuepper
Nicholas Smith
Brett Kuepper
Sally Wheelright

PLEDGE OF ALLEGIANCE:

Brent Page

APPROVAL OF MINUTES

Chairman Hill called for discussions or corrections for the minutes of the meeting held September 26, 2006. After corrections were noted, Commissioner Beecher made a motion to approve the minutes as corrected 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 reviewed with the Planning Commission the City Council meeting held October 3, 2006. Please see the minutes of that meeting for the details of his report.

PUBLIC HEARING: WESTSIDE INDUSTRIAL PARK #3 FINAL PLAT—TIM STEPHENS

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that the City, some years ago, had purchased 50 acres west of Redwood Road for the purpose of relocating the South Bountiful Auto Salvage Yard. As a result, the City has since owned the property on the north side of 2425 South from the salvage yard to Redwood Road. The City Council has been approached numerous times

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over the years from different parties interested in purchasing lots for light industrial or commercial development. The City now desires to subdivide the property and offer it for sale.

Chairman Hill then opened the public hearing.

Mr. Frank Branch of South Bountiful Auto appeared before the Commission. He noted that on the south side of 2425 South that there will be a buffer between the light industrial area and the Foxboro subdivision. He wondered if there would be a buffer between the homes and the light industrial area or a through street on the north side of the street to the residential area.

Mr. Stephens said that there was no through street planned at this time and that there would be a 15 foot buffer containing trees and fencing required.

Mr. Branch also asked if where the detention pond would be located and Mr. Stephens noted that they would use the one that already existed but that it would be configured differently and redone.

Ms. Sally Wheelright then appeared before the Commission. She asked what the zoning would be for this area. Mr. Stephens said that it would be I-1 General Industrial. Ms. Wheelright asked what could be built in this zone. Mr. Stephens said that it could be commercial, office, hotels, manufacturing, but no heavy industrial.

Ms. Wheelright then said that where her business was located on the south side of 2425 South, that there was another business up the street that was parking vehicles on the street and had no sight obscuring fence. She expressed her concern over the fact that she did not want this new area to have zoning that would allow people to park many vehicles or not take care of their property because it devalued her property. She noted that she had spent a lot of money on a sight obscuring fence to make her business look nice and does not want the street to look bad if others do not take care of their property.

It was noted that she had some pictures that would be given to Mr. Blackley, the Code Enforcement Officer, so he could look into the matter of those who are not complying with the city's ordinances and parking vehicles where they should not be.

There were no further comments from the public and Commissioner Hill closed the public hearing.

Commissioner Beecher then made a motion that the Planning Commission forwards its recommendation to the City Council its approval of the Westside Industrial Park. Commissioner Page seconded the motion and the motion carried.

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**HOLLY ENERGY PARTNERS NON-CONFORMING USE ADDITION
REQUEST-ROBERT HOGGE**

Mr. Stephens reviewed this item with the Commission. He noted that Holly Energy Partners operates the loading dock (rack) on the corner of 500 South and 800 West. This loading facility has existed at this location for many years. The present zoning of the property is C-2 General Commercial, which does not permit petroleum related uses. The Holly loading dock facility is a “grandfathered” or nonconforming use. Nonconforming uses allow continued uses of such property or structure but are generally not permitted to be enlarged or extended. However, the ordinance does allow the City Council, with a prior recommendation from the Planning Commission, to consider an enlargement, alteration or change to a nonconforming use. Holly Energy Partners received a nonconforming use enlargement approval last year to install a small storage building on the site. They are now requesting a further nonconforming use alteration or enlargement to permit the alteration of the additive storage area with the addition of a 3,000 and 10,000 gallon tanks for the storage of fuel additives and fuel dye. The changes will take place on the south boundary of the loading dock (rack) facility. The parcel south of the subject property is presently vacant, however, is planned as part of the Commuter Rail Station with future parking and office buildings.

Mr. Robert Hogge, the terminal manager for the loading dock facility, appeared before the Commission. He noted that as of right now they are filling smaller tanks with their product and have to do it very often to accommodate the demand. He also said that it would make things much more efficient to have larger tanks installed to use for their product.

Commissioner Bassarear asked what will happen when the light rail comes into this area.

Mr. Stephens noted that there will be a parking structure built to the south of the loading dock that will have landscaping around it as well as a walking path and would accommodate building pads along 700 South with parking moved to the west of the rail in the future.

The Commission then discussed buffering issues. It was noted that there were also safety issues concerning this area and that the possibility of constructing a wall at the south border of the loading dock (rack), along with trees to soften the appearance of the wall, might be a good alternative. It was also noted that there is a chain link fence presently located around the loading dock facility but that it was not sight obscuring. There was further discussion that this was a gateway entrance to our community and that it would also be located adjacent to the light rail parking area and platform and that it would be in the best interest of the community to have this area look pleasing as well as being safe.

Mr. Hogge noted that by installing these new tanks that things would be safer because the old tanks have dirt floors and have not been updated for quite some time. Chairman Hill

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asked Mr. Hill why Holly had not fixed these tanks for safety reasons sooner. Mr. Hogge noted that they had only owned the facility for two years and are trying to upgrade as they can.

Chairman Hill noted that he wondered why, if it was a safety issue, it had not been brought before the Commission sooner to address. He noted his concerns that it was because they wanted the new tanks and that the safety concern was secondary to the original motivation of new tanks. He also expressed his concern that if it were a new facility going in that a sight obscuring fence (wall) and landscaping would be required. He also stated that he had very strong feelings towards this item and did not normally vote on issues brought before the Commission as Chairman, but that he would be voting on this one tonight.

The Commission discussed the fact that Holly had not brought anything to the table as far as upgrading the area to possibly make it conform more to what is required in the present ordinance. They noted that they would like to see what Holly would be willing to do to make the area more pleasing and safer with the new light rail parking area going in next to it. They again made mention that they would like to see a sight obscuring fence (wall) and landscaping along the south boundary which would upgrade the look as well as be a better safety factor than what is presently located there. They also noted that it might be a good idea to work with UTA when they install the parking area and their landscaping to partner with Holly to have the two areas work together and look compatible.

Commissioner Beecher then made a motion to recommend to the City Council the Planning Commission's recommendation to approve the expansion of Holly Energy Partners nonconforming use and require that there be a site obscuring wall or screening buffer. The motion then died for the lack of a second.

Commissioner Blankenship then made a motion they forward to the City Council the Planning Commission's recommendation to approve the proposed expansion of the Holly Energy Partners proposed alterations to their loading dock (rack) facility which will improve their safety because we believe that the expansion, alteration, or change of the use would not adversely impact the surrounding properties more than the existing nonconforming use however, we recommend a solid buffer (wall) along the south side with appropriate landscaping to be approved by the Planning Commission in order to make the site more compatible with surrounding and existing zoning. Commissioner Page seconded the motion and the motion carried.

AIRCRAFT HANGAR SITE PLAN AND CONDITIONAL USE-TONY WEED

Mr. Stephens then reviewed this item with the Commission. He noted that Mr. Weed had previously received approval for a very similar hangar development on the adjacent lot. The site plan consists of a single, metal, aircraft hangar building with 2 large bi-folding doors along the north side of the building. The site will be completely paved with

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tandem parking stalls provided on both the east and west sides of the building. Storm drainage and other utility issues have been reviewed by Public Works and the City Engineer.

Mr. Tony Weed appeared before the Commission. There were no questions or discussion on this item at this time.

Commissioner Bassarear made a motion to approve the conditional use permit for an aircraft hangar for Mr. Tony Weed with the following conditions:

1. Building shall be used only for the storage, construction, or maintenance of the aircraft or other aviation related use.
2. At no time may any materials or equipment be stored outside the enclosed building.

Commissioner Sharp seconded the motion and the motion carried.

Commissioner Sharp then made a motion to approve the site plan for Mr. Tony Weed with the condition that a Fire District review and approval be submitted to the City.

Commissioner Bassarear seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens then updated the Planning Commission on the 5th South access management project and the meetings that he had been attending.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:30 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary