

**WOODS CROSS PLANNING COMMISSION**  
**FEBRUARY 13, 2007**

**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 Agreement  
Bonnie Craig, Secretary  
Gary Uresk, City Administrator

**VISITORS:**

Pat Blackley  
Fred C. Cox  
Steve Meyer  
Aaron Smith

LeGrande Blackley  
Mary Duerden  
Elizabeth Scanlon  
Jeff Thornell

Christopher Miller  
Keith Duerden  
Ed Goble  
Brad Hansen

**PLEDGE OF ALLEGIANCE:**

Ryan Westergard

**APPROVAL OF MINUTES**

Chairman Hill called for discussion or corrections for the minutes of the meeting held January 23, 2007. After corrections were noted, Commissioner Bassarear made a motion to approve the minutes as corrected with Commissioner Beecher seconding the motion the motion carried.

**COUNCIL REPORT**

City Council Member Don Moore was excused from tonight's meeting. Mr. Tim Stephens, the Community Development Director, reviewed the City Council meeting held February 6, 2007, with the Commission. Please see the minutes of that meeting for the details of his report.

**OPEN SESSION**

Chairman Hill noted that it was suggested that an open session time block be added to the Planning Commission agenda for any public comments or questions that would be directed to the Planning Commission.

Chairman Hill opened the meeting for public comments. There were no public comments and Chairman Hill continued with the next item on the agenda.

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**REZONE REQUEST 1842 WEST 2425 SOUTH FROM I-1 LIGHT INDUSTRIAL  
TO C-2 GENERAL COMMERCIAL—TIM STEPHENS**

Mr. Stephens reviewed the details of this item with the Commission. He noted that at the last Planning Commission meeting the Planning Commission tabled the City's rezone request for the subject property. The Commission asked that the buyer appear before the Commission to provide details regarding his development. Mr. Keith Duerden was at tonight's meeting to answer any questions that the Commission might have regarding the development he is proposing for this property. Mr. Gary Uresk, the City Administrator, was also at tonight's meeting to help answer any questions the Planning Commission might have in regards to this item.

Mr. Uresk appeared before the Commission. He gave a brief history of the property and noted that an earnest money agreement had been made for this property on the condition that the property is rezoned from I-1 Light Industrial to C-2 Commercial. He also addressed some of the concerns that were addressed at the last Planning Commission meeting regarding this item.

There had been some concerns brought up from some of the adjacent property owners in this area about children being drawn here if a convenience type store went in here. Mr. Uresk noted that he did not feel that it would draw children from Foxboro because they have plans for similar types of development in North Salt Lake and it would be limited because of the distance. He felt like it would be traffic from Redwood Road or area businesses that would be the draw to this type of business if it were to be located here.

He noted that he did not feel like there were any major concerns over the issues that had been raised.

Mr. Uresk then turned the time over to Mr. Keith Duerden, the proposed buyer for the property, and he handed out a sketch proposing some ideas of what the site might look like. He noted that some businesses that could be considered for this property would be a tire store, a bank, or a fast food restaurant and that families in the area needed these types of services close by so they would not have to go into Bountiful to fulfill their needs.

Mr. Duerden noted that he had been involved in similar developments and that he wanted to do a good job in developing this area.

Chairman Hill asked if there had been any progress in acquiring access from Redwood Road to this area. Mr. Stephens noted that they had approached UDOT on several occasions and did not make much progress regarding access off Redwood Road, and that access would probably have to come off of 2425 South.

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Commissioner Bassarear asked Mr. Duerden if he had considered locating a grocery store on this property. He noted that the property was not big enough to build a grocery store.

Commissioner Beecher said that traffic was the biggest concern for this area.

Commissioner Westergard noted that there are heavy trucks from nearby businesses that use this road often and that cars moving in and out with heavy trucks could be a concern.

Mr. Duerden noted that he did not expect something going in that would cause a lot of traffic in the area and that the other businesses in the area are concerned about any business going in there. Mr. Duerden wondered if the other businesses had continual traffic flow all day or if it was only at peak times. Mr. Duerden noted that he had not noticed continual traffic when he was in the area. The Commission was not sure about this.

Commissioner Blankenship noted her concern over protecting the salvage yard business since it had specifically been located here a few years ago. Mr. Stephens noted that the salvage yard's operation was very different now than a few years ago and he did not foresee problems concerning the salvage yard and a business located on the proposed site.

Commissioner Bassarear noted that since the strip mall was built adjacent to the City Hall on 800 West, she had not noticed a big increase in traffic and wondered if there would be a noticeable increase in traffic when businesses went in at the proposed location.

Chairman Hill called for any more questions or comments. There were none.

Mr. Duerden thanked the Commission for their time.

Commissioner Bassarear made a motion to forward this item to the City Council with the Planning Commission's recommendation to approve the rezone of the property located at 1842 West 2425 South from I-1 Light Industrial to C-2 General Commercial. Commissioner Sharp seconded the motion and the motion carried.

**ECI SITE PLAN REQUEST 700 SOUTH 700 WEST--FRED COX**

Mr. Stephens reviewed this item with the Commission. He noted that the applicant is proposing to construct 2 buildings on the property. An engineering company called ECI will occupy the 2-story office building on the far east end of the property. A single story 10,200 square foot speculation building is proposed for the southwest corner of the property. It is envisioned as having a retail store front with storage or warehouse space in the back 1/3 of the building. The building space in the back 1/3 of the building/warehouse keeps the site within the required 109 parking spaces. In the future, should the building's storage area be utilized for office or retail use, additional parking would be

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required. The buildings will compliment the existing office buildings and have proper landscaping planned.

Mr. Fred Cox appeared before the Commission. He passed out colored renderings of what the proposed buildings would look like. He noted that the east building would be used by ECI and that they are currently located here in Woods Cross but needed more space. He noted that there are not a lot of on site customers associated with the business so the parking spaces should be adequate for this type of business. He noted that the other conditions would not be a problem.

The Commission asked about the dumpster. Mr. Cox noted there is one dumpster for the two buildings and that its location on the plan was the only location that would work to fit it on the property, but that it would be enclosed and would not be seen by the public. The Commission asked to make sure that it was serviced during daylight hours to avoid causing noise problems for the neighbors.

The Commission asked if Mr. Cox was aware of the lighting concerns and he noted that all of the lighting would be shielded so that it would not impact the neighboring subdivision.

Commissioner Beecher made a motion to approve the site plan for ECI and Mr. Cox with the following conditions:

1. The site plan will have 109 parking spaces and the occupancy usage of both buildings will not exceed the City's off street parking requirements.
2. At no time may any lighting from the project negatively impact adjacent residential areas.
3. The installation of the 6-foot, solid vinyl fence along the south boundary shall be coordinated with the adjacent residential property owners.
4. The ground monument sign near the entrance of the project will require a permit and review by City Staff.
5. Dumpster service will limited to daylight hours.

Commissioner Bassarear seconded the motion and the motion carried.

**SIGNATURE    WOODCRAFT    CONDITIONAL    USE    REQUEST—**  
**CHRISTOPHER MILLER**

Mr. Stephens reviewed the details of this item with the Commission. He noted that the applicant is proposing to manufacture and sell kitchen cabinets, bathroom vanities, entertainment centers, and cabinet doors. The business currently has two employees. A trailer is shared between the two of them.

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Mr. Christopher Miller appeared before the Commission. Chairman Hill called for any questions the Commission might have of the applicant. Commissioner Westergard asked if there were any chemicals involved in the business. Mr. Miller noted that there were not because they send their product out to be finished.

Commissioner Beecher then made a motion to approve the conditional use request for Mr. Christopher Miller and Signature Woodcraft LLC with the following conditions:

1. That a copy of the Fire Inspection report from South Davis Metro Fire Agency is provided along with certification from the International Building Code.
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 or noise emanate from the site which would impact the surrounding residential or light industrial areas. Failure to comply with the conditions shall result in revocation of the permit.

Commissioner Westergard seconded the motion and the motion carried.

**UTA COMMUTER RAIL STATION CONDITIONAL USE & SITE PLAN  
REQUEST-STEVE MEYER**

Mr. Stephens reviewed this item with the Commission. He noted that the City Staff had finally completed a draft development agreement for the UTA Commuter Rail Station, but further modifications should be expected. He noted that the storm water issue had also been resolved. He noted that this site plan approval excluded the north parking area which is still owned by HatchCo. Mr. Stephens also noted that UTA was aware of the recent comments that had been made in the last Planning Commission meeting by the adjacent neighbors regarding driveways and the elimination of south access on 800 west.

Mr. Steve Meyer and Ms. Elizabeth Scanlon were at tonight's meeting representing UTA. Mr. Meyer presented some renderings regarding some of the issues that had been brought to his attention. He noted that UTA was trying to be sensitive with landscaping and grade concerns from the neighbors. He also noted that they were trying to provide the best screening for lights and noise. He noted that security of the area would be good because there would be an onsite UTA worker 24 hours a day on the platform. He noted that the suggestion of only one drive being located to the north of the project would probably not work due to the fact that there would not be enough turning area for the buses that would be entering and exiting the parking lot. He said it would mean the loss of 60 parking stalls should it be fixed to work with one drive.

Mr. Meyer said that they wanted to be good neighbors and would work with the neighbors. He noted that UTA would plant shrubs in the neighbor's park strips to help

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alleviate some of the problems with impacts to their homes from car lighting. He asked the neighbors that were present, to come forward and show him on the drawings where their homes were located. He also noted that there would be a berm located to the east of the parking lot and that he would be happy to work directly with the neighbors during the construction of the berm to help mitigate as many problems as possible.

Mr. Meyer discussed some the traffic analyses that he had done over the past year. He noted that the major traffic would be coming off of 500 South and that demand would probably increase because of Legacy Highway. Chairman Hill asked if UTA was still trying to acquire the property west of the platform for future parking. Mr. Meyer said that they are working on that but that they did not have the funds to do so at present. He also said that when the south parking lot hits 80% parking capacity that the north parking lot would be paved.

The Commission also discussed the pedestrian bridge being built. It was noted that UTA does not have the funds to put in a pedestrian bridge at this time, but that it will be considered for the future.

Chairman Hill then called for any questions from the neighbors that were present.

Mr. Ed Goble appeared before the Commission. He asked how loud the train announcements would be. Mr. Meyer said that no train announcements were planned at this time, but there may be some in the future. Mr. Goble noted that construction noise was very bad especially on Sunday morning. He wanted to know if there was anything that could be done about the noise levels. Mr. Meyer gave out his card to the neighbors and said to call him if there were problems and he would see what he could do. He said that much of the construction happening now was from third party utilities and he didn't have too much control over that, but that he would do his best to work with the neighbors to lower the noise.

Mr. Goble said that he would like to see if the grade level could be lowered because his house is directly across from the south drive and he is concerned about headlights in his windows. He also suggested that a fence be put up along the sidewalk on the east side of the south parking lot to discourage children from going into the parking lot and the surrounding area. He also said that he would like to see the drive located as far north as possible.

Mr. Aaron Smith appeared before the Commission. He noted that he has concerns over cars parking on the street in front of his home. He said that it is already bad getting out of his driveway during this construction period. He also noted his concerns over children walking to school past this area. He also expressed frustration at the times of construction on the worksite and the increased noise. He also agreed that a fence would be a good idea and that it would keep foot traffic for the station on the west side of the fence.

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Mr. Jeff Thornell appeared before the Commission and said that he shared a lot of the same concerns. He said that the drive should be moved farther to the north and that he is concerned about being able to get in and out of his driveway. He is concerned over his property value going down as well as problems with parking on the street.

Mr. Brad Hansen appeared before the Commission. He said that he shared some of the same concerns as well. He said that cars are going fast along 800 West. He also said that 5 years ago someone tried to kidnap his children and he is very concerned about the increase in people at the train station across the street. He said that the drive needed to move to the north and that he also felt a fence would be a good idea to help keep the kids safe.

Mr. Meyer then stood to address the comments. He said that there is going to be a host on site 24 hours a day that will be monitoring the parking lot which would help with security. He addressed the grade issue saying that they need to have the right grade so that the lights won't shine into the windows of the homes and that it is pretty low right now, but that he would be happy to stake it out and let the neighbors look at it before it is permanent.

He said that he thought a fence along the street could be done and that generally they have placed a 3-4 foot high black vinyl chain link fence in these areas. The Commission and Staff noted that they would like to see a fence design that would keep with the theme of the rail station. Mr. Meyer noted that UTA generally pays for what a chain link fence would cost and that if the City wanted to upgrade they would probably have to come up with the difference in cost.

Mr. Meyer said that UTA would be happy to place some kind of signs along the road that would only allow residential parking on the street.

He said moving the drive to the north would be a challenge but that he would review it again to see if it were a possibility.

Chairman Hill noted that this project has a lot of pros and cons attached to it and that the City will try to help with what they can, but that it cannot control every issue.

He expressed his appreciation for everyone's input at tonight's meeting.

Commissioner Blankenship made a motion to approve the conditional use for the UTA Rail Station south parking with the following conditions:

1. That UTA enter into and adhere to a development agreement with the City and that it is approved by the City Council.
2. That UTA understands that they need to return to the Planning Commission if issues arise regarding mitigation of any problems.

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Commissioner Beecher seconded the motion and the motion carried.

Commissioner Blankenship then made a motion to approve the site plan for UTA and the south parking lot, excluding the north parking lot, with the following conditions:

1. UTA submit their north parking site plan as soon as the property is acquired.
2. The site plan for the south parking lot includes a fence being placed on the east side of the south parking lot in a style agreeable to the City.
3. Before a building permit is issued that grade levels be reviewed, ingress and egress be studied, and a field trip be scheduled for the Staff and citizens and that they report back to the Planning Commission with any problems that have been raised.

Commissioner Sharp seconded the motion and the motion carried.

**SINCLAIR OIL GENERAL PLAN AMENDMENT REQUEST-DAVID STICE**

Mr. Stephens reviewed this item with the Commission. He noted that this item was discussed at the last meeting but that no decision had been made at that time and the Commission was given some time to review what had been discussed.

There was no one present from Sinclair Oil at this time.

The Commission had decided to move ahead with the issues because of the past discussion and review.

The Commission discussed again the issues that were being brought up regarding this project. It was noted that there were still issues over traffic, odors, compliance with the General Plan and safety concerns because of the proximity to the adjacent residential neighborhood.

After discussing the issues, Commissioner Westergard made a motion to forward the Planning Commission's recommendation to deny the amendment with the following conditions:

1. The City has made a conscious effort over the last 17 years, both in its previous General Plan and subsequent rezoning, to limit any further heavy industrial land use in the City.
2. The present City General Plan indicates heavy industrial land uses should be consolidated and maintained at their current locations and levels of operation. Existing heavy industrial uses (petroleum, refining, and storage facilities) should be monitored and reviewed in light of potential operational shifts and marketing



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conditions. Long term land uses that are more compatible with nearby residential uses should be considered in light of such shifts.

3. Amendment would set a precedent other existing heavy industrial land users in City could use to justify future applications to enlarge, extend or expand their present facilities.

Commissioner Bassarear seconded the motion. Commissioners Bassarear, Westergard, and Beecher voted for the motion and Commissioners Blankenship and Sharp voted against the motion through a roll call vote. The motion carried with a vote of three to two.

**DISCUSSION OF WALL PACK LIGHTING FIXTURES FOR USE AT FLEXPACK FACILITY LOCATED AT 1894 WEST 2425 SOUTH—TIM STEPHENS**

Mr. Stephens noted that during the FlexPack approval process that wall pack lighting would not be permitted due to the projects proximity to future residential development. However, the applicants have returned with a proposal for utilizing shielded wall lights. Mr. Stephens noted that he has observed these wall packs on other buildings and they are an excellent wall light in terms of not creating an impact to the adjacent properties. Mr. Stephens recommended that the Planning Commission consider approving their use on the FlexPack and Manuel's buildings with the added condition that at no time may the lights have an adverse impact on the adjacent residential areas.

Commissioner Beecher made a motion to approve the architecturally mounted shielded wall pack lighting and permit Staff to incorporate the suggested lighting for the FlexPack and Manuel's building with the condition that at no time will the lighting adversely impact the adjacent residential area. Commissioner Blankenship seconded the motion and the motion carried.

**GENERAL AND PENDING**

Mr. Stephens noted that Peak Profile would be appearing at the next meeting to address revocation of their business license.

He also reported that the new Valentine and Ivory subdivisions are moving ahead quite quickly.

He noted that the people interested in constructing the senior housing project are still trying to work out details to move forward.

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**ADJOURNMENT**

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 10:15 P.M.

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David C. Hill, Chairman

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Bonnie S. Craig, Secretary