

**WOODS CROSS PLANNING COMMISSION MEETING
AUGUST 14, 2007**

MEMBERS PRESENT:

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

Brent Page
Gary Sharp
Ryan Westergard

VISITORS:

Pat Blackley
John Hepworth
Don Schrader
David Elggrer
Zachary McKee

LeGrande Blackley
Don Schrader
Shandell Smoot
Dayton Elggrer

Hall Blankenship
Lois Schrader
Todd Conway
Steve Weber

STAFF PRESENT:

Tim Stephens, Community Development Director
Sean Lewis, Planning Intern
Bonnie Craig, Secretary
Jennifer Decker, City Council Member

PLEDGE OF ALLEGIANCE:

Gary Sharp

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections of the minutes of the Planning Commission meeting held July 31, 2007. Commissioner Blankenship made a motion to approve the minutes as corrected with Commissioner Sharp seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Jennifer Decker was at tonight's meeting to report on the City Council meeting held August 7, 2007. Please see the minutes of that meeting for the details of her report.

OPEN SESSION

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

There were no public comments and Chairman Hill continued with the meeting.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
AUGUST 14, 2007
PAGE 2**

**PUBLIC HEARING—HEPWORTH OFFICE BUILDING CONDITIONAL USE
REQUEST—500 WEST 1950 SOUTH—TOM SMITH**

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that the applicant is proposing to construct a 2-story office building at 1950 South and 500 West. This property is zoned S-1 Special Use and is adjacent to several residential rental properties to the north. There is also a 15-foot landscape buffer on the north property boundary shown on the proposed plan.

Chairman Hill then asked Mr. John Hepworth if he had anything to add before he opened the public hearing. Mr. Smith said he had no comments at this time.

Chairman Hill then opened the public hearing for any public comment at this time.

Mr. Hall Blankenship, a city resident, appeared before the Commission. He noted that he lived close by to this proposed development site and he was concerned with what the general tone of the building would be. He said he was pleased to see that the building looked nice and the general placement of the building looked good. He did say he was concerned that the building was two stories and that people working on the second floor of the proposed building may be able to see into the homes of the nearby residential homes. He also noted that the applicant may want to be aware of the possible impact of his lighting plan to the nearby residence as well. He concluded by saying that he hoped that when something goes in on the west end of this property that it be something as good as what was presented at tonight's meeting.

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

Chairman Westergard made the suggestion that the building be moved and located as far away from the residential neighborhood as was possible. Mr. Hepworth said that he did not have a problem with that. The Commission also discussed maximizing the buffer zone between the proposed building and the residential neighborhood.

Commissioner Sharp then made a motion to approve the conditional use permit for John Hepworth and the Hepworth office building with the following conditions:

1. At no time may the use of the property negatively impact the adjacent residential area.
2. A lighting plan and fixture details will be required for site plan review and approval.

Commissioner Page seconded the motion and the motion carried.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
AUGUST 14, 2007
PAGE 3**

**ENGLAND FLAG LOT CONDITIONAL USE REQUEST—SHANDELL SMOOT—1518
SOUTH 1100 WEST**

Mr. Stephens reviewed this item with the Commission. He noted that the subject property is presently part of the England subdivision. Mr. England, who owns the home on the corner of 1100 West and 1500 South, has sold the lot to Smoot Development. Smoot Development desires to further subdivide the property with a lot fronting 1100 West and a flag lot behind. The applicants desire to obtain a conditional use permit which will be followed later by the submittal of a final plat for the Planning Commission's and City Council's consideration.

Mr. Stephens also noted that the property slopes away from the street making it necessary to develop a detention basin on the west end of the property. The applicants have proposed an outlet to the basin which would require a storm drain pipe through the City's adjacent well property to 1550 South Street. It will be necessary for the applicants to negotiate an easement for the storm drain with the City Council.

Commissioner Sharp noted he had concern because of one of the other flag lots in the city and the problems over property access that had occurred between the two home owners located on and in front of the flag lot. He noted he had concern that there could be potential access problems with this flag lot as well.

It was discussed that there could be a note added to the plat noting the shared easement for subsequent homeowners.

Mr. Stephens said he would check with the City Attorney and get his advice by the time of the final plat review regarding the above suggestions or any other comments he might have regarding the flag lot property and access there on.

Mr. Shandell Smoot appeared before the Commission. He noted that he was having a common use agreement drawn up so that it could be a recorded easement and is having his attorneys write up this agreement to make sure everything was in order. He also said he wanted to make sure all the neighbors were happy with accesses to the property.

Commissioner Beecher then made a motion to approve the conditional use request for the England Flag Lot and Mr. Shandell Smoot with the following conditions:

1. The applicants secure a storm drainage easement from the City on the adjacent property.
2. A final plat is submitted for Planning Commission and City Council approvals.

Commissioner Westergard seconded the motion and the motion carried.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
AUGUST 14, 2007
PAGE 4**

HUNTSMAN GRAZING AND PASTURING CONDITIONAL USE REQUEST—KYLE HUNTSMAN—LOCATED AT APPROXIMATELY 1400 WEST AND 1500 SOUTH.

Sean Lewis, Woods Cross City Planning Intern, reviewed this item with the Commission. He noted that he had done some research regarding what other cities allow regarding the number of horses on a piece of property since we do not have specific numbers outlined in our ordinances. He said that Lehi City allows 2 horses per acre, Riverton City allows 2 horses per half acre, Layton City allows 2 horses per acre and Farmington City allows 2 horses per half acre with an additional horse for every 5000 square feet. He noted that Mr. Kyle Huntsman is interested in purchasing land with the intent of keeping as many of his 15 horses as he can at the property. The nearly 2 acres of land currently has horses located there. He also has some 12x6 moveable stalls that he can erect as needed. The horses would be at this location primarily during the summer months. During the winter they would be stored at a location near Nephi. Mr. Huntsman also noted that he would like to remove the barbed wire fence that is currently on the east side of the property and would like to replace it with something that would keep the horses in without hurting them. Mr. Huntsman also noted that he was willing to do whatever is required to have a good relationship with the neighbors and the City.

Mr. Stephens noted that this property is zoned as A-1 Agriculture and that the Planning Commission did have some flexibility regarding this request.

Commissioner Blankenship, who has personal experience with horses, noted that the horses would also have to be fed because the property was not big enough for the horses to graze on. She also said she would like to make sure that there is room for Mr. Huntsman to pull off the road and have room to unload his hay for feeding the horses. She also noted her concern that the 12x6 stalls are too small to house the horses for a long period of time. She suggested that a fence be put in place to prevent the horses from eating the neighbor's landscaping and that the smell from the horses may also be a problem with the neighbors unless the horses were maintained properly.

Mr. Kyle Huntsman then appeared before the Commission. He noted that he had originally asked to have 15 horses on the property but said he would be happy to have half of that many, or as many as eight, located there. He also said that he raises show horses, some of which are worth \$15,000 to \$20,000, and he is very focused on taking care of them. He said he cleans the stalls 3 times a day in order to keep the horses in top shape for competition. He also noted that the 12x6 stalls would be used to separate the horses if needed or used if the horses were injured and would only be used for a short periods of time.

The Planning Commission discussed what the impact might be to the adjacent neighbors and what might be defined as "offensive". There was also discussion over concern that the neighbors have been dumping grass clippings onto the proposed property which might make the horses very sick and what course of action may be taken by Mr. Huntsman to prevent this from happening. Mr. Huntsman did say that he would do what was necessary to have a good

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
AUGUST 14, 2007
PAGE 5**

relationship with the neighbors and would talk to them regarding the health and welfare of his horses as well as being a good neighbor.

Commissioner Blankenship then made a motion to approve the conditional use for up to 8 horses for Mr. Kyle Huntsman and his horses with the following conditions:

1. That he takes whatever measures are necessary to prevent dust and odors from disturbing neighbors.
2. The property is adequately fenced and maintained to reduce dust and odors and if there is a complaint from the neighbors, it is brought before the Planning Commission for review.

Commissioner Sharp seconded the motion and the motion carried. Commissioner Bassarear recused herself from the vote because of a business relationship with the applicant.

**SIGNATURE CUSTOM MILL CONDITIONAL USE REQUEST—ROD CONNER—
2054 WEST 2425 SOUTH**

Mr. Stephens reviewed this item with the Commission. He noted that Signature Custom Mill would like to occupy a part of a large office warehouse building for woodworking. A dust collector would be added along the side of the building. There would also be some flat bed delivery trucks parked outside and a box truck stored indoors.

Mr. Todd Conway appeared before the Commission representing this item. He gave the Commission a decibel reading chart outlining where his dust collectors rated in noise decibels in comparison to other common items that might be located in the adjacent area. He also said that the box truck would definitely be stored inside so that it would not be open to vandalism. He says his business keeps the doors shut at all times in order to keep cool or warm air in that is being recirculated within the building and to avoid bugs. He said that they do not store any wood outside because it will get ruined if stored out of doors. He explained to the Commission that there were 2 dust collectors and they are self contained. He also went on to explain that the decibels for the dust collectors are about 70 decibels which are not much louder than a lawn mower. He invited the Commission to come to their present location in North Salt Lake to listen to the dust collectors if they have concerns over the noise level.

Chairman Hill asked Mr. Conway if he had a problem with limiting the hours of operation for the business since they were located close to a residential neighborhood. Mr. Conway said he did not and that the company generally runs from 7:00 am to about 4:30 pm. He did note that sometimes they did work overtime but generally finish by 7:00 pm.

The Commission asked Mr. Conway about dumpsters and their location. He said that he had two dumpsters and they were located underneath the covered dust collectors.

**OFFICIAL MINUTES
WOODS CROSS PLANNING COMMISSION
AUGUST 14, 2007
PAGE 6**

Commissioner Bassarear then made a motion to approve the conditional use for Mr. Todd Conway and Signature Custom Mill with the following conditions:

1. At no time may offensive odors or noise emanate from the site which would negatively impact the surrounding residential or light industrial areas.
2. At no time may business activities take place or equipment, materials or products be stored outside the enclosed building. All such activities and storage shall be accommodated within the fully enclosed building. This will also include the closure of all roll-up doors and other openings to ensure that noise will not impact the adjacent residential area.
3. Provide a copy of a fire inspection report and approval from the South Davis Metro Fire Agency.
4. The hours of operation are limited to no earlier than 7am and no later than 7pm.

Commissioner Beecher seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens noted that there was no new information from a couple of weeks ago on Peak Profile.

He noted that there was a proposed drugstore looking to locate on the corner of 2600 South and Highway 89.

The plans for a new Menlove Dodge Car Dealership were moving ahead.

He had not had a chance to review what was happening in regards to the Sinclair and Silver Eagle refineries since he had been out of town and he would look into their status.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 8:25 pm with Commission Beecher seconding the motion.

David C. Hill, Chairman

Bonnie S. Craig, Secretary