

**WOODS CROSS PLANNING COMMISSION MEETING
MARCH 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 Director
Bonnie Craig, Secretary
Kent Parry, Mayor

VISITORS:

Pat Blackley
Don Schrader
Tom Stewart
Shane Rossman

LeGrande Blackley
Jed Millburn
Tom Rich
Heidi Humphrey

Lois Schrader
Jeff Lee
Jason Galloway
Vic Arnold

PLEDGE OF ALLEGIANCE:

Leo Beecher

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections for the minutes of the meeting held February 27, 2007. After corrections were noted, Commissioner Bassarear made a motion to approve the minutes as corrected with Commissioner Blankenship seconding the motion and the motion carried.

CITY COUNCIL REPORT

Mayor Kent Parry was at tonight's meeting representing the City Council. He reviewed the City Council meeting held March 6, 2007 with the Commission. Please see the minutes of that meeting for the details of his 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 at tonight's meeting.

HOME OCCUPATION REQUEST—SHANE ROSSMAN AND HEIDI HUMPHREY

Mr. Tim Stephens, the Community Development Director, reviewed the details of this item with the Commission. He noted that the applicants are proposing to conduct the office work of a carpet and upholstery cleaning service within their home. The business office would be located in the downstairs family room taking 204 square feet. All appointments for the cleaning service would be handled over the phone. There are two service vans parked in the driveway which store all equipment and cleaning products.

Mr. Shane Rossman and Ms. Heidi Humphrey appeared before the Commission. They gave some pictures and information pertaining to their vans and cleaning products. (Exhibit A) The Commission asked if the cleaning products were hazardous. Mr. Rossman noted that they were not and that they use a cleaner/deodorizer that is called Ultra-Clean that is environmentally safe and could be used around children and pets.

The Commission asked if there would be other employees. Mr. Rossman noted that there would not be other employees for probably the next year since he is just getting his business going. He did note that they would be taking calls for appointments and that the cleaning vans would be parked in the driveway of the home and not on the street to bother the neighbors.

Commissioner Beecher then made a motion to approve the home occupation for S & J Steam Away and Mr. Shane Rossman and Ms. Heidi Humphrey with the following conditions:

1. 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.
2. The home occupation shall be carried on entirely by persons residing in the dwelling unit wherein the occupation is conducted. Persons who are not bona fide residents of the premises shall not be employed on said premises.

Commissioner Bassarear seconded the motion and the motion carried.

CONDITIONAL USE REQUEST FOR HOT STUFF ASPHALT OFFICE—JAKE MCSWAIN

Mr. Stephens noted that Mr. McSwain was not present at this time.

The Commission decided to wait and come back to this item to see if Mr. McSwain would make it to the meeting later in the evening.

MEETING MINUTES DISCUSSION—DAVID HILL

Chairman Hill then said he would like to discuss a matter with the Commission concerning minute approval during the Planning Commission meetings. He noted that at other City

meetings he had attended, minute approval went very quickly. He said that he would like to see only matters of content, rather than spelling and grammar issues, discussed during minute approval. It was suggested that corrected grammar and spelling errors could be redlined on the Commission's hard copies of the minutes and then handed to the secretary for corrections. It was also suggested that the minutes might be emailed to the Commission so they had more time to review them.

The Commission was in agreement with the above suggestions.

MOUNTAIN VIEW ESTATES PHASES 2, 3, & 4 FINAL PLATS—VIC ARNOLD

Mr. Stephens reviewed this item with the Commission. He noted that the preliminary plat included the area being discussed at tonight's meeting in a large phase 2. However, Ivory has requested that the large phase be broken into 3 smaller phases. The proposed phases, when developed, will fill the area between phase 1 and the Legacy Parkway. Two of the park areas are directly under the large wood poles of the Rocky Mountain Power corridor. Noted on the landscape plans are a gazebo and a play structure that are proposed directly beneath the lines. Ivory is finalizing approval from Rocky Mountain Power to permit a gazebo and play structure within the power easement.

Mr. Vic Arnold appeared before the Commission. He noted that he had communicated with Rocky Mountain Power about the placement of the gazebo. He noted that he had given someone from Rocky Mountain Power information about this issue, but that they no longer worked at the power company. Consequently, the file had been misplaced and Mr. Arnold has to resend information to be looked at and approved again. He did say that he was under the impression that if the gazebo or other features were not over 12 feet high that there should be no problems. He continued by saying that he did not anticipate any problems, but if some were to occur, the features could be relocated.

The Commission asked if there was concern about anyone playing or climbing on the power poles. Mr. Arnold said that there was not a concern about this because you have to use specialized equipment to get up on the power poles.

The Commission asked if there was a concern over children flying kites where the power corridor is located. Mr. Arnold said that Rocky Mountain Power had not mentioned a concern about this, but that he would check to make sure. It was also suggested by the Commission that written documentation from Rocky Mountain Power concerning this might be a good idea for Mr. Arnold to obtain.

Commissioner Bassarear then made a motion to forward the Planning Commission's recommendation for approval to the City Council of the Final Plat for Phase 2 of Mountain View Estates. Commissioner Beecher seconded the motion and the motion carried.

Commissioner Blankenship then made a motion to forward the Planning Commission's recommendation for approval to the City Council of the Final Plat for Phase 3 of Mountain View Estates with the conditions that lots 319 and 320 be finalized with homes that will fit on an odd sized lot and that Rocky Mountain Power give final approval for the placement of the park features concerning the power line corridors within this subdivision. Commissioner Westergard seconded the motion and the motion carried.

Commissioner Beecher then made a motion to forward the Planning Commission's recommendation for approval to the City Council of the Final Plat for Phase 4 of Mountain View Estates with the same contingencies as Phase 3. Commissioner Sharp seconded the motion and the motion carried.

OVERHEAD CRANE CONDITIONAL USE AND SITE PLAN REQUEST-MARK DAVIDSON

Mr. Stephens reviewed the details of this item with the Commission. Overhead Cranes International is seeking a conditional use permit to construct cranes at this location. There is some concern over this type of business, and the impact it may have being located in close proximity to the new residential neighborhood that is going in north and adjacent to the subject property

Mr. Tom Rich, President of Overhead Crane, appeared before the Commission. He noted that the business had been in operation for about 7 years and is currently located in North Salt Lake. He said that his business had outgrown the facility where they are currently located. He told the Commission they are a professional engineering firm and do specialty design and custom cranes. He said they did use a lot of steel, but that they are not really a manufacturer but more of an assembler of these cranes. He said there is not a high output of the cranes and that they ship maybe one every other week or so, by flatbed truck.

The Commission noted that they were concerned about the cutting and grinding noise that would come from the business. Mr. Rich said that there should not be much noise heard outside because of the size of the building. He noted that business hours would be from 7:00 A.M. to about 5:00 or 6:00 P.M. and an occasional half day on Saturday.

The Commission asked if there was an odor from the paint. Mr. Rich said that there was no odor from the paint, which is water based, and fast drying.

The Commission noted that they were concerned about the future property owners that would be located next to the proposed building and the unforeseen issues that may come up from noise or other issues. They noted that they would like to see a big buffer between the two properties.

Mr. Rich said that he was already planning to construct a 7-foot high concrete fence that would help insulate noise and be sight obscuring.

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The Commission asked Mr. Rich about having the overhead doors open during operation. Mr. Rich said that on a very rare occasion one of the doors may be open for ventilation if a generator was being run, otherwise, he did not see a problem with keeping the door shut.

Commissioner Beecher then made a motion to approve the conditional use for Overhead Crane and Mr. Tom Rich with the following conditions:

1. At no time will noise from the business negatively impact the adjacent neighborhood or businesses.
2. That odor from paint used will be controlled
3. That hours of operation will be during regular business hours (7:00 A.M. to 6:00 P.M.)
4. The overhead doors will be kept shut during business operations.
5. That the business adheres to all State and Federal regulations regarding this type of business.
6. Any violations will result in revocation of the permit.

Commissioner Westergard seconded the motion and the motion carried.

The discussion continued concerning this item with details of the site plan. Mr. Stephens noted that most of the site plan elements have been covered in previous approvals for FlexPak and Manuel's Fine Foods. He did note that there was a proposed 60-foot driveway to 2425 South. Overhead Crane requires a 60-foot driveway to accommodate the large trucks and trailers that ship their assembled cranes, but that the land development ordinance restricts the driveways to be 40 feet in width. The applicant is seeking a waiver from the City Council for this requirement.

Chairman Hill noted that he was concerned over lighting on this building. Mr. Tom Stewart, the contractor for this building, addressed the Commission and noted that from past experience, he would be putting obscuring type lighting on the building as to not impact the neighbors.

The Commission also asked what the color scheme of the building would be. Mr. Stewart noted that it would match the two existing buildings.

Commissioner Blankenship made a motion to approve the site plan for Overhead Crane with the following conditions:

1. Building shall be painted to match the 2 existing buildings.
2. A 7-foot solid wall shall be constructed along the north boundary.
3. Applicant shall submit South Davis Sewer District approval prior to issuance of a building permit
4. At no time may outside lighting from the site negatively impact the adjacent residential areas and that lighting will be similar in design to the other 2 existing buildings.
5. The City Council grants a driveway width waiver.

Commissioner Sharp seconded the motion and the motion carried.

PUBLIC HEARING—ROBINVALE PLAT VACATION REQUEST

Mr. Stephens noted that the Redevelopment Agency is working with the new owners of the Westminster Apartments located on 1500 South. The new owners have proposed to remodel the apartment complex to facilitate a condominium conversion of the property. Before a condominium plat can be approved by the Council and recorded, the existing Robinvale Subdivision must be vacated.

Chairman Hill then opened the public hearing to public comment.

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

Commissioner Sharp then made a motion to forward the Planning Commission's recommendation to the City Council that the Robinvale Subdivision Plat be vacated. Commissioner Blankenship seconded the motion and the motion carried.

PUBLIC HEARING—WESTMINSTER PARK CONDOMINIUM—JASON GALLOWAY

Mr. Stephens continued reviewing this item with the Commission. As stated above, the Redevelopment Agency has agreed to work with the applicants to upgrade the present property and facilitate its conversion to condominium ownership. There is also some question about encroachment of utilities by some of the parking shelters. The applicants have obtained some of the clearance letters from the utilities impacted by the plat approval and these shelters and are expecting to receive the other letters shortly.

Mr. Jason Galloway and Mr. Jed Millburn appeared before the Commission. They discussed with the Commission their future plans and some of the pros and cons of this project. They did say they felt that the upgrades they are planning will be an asset to our community and make a great improvement in this area.

Chairman Hill then opened the public hearing for public comment.

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

Commissioner Bassarear then made a motion to forward the Planning Commission's recommendation to approve the Westminster Park Condominium Final Plat with the following conditions:

1. That the remaining utility clearance letters be submitted to the City.
2. A South Davis Metro Fire Agency approval is submitted to the City.

Commissioner Beecher seconded the motion and the motion carried.

**PEAK PROFILE ORDER TO SHOW CAUSE FOR FAILURE TO COMPLY WITH
CONDITIONAL USE PERMIT—DAVID HILL**

Mr. Stephens reminded the Commission that at the last Planning Commission meeting Mr. Jeff Lee had been given instruction by the Commission to talk with the new owner of the Peak Profile property and start the clean up of the business and to return in two weeks to report back to the Commission. He would be reporting at tonight's meeting on his progress.

Mr. Lee appeared before the Commission and gave the Commission pictures that had been taken recently of the property and the clean up that had taken place. The Commission did say that they had noticed that clean up had begun, but that there were still a lot of things that needed to be taken care of. The Commission asked Mr. Lee if he had spoken to the new owner of the property. Mr. Lee said that he had spoken to the new owner and he told Mr. Lee that he should do whatever needed to be done. Mr. Lee also said that they would continue the clean up and were still working on cleaning up the west end of the property. The Commission noted that there were trailers and fence panels that needed to be removed from the west end of the site. Mr. Lee said they would continue the clean up.

The Commission asked Mr. Lee what guarantees they had that the mess would not return. Mr. Lee said that if the Code Enforcement Officer could meet with the on-site manager as well as with Mr. Lee to discuss what needs to happen to come into compliance that would be helpful so everyone was on the same page. It was noted that this needed to happen prior to the Planning Commission meeting taking place on 4-10-07 and at that time have the Code Enforcement Officer report back to let the Commission know how things are proceeding.

Commissioner Blankenship made a motion to continue this item until the next meeting. Commissioner Beecher seconded the motion and the motion carried.

CONDITIONAL USE REQUEST—HOT STUFF ASPHALT OFFICE-JAKE MCSWAIN

There was still no one present to represent this item and the Commission determined that they would like to table it until some one could be present.

Commissioner Sharp made a motion to table this item until the applicant could appear. Commissioner Bassarear seconded the motion and the motion carried.

GENERAL AND PENDING

Chairman Hill addressed the Commission and said that he had been reading about the Chair's right to vote on an agenda item. He noted the Chair does have the right to vote and can also second a motion. He noted that he would like to exercise this right and be part of the process.

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Mr. Stephens noted that the City Attorney said the by-laws are set up so that the Chair can choose to participate or abstain from voting on agenda items, but that it needed to be consistent. Chairman Hill said that he would like to be able to participate in the voting process with the Commission from now on. The Commission was in agreement.

Mr. Stephens had a discussion with the Commission about a meeting that the Staff had attended with West Bountiful City. They discussed some of the issues that concern both Woods Cross City and West Bountiful City regarding 500 South and the I-15 Interchange and some of the possible solutions to the problems facing this area.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bassarear made a motion to adjourn the meeting at 9:05 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary