

**WOODS CROSS PLANNING COMMISSION MEETING
AUGUST 28, 2007**

MEMBERS PRESENT:

David C. Hill, Chairman
Anne Blankenship
Jennifer Bassarear

Brent Page
Ryan Westergard

MEMBERS EXCUSED:

Leo Beecher
Gary Sharp

VISITORS:

George Happ
Paul Spainhower
David Stice
Pat Blackley
LeGrande Blackley

STAFF PRESENT:

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

PLEDGE OF ALLEGIANCE:

Brent Page

APPROVAL OF MINUTES

Chairman Hill called for discussion or corrections of the minutes of the Planning Commission meeting held August 14, 2007. Commissioner Page made a motion to approve the minutes as written with Commissioner Blankenship seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Jon Hadlow was at tonight's meeting to report on the City Council meeting held August 21, 2007. 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 and Chairman Hill continued with the meeting.

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**LANDSCAPE ADMINISTRATIVE RELIEF REQUEST—2361 SOUTH 1560 WEST—
GEORGE HAPP**

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted the Planning Commission had recently approved a conditional use permit for an aircraft hangar addition to an existing building within the Skypark Industrial Park for Mr. George Happ. The Commission determined that the addition would trigger a site plan amendment requiring a 15-foot landscape buffer also on the east property boundary adjacent to the Fieldcrest Subdivision. The conditional use was approved with the condition that a 15-foot landscape buffer be installed along the east boundary of the development.

Since that time, Mr. Happ has sent the City a letter (Attachment A) requesting that the Planning Commission reconsider the need for the landscape buffer. Mr. Happ has discussed the fact that an opaque fence and buffer trees were installed on the residential side of the subject interface. In addition, he has noted that there is a 30-foot access easement at this location that cannot be encroached upon.

Mr. Happ then appeared before the Commission. He noted that there was an opaque fence and trees on the residential side of the property adjacent to his property that he felt would buffer the new hangar. He said the access easement could not be changed due to the closeness of the building and the need to have enough space for vehicles to travel in the easement.

The Commission discussed the fact that they had concerns for the adjacent neighbors not having enough of a buffer from the proposed hangar. They also noted it could set a negative precedent if they were not to require this buffer.

Chairman Hill asked Mr. Happ what his relationship with the property owner was at this time. Mr. Happ said that he had purchased the property from them and went through quite a process to get the easement the way it presently was.

It was the consensus of the Commission that they would like to see the buffer as required, if at all possible. They asked Mr. Happ to go back to the neighboring property owner to see if they were willing to negotiate something with him, even if it were to be a smaller area for a buffer, and bring back a proposal in writing from them.

Commissioner Westergard then made a motion to table this item until Mr. Happ could speak with the adjacent property owner for the possibility to allow for a landscape buffer on the east side of the proposed property. Commissioner Page seconded the motion and the motion carried.

**PALS MANUFACTURING CONDITIONAL USE PERMIT REQUEST—2402 SOUTH
1560 WEST—PAUL SPAINHOWER**

Mr. Stephens reviewed this item with the Commission. He noted that Mr. Spainhower is proposing to operate a trailer manufacturing activity from Unit B of the Plane Obsession Aircraft

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Hangars. The business activities will include precut steel tubing and plating being delivered to the shop and bent and welded together to form trailer frames. The frames will then be shipped to another location to be sand blasted and powder coated. The frames will be returned to the subject property for the installation of axles, wheels, couplers, lighting, etc. He also noted that typically the Commission has permitted only 1 parking stall per hangar door for aviation use, but if there is to be more than one person operating here for business use, there should be ample off-street parking which would not conflict with the use of the other aircraft hangars within the complex.

Mr. Paul Spainhower appeared before the Commission. He said that his business was a small business that would include himself and one contracted welder. He said there would only be 2 vehicles in association with the business. He also noted that he was leasing another hangar down the street that would accommodate some of the other aspects of this business. The Commission told Mr. Spainhower that if the business did expand and there was need for more employees and parking stalls, he would need to find another location. Mr. Spainhower said that he would look for a larger building to conduct business from if his operation were to expand.

The Commission asked about customer traffic. Mr. Spainhower said there would be no customer traffic but there would be a few delivery vehicles that would be bringing supplies. He noted the trucks would only be in the area for a few minutes at a time. He went on to say that he has owned the hangar for some time and has been storing his private aircraft in the hangar.

Mr. Spainhower continued by saying he already had the South Davis Metro Fire Agency inspect the building. The Fire Agency told Mr. Spainhower that there were a few items that needed to be taken care of before he could occupy the building. Mr. Spainhower noted that he is working on getting those few items taken care of at the present time and would present a copy of the fire inspection approval when he received it from the Fire Agency.

Commissioner Bassarear then made a motion to approve the Conditional Use for PALS Manufacturing and Mr. Paul Spainhower with the following conditions:

1. At no time may any materials, equipment, trailer products or parts be stored or staged outside of the enclosed unit. All business activities, storing and staging shall be accommodated within the enclosed unit.
2. At no time may the business activity negatively impact any of the adjacent hangar units or adjacent properties.
3. Applicant shall be required to submit to the City a copy of a South Davis Metro Fire Agency inspection approval prior to obtaining a business license.
4. There will be appropriate off-street parking provided for the business.

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**SINCLAIR OIL I-1 LIGHT INDUSTRIAL TO I-2 HEAVY INDUSTRIAL REZONE
REQUEST-1000 WEST 2400 SOUTH—DAVID STICE**

Mr. Stephens reviewed the details of this item with the Commission. He noted that the Planning Commission reviewed the rezone request for Sinclair Oil and held a public hearing. At the conclusion of the hearing, the issue was tabled to provide the City time to obtain outside expertise to advise the Commission regarding the request. The Planning Commission and others also have visited the adjacent Pioneer Oil site. The City obtained the services of Kleinfelter West Inc. to review the rezone request and conceptual property development plans. Mr. Stephens noted that the Commission had been given a copy of the Kleinfelter findings for their review.

Chairman Hill noted that he had read the report from Kleinfelter and said that it raised new questions and concerns, particularly regarding the cumulative effect to the county that some of the refineries in the area may be contributing to. The Commission echoed their concerns about the Kleinfelter findings and their effect on the City of Woods Cross.

Mr. David Stice appeared before the Commission. He reiterated the fact that they are still interested in proceeding with the plan and there had been no changes to the plan since he appeared before the Commission last.

There was then a brief discussion on the separate operations of Pioneer Pipeline and Sinclair Oil. Mr. Stice noted that Sinclair Oil does have a financial interest in Pioneer Pipeline but they have separate business operations in Woods Cross and North Salt Lake.

Commissioner Bassarear then made a motion to forward the Planning Commission's recommendation for rezone approval to the City Council. Commissioner Page seconded the motion. Commissioner's Page, Blankenship and Bassarear voted for the rezone. Commissioner Westergard and Chairman Hill voted against, Chairman Hill noting he did not favor the rezone on principal. The motion carried by a vote of three to two.

Commissioner Bassarear left the meeting at this point.

GENERAL AND PENDING

Mr. Stephens noted that a meeting with the City Attorney regarding the Peak Profile issue had to be rescheduled for a later date because of another matter of priority.

Walgreen's is still proceeding with their plans to locate within the city.

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ADJOURNMENT

There being no further business before the Commission, Commissioner Westergard made a motion to adjourn the meeting at 8:05 P.M.

David C. Hill, Chairman

Bonnie S. Craig, Secretary