

**WOODS CROSS PLANNING COMMISSION MEETING
SEPTEMBER 11, 2012**

MEMBERS PRESENT:

Leo Beecher, Chairman
Dan Bradford
Brent Page

Curtis Poole
Gary Sharp
Matt Terry

MEMBERS EXCUSED:

Jennifer Bassarear

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
David Hill, City Council Member

VISITORS:

Curtis Jenkins
Cory Jenkins
Michael Maldonado
Brandon Garcia
Robyn Smith
Al Smith
Pat Blackley
LeGrande Blackley

PLEDGE OF ALLEGIANCE:

Brent Page

APPROVAL OF MINUTES

The Commission reviewed the minutes of the meeting held August 28, 2012. After their review, Commissioner Page made a motion to approve the minutes as written with Commissioner Bradford seconding the motion and the motion carried.

OPEN SESSION

Chairman Beecher then opened the meeting for public comments regarding issues that were not on the agenda.

There were no comments from the public present and Chairman Beecher said he had a matter to discuss with the Commission. He noted that a City Council Member would longer be attending the Planning Commission meetings to report on the happenings of the City Council.

Chairman Beecher said that Council Member Hill was present at tonight's meeting to explain why the City Council had decided to move in this direction.

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Council Member Hill addressed the Commission and said that the Mayor had brought up this matter in the last City Council meeting and said that having a member of the City Council at the Planning meetings was not necessary. It was discussed that it might be productive having a Planning Commission member come to City Council to report on the meetings.

Council Member Hill went on to say sometimes it is uncomfortable to make comments as a Council Member in a Planning meeting because it may be a matter that would be coming before the Council in the future. There might also be an appeal by a citizen to the City Council member at a Planning meeting and as a Council Member at that meeting, there can be no action taken.

He went on to say the City Council would still like to have a connection with the Planning Commission so they would like to have one of the Planning Commission members come to City Council and report on the Planning Commission meetings.

The Commission then discussed having a rotating schedule for Planning Commission members to attend the City Council meetings and Chairman Beecher said he would work up a schedule for the Planning Commission members for their review.

Chairman Beecher then closed the open session.

**HOME OCCUPATION—ROBYN'S QUILTED NEST—894 WEST 2000 SOUTH—
ROBYN G. SMITH**

Mr. Tim Stephens, Community Development Director, reviewed this item with the Planning Commission. He noted the applicant is proposing to operate a business quilting quilts and making quilt tops. This would involve a quilting machine, fabric and related items. The applicant would use a room in the basement for the proposed business and customers will occasionally visit the home to deliver and pick up the quilt projects.

Ms. Robyn G. Smith appeared before the Commission. The Commission asked her if the condition as outlined was acceptable to her. They also asked her if she was familiar with the sign ordinance for a home business. She said she was fine the condition and sign ordinance as outlined. She had been quilting for 15 years and was excited now to try her hand at making her hobby into a small business.

There were no further questions from the Commission and Commissioner Poole made a motion to approve the conditional use for a home occupation for Robyn's Quilted Nest and Ms. Robyn G. Smith with the condition that at no time shall the business operation negatively impact the neighborhood. Commissioner Terry seconded the motion and the motion carried.

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**HOME OCCUPATION—MGM REMODELING—1528 SOUTH 1600 WEST—
MICHAEL GOMEZ MALDONADO**

Mr. Stephens went over this item with the Commission. He stated that Mr. Michael Maldonado is proposing to operate a home repair and handyman business from his home. This business would involve interior and exterior home repair work. The home will be used for office and the base of the operation. There would also be a small concrete mixer that would be kept at the home.

It was also mentioned there was another home based business at this same location that had been approved recently by the Planning Commission. The Commission asked if this would be a problem and Mr. Stephens said there had been this type of situation in the past and there had been no problems with it.

Mr. Michael Maldonado appeared before the Commission. The Commission asked if he had a business license from the state. Mr. Maldonado said he was in the process of getting the license and had already received a tax ID number and had insurance for the business and was waiting on the last few details to be worked out to receive the license.

The Commission then had a discussion on whether the phrasing in the first condition might need to be changed to allow other construction equipment to be kept at the home for a limited time frame. It was decided that the condition language would stand as it is and that it seemed to have worked in the past.

Mr. Maldonado said he would probably not be storing any additional equipment at his home anyway because he would take it to the job he would be working on.

There were no further questions and Commissioner Bradford made a motion to approve the conditional use of a home occupation for MGM Remodeling and Mr. Michael Maldonado with the following conditions:

1. At no time may construction materials or equipment other than a concrete mixer be kept at the home.
2. At no time shall the applicant's business operation negatively impact the adjacent neighborhood.

Commissioner Page seconded the motion and the motion carried.

**HIGH ENERGY ARMS CONDITIONAL USE REQUEST—1635 SOUTH 500 WEST—
CURTIS JENKINS**

Mr. Stephens then reviewed this item with the Commission. He noted that Curtis and Cory Jenkins, who own and operate CJ Auto Repair and who also operate High Energy Arms from the same location, are proposing to expand their facility to include an underground gun range. The

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applicants are proposing to construct a separate building which would include the underground gun range, a stock of guns, accessories and emergency food supplies to sell at the location. The gun range would also provide training courses, concealed firearms classes and related courses.

Mr. Curtis Jenkins and Mr. Cory Jenkins appeared before the Commission. They gave an overview of the project they are proposing to build. They said they would be constructing a new building east of the existing CJ Auto Repair that would be about 2500 square feet that would include an underground gun range. The gun range would be about 25 feet in length with ten lanes. There would be a circulatory air system that would recycle the air flow which has a hepa filter that was self cleaning. The hours of operation would be from 9:00 A.M. to 7:00 P.M.

Mr. Jenkins went on to say that they were aware there were some concerns over the noise this type of business would generate. He said a noise level study had been conducted at another similar facility and that right above the gun range the noise level was 50-60 decibels. He said that the loudest decibels recorded were 80 decibels. Mr. Jenkins noted that the air hammers that are operated at the car repair shop are no louder than that. He also mentioned that because the air system was self contained there would be no noise escaping from any air vents. He went on to say the testing showed as you moved farther away from the gun range, the noise level dropped considerably and that the proximity to the adjacent neighbors would not likely hear anything from this gun range because they are located far enough away from the gun range.

Chairman Beecher then asked the Commission if they felt this proposed business was zone appropriate and the Commission agreed that it was.

The Commission then discussed parking and what would happen to some of the cars that were located on the site. Mr. Jenkins said they had discussed different parking options and that many of the cars located on the property would be removed to allow the proposed business to move ahead.

There were no further comments or questions and Commissioner Page made a motion to approve the conditional use request for High Energy Arms and Mr. Cory Jenkins and Mr. Curtis Jenkins with the following conditions:

1. Applicants shall submit, for the Planning Commission's review and approval, a site plan amendment for the proposed gun range and associated facilities.
2. At no time may any offensive odors, light, noise or vibration emanate from the site or subject property which would impact surrounding commercial or residential areas of the city. Failure to comply with this condition shall result in revocation of this permit.
3. The applicant shall comply with all applicable laws, rules, and regulation of any government agency having jurisdiction over the applicant's operation nor the subject property.
4. Any material violation of or failure of the applicants to comply with the forgoing conditions shall entitle the City to revoke this permit, provided the City gives the applicant written notice of such failure or violation and that the applicants have failed to

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remedy such failure violations within 30 days from the date the applicants received such notice.

Commissioner Sharp seconded the motion and the motion carried.

GENERAL AND PENDING

Mr. Stephens noted there would be an application for an extension of a non-conforming use from an asphalt plant in the City at the next meeting.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bradford made a motion to adjourn the meeting at 7:35 P.M.

Leo Beecher, Chairman

Bonnie S. Craig, Secretary