

**WOODS CROSS PLANNING COMMISSION MEETING
MARCH 23, 2021**

The minutes of the Woods Cross Planning Commission meeting held March 23, 2021 by Zoom Conferencing.

CONDUCTING:

Gary Sharp

COMMISSION MEMBERS PRESENT:

Gary Sharp, Vice Chairman
Mike Doxey
Eric Jones
Jessica Kelemen

Ryan Larsen
Joseph Rupp

COMMISSION MEMBERS EXCUSED:

Curtis Poole

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
Matt Terry, City Council Member

VISITORS:

Britton Black	Curtis Black	Alex McKinley
Casey Call	Brian Kellen	Samuel Nance
Tyler Bodrero	LeGrande Blackley	Don Schrader

APPROVAL OF MINUTES

Vice Chairman Sharp called for the review of the minutes of the Planning Commission meeting held March 9, 2021.

Following the review of the minutes by the Commission, Commissioner Jones made a motion to approve the minutes as corrected with Commissioner Kelemen seconding the motion and all voted in favor of the motion through a roll call vote except for Commissioner Rupp who abstained from the vote as he said he was not present for the majority of the meeting.

OPEN SESSION

Vice Chairman Sharp then opened the meeting to items from those present that they would like to bring before the Commission that were not on the agenda.

There were no comments for the open session, and Vice Chairman Sharp closed the open session.

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NANCE HOME OCCUPATION

Mr. Stephens, the Community Development Director, reviewed this item with the Commission. He noted this applicant is proposing to operate a general service handyman business from his home. He noted the applicant will focus on repairing and maintaining HOA owner properties. Mr. Stephens said this application indicates that shelving has been added to the garage to hold cleanup tools and other items involved with home businesses. He said that tools and other supplies will also be stored in the garage. He also said the applicant has indicated that general maintenance, cleanup, and small repairs will not exceed the limits of state licensing for handyman services.

Following the information given by the Community Development Director, Commissioner Rupp asked Mr. Nance if the conditions as outlined were acceptable to Mr. Nance. Mr. Nance said the conditions seemed fair and very acceptable and he would abide by them. He also told the Commission that there would be no construction material stored at the home and there would be no demolition occurring at the home. He said he would mostly be providing maintenance to the HOA communities.

There were no further questions and Commissioner Doxey made a motion to approve the home occupation permit for Samuel Nance with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or the neighborhood.
2. Applicant's business operation shall be in compliance at all times with any government agency having jurisdiction over the business or subject property.
3. At no time may materials or equipment be stored outside the enclosed home.
4. At no time may construction demolition materials be stored or staged at the home.
5. Applicant shall obtain and maintain a Woods Cross City Business License.

Commissioner Larsen seconded the motion, and all voted in favor of the motion through a roll call vote.

FLEXPAK CONDITIONAL USE—1600 WEST 1180 SOUTH—CASEY CALL

Mr. Stephens then reviewed this agenda item with the Commission. He noted that FlexPak is currently located at 2425 South just west of Redwood Road and have operated from this location for a number of years. He said that FlexPak is proposing to relocate in a new subdivision which is north of the Maverick truck facility and east of Redwood Road in the vicinity of 1180 South. He said FlexPak is planning to construct a large facility at this location.

Mr. Stephens said FlexPak's current location on 2425 South involves the light manufacturing of packaging materials for various items and industries. He reminded the Commission FlexPak has operated on 2425 South for a number of years without any complaints or impacts known to the city. He said the future building will house offices, manufacturing, warehousing, and shipping

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areas. He said the building will have numerous loading docks and loading dock doors to accommodate the distribution of packing materials to end users. He also noted that FlexPak currently employees approximately 70 full-time employees and operates between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday.

Mr. Casey Call and Mr. Brian Kellen joined the discussion for this item. Commissioner Kelemen asked if the conditions were acceptable to them as listed. Mr. Kellen said the conditions were acceptable and he was very excited he was going to be able to keep his business in Woods Cross. He said his business is currently located in Woods Cross City and he was happy they were going to be able to build a new facility and continue operating the business in Woods Cross City. He noted that with this new facility he would be able to have his businesses located under one roof which would make operating them more convenient. He promised to continue to be a good neighbor and said he is very excited to stay in the city.

There were no further questions and Commissioner Kelemen made a motion to approve the conditional use for FlexPak with the following conditions:

1. At no time may business activity negatively impact adjacent properties particularly the neighboring residential areas of the city.
2. The business operation shall be in conformance at all times with any government agency having jurisdiction over the applicant's property or business operation.
3. At no time may equipment, materials or products be stored outside the enclosed building.
4. Applicant is required to submit a site plan application and associated drawings to the Commission for its consideration and approval once a subdivision plat has been approved and recorded.
5. The business operation shall be in compliance at all times with the city's noise regulations.

Commissioner Rupp seconded the motion, and all voted in favor of the motion through a roll call vote.

**BNH GOURMET LLC—BONEYARDS BLOODY MARY BLEND CONDITIONAL
USE—1600 WEST 1180 SOUTH—CASEY CALL**

Mr. Stephens then reviewed this agenda item with the Commission. He said that the owners of FlexPak also operate a business involved in the manufacturing and wholesale/retail distribution of a non-alcoholic Bloody Mary concentrate mix. He noted the business employs three individuals and will operate from a portion of the proposed FlexPak facility noted in the previous conditional use item. He noted this location would also serve as a retail store with operating hours from noon to 6:00 P.M. He reminded the Commission they had previously approved the conditional use permit for this business on 2425 South and Boneyards Bloody Blend will be relocating with FlexPak to the proposed location.

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Following the review by Mr. Stephens, Vice Chairman Sharp asked if there had ever been any complaints regarding this business. Mr. Stephens said he was unaware of any complaints.

Commissioner Jones asked since this business involved food, would this business need approval by the health department or agriculture department to comply with their rules for manufacturing of a food product.

Mr. Casey Call and Mr. Brian Kellen joined the discussion for this item and Mr. Kellen said this is strictly a distribution site and they do not manufacture this particular product at their site. He said they have someone else make the product and they just distribute the product. He did say they have a retail store to sell the product. He noted the store is open Monday-Friday from noon to 6:00 P.M. He said they do not have any plans to manufacture this product.

There were no further questions before the Commission and Commissioner Rupp made a motion to approve the conditional use permit for Boneyards Bloody Blend with the following conditions:

1. At no time may the business activity negatively impact adjacent properties, particularly the neighboring residential areas of the city.
2. The business operation shall be in conformance at all times with any government agency having jurisdiction over the applicant's property or business operation.
3. At no time may equipment, materials or products be stored outside the enclosed building.
4. Applicant is required to submit a site plan application and associated drawings to the Commission for its consideration and approval once a subdivision plat has been approved and recorded.
5. The business operation shall be in compliance at all times with the city's noise regulations.

Commissioner Jones seconded the motion, and all voted in favor of the motion through a roll call vote.

**THE KITCHEN INDOOR PICKLEBALL COURTS CONDITIONAL USE—1223
SOUTH REDWOOD ROAD—CURTIS BLACK**

Mr. Stephens then reviewed this item with the Commission. He noted that this applicant is proposing to operate an indoor pickleball facility which would be located in one of the new buildings being constructed and nearing completion on Redwood Road just north of 1500 South. He said the applicant would be utilizing the north building finishing the interior space with three pickleball courts. He noted there can be 12 players on 3 courts with some spectators in this building. He went on to say the application indicates the landlord has given permission to use as many parking spaces as needed indicating that the parking lot will have over 25 available spots. Mr. Stephens did say there may be concerns about parking because it is anticipated the other two buildings will be leased and will require their share of the onsite parking. Mr. Stephens said he had contacted the building owner and he indicated that he had told the applicant they could have

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the parking stalls that fronted their building with the concept, during evening hours when the other businesses on the site are closed, they could utilize more of the onsite parking. Mr. Stephens said the Commission would need to make sure there was enough parking available for the proposed business and its patrons.

Following the review by Mr. Stephens, Mr. Britton Black, and Mr. Curtis Black joined the discussion.

Mr. Curtis Black said he understood the concerns regarding parking. He did say that there are about 11 parking stalls in front of their building and more parking stalls are located near the buildings to the south which they said the landlord had given them permission to utilize. He said the bulk of their business would be done early in the morning before work and in the evenings after people got off of work. He also said that many of the players would be coming together in one vehicle to play pickleball. He said as far as tournaments go, they would mainly be held on Saturday when the other business would most likely be closed, so he did not see any issues with the parking.

Mr. Britton Black said the tournaments would only be held on the weekends and they only have three courts and a limited spectator viewing area, so they do not anticipate over-using the parking. He also said that as players call in to make reservations for the courts, they would be encouraged to carpool when they came to the facility to play.

The Commission said they felt like there would be some transition time for the players when coming and going from tournaments and there might be congestion with parking when these transitions time would be happening. The Commission also asked Mr. Stephens if he knew what other businesses would be locating in the nearby buildings that had the extra parking stalls Mr. Black said they would be able to utilize.

Mr. Stephens said he did not know what businesses would be going into the new nearby buildings. He did say that as these types of facilities are reviewed for construction, the staff encourages them to include ample parking in their plans to be able to accommodate businesses that might require more parking stalls for its employees or customers.

Mr. Britton Black said he had spoken with the owner of the buildings and he said through his discussions with the owner that everyone felt there would be no issues with the parking.

Mr. Curtis Black noted the busiest hours for the pickleball courts would be from about 6:00 A.M. to about 8:00 or 9:00 A.M. and then again around 3:00 P.M. to about 4:00 or 5:00 P.M. He said he also did not anticipate any issues with parking because the players would not be playing during peak business hours.

Commissioner Jones asked how they would mitigate potential problems with accommodating numerous people during tournament play. Mr. Britton Black said they would plan to space out the tournament times so there would be plenty of transition time for the players that are coming

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and going. He also said he felt like communication to the participants would be key and that they would make sure to stagger tournament times to leave ample time for transitioning between tournaments. He also said there is a small spectator area and there are only three courts so the facility cannot accommodate too many people, either players or spectators.

Mr. Stephens reminded Mr. Black to make sure he spoke to the fire marshal and got fire approval for the space. Mr. Britton said they would contact him and get the fire inspection done and comply with what the fire marshal required.

Commissioner Rupp noted the reason the Planning Commission is making sure that parking is being looked at so closely is that there is no knowledge of what will be going into the other adjacent business buildings and what their potential parking needs will require. He said the Commission just wants to make sure that parking does not become an issue and create problems in the future.

Mr. Britton Black said he did not anticipate a lot of midday play and with talking to the owner of the buildings he said they would be occupied by office/warehouse types of businesses. Mr. Black said he would plan to talk to the other business owners as the move in and find out what their uses will be and what parking they would anticipate using. He also said he would encourage carpooling when players call in to book the courts for playing times. He said they would be very proactive, and they could also control their hours with reservations for the courts if there are any parking problems that may occur.

There were no further questions and Commissioner Kelemen made a motion to approve the conditional use for The Kitchen Indoor Pickleball Courts with the following conditions:

1. All parking for the business shall be accommodated on the subject property. At no time may parking be permitted on adjacent streets, driveways, or adjacent properties.
2. At no time may the business activity negatively impact adjacent properties.
3. The business operation shall be in conformance at all times with any government agency having jurisdiction over the applicant's property or business operation.
4. Applicant shall obtain and maintain a Woods Cross City Business License.
5. Applicant shall obtain a South Davis Metro Fire Agency inspection approval and provide a copy to the city prior to issuance of a business license.

Commissioner Doxey seconded the motion, and all voted in favor of the motion through a roll call vote.

**WOODS CROSS INDUSTRIAL PARK BUILDING MATERIALS DISCUSSION—2292
SOUTH 1250 WEST—TYLER BODRERO**

Mr. Stephens then reviewed this item with the Commission. He noted that Mr. Tyler Bodrero is proposing the construction of a couple of buildings on two lots south and adjacent to the Legacy Prep Charter School. He said the proposed buildings will be office/industrial in nature. Mr.

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Stephens said that the DRC staff had recently met with Mr. Bodrero and his design team to review the site plans and architectural elevations. Mr. Stephens said that during the discussion it was noted there would be a large amount of exterior metal materials. Mr. Stephens said the proposed structures would be located in the I-1 Light Industrial Zone which requires structures to have 85% brick, stone, stucco, glass, colored decorative block, or stone aggregate on the street view of the structure. He noted the Commission could consider a metal building.

Mr. Stephens went over what would determine whether or not a particular metal building/materials could be acceptable for this area and what the Planning Commission should consider to see if the materials being considered are in compliance with the zoning. He noted the Commission should consider the following factors in making decision regarding the possibility of allowing a metal building for construction in this zone:

- a) The visibility of the site from neighboring residential uses and adjacent streets;
- b) The degree to which the proposed finished materials are compatible with the appearance of neighboring industrial structures and uses;
- c) The location of the proposed finishing materials on the building;
- d) The degree to which a particular metal material may be shielded by landscaping or some other feature;
- e) The purpose of the zone in promoting well designed aesthetically pleasing industrial uses which reduce the impact of the light industry and business parks on surrounding non-industrial and uses.

Mr. Stephens showed the Commission the concept drawings for the proposed metal building and the front office space. He said that a basic site plan had been provided and that a more detailed site plan regarding landscaping, lighting, and fencing would be given to the Commission at a later time. He said this discussion was just to determine if the Commission liked the direction the architect was going with the proposed drawings at this time before the final submittals are given to the city staff.

The Commission reviewed the plans and noted they did like some of the features that were being proposed such as the material but did not think this large metal building still fit with what they would like to see in this area. It was noted that the current architectural drawings have not gotten away from the more industrial feel that is discouraged. The Commission said they felt like the aesthetics needed to be looked at for the building more than the materials of the building. Some of the comments from the Planning Commission included the building looking too boxy, the front office building not tying in with the metal warehouse building, the large plain metal wall facing the residential neighborhood and the solid color of the large blank west wall. There was also some discussion on how well a metal building would hold up over time. The Commission said they felt like there still needed to be some work done on the design of the building to help it conform to the factors listed above.

Mr. Bodrero said he had taken some notes during the discussion and he would pass along the suggestions to the architect that have been recommend by the Commission after having this discussion. He said some of the ideas he had after the discussion with the Commission were to

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soften the west wall, have a variation in color, add eyebrow canopies and maybe some false windows. He also said he would look at the landscape plan again to see if that could also be modified to help with the presentation of this building. He said he would take these ideas back to the architect for consideration before the final site plan is submitted to the Commission.

Mr. Bodrero thanked the Commission for their time and said he would take the ideas and suggestions back to the drawing board and work on them.

CITY COUNCIL REPORT

Council Member Terry reported on the City Council meeting held March 16, 2021. Please see the minutes of that meeting for the details of his report.

GENERAL AND PENDING

Mr. Stephens told the Commission they would be receiving some more of the final drafts for the rest of the zoning chapters in the next few months. He said there will be several chapters available for the Commission to review at their next Planning Commission meeting.

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Doxey made a motion to adjourn the meeting at 8:02 P.M.

Gary Sharp, Vice Chairman

Bonnie Craig, Secretary