

**WOODS CROSS PLANNING COMMISSION MEETING  
APRIL 27, 2021**

The minutes of the Woods Cross Planning Commission meeting held April 27, 2021 by Zoom Conferencing.

**CONDUCTING:** Curtis Poole, Chairman

**COMMISSION MEMBERS PRESENT:**

Curtis Poole, Chairman	Ryan Larsen
Eric Jones	Joseph Rupp
Jessica Kelemen	Gary Sharp

**COMMISSIONER MEMBERS EXCUSED:**

Mike Doxey

**STAFF PRESENT:**

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

**VISITORS:**

LeGrande Blackley	Don Schrader	Grey Garza
Sean Mantis	Jeff Moffat	Chad Blake
Mark Garza	Push Walia	Rand
Sheri Lermusiaux		

**APPROVAL OF MINUTES**

Chairman Pole called for the review of the minutes of the Planning Commission meeting held April 13, 2021.

Following the review of the minutes by the Commission, Commissioner Rupp made a motion to approve the minutes as written with Commissioner Kelemen seconding the motion and all voted in favor of the motion through a roll call vote.

**OPEN SESSION**

Chairman Poole 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 Chairman Poole closed the open session.

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**WALIA HOME OCCUPATION—PUSH WALIA-- 2015 SOUTH 800 WEST**

Mr. Stephens, the Community Development Director, reviewed this item with the Commission. He noted that this applicant is proposing to operate a home office for his general contracting business from his home located at 2015 South 800 West. Mr. Push Walia said he will be using an upstairs room for general business administrative activities. Mr. Walia has further indicated in the application that no equipment, hazardous materials, or other materials or supplies will be stored at the home. He has also indicated that no customers will come to the home to obtain services.

Following the information given by the Community Development Director, Mr. Push Walia joined the discussion. The Commission asked Mr. Walia what type of construction business he would be operating. Mr. Walia said he was a general contractor. The Commission also asked Mr. Walia if the conditions as outlined were acceptable to him and Mr. Walia said he was fine with the conditions. The Commission asked if there would be any other employees and Mr. Walia said no there would be no other employees besides himself.

There were no further questions and Commissioner Jones made a motion to approve the Walia home occupation with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or the neighborhood.
2. The applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business operations or subject property.
3. At no time may construction equipment or building and demolition materials be staged or stored at the home other than hand tools or similar equipment that can be stored in the home.
4. The applicant shall obtain and maintain a Woods Cross City Business License.

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

**BOSCAN FOODS DISTRIBUTING CONDITIONAL USE—1901 WEST 2425 SOUTH SUITE G—FRANK BOSCAN**

Mr. Stephens reviewed this item with the Commission. He noted this applicant is proposing to operate a fruit beverage manufacturing operation from the location noted above. He noted the applicant, Mr. Frank Boscan has stated in his application that he receives frozen pulp and processes it to make tropical fruit beverages. He then bottles the product into 16 ounce plastic containers for distribution to retail stores.

There was no one present representing this item at this time and Commissioner Rupp made a motion to table the item until later in the meeting when the applicant could be present.

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Commissioner Kelemen seconded the motion, and all voted for the motion through a roll call vote.

**UNITED ACCESS CONDITIONAL USE—2262 SOUTH 1200 WEST—CHAD BLAKE**

Mr. Stephens then went over the details of this item with the Commission. He noted that United Access is a company that provides sales, installation, and repairs of adaptive equipment on vehicles for persons with disabilities. He noted this applicant, Mr. Chad Blake is planning to locate this business within a new building that is now under construction in the Woods Cross Industrial Park in the vicinity of the city's Public Works building, specifically the Mark Garza project that was previously approved by the Planning Commission. Mr. Blake has also indicated that the business involves demonstrations, sales, and service of automotive adaptive medical equipment for people with disabilities. He noted these services include fully equipped vans and automobiles with adaptive driving controls, turning seats, wheelchair lifts, and wheelchair accessible vehicle conversions. Mr. Stephens also noted this business would be located within the I-1 Light Industrial/Business Park Zone which will require all business activities and storage to be within the enclosed building. He also noted all outside storage and business activity is prohibited in the zone unless an outside walled area is created meeting the requirements as outlined in the Light Industrial Zone.

Following the information given by Mr. Stephens, Commissioner Sharp asked if United access would be allowed to occupy the building before the second road access that is being required by the Fire Marshal to this area was put in. Mr. Stephens said yes, they would be able to occupy the building before the second access is in because of the emergency access. He also said the city has a memorandum of understanding with the South Davis Metro Fire agency which explains that occupation is allowed because this new second access is planned and moving forward. Mr. Stephens said it is the city's plan to have this access constructed later this year.

Mr. Chad Blake then joined the discussion representing this item. He explained to the Commission that United Access is the retail division of a manufacturer called Braunability. He said they are the world's largest wheelchair lift and wheelchair accessible vehicle manufacturer. He noted this location in Woods Cross City would be one of 48 locations in 15 states. He said they do not do any structural modifications in a facility like this, but it would be strictly sales and service and light installation for accessibility components with people with disabilities. He said it would be a joint venture with their North American manufacturing partners. He said they would have about 2500 square feet for just parts distribution at this location. He said they are currently located in Sandy and are looking to expand their company. He said they currently have 6 employees but are planning to have 10 total employees for this location with the expansion.

Commissioner Rupp then asked what the hours of operation would be for this business. Mr. Blake said they plan to have regular business hours from 8:00 A.M. to 5:00 P.M. Monday through Friday and Saturdays by appointment only. He said about 50% of their initial interaction with their customers is in their home and then they bring them back to the facility for their

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services. He also said that most all of their day to day operations for mobility are done by appointment.

Commissioner Sharp asked if there was adequate parking for the business. Mr. Blake said they are working that out with the Landlord, but he said there should be plenty of parking for the business. He also said it is in the best interest of the business to move wheelchair accessible vehicles that are for sale inside at night for security reasons so they try to do that wherever they can. He also noted that the parking options the Landlord is providing them is part of the reason they are looking to locate at this facility.

Commissioner Sharp asked if the conditions are acceptable as outlined and Mr. Blake said they were acceptable and were very similar to those they already abide by in other municipalities.

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

1. At no time may the business operation negatively impact adjacent properties, particularly the nearby residential areas.
2. Applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business operation or subject property.
3. The business activity shall be conducted entirely within the enclosed building.
4. At no time may parts, materials, or partially dismantled vehicles be stored or staged outside the enclosed building.
5. Applicant shall obtain and maintain a Woods Cross City Business License.
6. Applicant shall obtain a South Davis Metro Fire Inspection and approval and submit a copy to the city prior to issuance of a business license.

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

**SEAN'S WOODWORKING CONDITIONAL USE—2043 WEST 2285 SOUTH—SHERI & SEAN MANIS**

Mr. Stephens then reviewed this agenda item with the Commission. Mr. Stephens noted that Sheri Lermusiaux and Sean Mantis are proposing to operate a furniture building and distribution business from a unit in the ICON building located on 2425 South west of Redwood Road. This business would be involved in the creation of cabinets and furniture. The applicants have indicated they will operate from 8:00 A.M. to 5:00 P.M. with some employees starting as early as 7:30 A.M. Mr. Stephens noted the potential concerns for this type of business the Commission may want to consider would be potential noise that could affect the adjacent residential area, disposal of scrap wood and sawdust, the location of a dust collection hopper and motor, and how the wood materials will be received in regard of the prohibition of outside storing or staging of materials.

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Ms. Sheri Lermusiaux joined the discussion representing this item. Ms. Lermusiaux said their woodworking operation is a very quiet operation. She noted they do not cut any wood, but they have vendors who bring in supplies such as boxes, doors, and legs and they do mostly assembly and sales of the furniture after it is assembled. She also noted there is not much debris associated with the business operation, but they do have a large dumpster which would accommodate any debris from the business operations. Ms. Lermusiaux said they create vanities and cabinetry. She noted they have 5 or 6 employees working for the business. She also noted they do not have a hopper. She also said they would plan on getting a fire inspection for the business.

Commissioner Kelemen asked Ms. Lermusiaux if the conditions were acceptable, particularly regarding being sensitive to the adjacent residential neighborhood. Ms. Lermusiaux said yes, the conditions were acceptable. She said they keep a low profile with their business activities, and they will continue to do so. Ms. Lermusiaux also said there is plenty of parking for the business and their business hours are 8:00 A.M.-4:30 P.M. Monday through Friday and by appointment on Saturdays. She said on occasion they are there until 5:00 P.M. but that is not on a regular basis.

Chairman Poole said the Commission always has some concern regarding early delivery trucks that might disturb the residential neighborhood, particularly if they have a back-up beeping system. Ms. Lermusiaux said she did not know of any of the delivery trucks they have come to their business that might have a beeping system. She said they do have an occasional semi-truck delivery, but it would not disturb the neighbors. She said they are a very quiet operation during their operating business hours.

There were no further questions and Commissioner Rupp made a motion to approve the conditional use for Sean's Woodworking with the following conditions:

1. At no time may the business operation negatively impact adjacent properties, particularly the nearby residential area.
2. Applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business operation or subject property.
3. Applicant shall submit a South Davis Fire Inspection and approval to the city prior to the issuance of a business license.
4. At no time shall any materials or equipment be stored or staged outside the enclosed building.
5. All sawdust collection and storage shall take place within the enclosed building.
6. Applicant shall obtain and maintain a Woods Cross City Business License

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

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**MOFFAT PLASTERING CONDITIONAL USE—1237 WEST 2285 SOUTH—JEFF MOFFAT**

Mr. Stephens reviewed this item with the Commission. He noted this was a conditional use associated with the plastering business that would be reviewed next on the agenda. He noted this appears to be a contracting business for the installation of plaster and stucco. He also said a portion of this business is assumed to be a warehouse/workshop with another portion being dedicated to an office area to administer the daily operations of the business. Mr. Stephens noted this location is part of the I-1 Light Industrial Zone and this business will not be able to store or stage any equipment or materials outside the enclosed building.

Mr. Jeff Moffat joined the discussion. Mr. Moffat said he wanted to let the Commission know he does have trucks that on occasion may sit overnight unloaded until the following day or after a weekend. He said that other than that all of his materials are stored inside his facility.

Commissioner Rupp asked if when the trucks come to his facility with materials on them, do the materials stay on the trucks and Mr. Moffat said yes, they stay on the truck until the truck is unloaded. He said they are stacked neatly with a forklift, so they are easy to load and unload. Chairman Poole asked if the trucks remain behind a fence. Mr. Moffat said yes, they stay behind the fence or inside the facility.

Chairman Poole asked what the hours of operation would be. Mr. Moffat said he has one employee that comes in early at 6:00 A.M. and then the office opens up at 7:00 or 8:00 A.M. and they work until 4:00 or 4:30 P.M. unless there is a truck that needs to be unloaded and then they stay until that is finished. Mr. Moffat said they are a quiet operation, and their forklift does not have a beeper on it.

Chairman Poole told Mr. Moffat to be aware of the noise during loading and unloading of materials it can cause as well as throwing things into a dumpster that may cause noise. Mr. Moffat said he would make sure to do so.

Commissioner Kelemen asked how many employees work at the business. Mr. Moffat said there are 20 employees and there are 5-8 office staff, and the rest of the employees work onsite.

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

1. The business operation shall not negatively impact adjacent properties or nearby residential areas.
2. Applicant's business operation shall be in compliance at all times with any government entity having jurisdiction over the business operation or subject property.
3. At no time may any equipment, materials, or business activity take place outside the enclosed building.

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4. Applicant shall obtain a South Davis Metro Fire Inspection and approval and submit a copy to the city prior to the issuance of a business license.
5. Applicant shall obtain and maintain a Woods Cross City Business License.

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

**MOFFAT PLASTERING SITE PLAN—1237 WEST 2285 SOUTH—JEFF MOFFAT**

Mr. Stephens continued and reviewed this item with the Commission. He noted Mr. Moffat is also proposing to construct a building to house his plaster/stucco installation business. Mr. Stephens noted the Commission had recently approved the Thomas Warehouse within the Woods Cross Industrial Park near the Woods Cross Public Works facility. He said the Thomas Warehouse approval involved a shared driveway with the adjacent lot which is the subject of this report. He noted this project, and the adjacent lot will share access from 1250 West Street. He noted the two lots share a cross access and storm water drainage easement between them. Mr. Stephens also noted this project had been reviewed by the Public Works Director, City Engineer and South Davis Metro Fire Marshal.

Chairman Poole asked Mr. Moffat if he had anything else he wanted to add to what Mr. Stephens had outlined for the Commission. Mr. Moffat said he did not have anything else to add.

There were no questions from the Commission and Commissioner Sharp made a motion to approve the Moffat Plastering site plan. Commissioner Rupp seconded the motion, and all voted in favor of the motion.

**REVIEW OF DRAFT ZONING ORDINANCE CHAPTERS: R-1-8, A-1, C-2, I-1, I-1A, I-2, AP & AIRPORT PROTECTIVE AREA—MARK VLASIC**

Mr. Stephens noted that Mr. Mark Vlastic was joining the meeting to help with the review of the above draft zoning ordinance chapters with the Commission. He noted the Commission would be reviewing these chapters and discussing any changes or suggestions they would like seen added to these chapters.

Chairman Poole asked what the expected end date would be for adoption of all of the new zoning ordinances and Mr. Stephens said it may be in July, but they were trying to move things along as quickly as possible.

Mr. Stephens then went through the zoning chapters and noted changes and updates that had been made. The Commission had a few questions and changes they found they would like to have made and Mr. Stephens said he would take their suggestions and comments back to the city attorney for his consideration on them.

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**CITY COUNCIL REPORT**

Council Member Terry said he had nothing to report as there had not been a City Council meeting held on April 20, because there were several staff and Council Members who had attended a conference.

**GENERAL AND PENDING**

Mr. Stephens said the staff is continuing to work through the proposed subdivision that is north of the Maverik facility on 1500 South. He said they are trying to get the site plans in order and the Commission may see this item come before them in the near future.

**ADJOURNMENT**

There being no further business before the Commission, Commissioner Kelemen made a motion to adjourn the meeting at 8:46 P.M.

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Curtis Poole, Chairman

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Bonnie Craig, Secretary