

**WOODS CROSS PLANNING COMMISSION MEETING
JUNE 22, 2021**

The minutes of the Woods Cross Planning Commission meeting held June 22, 2021, at the Woods Cross Public Works Building located at 2287 South 1200 West, Woods Cross, Utah at 6:30 P.M.

CONDUCTING: Curtis Poole, Chairman

COMMISSION MEMBERS PRESENT:
Curtis Poole, Chairman Ryan Larsen
Jessica Kelemen Gary Sharp
Eric Jones

COMMISSION MEMBERS EXCUSED:
Mike Doxey
Joe Rupp

STAFF PRESENT:
Tim Stephens, Community Development Director
Bonnie Craig, Secretary

VISITORS:
LeGrande Blackley
Zach Olsen
Dave Pierson
Ross Larsen
Miguel Rivas
Carl Madsen

PLEDGE OF ALLEGIANCE: Jessica Kelemen

APPROVAL OF MINUTES

Chairman Poole called for the review of the minutes of the Planning Commission meeting held June 8, 2021.

Following the review of the minutes by the Commission, Commissioner Sharp made a motion to approve the minutes as written with Commissioner Larsen seconding the motion and all voted in favor of the motion through a roll call vote. Commissioner Jones abstained as he was not at the previous meeting.

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OPEN SESSION

Chairman Poole then opened the meeting to items from those present that they would like to bring before the Planning Commission.

There were no items for the open session and Chairman Poole closed the open session.

UNITED ELECTRIC CONDITIONAL USE—1901 WEST 2425 SOUTH—JEREMIAH WAYMENT

There was no one present representing this agenda item and Commissioner Jones made a motion to table this item until someone could be present to represent this item.

SAM TAEGEUK DOJANG CONDITIONAL USE—1273 SOUTH REDWOOD ROAD, SUITE 6—JOHN SOUTH

Mr. Stephens noted this applicant had asked to be put on a future agenda as he could not make it to the meeting.

Commissioner Sharp then made a motion to table this item to a future meeting until a representative could be present. Commissioner Jones seconded the motion, and all voted in favor of the motion through a roll call vote.

CENTENEX INC CONDITIONAL USE—1273 SOUTH REDWOOD ROAD, SUITE 6—ZACH OLSEN

Mr. Stephens then reviewed this item with the Commission. He noted that the applicant, Mr. Zach Olsen, is proposing to operate an e-commerce business from this location which will sell electronics and accessories online, on various websites, and marketplaces. Mr. Stephens noted Mr. Olson had indicated on his application he will be mostly warehousing at this location in Woods Cross.

Following the review by Mr. Stephens, Mr. Zach Olsen was invited to address the Commission. Commissioner Jones asked Mr. Olsen to explain his business operations. Mr. Olsen stated he has one employee besides himself, and they sell electronic accessories online and have very limited clients coming to their business. Mr. Olsen said he does have one client that comes to the business on occasion. He said they offer free shipping, and they ship products all over the world.

Commissioner Sharp asked what the hours of operation were for the business. Mr. Olsen said his hours are regular business hours from 8:00 A.M. to 5:00 P.M. Commissioner Sharp asked Mr. Olsen what deliveries he receives, and Mr. Olsen said he did not receive many deliveries and that there were about 3-4 per month. Mr. Olsen said he does take things to the post office every day to be shipped to customers.

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The Commission also asked how many parking stalls Mr. Olsen was allotted. Mr. Olsen said he was allowed 2 spots, but he will only be using one parking stall. He said the new pickle ball courts are located next door to his business and the courts would mostly be using the parking lot during the evenings and weekends. Mr. Olsen said he would be using the parking during business hours so parking would work out well for both businesses.

There were no further questions and Commissioner Sharp made a motion to approve the Centenex Inc. conditional use with the following conditions:

1. At no time may the business activity negatively impact adjacent properties.
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. 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.
4. Applicant shall obtain a South Davis Metro Fire Agency inspection approval and provide 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 Larsen seconded the motion, and all voted in favor of the motion through a roll call vote.

**S-MART FLOORS LLC CONDITIONAL USE—1273 SOUTH REDWOOD ROAD,
SUITE 15—MIGUEL RIVAS**

Mr. Stephens then noted this applicant is proposing to operate a small store selling flooring products. He noted the business would involve a flooring showroom for carpet and other flooring products in addition to warehouse storage. Mr. Stephens noted the application indicates the hours of operation will be from 9:00 A.M. to 5:00 P.M. with just two employees. He said the applicant has indicated there will be a cargo truck and a pickup truck that will be parked at the site.

Following the review by Mr. Stephens, Mr. Miguel Rivas joined the meeting through Zoom.

The Commission asked if Mr. Rivas would be parking his trucks at the business. Mr. Rivas said they would not be parked on the exterior of the building.

Commissioner Jones asked how many people would be working at the business and it was noted there would be two people at the business. Mr. Rivas said he plans to have his customers come to the business by appointment. The Commission asked how many parking spots Mr. Rivas was going to be allotted and Mr. Rivas said he would have four parking stalls but that should be adequate with his customers coming by appointment.

Chairman Poole asked if Mr. Rivas had deliveries made to his business. Mr. Rivas said he did have deliveries, but they would be made during the business hours he had previously stated from

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9:00 A.M. to 5:00 P.M. Mr. Rivas also noted there would be no large trucks that would be delivering or picking up things from this business.

There were no further questions and Commissioner Kelemen made a motion to approve the S-Mart Floors LLC conditional use with the following conditions:

1. At no time may the business activity negatively impact adjacent properties.
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. 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.
4. Applicant shall obtain a South Davie Metro Fire Agency inspection approval and provide a copy to the city prior 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.

**SCANDIA OFFICE BUILDING SITE PLAN—1052 SOUTH 500 WEST—DAVE
PIERSON**

Mr. Stephens then reviewed this agenda item with the Commission. He noted this item had been a late submittal because there were some issues with the storm water that needed to be worked through. Mr. Stephens reminded the Commission they had seen the concept plan before and had approved the conditional use for the height of the building. He reminded the Commission the building had to be shifted from its original location, from the north side of the property to the south side of the property due to the proximity to the residential neighborhood. Mr. Stephens said there were not many changes from the conceptual site plan and Mr. Stephens went over the details of the final site plan with the Commission. He explained the drive approach was placed where UDOT had required it which also posed some challenges for the project.

Mr. Stephens noted for the Commission that the storm water issues had been addressed because the storm system could not accommodate a 10 year storm on the property. He noted that storm water from a large storm would run to the Springwood Apartment property. He noted an agreement had been made with the owners of the Springwood Apartments for this purpose some years ago. He noted the storm water would then be metered into the city's storm drain from the Springwood property. He noted that the project engineers and the city engineers had gone over this plan and noted it would be a workable plan and there would be a written signed agreement with the owner of the Springwood property owner acknowledging the agreement for the storm water plan. Mr. Stephens noted the city would not issue a building permit until the signed documents had been obtained and they were working on getting that documentation.

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The Commission then had a discussion about the number of parking stalls for the project, and if there was adequate parking. They noted there was adequate parking with extra stalls for further growth in the future.

There were three representatives present for the Scandia office building site plan review that would speak to this item, Mr. Dave Pierson, Mr. Ross Larsen, and Mr. Carl Madsen.

Mr. Stephens also went over the landscape plan with the Commission. He noted the applicants were asking for administrative relief for some of the landscape setbacks because they had to move their drive approach as well as reconfigure their parking area to accommodate a turn around area the fire district was requiring. Mr. Stephens referred to the zoning ordinances and said the ordinance recognizes all landscape issues cannot be anticipated and administrative relief can be granted when certain circumstance may impede the required landscaping and buffering. Mr. Stephens also pointed out for the Commission that Scandia had added many extra shrubs and trees to their project to make sure the areas they were asking for administrative relief would have extra plants to help with the buffering.

Mr. Stephens went on to say that on the north side of the project they were a few inches short of the 15 feet buffer but to the west and south of the project the setbacks become somewhat smaller than are required. Mr. Stephens said the smaller setbacks are set up against the west side of the project which is next to the parking area of the Springwood apartments as well as the parking area of the business to the south.

Mr. Stephens went over the height of the building and the materials that would be used on the outside of the building. He said this would be a very nice building and had many extra features that would make it a very nice addition to this area of the city.

Mr. Stephens also reviewed the lighting plan for the project and noted the foot candles show there should not be any issues with the lighting negatively impacting the adjacent residential properties or businesses.

Mr. Stephens also said the applicants were proposing an ornamental fence in certain areas of the project where no fencing exists. He said there is some chain link fencing along the Springwood apartments as well as some along the residential area to the north. Mr. Stephens said the applicants would need to work with the different property owner's on whether they would like to keep their fencing as it is, or if they need to remove the fencing that exists as they proceed to put in the landscape and fencing for their project.

Following the review by Mr. Stephens, the Commission discussed the buffering, the grade of the property, where retaining walls would be placed, and what type of fencing would be used and where it would be placed.

Commissioner Jones said he did not see anything exceptional issues for the parcel that would make it difficult to maintain the setbacks as per the ordinance.

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Mr. Carl Madsen from Scandia addressed the Commission. He said they had come up against several challenges with a plan for this building. He said the first one was having to flip the building from being located on the north of the property to then being located on the south part of the property because of the proximity to the residential neighborhood. He also said there had been a problem with the location of the drive because they had to move the building location and UDOT was requiring them to have it located to the south. He also noted there had been an issue created with the fire department and their requirements for enough space for a turn around for a fire truck in their parking lot. He also said they had added extra parking spaces to the project so there would be ample parking now but also to allow for added parking in the future because they did not know who would be occupying the other spaces in the building and they wanted to make sure there was plenty of parking. He said they felt like they had several mitigating circumstances that was allowing them to ask for the administrator relief.

Chairman Poole asked if the fire district had approved this plan and Mr. Madsen said yes it had been approved by the fire district.

Mr. Dave Pierson said they had worked quite a bit with the fire district and that is why the building and parking are located where they are at the present time as to comply with the fire districts requirements.

Commissioner Jones asked why they did not modify the building to make sure the setbacks were to city ordinance. Mr. Madsen said they did modify the building, but they wanted to keep the essence of the building. He said they had scaled down the building to fit the property restrictions and had reduced the square footage to be able to do so.

Mr. Ross Davis noted they had planned for the drive approach to be on the north which would have allowed the approach to be much wider but because they had to flip the building to the south, they had to reduce the size of the drive approach per UDOT requirements. He said they had also added alcoves and balconies and other touches that would soften the look of the building to make it a very nice a pleasing building. He also said they had over landscaped for the buffer loss.

The Commission asked about the fencing and Mr. Pierson said they plan to put in ornamental iron type fencing in the areas where there currently is no fencing.

Commissioner Jones said because the project and buffers will be raised because of the grade, there may be an issue with headlights shining into the windows of the apartment complex to the west from the business parking lot and he thought it would be better if there were a site obscuring fence to mitigate this possible issue. Mr. Madsen said they could put in a site obscuring fence.

Chairman Poole said he did see that the issue with UDOT requiring them to move the drive approach and only allowing them to have one drive approach had impacted the project. He also

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said he liked the design of the building and all of the landscaping that had been planned. He said it will be a nice addition to the west side of that road.

Chairman Poole asked where the snow would be pushed when snow removal would be required. Mr. Pierson said the snow would be pushed up against the wall on either side of the driveway that would go to the underground parking area. He said they would have snow melt there and then it would go into the storm drain.

Chairman Poole then said he was not as concerned with the buffering because it is next to the parking lot of the apartment building and there were extra trees added there.

Commissioner Kelemen said she wanted to make sure the administrative relief was not being granted because it was an apartment complex and not a single family residential area. She said she wanted to make sure the two areas would be given equal consideration.

Commissioner Jones said he was worried about setting a precedence for granting the administrative relief because he did not feel like it met the requirements in the first part of the ordinance that outlines why relief should be granted.

Commissioner Larsen said he did not have concerns over the proposal losing a few feet of landscaping because they were gaining more in parking. He said parking issues are always a concern for the Planning Commission when they are considering projects and it is always one of the main questions that is asked when considering a plan.

Commissioner Sharp said he agreed he did not want to set a precedence but that if the driveway had not been an issue, it would have allowed for a larger setback. He said he felt like there were other circumstances requiring the applicants to move their building location. He also said that due to UDOT and the placement of the driveway and to accommodate the fire department this project had faced several adverse circumstances.

There was no further discussion and Commissioner Sharp made a motion to approve the Scandia final site plan with the following conditions:

1. A building permit shall not be issued, and no construction work shall begin until the applicant submits to the city a signed and notarized written perpetual stormwater easement from the owner of the adjacent Springwood Apartments property, in recordable form acceptable to the city, that ensures efficient access to and use of the city's stormwater system.
2. Applicant shall install a 6 foot solid site obscuring fence along the north and west property line to buffer all adjacent residential properties. Applicant shall coordinate with the adjacent property owners the location of the new fence and possible removal of existing fences.
3. At no time may lighting from the development negatively impact the adjacent properties.

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4. The Planning Commission recommends granting administrative relief to the buffer on the south and west sides of the project because of UDOT's required placement of the drive approach as well as the requirement by the fire department for a wider area to accommodate a fire truck turnaround.

Commissioner Larsen seconded the motion. Commissioner's Larsen, Sharp, Kelemen and Poole voted in favor of the motion and Commissioner Jones voted against the motion. The motion carried with a vote of four to one.

CITY COUNCIL REPORT

Council Member Terry was not present so there was no report from the City Council.

GENERAL AND PENDING

Mr. Stephens said there had been several chapters of the draft zoning ordinance ready for review by the Commission.

The Commission reviewed the Home Occupation and Conditional Use sections of the draft zoning ordinances. They noted suggestions and changes they would like to see made.

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Kelemen made a motion to adjourn the meeting at 8:58 P.M.

Curtis Poole, Chairman

Bonnie Craig, Secretary