

**WOODS CROSS PLANNING COMMISSION MEETING  
JULY 13, 2021**

The minutes of the Woods Cross Planning Commission meeting held July 13, 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  
Mike Doxey  
Eric Jones  
Jessica Kelemen

Joe Rupp  
Gary Sharp

**COMMISSION MEMBERS EXCUSED:**

Ryan Larsen

**STAFF PRESENT:**

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

**VISITORS:**

LeGrande Blackley  
Clayton Killpack  
John South  
Megan Sanders

Stephanie Rogers  
Ryan Shepherd  
Jeremiah Wayman  
Ben Davis

Felicia Killpack  
Eric Rogers  
Josh Ratcliffe  
Bob Poole

**PLEDGE OF ALLEGIANCE:**

Joseph Rupp

**APPROVAL OF MINUTES**

Chairman Poole called for the review of the minutes of the Planning Commission meeting held June 22, 2021.

Following the review of the minutes by the Commission, Commissioner Jones 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. Commissioners Rupp and Doxey abstained as they were 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 Commission that were not on the agenda.

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

**UNITED ELECTRIC CONDITIONAL USE—1901 WEST 2425 SOUTH SUITE N—  
JEREMIAH WAYMEN**

Mr. Tim Stephens, the Community Development Director, then reviewed this item with the Commission. He noted that Mr. Jeremiah Wayman is proposing to operate his electrical contracting business from a suite within a building located on 2425 South. He noted this location is a multi-tenant building in which all parking on site was shared. Mr. Stephens noted the application indicates the business has 5-6 employees that are dispatched from this shop location to either drop-off, move, or pick-up equipment and supplies. He noted that deliveries of equipment are also dropped-off and moved inside the building via forklift. He noted they would be operating from 7:00 A.M. to 4:00 P.M. with a couple of employees based at this location doing office work. Mr. Stephens said the applicant has indicated they will be provided 5 parking stalls and have 3 fleet vehicles.

Following the information given, Commissioner Jones asked if the fleet vehicles for the business were going to be parked onsite or taken home. Mr. Jeremiah Wayman addressed the Commission and said two of the fleet vehicles will remain onsite overnight and one would be taken home. Commissioner Jones asked how many parking stalls Mr. Wayman was allowed, and he said he was allowed 5 parking stalls. Commissioner Jones asked if Mr. Wayman anticipated needing any more parking stalls and Mr. Wayman said he did not.

Mr. Wayman asked about parking a truck and trailer with excavation equipment on it at the business. There was discussion on whether or not this would be allowed under city ordinance. Mr. Stephens noted that if the trailer is coming and going each day it may be allowed to be parked there. Mr. Wayman stated there are large parking stalls that were striped for semi-trucks for the Step Savers business and Mr. Wayman said he parks his truck and trailer in the larger designated parking stall that Step Savers, who had previously owned the building, had striped.

Chairman Poole asked Mr. Wayman if the trailer could be parked inside of the building. Mr. Wayman said the trailer is too long to be parked inside the building. Mr. Wayman said he did not see the difference between a tractor trailer and a pick-up truck and trailer. Commissioner Rupp said it was not the trailer but the equipment on the trailer that was in question. Mr. Wayman said the equipment stays on the trailer and is not moved when the truck and trailer are parked.

Mr. Stephens continued to review the city ordinances and noted it was permitted to park up to 15 or 20 fleet, He noted as long as the truck and trailer are parked in a designated parking stall and

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are being used on a regular basis, they may be allowed. He said it would also need to be less than 33,00 pounds should it be permitted. Mr. Wayman said his truck and trailer is less than the 33,000 pounds.

Commissioner Rupp asked if the mini excavator equipment that is on the trailer could be stored inside if it was taken off the trailer were there extenuating circumstances and it needed to be moved. Mr. Waymen said he could do that if he needed to do so.

There were no further questions and Commissioner Sharp made a motion to approve the conditional use permit for United Electric with the following conditions with a note that the truck and trailer discussed above would be considered a fleet vehicle, but the mini excavator equipment would not:

1. At no time may the business operation negatively impact adjacent properties or 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 or subject property.
3. At no time may any equipment or materials be stored outside the enclosed building.
4. Applicant shall obtain a South Davis Metro Fire inspection and submit a copy of the same to the city prior to the issuance of a business license.
5. Applicant shall obtain and maintain a Woods Cross City Business License.

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

**SAM TAEGEUK DOJANG MARIAL ARTS SCHOOL CONDITIONAL USE—1273  
SOUTH REDWOOD ROAD, SUITE 5—JOHN SOUTH**

Mr. Stephens then reviewed this agenda item with the Commission. He noted that Mr. John South is proposing to operate a martial arts school teaching the Korean discipline of Hapkido. He noted this business would be located in the newly completed JMW flex space buildings on Redwood Road. Mr. Stephens also noted the applicant has indicated the business will have one employee and will operate from 4:00 P.M. to 9:00 P.M.

Following the information given by the Community Development Director, Commissioner Sharp asked which end of the complex this business would be located. Mr. John South said he is in the west building in the middle building in unit #5.

Commissioner Sharp said he was a little concerned with the small parking lot area.

Chairman Poole asked how many stalls Mr. South was going to be allowed for parking and Mr. South said he was allowed 2 stalls. Mr. South said his first class is not until 5:15 so that is after regular business hours. Mr. South said he shares the evening parking with the pickle ball courts and has had no issues with the parking in the evenings.

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Chairman Poole asked if they would be having tournaments and Mr. South said no they would not have any tournaments.

There were no further questions and Commissioner Jones made a motion to approve the Sam Taegeuk Dojang Martial Arts School conditional use 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 a South Davis Metro Fire Agency inspection approval and provide a copy to the city prior to issuance of a business license.

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

**HUARACA URBAN CHICKENS CONDITIONAL USE—586 WEST 1500 SOUTH—  
NICOMEDES HUARACA**

Mr. Stephens then noted the applicant is proposing to keep 10 chickens at his home located in a residential zone. Mr. Stephens noted Urban Chickens are a conditional use within the R-1-8 Zone and that 10 hen chickens or chicks are permitted on a parcel under ½ acre.

Following the information given Chairman Poole asked if there was anyone present representing this item. There was no one present at the meeting representing this item and Chairman Poole asked if the Commission felt comfortable with moving forward with reviewing the item. The Commission said they felt comfortable moving forward.

The Commission reviewed the item and found it to be similar to the other urban chicken conditional uses they had approved in the past.

There were no further questions and Commissioner Kelemen made a motion to approve the conditional use for up to 10 hen chickens for Mr. Nicomedes Huaraca. Commissioner Sharp seconded the motion, and all voted in favor of the motion through a roll call vote.

Commissioner Rupp said he would like to amend the motion because he had noticed there were a few boxes that had not been fully completed on the conditional use application and he would like that document completed.

Commissioner Rupp then made a motion to amend the prior approval to make as a condition that the applicant properly fill out the application for the urban chickens so they fully understand what is expected for this conditional use. Commissioner Sharp seconded the motion, and all voted in favor of the motion through a roll call vote.

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**CONARE INC. CONDITIONAL USE—1901 WEST 2425 SOUTH, SUITE M—ARIF  
OBIC**

Mr. Stephens then reviewed this agenda item with the Commission. He noted that the applicant is proposing to operate a truck oil change service from a suite at 1901 West 2425 South. He noted that this applicant is proposing to service only one diesel tractor at a time. Mr. Stephens said it was his understanding that they will not have any associated trailer attached. Mr. Stephens said the application indicates that this work is only done once or twice a month with mainly office and clerical work done at the site. He noted the business would operate Monday through Saturday 8:00 A.M. to 5:00 P.M. with a total of three office employees.

Following the information given, Commissioner Sharp asked if the applicant would need to have a letter from the sewer district before he receives a business license. Mr. Stephens said yes, the applicant should get a letter showing they approve of this type of business operation before they receive a business license. Mr. Stephens said the sewer district does have concerns if any of the fluids associated with this type of business get into the sewer or storm drains and would like to know how those fluids will be disposed of.

Commissioner Jones asked if the business was already operating and Mr. Josh Ratcliffe spoke on behalf of this item and said they had been operating this business but had not started the oil operation yet. He said they had just received their oil products and they had not utilized them yet. Mr. Ratcliffe went on to explain this business contracts with FedEx ground and there is only one piece of equipment serviced at a time. He said they will not be servicing any other vehicles other than the FedEx vehicles. Mr. Ratcliffe said the vehicles are never parked at this location and the oil changes are not done often because there are only 15 vehicles that are serviced, and they are serviced only once or twice a month.

There were no further questions and Commissioner Rupp made a motion to approve the Conare Inc. conditional use for Mr. Josh Ratcliffe with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or residential areas.
2. Applicant's business operation shall be in compliance with any government agency having jurisdiction over the business operation or the subject property.
3. At no time may more than one vehicle be on site to be serviced due to limited parking and space on site.
4. At no time may any equipment, materials or debris be stored outside the enclosed building.
5. All oil and vehicle fluids shall be properly collected and disposed of. Any degradation of the subject property or improper disposal or storage of hazardous materials or used oil will result in revocation of the conditional use permit.
6. Applicant shall obtain a South Davis Metro fire inspection approval and submit a copy of the same to the city prior to the issuance of a business license.

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7. The applicant shall obtain a South Davis Sewer Improvement District “will serve” letter and submit a copy to the City before a business license is issued.
8. 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.

**KETAMINE INFUSION THERAPY UTAH CONDITIONAL USE—1492 WEST 800  
SOUTH, SUITE G**

Mr. Stephens noted this applicant is proposing to operate a Ketamine infusion clinic from a suite in the strip commercial building that is on the northwest corner of 800 West and 1500 South. The applicant has noted the business will operate Monday-Friday from 10:00 A.M. to 5:00 P.M. and will employ 4 individuals. Mr. Stephens said the business will administer Ketamine infusions for patients with infusion supplies and medications stored securely on site. Mr. Stephens went on to say Ketamine Infusion Therapy is used to treat major depressive disorders, anxiety, Post Traumatic Stress Disorder (PTSD). Ketamine is a medical substance used for inducing anesthetic effects in its users. When administered in clinical doses, ketamine provides pain relief and sedation.

Mr. Stephens said it is assumed they will have scheduled appointments for patients. He said the C-1 Restricted Commercial Zone was established to provide an area in which primary uses of the land are for commercial and service uses to serve the daily convenient needs of the adjacent residential areas of the city. He said there are several typical permitted businesses as well as conditional uses for the C-1 Zone and the Commission can determine if this conditional use is a “business which is determined by the city to be similar and compatible with the foregoing.” Mr. Stephens said this proposed use falls within that category for the Planning Commission to decide if this use is similar and compatible with the other uses listed in the zone and the zone description. Mr. Stephens reminded the Commission that this small commercial center did house a doctor’s office that was approved as a conditional use by a previous Planning Commission.

Mr. Stephens noted there are 38 parking stalls dedicated to the commercial strip business where this business will be located. He also mentioned the townhomes also have nighttime shared parking with the commercial strip business.

The applicant, Mr. Eric Rogers introduced himself as business administrator for this business and addressed the Commission. He noted there are only 4 employees working at the business and they have decided to change the hours of operation so they would not conflict with the parking in business area. Mr. Rogers said the capacity of the facility would be 6 patients at a time and they would operate from 5-8 PM Monday through Saturday. He said they had made this change from the original conditional use application so there would be less risk of parking issues. He also noted that patients would be onsite for 45-60 minutes. Chairman Poole asked if patients would be coming by appointment and Mr. Rogers said yes, patients would be seen by appointment.

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Commissioner Sharp said he had a concern about patients parking on private property across the street in the church parking lot if the business parking lot was full. Mr. Rogers said he would make sure he told his patients where they needed to park when they came for treatment.

There were no further questions and Commissioner Kelemen made a motion to approve the Ketamine Infusion Therapy Utah conditional use with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or residential areas.
2. Applicant's business operation shall be in compliance with any government agency having jurisdiction over the business operation or the subject property.
3. Applicant shall obtain a South Davis Metro Fire inspection approval and submit a copy of the same to the city prior to the issuance of a business license.
4. Applicant shall obtain and maintain a Woods Cross City Business License.

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

**ARMORY ZERO LLC CONDITIONAL USE—1901 WEST 2425 SOUTH, SUITE J—  
BEN DAVIS**

Mr. Stephens continued with the floor and noted that Mr. Ben Davis is presently operating a machine shop at this location. Mr. Stephens said he is applying for an additional business license and conditional use permit for an associated business. He noted the proposed business involves the production of gun parts using plastic or metals. He noted that like the existing machine shop, this business would operate from 8:00 A.M. to 5:00 P.M. Monday through Friday. He noted this activity is similar to the machine shop business that presently exists there.

Following the information given, Chairman Poole asked if there were two separate businesses located here. Mr. Stephens said yes there are two separate businesses located here and both would have separate business licenses.

Commissioner Kelemen asked if there were just parts manufactured at this location and Mr. Ben Davis addressed the Commission and said it was only gun parts being manufactured. Mr. Davis said he does have an ATF license and said he would submit a copy of that license to the city in association with his business license.

Mr. Davis asked if the Fire Marshal would need to come again, and it was noted that Mr. Davis would need to contact the fire marshal to see if he needs an additional fire inspection.

Chairman Poole asked if there would be additional employees added to the business. Mr. Davis said they do not plan on expanding right now and they are at the maximum they could handle at this time.

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There were no further questions and Commissioner Jones made a motion to approve the Armory Zero LLC conditional use with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or residential areas.
2. Applicant's business operation shall be in compliance with any government agency having jurisdiction over the business operation or the subject property.
3. Applicant shall obtain a South Davis Metro Fire inspection approval and submit a copy of the same to the city prior to the issuance of a business license.
4. At no time may any equipment, materials or debris be stored outside the enclosed building.
5. Obtain and maintain a Woods Cross City Business License.

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

**SOMA OIL LLC CONDITIONAL USE—2465 SOUTH 1100 WEST—MEGAN SAUNDERS AND RYAN SHEPHERD**

Mr. Stephens then reviewed this item with the Commission. He noted that Soma Oil has applied for a conditional use permit in the heavy industrial zone to extract CBD oil from industrial hemp. He noted their process involves a patented, solventless extraction process that involves temperature and pressure only, to complete the CBD oil extraction. He noted the facility will be operating 24 hours a day 7 days a week and they will have multiple shifts with 2-5 employees on site at a time. He also noted they will utilize a small amount of isopropyl alcohol for cleaning purposes, and it will be the only chemical in use.

Mr. Stephens also noted that there has been a cannabis ordinance drafted for the city, but it has not been adopted. He said these facilities are now permitted in the state code to be located in communities. The Commission asked about the separation of this business per state code from schools or public recreation areas. Mr. Stephens went over those facilities that may be located nearby, but noted the facility is within its limits and there are no schools or public recreation areas nearby.

Following the review by Mr. Stephens, Commissioner Sharp asked if the facility will be operating 24 hours a day 7 days a week and Mr. Shepherd said yes, the warehouse would operate those hours and they would also be utilizing half of the office space. He said the office space is shared with Tucker Chemical.

Commissioner Sharp asked if there would be any signage advertising this business and Mr. Shepherd said there would not be any signage and that it is just an extraction site. Commissioner Sharp asked about shipping and Mr. Shepherd said there would probably be weekly shipments.



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Commissioner Rupp asked what kind of waste would be generated. Mr. Shepherd said it was spent biomass which is a carbon material from the plants. Commissioner Rupp asked what happens to the waste and Mr. Shepherd said cultivators or farmers come and get it and use it for the land. Mr. Shepherd said the extraction is solvent based and there are no other byproducts.

The Commission asked if all materials and biomass are stored indoors, and Mr. Shepherd said yes they would be stored inside.

Chairman Poole asked how many employees there would be, and Mr. Shepherd said from 4-8 employees. Chairman Poole also asked if there was adequate parking and Mr. Shepherd said there was adequate parking.

Commissioner Jones asked about the odor that is emitted from the product. Mr. Shepherd said it does create an odor and there is a plant smell about 4 to 5 feet from the property when the extraction process starts. Mr. Stephens asked if the biomass had an odor and Mr. Shepherd said no there is no odor after the extraction process. He said there should be no odor from where the extraction process will be happening, and you should not be able to smell anything.

Commissioner Kelemen asked if they would install scrubbing equipment if there were an odor that comes from the building and there is a complaint from the smell. Mr. Shepherd said they will install the scrubbing equipment if they need to.

There were no further questions and Commission Rupp made a motion to approve the Soma Oil, LLC conditional use with the following conditions:

1. At no time may the business operation negatively impact adjacent properties or neighboring residential or educational uses.
2. If a complaint of odor impact is received by the city, Soma Oil will be required to install appropriate odor scrubbing equipment.
3. The applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business or subject property.
4. Applicant shall obtain a South Davis Metro Fire inspection and approval and submit the same to the city prior to the issuance of a business license.
5. 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.

**MOUNTAIN WEST GYMNASTICS ACADEMY CONDITIONAL USE—1950 SOUTH  
500 WEST—ZAC NELSON**

There was no one at the meeting representing this item and Commissioner Sharp made a motion to table this item to a future meeting when someone could be present to speak to this item.

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

**REVIEW OF DRAFT ZONING ORDINANCE CHAPTERS—TIM STEPHENS**

Mr. Stephens noted the Commission had been given draft chapters of some of the zoning ordinances for their review.

The Commission reviewed the home occupation draft, the wireless telecommunications facilities draft and the conditional uses draft, as well as off-street parking.

The Commission reviewed and discussed changes and modifications the Commission would like to make on these chapters of the draft ordinances.

**CITY COUNCIL REPORT**

Council Member Terry reported on the City Council meeting held July 6, 2021.

Please see the minutes of that meeting for the details of his report.

**GENERAL AND PENDING**

Mr. Stephens said he had nothing further to discuss with the Commission.

**ADJOURNMENT**

There being no further business before the Commission, Commissioner Doxey made amotion to adjourn the meeting at 8:21 P.M.

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Curtis Poole, Chairman

Bonnie Craig, Secretary