

**WOODS CROSS PLANNING COMMISSION MEETING  
OCTOBER 26, 2021**

**CONDUCTING:**

Gary Sharp, Chairman

**COMMISSION MEMBERS PRESENT:**

Gary Sharp, Chairman  
Mike Doxey  
Brian Bean

Eric Jones  
Jessica Kelemen  
Joe Rupp

**STAFF PRESENT:**

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

**VISITORS:**

LeGrande Blackley  
Nick Meister  
Walker Wood

**PLEDGE OF ALLEGIANCE:**

Joseph Rupp

**MINUTE APPROVAL**

Chairman Sharp then called for the review of the minutes from the Planning Commission meeting held October 12, 2021.

Following the review of the minutes, Commissioner Jones made a motion to approve the minutes as written with Commissioner Doxey seconding the motion and all voted for the motion through a roll call vote.

**OPEN SESSION**

Chairman Sharp 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 Sharp closed the open session.

**THE AUDREY DEVELOPMENT MASTER PLAN—800 SOUTH 1100 WEST—NICK MEISTER**

Mr. Tim Stephens, the Community Development Director then reviewed this item with the Commission. He noted that CW Urban has purchased the property at approximately 1100 West and 800 South containing 6.84 acres of property. He noted this property is located in the SFRT Zone which is the Single-Family Residential Transition Zone in the zones newly adopted in the Northwest Quadrant of the city. Mr. Stephens said that CW Urban has purchased the property

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 2**

and is proposing a 61-unit townhome development on the property. He also said that as part of the development standards review and approval process, all projects in this zone require the submittal of a development master plan which shall be approved by the City Council after a recommendation by the Planning Commission. Mr. Stephens said that once a master development plan is approved by the City Council, the applicant may submit a site plan and subdivision applications to the Planning Commission for their review and consideration.

Mr. Stephens noted there were two items that the Planning Commission may want to specifically address at the meeting before recommending approval to the City Council.

1. Off-street parking requirement.
2. Reduction to the rear-yard setback as provided in 12-34-106(3)(B).

Following the information given by Mr. Stephens, Commissioner Jones asked Mr. Stephens if he felt this project met the zoning requirements. Mr. Stephens said he felt it did meet the zoning requirements.

Commissioner Rupp asked if the zoning allowed for three stories on townhomes and Mr. Stephens said that yes, they were allowed to place a garage under the living space if they can stay under the maximum height rules.

Mr. Stephens then went over the parking requirements for this development he noted there were 22 additional parking stalls above the minimum parking stated in the ordinance. He noted there would be 70 stalls for the three bedroom units and 82 ½ stalls for the four bedroom units plus the additional 22 stalls equally 175 stalls. He said there were only 153 stalls required by the ordinance, so they did have the extra parking. He said the Commission will want to make sure they are comfortable with the public off-street parking for the project.

Mr. Stephens then noted parking problems that had occurred from another project which was the Hills at Renaissance, because they had not had the correct parking requirements. Mr. Stephens said the new draft zoning ordinance does away with the criteria using comparable projects along the Wasatch Front which was one of the criteria used by Hills at Renaissance to consider for their parking requirements. He said this consideration for the Hills at Renaissance will be the first and last project that would use this criterion as it did not work out well with the parking for this project.

Mr. Stephens then went over the setbacks that are required for this zone. He said the developers are proposing to eliminate the 25 foot setback for the parking apron and have the garage door open immediately to the street. Mr. Stephens said they are asking that this setback be reduced to zero.

Mr. Stephens said there are provisions in the ordinance for the Planning Commission to reduce that setback if it provides a more attractive and effective and safe use of the property and would not be detrimental for any reason.

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 3**

Commissioner Jones asked if the elevations were being considered. Mr. Stephens said those could be discussed. He noted there was a recent state legislation change where there are restrictions to residential projects as to dictating form based zoning on residential structures. Commissioner Jones asked if this met the zone requirements with the elevations. Mr. Stephens said yes under the present law they do meet the requirements.

Commissioner Kelemen asked if the Olde Towne Centre townhome development across the street had the 25 foot rear yard setback requirement. Mr. Stephens said no it was developed under the old overlay zone that the city no longer has, and it did not have that requirement. He said there are no parking aprons in that project and it is similar to what is being proposed for this project.

Commissioner Bean asked about the dimensions of the garages and if they met the ordinance. Mr. Stephens reviewed the dimension requirements and said the applicant could speak to the this when he addresses the Commission.

Mr. Nick Meister was then invited to address the Commission. He said he was with the CW Urban Company which was a local developer and have done work around the valley. He gave an overview of the project and said he was happy with how this project had turned out. He said this development is called the Audrey Development and would be a 61 unit "For Sale" townhome community with 3 and 4 bedroom units with 2 pickleball courts, a dog park, and a tot lot. He said the parking was done per city ordinance and they had exceeded the minimum for the parking with the 53 surface stalls in addition to the 2 car garages.

Mr. Meister went on to say this site plan was the most usable for this property and they wanted to make sure they had plenty of green space so that is why they were looking at adjusting the setback. He said if the setbacks are not adjusted, it takes away much of the green space in the project.

Commissioner Rupp asked if it was either the 25 foot setback that needed to be adjusted for more green space or if there could be fewer units to keep the green space.

Mr. Meister said as a developer economics needed to be considered in order to make this project work well, he felt the reduction of the setback needed to be utilized in order to keep the large areas of green space.

Commissioner Rupp said the setback had been changed for a reason because it had been problematic with safety being a concern when backing out of garage. He said he was not comfortable waiving this requirement under the current ordinance.

Mr. Meister asked if there was concern of having adequate parking stalls and Commissioner Rupp said there is more concern having the garages opening right onto the ally.

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 4**

Mr. Meister said they had done other projects like this with no complaints or accidents as far as he knew. Mr. Meister said he could check and see if there was any other feedback from the HOA's from some of the other projects that were similar. He said there was not any evidence that it creates an unsafe environment. He said he does not feel like it detracts from the safety of the project.

Commissioner Bean said in order to make an exception to the ordinance, there were certain standards that need to be met but he wanted clarification. He said the ordinance says the exception would be the design provide a more attractive, and more efficient and safe use of the property and would not be a detriment for any reason. He wanted to know how this design would be more efficient and safer.

Mr. Meister said as far as safety goes, they had not heard any negative feedback from the other projects their company had done with this similar type of design. He said as far as efficiency goes, it provides more living space for the residents of the project.

Chairman Sharp asked if Mr. Meister had any similar projects that have been done in the area. Chairman Sharp said that some projects in the city had people who rent out several of the rooms in their units to roommates who also had cars to park, which had created parking issues. He asked Mr. Meister what his experience had been with these townhome projects with rentals of rooms.

Mr. Meister said as they were looking at building this project their target group to purchase these units was young families and young professionals that would be looking at buying these townhomes. He said they are a purchase product not a rental property, so they attract the young families and young professionals who want to live in this type of community.

Mr. Stephens said he wondered if there was some way that rentals may be controlled by the HOA or CC&R's to make sure they are not used as Air B&B's or short term rentals. Mr. Stephens said the ordinance requires the developer to submit draft CC&R's that have gone to the city attorney for review and if the Commission has specific questions or comments on that, they can be given to the city attorney as well.

Commissioner Rupp asked what would happen with the project if the Commission does not allow a change to the setback.

Mr. Meister said it was adding a lot of additional pavement to the project but it would probably not kill the project.

Commissioner Rupp said the Commission does need to meet the requirements in the ordinance to reduce the 25 feet. He said he did not feel like the conditions of safety, efficiency and attractiveness as well as not be detrimental under the ordinance criteria is being met to allow the reduction of the setback.

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 5**

Commissioner Jones asked about the depth of the garages. Mr. Meister said the garages meet or exceed the required depths of the garages in the city ordinance.

Commissioner Bean also asked if the additional exterior parking would be for visitors or residents. Mr. Meister said he was not sure who would utilize the parking spaces but did not anticipate a lot of three parking space households, but the extra spaces could be utilized if they were needed.

There were no further questions at this time for Mr. Meister.

Chairman Sharp invited city resident Mr. David Lewis to express his comments at this time. Mr. Lewis thanked the Commission for letting him speak. He said he wanted to let the Commission know he supports this type of development, and he really likes the residents who live in the city who reside in similar developments. He said they have been a great addition to the community. He said as far as the 25 foot setback was concerned, that you cannot regulate the behavior of people who would be coming in and out of the driveways so that is a consideration. He said he had been involved in many of these type of projects with no problems. He said that townhomes are a more affordable option right now and he would like the Commission to consider that this project looks nice and would be favorable in the city. He said he supports this project.

Chairman Sharp said he hasn't had problems in his neighborhood with people backing out at the same time. He said he likes the green space in this project and doesn't feel like there is a huge safety issue but is not sure the criterion for changing the setback is being met.

Commissioner Jones said his first thought is there is a lot of green space and open space. He said he likes the green space but does not like the tight alleyways for the garages. He said he has driven through projects that are tight and has been uncomfortable in them. He said he felt like there could be a middle ground. He said he did understand the economics, but he felt there is a way to meet the requirements with the 25 foot setback. He said he felt like there is a middle ground that would allow enough green space and flexibility with the setbacks. He said he felt like parking stalls could be eliminated to reach the middle ground. He said he did not feel like the number of units would be changed but the green space would be reduced.

Commissioner Rupp said with this design there would be an issue with parking a truck in a garage because of the tight alleyways. He said he does like the concept of this community and the green space. He said at a minimum there needs to be an apron in the driveway. He also said if there is a narrow drive and it is garbage pickup day, it is too congested with cars and garbage cans in the tight roadway. He said he feels like there should be some type of driveway apron. He said he would like to see another option of how this project could be set up.

Mr. Meister said he had spoken with their architect and if they put in the 25 foot setback, they would lose units. He asked what the Commission would like to see regarding the aprons and the drive isles.

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 6**

Commissioner Jones said because the setback is required in the ordinance, the request to eliminate the setback does not meet the reasons as outlined in the ordinance. He also said there were many other benefits to having the driveway aprons as well. He said he is not opposed to the project, and he likes it a lot and it is a good place to put a project like this, but it still needs to fit with the city ordinance.

Commissioner Bean said for him not allowing the reduction of the setback was more of a safety issue. He said he really likes the SFRT Zone and that it is valuable and is needed so there is more affordable housing available in the city. He said because of the requirements of the ordinance he does not feel like they can reduce the rear yard setback.

Commissioner Doxey said he likes the idea of this project, but he also has concern about backing up straight into the street. He said he did not feel like there needed to be a 25-foot setback but that some sort of apron was needed to help with the safety issues of backing right up into the road.

Commissioner Kelemen said she felt like green space is more valuable to her. She did say that she had pulled into one of the other projects this developer had done, and it was very tight. She said the alleyways in this type of development would be popular with kids on bikes and scooters and it would be very unsafe. She said she did not feel like it needed to be a 25-foot setback but that a 4 or 5-foot apron would help alleviate the problem. She said this development is not located nearby stores or parks so the recreation area in this project is important. She said she is supportive of what this project is trying to accomplish but she would like to see something more in line with what is outlined in the city ordinance.

Council Member Terry also said he was speaking as a resident, and said he likes the idea of this project but with no apron it is too close for garbage cans. He suggested an 8-foot apron so there is a place for garbage cans. He also said that speed could be a factor because the alleyways are through streets. He said he felt like an 8-foot apron would also be good to be able to see when backing out. He also said he would like to see as much green space kept as possible.

Following the questions and discussion, Commissioner Bean made a motion to reject the request to reduce the 25-foot rear-yard setback. Commissioner Jones seconded the motion, and all voted for the motion through a roll call vote.

**CITY COUNCIL REPORT**

Council Member Terry was reported on the City Council meeting held October 19, 2021. Please see the minutes of that meeting for the details of his report.

**OFFICIAL MINUTES  
WOODS CROSS CITY PLANNING COMMISSION MEETING  
OCTOBER 26, 2021  
PAGE 7**

**GENERAL AND PENDING**

Mr. Stephens then noted he had been working with the gymnastics group that is proposing to build a new building in Woods Cross. He said there are potential parking issues with the project and they are resubmitting a plan to the staff.

**ADJOURNMENT**

There being no further business before the Planning Commission, Commissioner Bean made a motion to adjourn the meeting at 8:21 P.M.

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Gary Sharp, Chairman

Bonnie Craig, Secretary