

**WOODS CROSS PLANNING COMMISSION MEETING
JUNE 13, 2023**

CONDUCTING:

Joe Rupp

COMMISSION MEMBERS PRESENT:

Joe Rupp, Chairman
LeGrande Blackley
Melanie Brooks

Mike Doxey
Jim Grover

COMMISSION MEMBERS EXCUSED:

Eric Jones

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary/Deputy City Recorder
Gary Sharp, City Council

VISITORS:

Jason Olson
Ian Cahoon

PLEDGE OF ALLEGIANCE:

Jim Grover

OATH OF OFFICE FOR NEW PLANNING COMMISSION MEMBER JAKE HENNESSY

Chairman Rupp then introduced Mr. Jake Hennessy who was being appointed as a new member to the Planning Commission. Chairman Rupp noted Mr. Hennessy would be sworn in tonight to start his term of office.

The Oath of Office was then administered by the Deputy City Recorder to Mr. Hennessy. The Commission congratulated Mr. Hennessy on his appointment and said they were looking forward to serving with him.

MINUTE APPROVAL

Chairman Rupp then called for the review of the Planning Commission minutes for the meeting held May 9, 2023.

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

OPEN SESSION

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

There was nothing for the open session and Chairman Rupp closed the open session.

HARRIS AIRCRAFT HANGAR SITE PLAN AMENDMENT—1630 WEST 2225 SOUTH—JASON OLSON

Mr. Stephens, the Community Development Director, then reviewed this item with the Commission. He noted that some years ago, a large metal aircraft hangar was built on the subject property and several years later, the owner of the building wanted to place a vinyl window assembly business within it. Mr. Stephens noted that to do so the owner was required to upgrade the exterior of the building. He noted that presently, the building's north and west sides have stucco with a small ribbon of stone at the base of the exterior walls. He said the present owner of the property has now made application to construct a small addition on the south side of the building consisting of an enlarged vestibule. Mr. Stephens said the proposed improvements also included reconfiguring the small parking area on the south side of the building. He said it would also include remodeling the exterior of the building. He went on to note there would be elevation changes to the north and south elevations of the building and it is assumed the east and west sides will remain with the existing stucco rock exterior.

Mr. Stephens said the footprint of the building has only a minor change with the vestibule and the other modifications involve a parking modification of a few stalls reorienting them along the south side of the building in addition to upgrading and changing the exterior building materials. He also said they had received a letter from the Skypark Industrial Park owner's association, and they have seen these plans and they said they have no problem with the modifications that are being proposed.

Following the information given by Mr. Stephens, Commissioner Doxey asked what sides of the building would be stuccoed. Mr. Stephens said it was the south and west sides of the building that would receive the new exterior as far as he could tell from the plans.

Commissioner Grover asked what area was currently supposed to be parking. Mr. Stephens said there was a drive approach where cars parked but it was not striped for parking. He said they are going to change the parking so that the parking will be on the south side and will reorient the stalls and they can then be accessed from the private taxiway. He said it was a private road so the parking as it was shown was not prohibited.

Mr. Jason Olson was then invited to address the Commission. He said he was the contractor for this project. Chairman Rupp asked if the plan that was given to the Skypark Industrial Park owner's association reflected the changes to the parking. Mr. Olson said the plan he presented to the Skypark Industrial Park owner's association did show the changes in the parking and they had no problem with the changes. Mr. Rupp asked if there was enough room to access the taxiway with the parking and Mr. Olson said yes there was enough room.

Mr. Doxey asked if improvements were on one or two sides. Mr. Olson said it would be two sides and the owners wanted to replace the siding and also the paint so it all matched.

There were no further questions, and Commissioner Doxey made a motion to approve the site plan amendment for the Harris Hangar Addition with the following conditions:

1. Applicant shall submit a conditional use application for Planning Commission review and consideration for the use of the building.
2. At no time may equipment or materials be staged or stored outside of the enclosed building.

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

PUBLIC HEARING: PROPOSED TEXT AMENDMENT BY CW URBAN TO TITLE 12, CHAPTER 8 ENTITLED SFRT SINGLE-FAMILY TRANSITION ZONE REGARDING STANDARDS FOR PATIO HOMES SUCH AS SETBACKS, LOT SIZE AND GARAGE FRONTAGE

Mr. Stephens noted that recently, CW Urban met with the Planning Commission and later with the City Council to discuss a new development proposal to replace the previously approved townhome project on 1100 West Street. He said that CW Urban has proposed a development consisting of small-lot patio homes and private streets. He noted that CW Urban, having reviewed our SFRT Single Family Residential Transition Zone, has proposed a few modifications to the ordinance to fit the project they are proposing. He noted CW Urban was proposing the following amendments:

1. In 12-8-104, they have proposed that the dominance of the garage be controlled not by the front façade of the house width but by the lot width.
2. Currently, the minimum lot size for patio homes in the SFRT is 5,000 square feet. CW Urban is proposing a minimum of 4,200 square feet. It should be noted that CW Urban will be putting in a private street and has indicated that these lot sizes and configurations will run to the middle of the street. So, lot sizes include half the street in front of each home.
3. The SFRT Zone requests patio homes to have 50 feet of frontage. Proposed: 40 feet
4. Presently, this zone requires single family homes to have 8-feet of side yard on the side with no driveway and 10 feet side yard on the side with the driveway for a total of 18 feet for both sides. CW Urban has requested the ordinance be amended to allow a 5-foot minimum side yard setback for a total of 10 feet on both sides.

Mr. Stephens said that CW Urban will make their presentation regarding their requested text amendments. He said following the presentation of the proposed text amendments the Commission could consider CW Urban's request and then recommend to the City Council. (1) Approval of the required amendments as proposed; (2) Make changes to the proposed text amendments and recommend; or (3) Recommend denial of some or all of the proposed amendments.

Following the information given, Chairman Rupp opened the public hearing.

Mr. Ian Cahoon with CW Urban addressed the Commission and said they were looking at changes to the city code. He said he would be happy to go through the reasons for the changes.

Mr. Cahoon went through each of the points and explained to the Commission the reasons they are wanting changes. He said as far as the the front façade with the garages goes, almost all of the homes they build have garages that are slightly larger than the width of the home. He showed some plans to the Commission of what the homes would look like.

He said with the challenge of trying to build a product that is attainable and affordable and will fit on a site well, the largest square footage they have been able to come up with that still meets the standards the city is looking for and also allows for enough green space, was a 4200 square foot lot.

Mr. Cahoon said they have minimized their lot sizes so the minimum frontage they are asking for has also gone down 10 feet.

Mr. Cahoon said for the side setbacks they were asking for a reduction from 8 foot and 10 feet to 5 feet on each side. He said he did not know a lot of people that utilize their side yards. He said the smaller lots will make the homes more affordable.

Mr. Cahoon said that the side setbacks on corner lots have been added from the property line to distinguish the measuring from the building to the property line which is how the side corner yards would be measured.

Commissioner Doxey asked if Mr. Cahoon could clarify what the proposed minimum lot size would be. Mr. Cahoon said the minimum lot size they are proposing is going from 5,000 square feet to 4,200 square feet lot size. He said there had been some confusion if it was 4,000 or 4,200 and Mr. Cahoon said they are asking for 4,200 square feet for the proposed text amendment.

Chairman Rupp asked for clarification for the front façade for the garage space. Mr. Stephens said they are asking for the garage not to occupy more than half the width of the façade of the house. He said CW Urban was asking not to tie that to the width of the house to the garage but the width or the frontage of the lot to the garage. He said it would increase the size of the garage. It was noted that the garage and home would not be equal at 50% for each part but the garage would increase in size, the façade of the house would decrease in size.

Mr. Stephens said in the end what the Commission would do with this recommendation would be to direct staff to speak with the city attorney and prepare an adoption ordinance and make sure everything is accurate before it comes before the City Council for review and is adopted.

The Commission asked how things lots are measured, if they are measured from the street and Mr. Stephens said what CW Urban is showing is that the measurement is being taken from the center of the private street and that street is part of the lot. Mr. Stephens said that may need to be better defined in the city ordinance. Mr. Cahoon said their setbacks are measured from the sidewalk to the home.

There was discussion on how the lots are being proposed to be measured and how the city code outlines the requirements for lots to be measured. The Commission discussed the fact that there needs to be better definition in the code on how measurements are taken for lots. There was discussion on what the intent is in the code and how it can be better defined.

Commissioner Grover said by explanation of the discussion that there was a diagram from CW Urban of the road and sidewalk adjacent to the road with no parking strip and from that point of the sidewalk to the garage is 20 ½ feet is the setback. He noted there was a diagram out of the city code that shows a road, a park strip and a sidewalk that shows a measurement of a set back from that sidewalk because that is typically where the lot line is even though the code says measure from the lot line. He said he wanted to make sure those who could not see the diagrams had an understanding of what they had reviewed.

There were no further comments and Chairman Rupp then closed the public hearing.

Chairman Rupp asked Council Member Sharp his opinion on this matter. Council Member Sharp said the Council had a discussion on this matter because there are some Council members who have concerns about these changes. Council Member Sharp said his daughter lives on a very small lot in Syracuse and he feels like this is where we are headed with these smaller homes because they are more affordable. He said with housing shortages this will be a more normal way homes will be built. He said he thought it was a good discussion tonight in taking into consideration all of the changes that are being proposed. He said he also had concerns with measurements for lots being from the center of the street and also agreed with the Planning Commission that this needed to be clarified in the city code, so it was more understandable as to where the measurements for setbacks are taking place. He said he did have concerns that driveways in these smaller homes might not accommodate larger vehicles who need to be able to park in front of their garages. He said vehicles blocking the sidewalk have recently been an issue with smaller drives in the city.

Mr. Stephens asked Mr. Cahoon if they didn't include the measurement from the middle of the street and made the measurement from the back of the sidewalk, what the size of the lot would be. Mr. Stephens said he felt like it would be best to use the number for the lot measurement that would be taken from the back of sidewalk instead of using the measurement from the middle of the street and use the corrected number for the lot size because the end product will be the same. He said he would like to know what the minimum lot size would actually be if the street was not included as part of the lot size. He said he felt like it would be best to have it as accurate as possible for the actual size of the lot.

Commissioner Blackley said property taxes would also be assessed for the lot including their part of the street as well as the sidewalk.

Mr. Cahoon said he figured that the true lot size would be 85 ½ feet deep 40 feet wide for a total of 3,420 square feet including the sidewalks which would be the total lot size.

Council Member Sharp said this is a reasonable request and said he appreciated them looking at building a nice home with a little bit larger lots than some of the typical homes that are now being built in other communities.

Mr. Cahoon said since the lot sizes are somewhat smaller in this development, they have tried to maximize the open space as much as possible.

Commissioner Grover asked if they were two story homes and what the square footage is. Mr. Cahoon said it is a two story home and the size of the home would be around 2,000 square feet.

Mr. Stephens asked if they exclude the street the smallest lot would be 3,420 feet and Mr. Cahoon said yes this would be the smallest lot but there would also be larger lots as well. He said there is a setback easement on the east side of the property with the Bureau of Reclamation and Weber Basin which impacts some of the lots allowing them to be larger.

Mr. Stephens said he thought it would be better to not include the street as part of the lot size so it is more true to the size of what the lot would be. He said it wouldn't affect any of the proposed setbacks because they would stay the same. Mr. Cahoon said the only setback it would affect would be the corner side yard setbacks. He said their code change proposal was from the main building to the property line. He said if it

is not measured from the main building to the property line it would be five feet from the home to the sidewalk in the same way all of the other side yard setbacks are being measured.

Mr. Stephens said that is where it gets a little confusing because the interior lots are measured from the sidewalk but on the corner lots, they would be measured from the street property line. He said he felt that there needed to be a set number and set the street as the street and get the property lines out of the street. He said the code needed to be made right as far as the front yard setbacks are written in the code. He said to exclude roadway and sidewalk and set the property line at the edge of the property. He said these codes would be used in other projects that will come to the city so this really needed to be clarified in the city code for this project as well as future projects.

Mr. Cahoon said the Planning Commission could approve setback change requests according to the city code 12-8-106 #3 sections D and E. Mr. Stephens said this referred to a rear loaded project, but the CW project was not set up that way so this part of the code would not allow the setbacks to be changed. Chairman Rupp asked if there would be no separation of the road and sidewalk and Mr. Cahoon said no there would be no separation between the road and sidewalk.

Following the discussion and information given, Chairman Rupp said when the general plan was being developed and they were rewriting code for the SFRT zone and what it would look like, there was a need to make room for higher density projects that would need to be included in the zone. Chairman Rupp said that discussion included the fact that higher density could not be put in close to the refinery where there had been some consideration of putting in homes. Chairman Rupp said there was some push back on putting in more higher density subdivisions in the city. Chairman Rupp said CW Urban then requested to put in a subdivision. He said CW made the decision to put in a higher density subdivision. There had been the push back on not wanting the higher density subdivisions previously. CW Urban then came back with their new proposal for their subdivision. Chairman Rupp said there was a need for the city to put in some higher density subdivisions but this one is less dense than the townhomes that were being proposed in the first place. He said he felt like this would be a good compromise for this area and strike a balance that is higher density like was decided in the General Plan, but not as high a density as the first project of townhomes that was proposed. He said he understands there is some concern about the sizes that are being proposed to be reduced but he said he isn't that concerned about reducing the setbacks, because the Commission could do that through the site plan, but he feels like the code needs to be clarified on how the lot lines and setbacks are determined. He said some people are upset about making changes to the sizes of the lots. He said has more concern over where those sizes are being drawn from.

Commissioner Grover said he liked the idea of what is being measured and what the people are really getting. He said he thought some of the concerns from the City Council were about the measurement of the driveway. He said he feels strongly about having enough room for guests to park their car in the driveways and not hang over the sidewalk. He said he also thought the lot size and setbacks were put in place for the size of the home. He said the size of the home drives the cost. He said he feels like affordability matters and the intent is that the home on the lot size is affordable. He said he felt like 2,000 square feet is reasonable and desirable.. He said with the side yard setbacks he felt like the side yard size might be a ratio that could be figured out instead of just a flat number. He said the size of the side yard is important and should be considered and talked about further.

Commissioner Doxey said he didn't have huge issues with the request individually but is a little bit hesitant. He said he doesn't have a problem with how large the garage would be based on the width of the lot. He

said he felt like the garage front could be attractive. He said he agreed with Tim and the measurements need to be cleaned up with the total square footage and make it clearer. He said he didn't want to have people come in with mixed interpretations on how lots were measured. He also said that the side yard is what gives him the most concern going from 18 to 10 and that is more concerning to him. He said that is a pretty good reduction in his opinion. He said he did understand that is the nature of Cottage Homes but that was a pretty big reduction. He said standardizing the square footage lot size would be the best way to go and needs to be better defined.

Mr. Stephens said they are asking to reduce the lot size, which will affect the setbacks and will need to be adjusted. He said it is tough to decrease one and not adjust to the other.

Commissioner Grover asked if there could be a little more open space incorporated to make it feel bigger in a smaller space. He said he felt a little more positive for a smaller property with the plan if there was open space built into the subdivision.

Commissioner Blackley said he had a problem with the measurement of building line and lot line and didn't feel like it is good policy. He said he felt like there needed to be one line to measure from. He said he didn't have any issues with the setbacks. He said he felt like those could be figured out to satisfaction.

Commissioner Brooks said she agreed to having the lot line match what the code says. She said the side yard might have a problem with a gas meter or AC unit being placed there and having it hard to get around because the space is tight. Council Member Sharp said his daughter's home does have an AC unit in the side yard and he thought there is enough room that a wheelbarrow could be used around it and moved into the back yard. Commissioner Brooks said she wanted to make sure there was room to get by and other than that she was fine with the other things.

Commissioner Hennessey said one of the things he struggled with is if there were cars all over the streets because there was no room in the driveway to fit adequate cars and not being able to find a place to park. He said smaller neighborhoods make him nervous for safety reasons. He also said he has someone that is looking for somewhere more affordable to live and cannot find a place and that is a real problem right now. He said he also has a small side yard at his home, and it is sometimes hard to get by the side of the house, but he can still do it. He said he also agreed that that ordinance needs to be cleaned up in regard to the problems of where the measurement of the lots is being taken.

Chairman Rupp said there seems to be some work to be done to clean up the proposal and the ordinance and maybe check with the city attorney and make some changes before they make a recommendation to the City Council.

Mr. Stephens said one big concern is the minimum lot size. He said it sounded like the Commission is leaning towards just having it be straight forward and be what is thought of as a real lot. He said for this project that would be the minimum of 3,400 square feet. He said the other unresolved question is the side yard street corner setback at five feet. He said they could take a step back based on the discussion tonight and clean up the proposal and have the city attorney review the code and make any changes he thought necessary and then have the Planning Commission make any changes they would like to make as well.

Chairman Rupp said he didn't want to have a change in the code of lot size and have part of the street included in the lot because that is not what they are trying to accomplish in the code. He said he does not

like tying the garage to the lot. He said it needs to be hooked to the façade but keep the adjustment and make it a number that would work instead of having it be half because that does not make as much sense. Mr. Stephens said he would agree with that.

Mr. Stephens said he felt like he would encourage CW Urban to go back and redo their drawings and show the lots more traditionally at back of sidewalk and come up with the appropriate lot size. He said he likes the idea of working with the façade with the garage numbers and make them work with the homes that are going in and being more straight forward. He said they will need to discuss the side yard measurements for a corner lot as well.

There was discussion on how the wording might be changed in the code to make it more clear of how a lot is described and a definition of how square feet is measured.

Mr. Stephens said it would be best to better define what a lot is and not include the street and curb and gutter that is not included in the description of the lot.

Chairman Rupp said he didn't feel like the Commission had reservations for the CW project but that the code needs to be better clarified for this project future projects that will come in for review as well. Mr. Stephens said he would like to make sure things are clear when the final recommendation goes to the City Council for their review.

Chairman Rupp said he did not think that the Planning Commission had too many concerns as far as what CW Urban was proposing but when looking at text amendments to the code, there are things that need to be tightened up before the recommendation goes to the City Council because the code is larger than what changes are being asked for. He said the code changes need to be well defined for all future projects.

Commissioner Sharp said there had been a question when 1100 West was being redone with curb and gutter and some of the residents were claiming their lot went to the center of the road. He said he would also like those types of questions to be cleared up. He said the next City Council meeting would not be held until July 18 so hopefully the proposed changes to the code could be ready to present to the City Council at that time.

Mr. Stephens recommended CW Urban take back what has been discussed at this meeting and reformulate their plan and staff would get with the city attorney and clarify language in the code before this matter is presented to the City Council.

CONSIDERATION TO MAKE RECOMMENDATION TO THE CITY COUNCIL REGARDING PROPOSED TEXT AMENDMENTS TO THE SFRT SINGLE-FAMILY TRANSITION ZONE

Commissioner Grover made a motion to table item number seven which is the consideration to make recommendation to the City Council regarding proposed text amendments to the SFRT Single-Family Transition Zone and remand the matter to staff and CW Urban to further work on and make clarifications to those items that have been discussed at tonight's meeting. Commissioner Doxey seconded the motion and all voted in favor of the motion through a roll call vote.

PUBLIC HEARING: PROPOSED TEXT AMENDMENTS TO TITLE 12, CHAPTER 24 ENTITLED OFF-STREET PARKING AND LOADING AND TITLE 12, CHAPTER 17 ENTITLED S-1 SPECIAL USE ZONES REGARDING PARKING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT AT OR ADJACENT TO THE FRONTRUNNER RAIL STATION

Mr. Stephens then reviewed the following item with the Planning Commission. He noted the following for the Planning Commission:

“As you know, one of our mandated state affordable housing strategies states that we will decrease the off-street parking requirement for any residential development that would be built at or adjacent to the UTA FrontRunner Station. As such, you will find the proposed amendments to chapter 24 Off-Street Parking and Chapter 17 S-1 Special Use Zone. We have proposed a ¼ stall reduction for residential development at or adjacent to the station.

“The concept behind this state strategy revolves around the idea that individuals who would reside at or very close to a transit hub such as a rail station would rely less on car ownership and use. However, as staff we discussed this idea, and that some adjustment was justified but perhaps not a radical change. As such, we have proposed just a .25 per stall reduction.

“We have also included the S-1 Zone in this amendment. The FrontRunner Station and a few properties just south and adjacent to it are zoned S-1 Special Use which would permit residential development. As such, you will note that the text amendment proposed within this chapter refers the reader to the rail station parking specifics found in the off-street parking chapter. This adjustment is one of the Moderate-Income Housing Strategies that the city selected last year and placed in our general plan as required by the state. It will be important in the coming weeks that the city considers and adopts these amendments to avoid any penalties or repercussions from the State of Utah. As such, the staff would recommend to the Planning Commission that they forward to the City Council a recommendation to adopt the proposed amendments to Chapter 24 Off-Street Parking and Loading and Chapter 17 S-1 Special Use Zone.”

Following the information given by Mr. Stephens, Chairman Rupp opened the public hearing.

There were no public comments and Chairman Rupp closed the public hearing.

Chairman Rupp said he thought changes could be made to Chapter 24 and not necessarily in Chapter 17 because it was redundant. He said when things are in multiple places it makes things more confusing.

Commissioner Grover said he thought it might be better to have both.

Commissioner Doxey said he agreed with Chairman Rupp to not add the changes to chapter 17 to make it easier to find in the code.

CONSIDERATION TO RECOMMEND TO THE CITY COUNCIL TEXT AMENDMENTS TO THE OFF-STREET PARKING AND LOADING AND S-1 SPECIAL USE CHAPTERS

Following the information and discussion above, Commissioner Doxey made a motion that the Planning Commission make a recommendation to the City Council that they approve the text amendments to the off-street parking and loading and S-1 Special Use Chapters 12-24-110 as presented and do not forward the text amendments in 12-17-111. Commissioner Blackley seconded the motion and all voted in favor of the motion through a roll call vote.

CITY COUNCIL REPORT—GARY SHARP

Council Member Sharp then reported on the City Council meeting held June 6, 2023. Please see the minutes of that meeting for the details of his report.

GENERAL AND PENDING BUSINESS

Mr. Stephens then noted that the Home to Suite hotel from the Cotton Tree Group have been working on the proposed shared parking that had been discussed previously with the Commission. Mr. Stephens noted they had hired professionals that did an analysis and concluded that the two hotels would meet the parking standard even with the 10 stalls shared with the townhomes. Mr. Stephens said that JUB had reviewed this matter and the parking had also met with their review. Mr. Stephens said Home to Suites would probably be coming in soon for site plan approval soon.

Mr. Stephens said there is possible residential development near the station coming to the Commission for review. He said there is a piece of property for sale and there has been quite a bit of interest in that property and there may be a developer that is interested is trying to rezone the property to accommodate a higher density subdivision.

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Hennessy made a motion to adjourn the meeting at 8:40 P.M.

Joe Rupp, Chairman

Bonnie Craig, Secretary/Deputy City Recorder