

**WOODS CROSS PLANNING COMMISSION MEETING
NOVEMBER 14, 2023**

This is the meeting of the Woods Cross Planning Commission meeting held November 14, 2023, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

COMMISSION MEMBERS PRESENT:

Joe Rupp, Chairman
LeGrande Blackley
Mike Doxey

Jim Grover-remote
Eric Jones
Jake Hennessy-remote

COMMISSION MEMBERS EXCUSED:

Melanie Brooks

STAFF PRESENT:

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

VISITORS:

Julie Checketts
Kory Coleman
Greg Timothy
Don Schrader
Chase Freebarin

PLEDGE OF ALLEGIANCE:

LeGrande Blackley

APPROVAL OF MINUTES

Chairman Rupp called for the review of the Planning Commission meeting held October 24, 2023.

Following the review of the minutes by the Planning Commission, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Jones 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.

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DAVIS FUTBOL CLUB CONDITIONAL USE—2269 SOUTH 1200 WEST—KYLE HOFFMAN

There was no one at the meeting representing this item so Commissioner Doxey made a motion to table this item for a future time. Commissioner Blackley seconded the motion, and all voted in favor of the motion through a roll call vote.

WESTERN FAB HANGARS CONDOMINIUM PLAT—2125 SOUTH REDWOOD ROAD--KORY COLEMAN

Mr. Stephens noted that several months ago the Planning Commission approved a two-building, nine-unit aircraft hangar project on Redwood Road. He said this project now has obtained UDOT and building permit approvals. He noted that recently the developer has been installing the required improvements along Redwood Road and doing some site work. He said the developer has now applied for and submitted a condominium subdivision plat. Mr. Stephens said the proposed plat would provide separate condominium ownership for each of the nine hangar units in addition to creating a common area. He also said the plat is presently under review by JUB's surveyor confirming the survey particulars of the proposed plat. Mr. Stephens noted this plat is similar to the plat the Commission had reviewed and approved.

Following the information given by Mr. Stephens, Mr. Kory Coleman addressed the Commission and said he had nothing further to add to what Mr. Stephens had said with his review of this item.

Commissioner Blackley then made a motion to recommend that the Planning Commission forward to the City Council their recommendation to approve the Western Fab Hangars Condominium Plat as presented. Commissioner Jones seconded the motion, and all voted in favor of the motion through a roll call vote.

**CONTINUATION OF SFRT—SINGLE FAMILY RESIDENTIAL TRANSITION ZONE TEXT AMENDMENT
DISCUSSION AND RECOMMENDATION TO THE CITY COUNCIL—CW URBAN**

Mr. Stephens noted that CW Urban, the City Attorney, and himself, had been working on the proposed amendments to the SFRT Zone. He said they had reviewed the amendments requested by CW Urban and it became apparent that making those adjustments requested by CW Urban would have a ripple effect through the rest of this complicated chapter. He noted that to make the ordinance consistent, they have gone through and applied the same 12-foot setback to corner lots for the other housing types permitted in the zone. He said that in addition to that, they have reworked the figures for each of the different housing types that are dispersed throughout the chapter. He said that the figures found in the body of the text are the existing figures, and for discussion purposes, they have added the proposed modified figures to the end of the document. He said in the event that the text amendments are to be approved, they will take the time to insert the figures in their appropriate place within the chapter. He noted that since this is a document that may have further modifications and changes, staff had provided the proposed figures as the last pages of the document. He said they had also cleaned up the public/private streets noting that both are allowed within the city and the ordinances pertain to both those types of streets.

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Mr. Stephens said Section 12-8-106 entitled Density and Minimum Lot Standards, had been reviewed and it was decided, due to readability, to organize and format each housing type and their associated standards such as lot size and setbacks into each separate section of housing type.

Commissioner Jones asked what the side yard setback had previously been, and it was noted it had been at 25 feet, but it could be reduced down to 12-feet by the Planning Commission if they chose to do so per the ordinance. There was discussion on how some of the figures shown in the text would be used for modification of the ordinance.

Chairman Rupp said he would like to clarify between the 12 feet and 15 feet setback numbers that had been previously discussed. He said this proposal allows the setback to be reduced to as low as 12 feet and he wanted to know what the reduction was for sure. Mr. Stephens said the 12 feet is what CW Urban is looking for.

Council Member Sharp said the Council had also discussed this matter and they felt there needed to be a number that is plugged in for the reduction of the setback.

Commissioner Jones said 12 feet is an arbitrary number and that each project would need to be looked at individually. Mr. Stephens said that all housing types could go to 12 feet subject to the criteria for the SFRT Zone. Mr. Stephens said there were no requests to amend any of the other chapters. It was noted that all of the changes would be made to the other housing types mentioned in the chapter being discussed, as well as to keep it consistent.

Chairman Rupp asked what had been found with the fencing questions which had been discussed by the City Council. Mr. Stephens said that the city engineer had looked at the fencing ordinance and the city's requirement was based on a 25 mile per hour speed limit and the standard 30 foot clear vision triangle which has been applied for quite a few years.

Mr. Stephens said the front yard setbacks might need to be discussed. He said that CW Urban is asking for a 21 foot setback on patio homes and the Commission could apply the 21 foot setback and the city engineer said that would work in this project area. Mr. Stephens said a 21 foot setback would still meet the clear vision setback.

Chairman Rupp said he would like to get thoughts first from Council Member Sharp representing the City Council, then the Planning Commission's thoughts, and then thoughts from CW Urban as they move forward with this discussion.

Council Member Sharp said he would prefer the side yard setback to be set at eight feet, but he said he thought 12 feet is adequate. He said he has an issue with the Planning Commission dropping down the 25 foot setback to the lower number because most everyone would come in asking for the lower number. He said why not set it at 12 feet and change it to 25 feet. He said he has struggled with the 12-foot setback number but if the traffic study by JUB has shown it still meets the requirement for traffic he is good with that. He said there are two dead end roads that are on the east side of the project, and with that, he felt like traffic would not be going fast enough to cause an issue. He said he thought in other areas of the site

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plan, a traffic study would need to be done to get the proper numbers. He said he thought that everything else was okay on how things are being proposed. He said personal property rights need to be considered when looking at these types of projects as well as making sure there is nothing detrimental to the neighborhood.

Chairman Rupp said when projects come in to be reviewed, he felt like the request for a reduction to the 25 foot setback would be asked for every time. He said if it is left at 25 feet it would require the developer to make a case why they would want that setback reduced and could use justification based on that criteria that has been set up. He said he felt like it should be the responsibility of the developer to show why they want that number changed.

Mr. Stephens said there have been both approvals and denials for setbacks that the Commission has reviewed in the past.

Commissioner Jones said there is a standard of development he felt like the city would like to maintain and there is a certain aesthetic of the city expected and setbacks are a big part of that. He said that is a good thing, but the city also has the legal right to make changes and decisions on how they would like things to look.

It was noted there have been setback changes in the past and there will be setback changes in the future. Council Member Sharp said he thought there should be choices for how a project is considered and decisions are made and there should be flexibility depending on what criteria there are for exceptions.

Commissioner Jones said attractiveness should be considered and it should meet criteria for exceptions. He said there will be certain things considered and evaluated so there can be conversation and criteria and that should be considered.

Council Member Sharp said with CW Urban green space is being lost and he felt there should be some give and take so things still look nice. He said people are investing in Woods Cross to make money and people are coming here and need consideration as well as legal matters need to be looked at. He said he wants to make sure there is flexibility to make things look better.

Chairman Rupp said he thinks it is subjective and a developer can come to the Planning Commission and have things looked out so there can be a discussion and have balance and make changes to make things nice.

Commissioner Doxey said there are a few changes in the language, and he would like to have the language more uniform in all of the sections regarding the changes to the ordinance. He noted what those changes were he wanted to see in the language that could be standardized to be more understandable. He said more attractive, more efficient, and/or safe, could be part of the language, and he felt a developer should need to meet all three of the requirements. There was discussion that some of these could be arbitrary. There was discussion on how the Commission would like the language to read.

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Commissioner Grover said he appreciated Commissioner Doxey's suggestions on cleaning up the language. He also said he appreciated the engineer looking at these changes and he agrees that projects need to look good as well as be efficient and safe. He said he appreciated this new proposal being a better product.

Commissioner Hennesy said he agrees with what has been said and he likes the way it is written with the changes.

Commission Blackley said he had no comments.

Commissioner Jones said he thinks the Council should come up with a number and approve it. He said he felt like the Commission should approve a setback number as had been discussed. Council Member Sharp said the Council will probably listen carefully to the recommendations of the Planning Commission and their recommendations.

Mr. Greg Timothy was at the meeting representing CW Urban. He addressed the Commission and he said he understands the Commission is not making allowances just for them in consideration of changes to the ordinances. He said he is glad for the flexibility they are considering. He said the 12 foot setback is grounded in fact for safety and for clear vision areas. He also said he felt like the 21 foot setback is on the right track. He said this is a good number and allows recommendation to accommodate changes and he said they have been trying to do the same to be flexible. He said on a personal note, he moved into an older home in the Ogden area with similar setbacks as this project. He said he had a small family at the time, and it was a good starter home for him and his family and he thinks this is what this project could be. He said this will be a good development for the area and will be attractive and a great product.

Chairman Rupp said he has tried to be respectful of the dialogue with CW Urban but wanted to make sure the changes were for the SFRT Zone generally and they could be tweaked because they are new regulations, and that changes may need to be considered. He said he wanted to make sure the adjustments are broader than CW Urban but that with CW Urban being the first developer to do a project in this zone he wants to make sure that things will work in this type of development. He said he wants to make sure what is being put into place creates an efficient change in the ordinance. He asked what the input was as far as the developer was concerned.

Mr. Timothy said he thought it had been a good process with give and take from both CW Urban and the city. He said he liked the flexibility of the 12 feet from the 25 feet and thinks the set up with the ordinance is good. He said he understood CW Urban has been the catalyst in development of this area. He said it had been a good learning process for them.

The Commission thanked CW Urban for their patience and their willingness to work with the Planning Commission on going through this process as changes had been considered.

Chairman Rupp said there had been several things considered and changes made, and he said it was time to make a recommendation back to the City Council with the modifications as presented that had been reviewed by the Commission. He said the Commission had talked about tightening up the language as well

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as when the Planning Commission can reduce a setback, he said they were good on the numbers being proposed, and also making the language consistent whenever the Commission is allowed to make a reduction. He said he did not feel like another meeting was needed to make these suggested changes, but that staff could take what had been discussed and make the changes in the language as discussed.

Council Member Sharp said he felt like things had been discussed and covered adequately that had been asked for by the City Council.

Following the discussion and changes requested, Commissioner Jones made a motion to forward the Planning Commission's recommendation for approval for the amended of Chapter 12-8 SFRT Zone with the text amendments as discussed to the City Council. Commissioner Doxey seconded the motion, and all voted in favor of the motion through a roll call vote.

MWGA HOLDINGS TOWNHOME CONDITIONAL USE REQUEST—525 WEST 1950 SOUTH—ZAC NELSON

Mr. Stephens noted there was no one at the meeting representing this agenda item. He said he would still like to introduce this item to the Commission so they can familiarize themselves with it before the public hearing on the matter. The Commission agreed that was a good suggestion.

Mr. Stephens noted that a few years ago Mr. Zac Nelson purchased the subject property with the intent to construct a youth gymnastics center, however, in the past year his plans have changed, and he would like to construct a 22-unit townhome project on the subject property. He noted that townhomes are defined in the S-1 chapter and would be regulated in that chapter under section 12-17-108 Planned Dwelling Groups. He said as part of the conditional use application, they have also submitted a preliminary site plan and engineering drawings in addition to some generalized architectural perspectives and elevations.

He reviewed some of the concept drawings with the Commission and noted they would be looking at this project in further detail at a future meeting.

The Commission looked at the project and asked a few questions regarding the project.

CITY COUNCIL REPORT

Council Member Sharp reported on the City Council meeting held November 7, 2023. Please see the minutes of that meeting for the details of his report.

GENERAL AND PENDING BUSINESS

Mr. Stephens noted that Senate Bill 176 is requiring the city to establish an administrative land use authority which needs to be in place by February 1st. He said there is a mandate that will require amendments in the land use development ordinance to comply with the new law. He said the city qualifies for funds that are available to help with this and a contract will be finalized with a consultant who would be

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helping to get this put into place. He said there will be a draft made up and given to the Commission before Christmas and then the plan will be to have it adopted in January by the City Council.

Mr. Stephens also noted there would be work done on the water preservation and use plan which would also need to be looked at and implemented in the general plan on the future.

ADJOURNMENT

There being no further business before the Commission, Commissioner Hennessy made a motion to adjourn the meeting at 8:05 P.M.

Joseph Rupp, Chairman

Bonnie Craig, Secretary