

**WOODS CROSS PLANNING COMMISSION MEETING
FEBRUARY 13, 2024**

This is the meeting of the Woods Cross Planning Commission meeting held February 13, 2024, 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
Jake Hennesy-remote
Eric Jones-remote

COMMISSION MEMBERS EXCUSED:

Melanie Brooks

STAFF PRESENT:

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

VISITORS:

Joni Lunt
Chase Freebairn
David Peters
Ernest Roush
Greg Seegmiller

Jordyn Dillon
Nathaniel Wise
Dan Vanzebein
Cameron Petersen

Riley Schaad
Jeremy Peters
Johan Vanzebein
Vijay Kornala

PLEDGE OF ALLEGIANCE:

LeGrande Blackley

APPROVAL OF MINUTES

Chairman Rupp called for the review of the minutes of the Planning Commission meeting held January 22, 2024.

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

OPEN SESSION

Chairman Rupp then opened the meeting for comments from the public that were not on the agenda.

There were no public comments and Chairman Rupp closed the open session.

USA INSULATION CONDITIONAL USE—1234 SOUTH 1700 WEST UNITS 5 & 6—NATHAN RIGBY

The Community Development Director, Mr. Tim Stephens, reviewed this item with the Commission. He noted this applicant was seeking a conditional use for an insulation company that would be located in a

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new building north of Skypark Airport. He noted this company provides installation for injection foam insulation for existing homes built before the year 2000 and the installation of fiberglass insulation. Mr. Stephens said they will operate with two office staff employees, three to four installers out in the field, and one to two box trucks. He said they will operate the business from 7:00 AM to 6:00 PM and it is assumed that all their materials, equipment, and vehicles will be stored in the warehouse portion of the units.

Following the information given, Mr. Cam Rigby addressed the Commission. He said he was excited to bring USA Insulation to Utah. He said the franchise had been around for about 30 years around the country and they will be the first office located in Utah. He said they primarily do existing residential homes and inject foam insulation into the homes. He said they usually do homes older than 1990 that do not have insulation. He said all products for the business will be stored onsite. He said the foam is sealed in barrel drums in a shipping container and will not be exposed until it goes in the trucks to go out to jobs.

Commissioner Doxey asked if there would be any concern with odors. Mr. Rigby said the product is non-toxic, non-odorous, non-combustible, non-volatile. He said the product is about as safe as you can get. He said it is good stuff and they are excited to be able to use it in this area.

Chairman Rupp asked if Mr. Rigby had any questions about the conditions and Mr. Rigby said no, he had no questions or concerns with the conditions.

Chairman Rupp asked where the shipping containers with the materials would be located. Mr. Rigby said there was one shipping container that was 7 x 20 and is located inside building.

There were no further questions and Commissioner Blackley, made a motion to approve the USA Insulation of Utah conditional use with the following conditions:

1. At no time may the business operation negatively impact adjacent properties.
2. Applicant's business operation shall be in conformance at all times with any government entity having jurisdiction over the business or subject property.
3. At no time may any equipment or materials be stored or staged outside the enclosed building.
4. Applicant shall obtain a South Davis Metro Fire 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 Hennessy seconded the motion, and all voted in favor of the motion through a roll call vote.

MODERN SHADE CONDITIONAL USE—1234 SOUTH 1700 WEST UNITS 1-3—RILEY SCHAAD

Mr. Stephens then reviewed this item with the Commission. He noted this applicant will be locating an outdoor patio shade system business in a new building just completed north of 1500 South and east of Redwood Road. He noted the applicant has indicated this business is an outdoor shade system design and build team specializing in creating 3 to 4 seasonal outdoor living spaces for residential and commercial clients. He said the business location will be used for storage and light project preparation in addition to dedicated offices for sales and employment management in addition to a showroom for their product

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services. He noted they presently have two company trucks that at times may be parked overnight in parking spots allocated to their business at this location. He said this business specializes in fabric shade structures.

Following the information given, Mr. Riley Schaad from Modernshade addressed the Commission and said their business specializes in creating 3 and 4 season outdoor living spaces primarily with overhead patio covers and motorized shade screens that come down from the roof to the floor. Mr. Schaad said they have been in business for about three years and are growing and expanding quite rapidly, which has prompted them to move to the building located in Woods Cross City. He said they are building a sales office with spaces for sales agents and managers and they will also have a showroom. He said they also needed a larger area for staging materials.

Commissioner Doxey asked what the office hours were, and Mr. Schaad said the office hours would be from 8-5 four days a week, Monday through Thursday.

Chairman Rupp asked Mr. Schaad if he had any concerns with the conditions as they had been presented and Mr. Schaad asked about condition number three and staging equipment outside. Mr. Schaad asked what would be considered equipment. He asked if his work trucks would be considered equipment and Mr. Stephens said no that it would not be the vehicles but materials and equipment. Mr. Stephens said the landlord would provide parking stalls to park the trucks overnight.

There were no further questions and Commissioner Doxey made a motion to approve the conditional use for Modernshade Utah with the following conditions:

1. At no time may the business operation negatively impact adjacent properties.
2. Applicant's business operation shall be in conformance at all times with any government entity having jurisdiction over the business or subject property.
3. At no time may any equipment or materials be stored or staged outside the enclosed building.
4. Applicant shall obtain a South Davis Metro Fire 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 Grover seconded the motion, and all voted in favor of the motion through a roll call vote.

MILEONE AUTO GROUP CONDITIONAL USE—1753 SOUTH REDWOOD ROAD—JOEL STEPHEN

Mr. Stephens then went over this agenda item with the Commission. He reminded the Commission that during the last Commission meeting, the Commission approved a conditional use permit for this business in the office/warehouse complex on the corner of Redwood Road and 2600 South. He noted their lease negotiations for this location failed and they are now considering the new location noted above for their auto business.

There was no one present to represent this item.

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Commissioner Doxey made a motion to table this item until someone could be present to address this item. Commissioner Blackley seconded the motion, and all voted in favor of the motion through a roll call vote.

THE AUDREY PRELIMINARY RESIDENTIAL SUBDIVISION PLAT—800 SOUTH 1100 WEST—CHASE FREEBAIRN

Mr. Stephens reviewed this item with the Commission. He noted that the Audrey project came with a long history. He noted the project was originally approved as townhomes well over a year ago and since that time, CW Urban abandoned the townhome project and has pursued a single-family, patio home development on the property. He said the proposed project as designed required CW Urban to petition for amendments to the SFRT Zone which were recently adopted.

Mr. Stephens noted that the parcel in question contains approximately 7.66 acres, and the proposed subdivision will contain 45 lots with lot sizes ranging from approximately 4,600 square feet up to 5,200 square feet with a few lots at over 9,000 square feet. He said the subdivision plat also incorporates two parcels of open space/storm water detention along 1100 West Street.

Mr. Stephens said that recently, the city updated the subdivision regulation in compliance with SB 174. He said the residential subdivision plats will no longer be reviewed or approved by the City Council. He noted that preliminary plat subdivisions will be reviewed and approved by the Planning Commission with final plat review and approval done by the development review committee. He said it should be noted that after the preliminary plat is approved, as per the SFRT Zone regulations, CW Urban will need to submit a site plan to the Planning Commission for its review and recommendation to the City Council. He said the City Council will have the final authority to approve the site plan. He said site plan approval will involve specific aspects of the projects design such as landscaping, buffer trees, fencing, and similar issues including the type of homes to be constructed. He noted that once a site plan is approved, CW Urban can then apply for a final plat review and approval by the development committee. He said the purpose of the preliminary plat is to indicate the general layout of the subdivision, lot configurations, and lot sizes. He also said that approval of the preliminary plat will serve as a template for both the final detailed site plan and the final plat for recordation.

Following the information given by the Community Development Director, Commissioner Jones said Mr. Stephens had mentioned the plat and the process but there was nothing mentioned about them seeking adjustments to the setbacks and asked if that was part of this process. Mr. Stephens said that would be handled during the site plan review where the setback adjustments would be handled. Mr. Stephens said if they cannot supply the site plan it would kick them back to the preliminary plat. Commissioner Jones said his concern was if the plat was approved, but the sites are unbuildable unless the setbacks were adjusted, that did not make sense to him. Mr. Stephens said if they cannot complete the site plan, then they will not be able to apply for the final plat and it would send them back to the preliminary plat. Mr. Stephens said he thought since there had been so much time spent talking about the text amendments and the setbacks, and had been represented up to this point, the setbacks would be accepted when they got to the site plan. Commissioner Jones said he just wanted to make sure he understood the process. Mr. Stephens said they are on a learning curve right now as the state legislature had changed the subdivision process and the SFRT Zone is new and CW Urban is the first people going through this process.

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Chairman Rupp said he felt like the site plan needed to be reviewed. Commissioner Jones said the plat does indicate the proposed setbacks and felt they would be doing this project a disservice if they did not discuss the setbacks as part of this approval.

Mr. Chase Freebairn then addressed the Commission. He said there was a diagram of the setbacks in the information given to the Commission that shows the setbacks. Mr. Freebairn said the setbacks were shown as 21 feet for the front yard setback, 12 feet on a side corner setback, 28 feet for the back yard setback, and 8 feet for the interior side setbacks for interior lots.

Commissioner Jones said he felt it would be helpful to read through the requirements on the Planning Commission's judgment in approving adjustments to the setbacks as outlined in the ordinance.

Mr. Stephens went over the setback requirements in the city's ordinance. He noted that the setback for a front yard for a single family dwelling is 25 feet for a patio home and minimum change by Planning Commission is a reduction to a 21 foot setback, rear yard setback is 25 feet and the Planning Commission reduction is not less than 20 feet, the side yard setback is 8 feet for a total of 16 feet, side corner is 20 and the minimum should not be less than 12 feet and supported by traffic and site line studies which Mr. Stephens noted have been done. Mr. Stephens noted the Planning Commission should consider if the reduction provides a more attractive and more efficient and safe use of the property and may not be detrimental for any reason, then the Commission could consider a reduction. Mr. Stephens said the DRC and city engineer reviewed the setbacks and they all passed the review for safety.

Mr. Freebairn said they had also done studies and the engineering had been submitted to the city for both preliminary plat and site plan which has been submitted for application he said he knows both have to be in harmony and reflect the safety site line and traffic study.

Commissioner Jones said he thought it was worth a discussion that safety is important, but he wondered if looking at the criteria if the project is more attractive and efficient. It was noted it would be more efficient because the setback is smaller. Commissioner Jones asked what the smaller setback does that allows the project to be more attractive. He said he did not see a better development. Commissioner Jones said he did not see how the reduced setbacks make it more attractive. He said he did not see that the smaller setbacks make it more attractive.

Chairman Rupp said he felt the reduced setback for the patio homes is more attractive than townhomes. Chairman Rupp said it is subjective on what can be considered more attractive. Commissioner Jones said he thought it would be more attractive with the prescribed setbacks and wondered what it does for the subdivision, what makes it more attractive. Chairman Rupp said there is a little more subjectiveness for more attractiveness, and something could be considered more attractive in other ways than just visual. Commissioner Jones said he felt like attractiveness is visual, and asked if there are there certain amenities that are more attractive. He said there are developments that are more open which makes them more attractive in his opinion.

Commissioner Jones asked what is being done to meet that requirement. He said he did not see that being met.

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Commissioner Grover said he also felt attractiveness could be subjective.

Mr. Freebairn addressed the Commission and said Commissioner Jones brought up a good point and it is subjective, but he would argue the home buyers are being offered a bigger back yard which would make this a more attractive project for homeowners to have a larger private backyard. He felt like there would be different opinions for different people. He said for him, backyard space is more important than the front yard space and that is the case that he would make. He said he understands this would be different for each individual person depending on what they prefer. He said he felt the community would be better served to have bigger backyard space. He said most people would prefer that for privacy.

Commissioner Rupp said attractiveness should be considered not only from the front yard but also from the back yard.

There were no further questions, and Commissioner Blackley made a motion to approve the preliminary plat for The Audrey with the following conditions:

1. CW Urban shall submit a site plan application and associated drawings and documents for Planning Commission and City Council consideration and approval prior to the approval of a final plat.
2. CW Urban shall submit a final plat application and associated drawings to the development review committee for consideration, approval, and recordation.
3. A development agreement between the developer and the city will be part of the site plan approval.

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

**PUBLIC HEARING: HILTON HOME2SUITE HOTEL CONDITIONAL USE—2393 SOUTH 800 WEST—
JEREMY PETERSON**

Mr. Stephens reviewed this item with the Commission. He noted the applicants had met with the Planning Commission in 2023 to discuss their plans for a second hotel on the property. He noted that during that discussion it was noted that Hilton wanted their hotel and product to sit on a lot separate from the Hampton Inn. He said that during that meeting, there were discussions involving the possibility of a flag lot and other subdivision configurations. He said that in the end, the City Attorney had advised the staff that this property should be subdivided in a similar manner as the Smith's shopping center as a multi-commercial subdivision. Mr. Stephens also noted that parking had been discussed and the Hampton Inn and the proposed hotel would be configured to provide the required on-site parking. He noted that however, it was mentioned that several years ago, through an agreement, approximately 10 parking stalls were designated for potential overflow parking from the adjacent townhome apartments.

Mr. Stephens went on to say that over the past year, the applicants have not only refined their site plan but have spent several months hiring a traffic consultant to analyze and prepare a parking analysis for the site involving the Hampton Inn, the proposed hotel, and 10 parking stalls for use by the adjacent townhomes. He said that study was submitted to the staff and was reviewed by our city engineer at JUB, and a traffic engineer within the JUB organization. He noted that findings of the study found that in most cases the

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actual demand for the Hampton Inn and the proposed hotel would be such that 10 stalls would be available for townhomes. He noted that the two hotels per the proposed site plan, meet the required parking. He did say that if for some reason the hotels were to utilize every parking stall on any given day or night, it would impact the availability for the townhomes to utilize some of the 10 stalls. He said this will probably be the main topic of discussion at the meeting regarding the request for a conditional use permit. Mr. Stephens said staff would be asking either the city engineer or the traffic engineer for JUB who performed the peer review on the report be present to answer questions that the Commission may have. He said the JUB findings concurred with the findings of the parking study. Mr. Stephens said the site lighting and backlit sign will also be a topic that will need to be discussed so lighting would not impact the other nearby hotel and townhomes.

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

Mr. David Petersen addressed the Commission and said in 1995 he had worked with his father and built the Hampton Inn and said it was a nice product. He said his two sons will be developing the Home2Suite hotels with him and it will also be a nice product and serve the community well. He said their first business built here in the community was the Best Western Hotel which is still in operation. He said the difference between the Hampton in and the Home2Suite hotels are that the Hampton is under two nights stays but Home2Suite is three nights stay, usually for a business trip, so issues experienced with lower priced extended stay properties, are avoided. Mr. Petersen also noted they had spent a lot of time looking at the parking for the new hotel. He said they have a good relationship with the Coventry Town homes management. He said there are 10 shared parking spots between Coventry and the Hampton Inn, and they are on a first come first served basis. He said he has worked with Coventry management on making sure the 10 shared parking stalls work for both properties. He said the 10 spots are marked clearly and hopefully the tenants will continue to honor those parking spots. He also said there are less people owning cars now, and there are a lot of ride share opportunities so the parking needs for the hotels have become a little less. He said he is very excited about this project.

Chairman Rupp then asked for any public comments.

Ms. Jolene Lunt, a resident living in the Coventry Townhomes addressed the Commission and she said she was a little upset with the proposed hotel. She said she walks her dog daily around the hotels already build nearby. She said Motel 6 is already a mess and should come down. She said there are multiple times a week the police visit that motel. She said Motel 6 should be taken down and they should put a new hotel in that spot. She said most of the extra parking will be taken by the hotel. She said with the new hotel there will be no extra parking. She said the size of hotel is not good and the neighbors will have to deal with the noise, and it is not fair to the neighbors, and they do not need another hotel in the area. She said people should walk around Motel 6 and see how bad that place is.

Commissioner Rupp said parking has been a large part of this discussion. He asked where the 10 joint spots will be located.

Mr. Dan Vanzebein, who is the architect for this project, spoke and said he wanted to explain some more detail on this matter. He said the parking stalls that were identified by Coventry and the Hampton Inn were

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along the north property line and they will remain there. He said there are signs that show where they are located, and they will not be changed or moved.

Mr. Vanzebein showed the Commission where the new landscaping would be located. It was noted there was one parking spot that would be taken up by landscaping, but the parking spot would be moved and allowed to be located in another area. He said they have taken care of all of the fire protection needs and have spoken with the fire department about any concerns they may have.

Mr. Vanzebein said they had spent a lot of time doing parking counts over the last number of months to make sure the parking would be accommodated. He said the counts are shown by data in the report that was submitted with the parking arrangements and there were about 85% of the parking spots utilized for what the hotel would use on an average basis. He said they had 139 stalls that would accommodate the two hotels and then there is the additional 10 stalls that would be available also. He said they feel very confident about parking with their experience and doing a number of hotels previously, and with the studies that had been done. He also said the city engineer and their own engineer feel confident the parking will be adequate.

Mr. Vijay Kornala, one of the engineers for the city, said the parking was reviewed and looked at with the shared parking and the 86% was an average and does not account for events or special occasions. He said there may be issues if those were to happen. He said the 139 stalls being allowed will meet the average for parking standards for hotels.

Commissioner Jones asked what the plan is for high traffic days when there is not enough parking if there is a special event that might fill the hotel to capacity. Mr. Petersen said they have contacted the commercial neighbors and said they would not sign an agreement to share parking, but he still feels that the 139 stalls are enough. He said during high traffic times there are ride shares that could come into play. He also said there are times where there may be 10 rooms booked by one company and there would be one van that would accommodate all of the people in those 10 rooms.

Mr. Vanzebein said there would be a conditional use and as part of the conditions and that would motivate them to keep the parking in line so they can keep operations open at that hotel. He said it would be up to the hotel to make sure they are doing what they need to keep their conditional use. Mr. Petersen said the Best Western Cottontree Inn has additional parking, and they could utilize a shuttle service between the hotels if there were parking issues. Mr. Vanzebein said they had done that before and it worked well.

Mr. Vanzebein addressed the height of the hotel and said the new hotel would be four stories but there is less space in between floors, and they are within feet with the overall height with the buildings that are around where the new hotel would be built. He said he would ask the height be approved since it will be close in height to what is already there. He said there are a few design challenges with this hotel with only being 79 rooms. He said their other hotels generally have 107 rooms, so they had to make the design different to fit the site.

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Mr. Vanzebein also said they designed their parking lots to be Dark Sky and he feels like it is important to cut light. He said they do provide cutoffs on the lights as well. He said they will provide a photometric design that will have zero light at the property line. He said they are concerned in making sure they keep lighting from impacting the adjacent property.

Mr. Vanzebein also said they were working with a development agreement so each building can be on its own parcel and are writing the cross access parking easement agreement and will present it as a commercial subdivision development and associate that with a development agreement. He said he did not have any technical issues with anything that has been brought up by staff and said he feels like they have addressed all things that have been asked of them and none of them cannot be accomplished. He said they have confidence they can meet the elements the city needs for safety and protection the residents and guests of the hotels.

There were no further comments from the public.

Mr. Kornala said city code requires one parking space for each sleeping unit or dwelling unit and so based on that there are 139 parking spaces, so if it was to be looked at strictly by city code, the 10 shared parking spaces are not included in that calculation, and he wanted to make sure everyone had all of the information.

Mr. Stephens said if you perceive there was an evening that would impact those 10 stalls, guests could be shuttled to the other hotel parking lot, so the 10 shared parking stalls are still available for use.

Commissioner Doxey asked how often the townhomes are using those 10 parking spaces.

Mr. Petersen said there is not much use during the day but at night they are used and that is why there are signs posted to where those stalls are located. He said the stalls are made first come first served and there are 10 stalls only. He said there are times when they have had to ask Coventry residents not park in their parking stalls and have tried to keep things friendly with the surrounding neighbors. He said he should not be penalized for what the neighbors are doing if they choose not to park where they are supposed to park. He said he feels like they can make things work with the parking.

Commissioner Blackley asked if the shared parking was designated for residents or for visitors. Mr. Stephens said there is enough parking for the for the townhome residents with their two car garages. He said there are 2 ½ parking stalls for a three bedroom unit. He said there should be enough parking for visitors. Mr. Stephens said there was a resident who said they had four vehicles for their one unit, so they were overparking for their situation. He said it was initially designed for visitors but now might be for residents as well.

Mr. Petersen asked if there were additional stalls for visitors and Mr. Stephens said there are visitor parking stalls. Mr. Stephens said they came up about 10 stalls short when initially building their project and that is why there were 10 shared parking stalls developed.

Mr. Seegmiller said there were extra stalls for visitors in the townhomes project.

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

Commissioner Jones said he appreciated all the work that had gone into this project, particularly the parking issue. He said he was not concerned about the height of the building since it would be located right next to the freeway. He said he did have a bit of a concern with the parking study saying the verbiage for parking will meet the needs on a day to day basis but does not consider other times. He said if there was not shared parking, he would not have an issue at all. He said if there is not enough parking the neighbor is upset and he wondered who gets the rights to those stalls. He said he would like to try to avoid conflict with the neighbor. He said he felt like if there are issues then the hotel will have to address issues by shuttling guests to the other hotel parking or find other ways to solve these issues.

Chairman Rupp said if there are issues with the conditional use, the conditional use can be revoked so there is incentive to resolve issues if they were to come up.

Commissioner Doxey asked if there could be a little more information about the parking study and asked if it included the shared 10 stalls. He said based on the numbers given, the parking was only fully booked one night in three months, which included the 10 stalls. He said he felt like the city engineers also looked at the parking study and it seemed to work with the parking as proposed.

Chairman Rupp said there was initially a conversation with the hotels needing to be on separate parcels. Mr. Stephens said he had talked with the city attorney about having a flag lot for a hotel and said the city attorney felt like that was not the best approach but that it could be used as a multi-use commercial subdivision. He said they could subdivide this property into two lots so they can be on their separate parcels so there will be a two lot subdivision but there will be covenants and conditions with the cross easement parking and on how that will all work.

Commissioner Grover said he appreciated the thorough discussion and the public input.

CONSIDERATION OF HOME2SUITE HOTEL CONDITIONAL USE—2393 SOUTH 800 WEST—JOE RUPP

Following the information given and the public hearing that was held, Commissioner Blackley made a motion to approve a conditional use permit for Hilton Home2Suite Hotel with the following conditions:

1. At no time may the project negatively impact adjacent properties particularly nearby residential areas.
2. Lighting from the project shall be designed and installed in a manner that it will not negatively impact adjacent uses. This also includes any proposed signage or the relocation of existing signage which shall be part of the Commission's site plan review at a future date.
3. All parking shall be accommodated onsite. At no time may parking for the hotel properties or the shared townhome parking be displaced to adjacent public streets.
4. A development agreement shall be required for the project as part of the final site plan review and approval process.

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5. Any proposed signage for the new hotel on the 800 West side of the project shall be permitted only as a ground monument sign in conformance with city's regulations for such signs.
6. Any proposed pet waste stations that are part of the proposed project shall be regularly maintained in a clean, safe fashion.
7. The hotel shall not exceed 54 feet in height at its highest point.
8. Applicant shall submit as part of the site plan review and approval process a subdivision application and plat for the city's review, approval, and recordation.

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

THE CHOICE LEARNING CENTER CONDITIONAL USE—1475 WEST 500 SOUTH—PAUL TANNER

Mr. Stephens then reviewed this item with the Commission. He noted that Mr. Paul Tanner had purchased a home and property at 500 South Street west of the Westwood Mobile Home subdivision. He said this is a mixed use zone that permits a variety of not only residential uses but commercial land uses. He noted that Mr. Tanner presently operates a private school in Bountiful and plans to construct a new school facility on the subject property. He said he has spent many months working with staff and development review committee regarding not only requirements for the development but also UDOT Access Management Plan issues. He said this school would need to have a conditional use permit to operate this type of facility in this zone.

He said the CRT zone requires the approval of a development master plan and site plan by the City Council with a recommendation from the Planning Commission.

Mr. Stephens also said there is an access management plan associated with this parcel and direct access would go through some accesses from a future lighted intersection which would be located on 500 South. He said since there is just one smaller project with less traffic the staff is proposing to build a half street and use it as a driveway to his project. He said this would be with the idea that in the future when adjacent property developments go in that the other part of the half street would be developed and dedicated to the city.

Following the information given by Mr. Stephens, Mr. Paul Tanner and Ms. Givonne Tanner addressed the Commission. They said they were excited to be in Woods Cross and look forward to being the first development for the CRT Zone and they feel like the school is a perfect fit for this area. He said he felt like they have a well-developed plan and thanked Mr. Stephens and staff for all of their help.

Mr. Stephens said that as other properties develop around this site there may need to be cross access as other developments come into this area to be able to circulate and to access streets. He said the Tanner's were concerned that if property east of them were to be developed, there may be a safety concern if kids were being picked up for athletic or other events. He said UDOT had said that there could be a possibility of a temporary access to 500 S until other access could be provided with development behind the school.

Commissioner Jones asked what this school was like. Ms. Tanner noted at their school they serve children four to fourteen and they are a learner driven school so children can learn more at their own pace. She said

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it is an interest driven school also where kids can follow something that is a particular passion. She said it is a replacement for traditional school and they operate Monday-Thursday from 8:30 to 3:00 and is an independent school not a charter school.

Mr. Stephens asked what the vision for the athletic field would be. Ms. Tanner said the main vision for the athletic field is for the kids to run and play. It is not big enough to run a full athletic event but could be used for a practice field for sporting events.

Commissioner Jones asked about having a playground. Ms. Tanner said they do not have plans for an official playground but there will be a dirt area for the kids to be creative and play in the dirt.

Commissioner Grover asked where the referenced netting would be located on the athletic field. Mr. Tanner said it will be located on all sides where balls could go astray. He said there will be trees and then netting behind the trees.

Mr. Tanner said he is a little disappointed with the design of the school and will proceed with something different with a new architect. He said they realized this had taken quite a bit of time, so they are trying to get this project done as soon as possible because they need more space to sign up more kids interested in attending their school and want to get this project done as soon as possible hopefully for the next school year.

Commissioner Jones said this is the first project in this zone and area. He said the ordinance design was not referenced in developing the architectural plan for this project. Commissioner Jones said he would not want to approve the master development plan with these elevations because they do not follow city ordinance. He said the new architect needs to go through the ordinance with the future design and the Planning Commission needs to see the elevations before the master development plan can be passed. He said they really need to see that part before the master development plan is approved.

Mr. Tanner said they would request to come back to the Planning Commission for the building plan. He said they feel like they have a good civil plan and the building footprint and that is what is holding them up. He said they were hoping to have preliminary approval. Mr. Stephens said the Tanner's would need a full set of architectural drawings for a building permit but to get through the master development approval and eventual site plan approval they would need the final building exterior design and exterior materials for those approvals.

Mr. David Clayton introduced himself and said he was the newly hired architect for the Tanner's. Mr. Clayton said he is working on the new elevations and working with the ordinance and the building products. He asked about some of the building materials that might be used. Chairman Rupp said Mr. Clayton could bring in samples of building materials to the Commission for their review to make sure they are acceptable.

The Commission discussed the placement of the building on the property and where the front of the building might be located.

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Chairman Rupp said they do not feel like the exterior of the building is in compliance with city code and the Commission would need that before the master development plan could be approved but the conditional use would be able to move forward.

There were no further comments or questions, and Commissioner Jones made a motion to approve the conditional use permit for Choice Learning Center with the following conditions:

1. At no time may the use of the school or the athletic facilities negatively impact adjacent uses, particularly the neighboring residential areas or the uses create any danger to traffic.
2. Applicant's business operation shall be in compliance at all times with any government agency having jurisdiction over the business, school, or subject property.
3. The applicant shall submit a final site plan conforming with all the requirements of the city code including the regulations of the CRT Zone and access requirements of the Utah Department of Transportation.
4. Applicant shall obtain a South Davis Metro Fire Inspection approval and provide a copy to the city prior to the issuance of a city business license and operation of the school.
5. The applicant shall obtain and maintain a Woods Cross City Business License.
6. At no time may any materials or equipment be stored outside the enclosed building.

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

THE CHOICE LEARNING CENTER DEVELOPMENT MASTER PLAN—1475 WEST 500 SOUTH—PAUL TANNER

Commissioner Jones then made a motion to table the Master Development Plan for Choice Learning Center until the revised architectural elevations come back for review when they are brought into compliance with what is required by city code. Commissioner Doxey seconded the motion, and all voted in favor of the motion through a roll call vote.

CITY COUNCIL REPORT

Council Member Sharp reported on the City Council held February 6, 2024. Please see the minutes of that meeting for the details of his report.

GENERAL AND PENDING BUSINESS

Mr. Stephens said he had nothing further. He thanked the Commission for their help and comments during the learning curve for this new zone.

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ADJOURNMENT

There being no further business before the Commission, Commissioner Hennesy made a motion to adjourn the meeting at 9:27 P.M.

Joe Rupp, Chairman

Bonnie Craig, Secretary