

**WOODS CROSS PLANNING COMMISSION MEETING
MARCH 12, 2024**

This is the meeting of the Woods Cross Planning Commission meeting held March 12, 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
Melanie Brooks
Mike Doxey-remotely

Jake Hennesy
Eric Jones

COMMISSION MEMBERS EXCUSED:

Jim Grover

STAFF PRESENT:

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

VISITORS:

James Purpura Greg Timothy
Glenn Girsberger Brian Knowlton

PLEDGE OF ALLEGIANCE:

Melanie Brooks

APPROVAL OF MINUTES

Chairman Rupp called for the review of the minutes of the Planning Commission meeting held February 27, 2024.

Following the review of the minutes, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Brookes 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.

EXODUS ENERGY EVOLUTION CONDITIONAL USE—2511 SOUTH REDWOOD ROAD #16—GLENN GIRSBERGER

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted the proposed location for this conditional use is the TSL project on the corner of 2600 South and Redwood Road. He noted these buildings are multi-tenant and there have been several conditional uses

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on this property. He said this application is proposing to operate an engineering office and manufacturing business. He said Exodus Energy Evolution will be manufacturing a pilot sized/lab-scale unit designed for environmentally sensitive extraction of bitumen and heavy oil from Utah's oil sands located in eastern portions of the state. He noted they will be co-locating at this location with two other companies and expect to have an office of approximately 25-35 engineering, design, and drilling personnel. He said this proposed use will require the applicant to provide more detailed information on the proposed office and manufacturing process. He noted that it is assembly only at this location.

Following the information given by the Community Development Director, Mr. James Purpura, the CEO of Exodus Energy Evolution, addressed the Commission. He said that the use of this space would mostly be used for office space. He said there would be no toxic chemicals, and nothing released into the storm drain,

Commissioner Blackley asked if the additional companies that may join the business would have sufficient parking. James said most of the additional employees would be engineers. He said for now he feels parking is sufficient, but he would be looking at parking to make sure it continues to be sufficient. Mr. Purpura said he does not feel like he would have 35 employees, but it may be possible.

Chairman Rupp asked if 35 would be the maximum number of employees for the business and Mr. Purpura said there would more likely be 10 employees that would utilize the parking spaces, but 35 would be the absolute maximum.

Mr. Glen Girsberger from J Fisher companies, who is the owner of the building, addressed the Commission. He said there are not very many people that occupy the buildings who park at the building. He said he did not think they would ever use all the parking spaces. He said there is plenty of parking for the 10 or 15 people they will have right now. He did say there was another office in Centerville that could be used for parking if parking were to become a problem.

Commissioner Jones asked what a pilot sized/lab scale unit was. Mr. Purpura explained it is a model of a unit they will use to show technology for tar processing. He said they will be building tar sand facilities in the Uintah Basin, and it will be convenient to be near some of the refineries for their process. He said that the units will be put together to show what the full sized processing unit looks like so they can show it to investors and engineers that may want to know what the unit looks like and what it does. Commissioner Jones asked if it was functional. Mr. Purpura said he does not plan to make it a functional unit at this time, that it would be used as an example of the unit. Commissioner Jones asked if there would be any heavy oils brought into the facility. Mr. Purpura said there would be oils brought in for testing of quality, but it would be in small quantities and would not be anything that would be a cause for concern.

Commissioner Brooks asked about noise or odor from this facility. Mr. Purpura said the only noise would be a generator running or power tools that would be used. He said they would not have anything that would be noisy and nothing that would cause any odor. Commissioner Brooks asked what the hours of operation would be for the business, and Mr. Purpura said they would have regular business hours from 9:00 AM to 5:00 PM.

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Commissioner Jones asked Mr. Purpura if he had any questions about the conditions, and Mr. Purpura said he had no questions or concerns about the conditions as they had been presented.

There were no further questions and Commissioner Jones made a motion to approve the conditional use for Exodus Energy Evolution with the following conditions:

1. At no time may the business or use negatively impact adjacent uses or the community.
2. The applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business or subject property.
3. At no time may any equipment or materials, be stored or staged outside the enclosed building.
4. No oil, fuel, or any other product or chemical used on the subject property shall be allowed to enter or discharge into the city storm drain system.
5. Any degradation to the property due to the applicant's operation will result in revocation of the conditional use permit.
6. Applicant shall obtain a South Davis Metro Fire Inspection approval and submit a copy to the city prior to the issuance of a business license.
7. The applicant shall obtain and maintain a Woods Cross City Business License.
8. Any other companies co-locating at this location will require at a minimum a business license and conditional use review and approval.

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

THE CROSSING LANDSCAPE & OPEN SPACE PLAN—525 WEST 1950 SOUTH—BRIAN KNOWLTON

Mr. Stephens then reviewed this item with the Commission. He noted that during the last Planning Commission meeting, the Commission approved a site plan for The Crossing townhome home development at 925 West 1950 South. He reminded the Commission they had approved the site plan and other elements apart from the landscape plan. He also noted the Commission held a discussion with the applicant regarding the landscape and open space requirement involving common, open space usage. He said the S-1 Zone describes this as areas of such dimensions as to provide adequate space for general recreation activities, such as picnicking, playgrounds, volleyball, etc. He said the open space shall be designed to accommodate the needs and uses of all residents of the project. He noted that such spaces shall include improvements, such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal spaces which encourage the use and enjoyment of the open space. He also said such areas may include lawn or similar maintained areas designed to accommodate storm water detention for the project. Mr. Stephens also said that during the discussion, the Planning Commission concluded that the size of the project and the number of units perhaps did not rise to the level of providing facilities such as play courts or

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ball fields, etc. and there was a discussion about adding seating or benches within the landscaped or open space area to permit it to be usable by residents of the development.

Mr. Stephens went on to note there had been a revised plan submitted by Zac Nelson and Randy Beyer. He said the revised plan shows two benches and turf added to the east open space. He said they had also placed two benches in rock landscaped areas on either side of buildings 3 and 4. He also said the plan indicates a flagstone path will provide access to these two benches. He also noted the landscape plan shows a hard surface fire apparatus pad located on the north end of the east open space area. Mr. Stephens suggested they may want to discuss with the developers a dual use for this pad such as a basketball standard that will not interfere with its fire use or other hard surface recreational use only. He said any dual use would also require fire marshal approval.

Following the information given by the Community Development Director, Commissioner Jones asked if they had given the updated square footage percentages for the open space on the new drawings. Mr. Brian Knowlton, who was one of the developers, addressed the Commission. Commissioner Jones asked what areas were being considered open space on the new plan. Commissioner Jones said there was some question on what that would be. Mr. Knowlton pointed out what areas were going to be used for the open space. Commissioner Jones said he would like clarity on what the open space looked like. He said he would like to see the revision of where the open space was going so it was clearly shown on the plan. Mr. Knowlton said he thought there were additional features he would be introducing to the Commission but since the other two people who had been working on the plan were unable to be at tonight's meeting, he was unaware there were details still missing. Commissioner Jones said he thought there were two questions still, what area was usable for open space, and where the amenities were going to be placed in the usable areas. Commissioner Jones said in the previous plan there were spaces shown that were too small to be usable space so the Commission wanted to see where the updated spaces would be located.

Mr. Knowlton said he thought there had been information given to the Commission that showed the usable space and he was showing what the amenities would be in those spaces. He said they considered the permanent walk path as usable space as well as the large green space to the east as a usable amenity and they added the walk path and the benches for usable space amenities.

Chairman Rupp said he felt like an overlay or marks on the plan would be good so that it would show the spaces that constitute the number in the calculations so the Commission can look at the plan and see that the calculation meets the criteria and can visually see where those spaces are and agree that they are indeed usable spaces. He said he knew there was something submitted before but there was questions on whether some of the spaces were usable spaces in the calculations. Chairman Rupp said he could not see clearly if the numbers match.

Commissioner Jones said he wanted to talk about the areas adjacent to the townhomes with the decorative rock and landscaping and the flagstone pathway and bench and he wondered if that space would be activated and counted as square footage towards the usable space.

There was discussion on what would be considered usable space and some suggestions given on how usable space might be increased. It was also noted that a space would be more usable and enjoyable if

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there were a bench, or a table added to an area. There was also discussion about possibly using the fire access lane as usable space for a basketball court or some other similar amenity. Mr. Stephens noted that the fire marshal would need to be contacted to make sure whatever is planned could still accommodate the fire apparatus. The Commission said they felt like that would be a good addition to the plan.

Chairman Rupp suggested this item might be tabled so there can be an update to the plans that shows the physical spaces marked clearly so the square footage calculations could be noted to make sure they include all that is required by city ordinance.

There were no further questions or comments, and Commissioner Jones made a motion to table this until additional information has been received regarding the landscape footing location and the other things discussed. Commissioner Hennessy seconded the motion, and all voted in favor of the motion through a roll call vote.

THE AUDREY MASTER DEVELOPMENT & SITE PLAN—525 WEST 1950 SOUTH--

Mr. Stephens then reminded the Commission that last year, the staff, Planning Commission, and City Council spent several months working through a text amendment application filed by CW Urban on this project. He noted that in December the City Council adopted the Planning Commission's proposed text amendments. He noted that during the text amendment process, the Planning Commission had been exposed to a lot of detail for master development and site plan drawings. He noted that on February 13th, the Planning Commission approved a preliminary subdivision plat for this project.

Mr. Stephens went on to note that CW Urban had been working with staff for the last several months to review and finalize the site plan and master development plan for the project. He noted that CW Urban was requesting development master plan and site plan approval.

Mr. Stephens said CW Urban had submitted multiple home exterior elevations for the different models and styles of housing proposed. He said the landscape plan notes that the front yards of each lot or home will be installed by the developer with the completion of each home. He went on to say the homeowner will be responsible for installing the rear yard landscaping. He noted that since this project has private streets designed in a manner that does not include park strips, the front yard landscaping will include a trend for each home to provide a similar look and appearance to street trees in residential subdivision with public streets. He said it should also be noted that due to the light industrial zoning on the north boundary of the proposed project, buffer trees and fencing will be installed. He said fencing will be installed along the east end adjacent to the Denver Rio Grande Spur Line. He did say that due to some restrictions regarding tree placement due to overhead utility lines and a Weber Basin easement, it will restrict extensive uses along the east boundary. Mr. Stephens also said that staff had worked with the city engineer and public works to design and have approved storm water and utility drawings for the project.

Following the information given by the Community Development Director, Mr. Greg Timothy with CW Urban addressed the Commission. He presented the plans and said they had tried to put together a well thought out plan.

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Commissioner Jones asked how reducing the setbacks has made the development more attractive. Mr. Timothy said he was not sure if it was more attractive or unattractive. He said he felt like that was individual to each person. Commissioner Jones said because there was allowance for adjustments to the setback, he wanted to be given a reason the development was more attractive with the allowance of the adjustment to the setback. Mr. Timothy said the price may make the development more attractive. He said he felt like it is up to individual people to determine what they might think is more attractive. Commissioner Jones said he felt like there are smaller lots and the ordinance requires a more attractive development. He said he does not see the attractiveness for the exchange. Mr. Timothy said there could be a full sized car in the driveway and a private backyard which could make it more attractive to some people. Commissioner Jones said the setbacks could be moved if the building was moved back a bit. He said there would be a smaller backyard but larger front yard. Mr. Stephens said that was taken into consideration with making sure a full sized truck could fit in the driveway and not encroaching on the sidewalk in the front yard with the setback adjustments. Mr. Timothy said the front yard was decreased and the backyard was increased so people could have a private back yard and he felt that does make the homes more attractive. Chairman Rupp said he feels like this plan is more attractive than the townhome plan that was presented CW Urban showed as the first option to be built in this area.

There were no further comments or questions, and Commissioner Hennessy made a motion to forward the Planning Commission's recommendation to approve the development master plan and site plan for The Audrey residential project with the following conditions:

1. A final subdivision plat for the project shall be submitted for the city's review and approval and such plat shall be recorded at the Davis County Recorder's Office.
2. A development agreement shall be drafted by the staff, city attorney and CW Urban and be submitted to the City Council for consideration and approval prior to commencement of any construction.
3. The project shall be in compliance with all city codes during construction including noise and dust control.

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

COLES AUTO SITE DEVELOPMENT DISCUSSION—715 WEST 500 SOUTH—COLE CHECKETTS

Mr. Stephens then reviewed this agenda item with the Commission. He noted that Mr. Cole Checketts presently operates an automotive repair shop in Bountiful. He noted that Cole and Julie Checketts recently purchased the building and property on the west corner of 500 South and 700 West, across the street from RB's One Stop. He said this property had an old non-conforming building site. He said for many years a business known as Dave Roberts Auto Repair operated from the existing metal building. He said there had been several businesses come and go such as recreational vehicle rentals and used car sales.

Mr. Stephens said that Mr. Checketts had proposed adding an addition to the east side of the building to accommodate the number of service bays needed to run his business thus triggering the requirement for a site plan amendment approval. Mr. Stephens said that Mr. Checketts has had several meetings with the

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development review staff regarding a site plan amendment approval. He said Mr. Checketts has employed the services of an engineer to assist in this endeavor.

Mr. Stephens noted that after considerable discussion with the staff regarding the site's limitations and non-conformity and the possibility of non-conforming exceptions and interpretations, it was decided that a discussion with the Planning Commission was in order. He said that before Mr. Checketts spent considerable time and resources developing a site plan amendment in hope of receiving certain variances and commission approval, it was determined a conceptual discussion on these matters was in order.

Mr. Stephens said the discussion on this matter may include the following:

1. Proposed conceptual architectural drawings considering the standards found in the C-2 General Commercial Zone.
2. Required landscape as per the landscape chapter and possible variance by the Commission as outlined in the landscape chapter.
3. Parking requirements in light of the existing property and using adjoining property for parking also owned by the Checketts.'

Mr. Stephens said the list of items that need to be complied for a site plan amendment include landscaping, storage, off-street parking, lighting, vehicular access, yard landscape maintenance or storage issues, off-street loading and unloading, setbacks and building heights, on-site surface water retention or detention drainage, any need for off-site curb, gutter or sidewalk, any irrigations ditches that need to be piped off, and any sign requirements. Mr. Stephens said the two biggest issues seemed to being able to comply with landscaping requirements and off-street parking.

Mr. Stephens said that it is the hope that at tonight's meeting Mr. Checketts will have a better understanding of the Commission's views regarding these matters and direction designing a future submittal for the Commission's consideration and approval. Mr. Stephens said Mr. Checketts had a preliminary site plan he would like the Commission to look at and get feedback from them.

Following the information given, Mr. Cole Checketts addressed the Commission and said the things they have been struggling with and trying to figure out were how to do all of the trees required on the lot and still have enough parking. He said they do want to make this parcel look better. He said on the northeast corner there is a cutout where there used to be a sign for the business south of the In Towne Suites. He said he is in the process of buying that property right now so it could be used for landscaping. He said he already owns two properties in the area, one with the existing building on the front parcel of property and the other one is the a piece of property to the south with storage units on it. He said they would like to clean up this area and make a nice development. He said he had originally thought about building a new building on the property, but he said he could get into the existing building quicker than building a new building. Mr. Checketts said the ordinance requires a certain amount of rock or brick to be in compliance and he wanted to know if he would need to add those building products to his building. He said he also had questions about the landscaping and parking.

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There was discussion on some of the ways landscaping and parking on the site may be handled to be able to comply with city regulations, but it was noted there are challenges with the placement of the building and the proposed addition on the east side of the building allowing for landscaping and parking.

Mr. Checketts asked if it was possible to combine his two properties into one parcel. The Commission said it should be quite easy to be able to do that. Mr. Checketts said he might want to have one parcel and that may be easier to meet the requirements of the city ordinances.

Chairman Rupp gave a few examples of other properties in the city that had similar obstacles and how they were handled. He said there have been other properties that also had to modify their plans in order to comply with city ordinances.

Mr. Checketts asked about the setbacks on the property and how they would work on this property. Mr. Stephens said it would require a 20 foot landscape setback from an arterial road and 10 foot setback from a smaller roadway. Mr. Checketts said that would take up a substantial amount of the property since it is a small parcel.

Chairman Rupp asked about the current ordinance and what the addition would be and if it would encroach upon that. Mr. Stephens said the landscape would encroach but not the building. There was discussion about landscaping and how it might be accomplished on this property.

Commissioner Jones said he liked the improvements for the building on the concept plan but as he looked over the criteria there is a part that would not be in compliance with the ordinance. He said there could be a 10 foot setback for the landscape, but he is adding an addition to the building, so he was wondering why Mr. Checketts was asking for an exception. Commissioner Jones said it is hard because the exception that is being requested is because there is going to be an addition added to the existing building. Mr. Checketts said he was trying to maximize the parking and that is why the landscaping was going to be put on the south.

Chairman Rupp said if they were just moving into the building as it is currently, they would be in compliance. Mr. Checketts said he is trying to put in four more working bays and was trying to maximize his property.

Commissioner Jones said the landscape would be easier to bring into conformance if it were more in line with the ordinance.

The Commission asked Mr. Stephens to check with the City Attorney on how the ordinance could be interpreted, and on some of these issues that were brought up today. Mr. Stephens said he would discuss the matter with the City Attorney and report back to the Commission with his findings.

CITY COUNCIL REPORT

Council Member Sharp reported the last two City Council meetings had been cancelled. He did say that Police Chief interviews were taking place.

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GENERAL AND PENDING BUSINESS

Mr. Stephens noted he had nothing further to report.

Commissioner Brooks said she was moving so this would be her last Planning Commission meeting. The Commission thanked her for her service and wished her good luck with her move.

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Hennessy made a motion to adjourn the meeting 8:24 P.M.

Joe Rupp, Chairman

Bonnie Craig, Secretary