

**WOODS CROSS PLANNING COMMISSION MEETING  
MARCH 8, 2005**

**MEMBERS PRESENT:**

David C. Hill, Chairman  
Leo Beecher  
Anne Blankenship

Brent Page  
Ryan Westergard

**MEMBERS EXCUSED:**

Lane Antry  
Randen Funk

**STAFF PRESENT:**

Tim Stephens, Community Development Director  
Bonnie Craig, Secretary  
Lisa Schloemer

**VISITORS:**

Ralph Young  
Milt Shipp  
Shelton Jackson

Nathan Shipp  
LeGrande Blackley  
Von Hill

**PLEDGE OF ALLEGIANCE:**

Brent Page

**APPROVAL OF MINUTES**

Chairman Hill called for discussion or corrections to the minutes of the meeting held February 8, 2005. After corrections were noted Commissioner Page made a motion to approve the minutes as corrected with Commissioner Blankenship seconding the motion and the motion carried.

**CITY COUNCIL REPORT**

City Council Member Lisa Schloemer reported on the City Council Meeting held March 1, 2005. Please see the minutes of that meeting for the details of her report.

**VALENTINE PRELIMINARY PLAT-NATE SHIPP**

Mr. Tim Stephens, the Community Development Director reviewed this item with the Commission. He noted that this item had been in the works for quite some time. Mr. Stephens noted that at this point in the project there were several items that still needed to be resolved before the preliminary plat could be approved.

The first item that Mr. Stephens discussed with the Commission was the fact that a single access from Redwood Road at the northeast corner of the project was a problem. He noted that he had been in several meetings with UDOT Region 1 and Mr. Shipp. UDOT

**OFFICIAL MINUTES**  
**WOODS CROSS PLANNING COMMISSION**  
**MARCH 8, 2005**  
**PAGE 2**

has made it clear that they will only permit one access for this project. Mr. Stephens noted that this makes it difficult to be developed under the city's requirements for secondary access. He did say that there had been a discussion between Mr. Shipp and the City Staff and they had worked out a plan whereby emergency access can be gained through the park at the west end of the project through the far street or drive at the south boundary of the project through Redwood Road. UDOT has indicated they will permit an emergency access point for the project. This will require a waiver from the city's subdivision standards, which will require the Planning Commission to make a recommendation to the City Council regarding this matter.

The Staff and Fire Marshall have reviewed this issue and support the waiver. Eventually the UDOT property north and adjacent to the Valentine Estates will be sold and developed, at which time other points of access for this neighborhood will be acquired. However, until that occurs there will be a single access approved by UDOT with a secondary, emergency only, egress to Redwood Road.

The next issue facing this project involves the south boundary of the project. The City owns 20 feet along the north edge of the salvage yard, which is planned to be included in the Valentine Estates Park which is adjacent. However, it was recently discovered that there is another 20-foot strip of ground that UDOT had acquired which separates the Valentine property to the south. It runs the entire length of the property from Redwood Road to the Legacy Highway. UDOT has stated that they are a bit hesitant to sell this property pending the outcome of the Legacy Highway, but the city has indicated that they do not want a 20-foot strip of unusable ground left at some point in time.

The city has pointed out to UDOT that this strip of land is not wide enough to permit any type of access for development beyond Legacy should the highway not be built. In addition, they could gain access from the end of 2425 South Street to the UDOT properties further west should Legacy not be constructed. It has also been pointed out to UDOT that their own UDOT right of way people, based on access requirements, will not give them an access point to Redwood Road for the strip.

It does appear that eventually this strip of land can be included in Mr. Shipp's project in the coming months. Mr. Shipp has included this 20-foot piece of UDOT property in his plat. Depending on UDOT's timing on selling the property, it may make the finished installation of the fencing or buffering along the south boundary problematic. The Staff has agreed to work with Mr. Shipp to resolve this as the final plat comes together.

The last issue in conjunction with this project is the phasing of the project. The phasing as presented has a 3 phase proposal, but Mr. Shipp has mentioned that because each phase incorporates different housing types of single-family and multi-family, one type of housing may sell more readily than another. Mr. Shipp has expressed concern in being able to move on to another phase of the project should one of the two housing

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 3**

developments lag behind in sales. A possibility of permitting them to be handled separately for purposes of moving on to another phase has been discussed. The two types of housing may need to be shown as separate phases on the final plat.

After Mr. Stephen's review, Mr. Nate Shipp appeared before the Commission to address the three items as outlined. The Commission asked Mr. Shipp who would maintain the emergency access that is being proposed. Mr. Shipp said that the home owner's association would maintain the emergency access. Mr. Shipp also said that it would not be paved and would not look like an access so that people would not be tempted to use it. He said that there would be a gate placed at the access that would be locked, but in the case of an emergency that the city or emergency personnel would have the right of entry to open the gate.

The Commission also asked Mr. Shipp if he felt confident that UDOT would produce something in writing allowing this emergency access onto Redwood Road. Mr. Shipp said that UDOT had verbally approved the emergency access but that he is still waiting for UDOT to work on and approve his formal application.

The Commission then asked Mr. Shipp to address the 20-foot strip of land on the south border of the project that belongs to UDOT at this time. Mr. Shipp stated that when they were surveying the property that this 20-foot strip appeared. Mr. Shipp pointed out that his project will be totally surrounded by UDOT on all four sides, the first project of this kind that they had ever worked on. Mr. Shipp said that he would continue to work with the city staff, and hopefully the city could help UDOT understand the circumstances of not wanting this 20-foot strip of land undeveloped when the rest of the surrounding areas are completed.

The Commission expressed concern that if these problems were not taken care of, especially the emergency access, the project development would have to stop until these items were resolved.

Mr. Shipp then addressed the 3 phase proposal for the development. He discussed the fact that some of the homes may sell quicker than others in the different phases, but he did not want to delay the other phases if the sale of one kind of home opposed to another sold more quickly. The Commission asked Mr. Shipp if he felt like there should be more than 3 phases to the project, and Mr. Shipp said that it would probably work out best to handle it that way and it would be reflected on the final plat.

Mr. Stephens also pointed out that there was a discrepancy in the number of single-family homes and multi-family homes in the text of the development agreement opposed to the exhibits. He noted that this would need to go before the City Council to amend the agreement if Mr. Shipp did not want to follow what was written in the text because the city would go by what the text was outlining and not the exhibits.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 4**

Commissioner Blankenship made a motion to forward to the City Council the Planning Commission's recommendation that a waiver be granted to the Land Development Code access requirement due to State access restrictions to Redwood Road and the development of an emergency access through to another point on Redwood Road and failure to resolve this matter would prevent further development of the property. Commissioner Beecher seconded the motion and the motion carried.

Commissioner Beecher then made a motion to forward to the City Council the Planning Commission's recommendation that the text of the development agreement and the exhibits showing the 93 single-family homes and the 182 multi-family homes agree with the present development agreement. Commissioner Blankenship seconded the motion and the motion carried.

Commissioner Blankenship then made a motion to approve the preliminary plat with the following 2 conditions:

1. The developer will work with UDOT to secure the 20-foot strip of property adjacent to the applicant's property for inclusion in the Valentine Estates Subdivision.
2. That the phasing is to be spelled out more clearly in the site plan.

Commissioner Page seconded the motion and the motion carried.

**PUBLIC HEARING-RETIREMENT LIVING CENTER CONDITIONAL USE  
REQUEST-SHELTON JACKSON**

Mr. Stephens reviewed the details of this item with the Commission. He noted that Mr. Shelton Jackson of Jackson Properties was coming before the Commission to essentially review the same project located at 800 West, north and adjacent to the Hampton Inn that a different developer had brought before the Commission in a past meeting. The Commission granted a conditional use permit for this property for an independent living facility with several conditions. Mr. Jackson is essentially requesting the same facility and site plan except the structure would be a two-story building with 68 units versus the proposal last year, in which they requested 3-stories and 92 units.

Since this proposal is located within the S-1 Special Use zone, it requires that the Planning Commission hold a public hearing. Chairman Hill opened the public hearing and asked if there was any present that would like to address the Commission on this matter.

Mr. Stephens noted that he had received an e-mail from a citizen of Woods Cross City who was in favor of the project but who could not attend tonight's meeting. Please see this item noted as Exhibit 1.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 5**

Mr. Byron Muncie of 2309 South and 800 West appeared before the Commission. He noted that he was a neighbor of the property and his only concern with the project was that there are 4 ash trees that are borer infested and he would like to suggest that they be removed if this project moves ahead.

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

Mr. Shelton Jackson appeared before the Commission to answer questions that they might have in regards to this matter. The Commission asked Mr. Jackson if he had done many developments. He noted that he had done many subdivisions and apartment complexes but not any senior living developments.

The Commission asked if there would be a manager hired to take care of the building and grounds and Mr. Shelton noted that he would have one of the residents living in the facility taking care of these matters.

Mr. Jackson noted that he had discussion with some of the seniors in the area about their feelings on the project. He noted that they seemed to be in favor of it and they also said that it would be an asset to our community. Mr. Jackson also noted that he is the developer and owner and lives in South Jordan so he would be close to help take care of the project.

The Commission expressed some concern about the elevations on the east end of the subdivision. Mr. Jackson said that he would make sure that the engineers and the architects took care of any of those types of problems. The Commission also noted that they had concerns about the grade impact to the neighbors and suggested that Mr. Jackson look closely at that as well.

Commissioner Beecher made a motion that the Planning Commission recommends approval of the conditional use permit for the Senior Citizen Community with the following conditions:

1. All lighting shall not impact the adjacent residential areas. Final lighting plan shall be submitted for the Commission's review during the site plan approval process.
2. Landscape buffering and solid vinyl fencing shall be required along the north boundary of the project. During the site plan review process the Planning Commission shall consider grade differences between the project site and the adjacent properties in determining the final fencing and landscape buffering requirements.
3. Applicant shall submit a sign plan for the Commission's review and approval. Project signage along 800 West shall be incorporated into a landscape element, such as rock, stone, or brick. In no case shall a traditional pole sign or ground monument cabinet sign be used.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 6**

4. Preservation of existing trees is encouraged when practical.
5. This conditional use permit is issued for a retirement living center for seniors only (55 years & older) living independently without assistance or nursing requirements.

Commissioner Blankenship seconded the motion and the motion carried.

**MITCHELL SUBDIVISION FINAL PLAT-VON HILL**

Mr. Stephens reviewed this item with the Commission. He noted that Richard Mitchell desires to divide property at 1100 West and 1691 South. The plat is along the east side of 1100 West adjacent to the Denver Rio Grande Railroad tracks. Mr. Mitchell is proposing to subdivide the property into three lots. Lot 3 would contain the existing home and garage. Lot 3 may be divided into 2 lots at a later date which would require an application with the city for a plat amendment in the future.

The sub-divider would include curb and gutter improvements in addition to stubbing the required utilities to each lot. It is also recommended that a solid vinyl fence be constructed along the east boundary of the subdivision next to the Denver Rio Grande tracks.

Mr. Von Hill appeared before the Commission regarding this matter. The Commission noted that they did have some concern about lot three being big enough to be divided into three lots, one possibly being a flag lot, and mentioned that this is not the best alternative.

Mr. Hill said that there were no plans for a flag lot at this time nor does he anticipate that there ever will be.

Commissioner Beecher made a motion to approve the final plat for the Mitchell subdivision with the condition that a solid vinyl fence be constructed along the east boundary of the subdivision. Commissioner Westergard seconded the motion and the motion carried.

**CITY HALL SITE PLAN AMENDMENT-TIM STEPHENS**

Mr. Stephens outlined this item for the Commission. He noted that for many years there has been a shortage of off-street parking at the City Hall. There have been many occasions when patrons of City Hall must park on the street or in the church parking lot across the street and to the north of the City Hall. The City Council has purchased 2 homes south and adjacent to the City Hall on 800 West for the purpose of expanding the City Hall parking lot.

Mayor Jerry Larrabee had stepped into the meeting and noted for the record that eminent domain had not been exercised in the purchase of these two homes. The city had

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 7**

discussions with the two home owner's and purchased them from the owners after negotiations were completed.

The Commission did make one suggestion concerning this item and noted that it might be beneficial to paint the curbing red along the south side of the parking lot along the walkway to deter citizens from parking along this area and blocking this section of the parking lot during an activity at the park.

Commissioner Blankenship made a motion to approve the City Hall parking lot expansion as proposed. Commissioner Beecher seconded the motion and the motion carried.

**GENERAL AND PENDING**

Mr. Stephens reviewed several upcoming items with the Commission.

Kwal paint store will be fixing up the front of their building and adding stucco and rock to make it look nicer.

Prime Alliance Bank will be appearing before the Commission at the next meeting about signs which will need to be closely reviewed because of the proximity to the residential neighborhood.

Wilford Cannon will be appearing before the Commission concerning the division of his remaining property.

Duncan Electric will be appearing to talk about Phase 2 which includes space they plan to lease.

Silver Eagle Refinery plans to add another crude unit to their business.

There is an opportunity for Planning Commission training coming up.

Disclosure statements from the Planning Commission need to be done and notarized.

**ADJOURNMENT**

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

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION  
MARCH 8, 2005  
PAGE 8**

---

David C. Hill, Chairman

Bonnie S. Craig, Secretary