Pledge of Allegiance was led by Chair Peterson

APPROVAL OF MINUTES FROM JUNE 3, 2015 PLANNING COMMISSION MEETING

Commissioner Murray moved to approve the minutes of the June 3, 2015 meeting as presented. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioner Murray, Roper, Millard, Mabey, and Jugler. Voting NO: None. Commissioner Parkinson abstained from the vote and stated he was not at the meeting.

RECONSIDERATION AND VOID OF ITEM #11, PSP 1506-0004, A PRELIMINARY PLAT FOR THE RANDALL SUBDIVISION GRANTED AT THE JULY 1, 2015 PLANNING COMMISSION MEETING

JJ Allen said after the July 1, 2015 meeting, staff reviewed the preliminary plat approval for the Randall Subdivision and recognized there was an oversight in the review of the subdivision. He said the subdivision ordinance stated an access strip must belong to the lot that it served. Mr. Allen said if the plat was redrawn Lot 2 would have frontage on 200 South and would be adjacent to the residential use. He said the purpose of the plat was to provide separation from the residential use and the approved plat did not meet the subdivision ordinance.
Mr. Allen said the rules and regulations of the Planning Commission allowed reconsideration of an action during the same meeting or at the time the minutes of that meeting were being considered for approval. He said staff recommended reconsideration of the approval and then the void of the approval. Mr. Allen said staff regretted that the error was missed in the initial review of the project.

Commissioner Mabey asked if the applicant was aware of the situation. Mr. Allen said the applicant was aware of the recommendation and understood. Commissioner Parkinson asked if all commercial subdivisions needed to have street frontage. Brian Brower said there were two ways the preliminary subdivision plat violated the subdivision ordinance, 1) the access easement exceeded the length allowed for such an easement and 2) the access easement was required to be part of the parcel it provided access to. In answer to Commissioner Parkinson’s question, Mr. Brower said the land use ordinance in the M-1 (Manufacturing) zone did not require street frontage, but the subdivision ordinance had access requirements. Commissioner Parkinson suggested changes to the City Code be made to correct any conflict.

Commissioner Roper said he would be recusing himself once again from the discussion and consideration of the Randall Subdivision due to the conflict of interest he had based upon his close familial relationship to the owners/applicants. Commissioner Millard said he was not at the July meeting and would also abstain from discussion on the Randall Subdivision project. Mr. Brower said the fact that a commissioner was not present at the meeting did not require a commissioner to abstain from taking action if the staff report had been reviewed. He said according to the Planning Commission Rules and Regulations, if the Planning Commission desired to reconsider a previous action the motion must be made by a commissioner that voted with the majority.

Commissioner Mabey moved to reconsider approval of item number 11 from the July 1, 2015 Planning Commission meeting, PSP 1506-0004, an application for Preliminary Subdivision Plat approval for the Randall Subdivision. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Murray, Jugler and Parkinson. Voting NO: None. Commissioner Roper had recused himself from consideration of this item and Commissioner Millard did not vote due to his absence from the previous meeting.

Commissioner Mabey moved to void the previous approval of PSP 1506-0004, a preliminary subdivision plat for the Randall Subdivision, granted on July 1, 2015, based upon the findings and discussion in the staff report from JJ Allen, the Assistant City Manager, dated July 30, 2015, which points out that the previous approval of PSP 1506-0004 on July 1, 2015 was illegal. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Murray, Jugler and Parkinson. Voting NO: None. Commissioner Roper had recused himself from consideration of this item and Commissioner Millard did not vote due to his absence from the previous meeting.

Commissioner Mabey said she hoped the City could work with the property owner to find a
solution. She said there were some wonderful aspects to the project.

APPROVAL OF MINUTES FROM JULY 1, 2015 PLANNING COMMISSION MEETING

In answer to a question about how the above action (void of PSP 1506-0004, Preliminary Subdivision Plat for the Randall Subdivision granted July 1, 2015) would be reflected in the record, Mr. Brower said an asterisk or footnote would be added to the minutes from the July 1, 2015 meeting stating that the approval was voided in a subsequent meeting on August 5, 2015. He recommended the motion for approval of the minutes include changes to void the previous action on the Randall Subdivision.

Chair Peterson had some additional changes for the minutes. She requested an addition on page eight, starting on line 23 be changed to state, “He said it was a great project from an environmental perspective and had no concerns so long as it could meet City ordinances.” She recommended on page nine, starting on line 35 to state, “Chair Peterson said if she would have been able to vote she would have voted against the project based solely on condition number two for the reason that she did not feel that the standard to exceed the six feet in height had been met.” Chair Peterson requested a clarification on page 14, line 30 to state that, “. . . said she wasn’t able to vote on the subdivision for Randall Distribution but she was not in favor of the split to create lot two. However, she liked the proposed building and design.”

Commissioner Mabey moved to approve the minutes of July 1, 2015 with the noted changes from Chair Peterson as well as the note that the Randall Subdivision approval was subsequently reconsidered and voided. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Murray, Jugler and Parkinson. Voting NO: None. Commissioner Roper was recused and Commissioner Millard did not vote due to his absence from that meeting.

PUBLIC HEARING FOR CUP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A CONDITIONAL USE PERMIT FOR A RESIDENTIAL USE IN THE DOWNTOWN REDEVELOPMENT ZONE, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Chair Peterson declared the public hearing open at 7:23 p.m.

PUBLIC COMMENT:
Tony Thompson, Davis County Property Manager, said Davis County was concerned with the street vacation. He said that the on street parking was occasionally needed for overflow parking from the Davis County Health Department.

Scott Hess said public comment was received by telephone from a resident regarding the Site Plan approval for the senior center which showed on street parking as part of the approval. He said Clearfield City had spoken with Davis County about the on street parking and Davis County
wanted to paint the curb to eliminate on street parking for safety. Mr. Hess said Clearfield City generally didn’t approve on street parking as part of a Site Plan.

Seeing no additional public comment, Commissioner Roper moved to close the public hearing at 7:27 p.m. Seconded by Commissioner Mabey. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

PUBLIC HEARING FOR VAC 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR VACATION OF A 0.206 ACRE PORTION OF DEPOT STREET AS PART OF A PRELIMINARY SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED, AFTER SUBTRACTING THE VACATED PORTION OF THE STREET

Chair Peterson declared the public hearing open at 7:28 p.m.

PUBLIC COMMENT:
Tony Thompson, Davis County Property Manager, said there was discussion with the City Staff about painting the curb yellow from the fire hydrant by the Senior Center loading dock area to the north on the west side to State Street. He said he had an email from Police Chief Krusi stating that the County could paint the curb yellow. Mr. Thompson was concerned with the narrowing of the street by 14 feet and the elimination of on street parking. He said the County parking area was filled on occasion and some events required overflow parking. Mr. Thompson was also concerned with Meals on Wheels access to facilitate the delivery vans. He said it was an uphill battle to reestablish a street once it was vacated.

Scott Hess said there had been discussion on shared parking with the commercial portion of the project. He said the vacation of the street allowed the amount of property needed for the project. He said the property owners would likely need to work together to reach a mutually satisfactory resolution on any parking issues.

Seeing no additional public comment, Commissioner Mabey moved to close the public hearing at 7:33 p.m. Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.
PUBLIC HEARING FOR PSP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A PRELIMINARY SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Chair Peterson declared the public hearing open at 7:34 pm.

PUBLIC COMMENT:
None

Commissioner Jugler moved to close the public hearing at 7:35 p.m. Seconded by Commissioner Mabey. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

PUBLIC HEARING FOR CUP 1507-0001, A REQUEST BY MARK FENTON, ON BEHALF OF AUTO HQ LLC, FOR A CONDITIONAL USE PERMIT FOR AUTOMOBILE SALES, TIRE INSTALLATION, AND AUTOMOBILE REPAIR, LOCATED AT 140 NORTH MAIN STREET (TIN: 12-001-0002). THE PROPERTY IS APPROXIMATELY 0.47 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Chair Peterson declared the public hearing open at 7:36 p.m.

PUBLIC COMMENT:
Chair Peterson read a letter from Christian Charin with Charin Inn at 116 North Main. Mr. Charin said his business was next to the property and he was concerned with loss of revenue due to noise that might be generated disturbing his guests that slept during the day.

Seeing no further public comment, Commissioner Jugler moved to close the public hearing at 7:37 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

PUBLIC HEARING FOR CUP 1507-0003, A REQUEST BY SHIEKH AHMED, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE SALES LOT, LOCATED AT 245 NORTH MAIN (TIN: 12-020-0012). THE PROPERTY IS APPROXIMATELY 0.302 ACRES

Chair Peterson declared the public hearing open at 7:38 p.m.

PUBLIC COMMENT:
None

Commissioner Murray moved to close the public hearing at 7:39 p.m. Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE:
Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.


Chair Peterson declared the public hearing open at 7:40 p.m.

PUBLIC COMMENT:
John K. Ryan, developer of property to the east, was concerned about the drainage ditch. Scott Hess said the storm water from the Meadows and overflow from his property would be collected and would flow to the west where three detention basins would be established. Mr. Ryan said he had problems with people kicking out the fence to get access to the frontrunner station. He asked if there would be an access point to 550 East. Mr. Hess said a pedestrian access would be provided to 550 East. Mr. Ryan said it would be great to have the development.

Seeing no additional public comment, Commissioner Jugler moved to close the public hearing at 7:44 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

PUBLIC HEARING FOR GPA 1507-0005, A REQUEST BY CLEARFIELD CITY STAFF, FOR AN AMENDMENT TO THE GENERAL PLAN, MASTER STREET PLAN TO DELETE THE EXTENSION OF 750 WEST FROM THE MAP. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE

Chair Peterson declared the public hearing open at 7:45 p.m.

PUBLIC COMMENT:
None

Commissioner Murray moved to close the public hearing at 7:46 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

Commissioner Parkinson recommended the street vacation be discussed first. The other commissioners agreed.
DISCUSSION ON VAC 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR VACATION OF A 0.206 ACRE PORTION OF DEPOT STREET AS PART OF A PRELIMINARY SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176).

Scott Hess said SR 126 had been reconfigured several times over the years. He said the hatched area on the plat was the area of the street being vacated. He said there was not a street vacation plat separate from the preliminary subdivision plat or the final subdivision plat. The subdivision plat corrected the State Street right-of-way and with the consolidation of several parcels there was some partial street vacation and dedication on Depot Street. Mr. Hess said there was an underground storm detention system for the project. He said the sidewalk, curb and gutter surrounding the property would be revised.

Chair Peterson asked if there had been any other concerns from other adjacent property owners. Mr. Hess said he was not aware of other comments.

Mr. Hess said Depot Street was not designed to be a cross access. He mentioned that the Davis County Health Department sign had been damaged twice and the bollards in front of the building had been used a number of times to stop vehicles. Mr. Hess said it was not a good area to park vehicles and there were only a dozen parking spaces on the street. He said revising the roadway would push drivers to use 200 South to access the area, which could improve that area.

Brian Brower said it appeared the issue being raised with the partial street vacation was the elimination of on street parking. He asked Mr. Hess the current pavement width of the street. Mr. Hess said it was currently 42 feet and would be 28 feet at the least with no on street parking.

Mr. Brower was concerned with conditioning the approval with no on street parking, which was really up to the City within its own right-of-way. He said the parking issue for the project was whether or not the site had sufficient parking on site. Mr. Hess said the North Davis Fire District would not approve the street width of 28 feet with on street parking. JJ Allen asked for clarification of when the parking lot overflowed onto the street. He asked if the on street parking occurred because the south parking lot was full or was the entire parking lot full. Mr. Thompson said different events required a different amount of parking and some senior events were in the evening. Chair Peterson asked when parking on Depot Street occurred, whether the entire parking lot was filled or was it just a matter of convenience to park on the street in order to be closer to the building entrances. Mr. Thompson said some employees were parking in a parking lot to the south to free up the parking for patrons. He said the on street parking was a benefit to the County Health Department and that removing it would impact the employees. Scott Hess said while the Health Department utilized the on street parking, the Site Plan for the Health Department’s building was not granted with any guarantee that the on street parking would continue.

Commissioner Millard asked about the loading area for the Meals on Wheels trucks. Mr. Thompson said the kitchen was by the area where the trucks loaded. Commissioner Millard
asked about the deliveries. Mr. Thompson said the trucks were loaded in the morning and were off the street. He said if the street was narrowed it could be more difficult to maneuver the trucks into the loading area.

Commissioner Parkinson asked what the street standard was. Scott Hess said the street standard was not codified and there wasn’t a road classification. He said the travel lane width was 28 feet and capacity was not being lost. Commissioner Parkinson didn’t like the City giving up road right-of-way for more units and didn’t want to set a precedent for doing so. Mr. Allen said it was a unique project and the vacation of a portion of street right-of-way facilitated a larger project with more units. He said this project was the best that had come forward in years for the downtown area. Mr. Allen said if the vacation of the right-of-way failed to move forward, then the project wouldn’t work. Mr. Hess said most of the parking stalls for the project were past the Davis County entry point.

Mr. Hess said the right-of-way was about 50 feet from back of sidewalk to back of sidewalk which provided 28 feet of drivable asphalt. He agreed with Commissioner Parkinson that it was rare for cities to give up asphalt. The concern Chair Peterson had was whether there was adequate parking for the new project. Mr. Hess indicated his belief that the developer wouldn’t create a product that they couldn’t sell because it was under parked. Commissioner Millard had concerns with parking for the retail portion of the project.

Mr. Hess reviewed the rendering of the project and stated there were different exterior materials. He said there was split faced brick, stucco and different colors; it was four-sided architecture. He said the building would be five stories tall in the rear with the parking structure. Commissioner Millard asked how many retail outlets would be in the project. Mr. Hess said one single unit about 4,500 square feet with one maybe two small retailers. Councilmember LeBaron said for the record that he was a friend of Jared Nielson, Developer, and he would not be participating in the discussion.

Chair Peterson asked the developer to answer some of the concerns that had been voiced. Jared Nielson said there were 16 parking stalls for the retail businesses. He said the retail use would possibly be a salon or a small convenience store. Mr. Nielson said the parking for their Layton project was 1.68 parking spaces per unit and the project in Ogden had 1.5 parking spaces per unit. He was not concerned with 1.8 parking spaces per unit for this project. He said the covered parking would be in the larger parking lot to the south. Mr. Neilson said most of the parking stalls on the north would be for retail and unassigned parking stalls. He said the reduction of the street width was discussed by the City because of the safety concerns with the traffic entrance onto State Street and the reduction would force traffic to 200 South. Commissioner Mabey asked if the developer was interested in a shared parking agreement with Davis County. Mr. Nielson said it would be considered.

Chair Peterson asked if the parking stalls for the retail would be designated. Mr. Brower said that pursuant to the City’s ordinances, the type of business would determine the number of stalls required. Mr. Hess said the dual use parking stalls could be designated and would be an administrative decision. Mr. Allen said some City Council members were concerned about
having enough parking for the commercial component and the issue would be addressed in the development agreement. Mr. Brower said a development agreement was required for the project because the property was zoned (DR) Downtown Redevelopment. Commissioner Parkinson asked about the parking standard. Mr. Hess said in the D-R zone the parking standard was set by the development agreement. Commissioner Parkinson was concerned with the amount of parking available if the commercial portion was a restaurant. Mr. Hess said the area was still very suburban and parking was important but there wasn’t another project for comparison. Commissioner Parkinson said he liked the project and it would create synergy.

RECOMMENDATION FOR VAC 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR VACATION OF A 0.206 ACRE PORTION OF DEPOT STREET AS PART OF A PRELIMINARY SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED, AFTER SUBTRACTING THE VACATED PORTION OF THE STREET.

Commissioner Murray moved to recommend approval to the City Council as conditioned VAC 1507-0004 a request by Jared Nielson, on behalf of MV Properties, for vacation of a 0.206 acre portion of Depot Street as part of a Preliminary Subdivision Plat approval, in the vicinity of 50 South State Street (TIN: 12-001-0193, 12-001-0196, and 12-001-0197), 70 South State Street (TIN: 12-001-0103, 12-001-0175) and 145 South Depot Street (TIN: 12-001-0176), based on the discussion and findings in the Staff Report with the following conditions of approval:

1) On-street parking shall not be allowed on Depot Street, and the curbs shall be marked accordingly.
2) The intersection of Depot Street and State Street shall be marked as “right turn only” for turns from Depot Street onto State Street.

Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray and Jugler. Voting NO: Commissioner Parkinson. Commissioner Parkinson said his vote to recommend denial was because he was generally not in favor of vacating an existing right-of-way.

Chair Peterson reviewed the conditions of approval recommended by staff for the preliminary subdivision plat.

APPROVAL OF PSP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A PRELIMINARY SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-0001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Commissioner Roper moved to approve as conditioned PSP 1507-0004 a request by Jared Nielson, on behalf of MV Properties, for a Preliminary Subdivision Plat approval, in the
vicinity of 50 South State Street (TIN: 12-001-0193, 12-001-0196, and 12-001-0197), 70 South State Street (TIN: 12-001-0103, 12-001-0175) and 145 South Depot Street (TIN: 12-001-0176), based on the discussion and findings in the staff report with the following conditions:

1) A final clean copy of the Preliminary Subdivision Plat needs to be filed with the Community Development Office, with all changes and redlines corrected from Planning, Public Works, and Engineering.

2) Depot Street road vacation shall be shown on the plat to indicate the former right-of-way width. Depot Street shall be signed and posted as no parking on both sides of the street. The Depot Street access at State Street (S.R. 126) shall be posted right-out only (for turns from Depot Street onto State Street).

3) Ten (10) Foot public-utility-easements must be provided around Lot 1 in the areas not identified with wider drainage and water easements.

4) Future development of the site will be subject to Site Plan review and approval. Approval of the Preliminary Plat does not constitute approval or granting of a building permit.

5) Plat approval is subject to North Davis Fire District review and approval.

6) Plat approval is subject to approval, execution, and recordation of a Development Agreement with the City outlining specifics of the proposed mixed-use project.

7) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commission Mabey. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray and Jugler. Voting NO: Commissioner Parkinson. Commissioner Parkinson said his vote to recommend denial was because he was generally not in favor of vacating an existing right-of-way.

RECOMMENDATION FOR FSP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A FINAL SUBDIVISION PLAT APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Commissioner Mabey moved to recommend approval to the City Council as conditioned FSP 1507-0004 a request by Jared Nielson, on behalf of MV Properties, for a Final Subdivision Plat approval, in the vicinity of 50 South State Street (TIN: 12-001-0193, 12-001-0196, and 12-001-0197), 70 South State Street (TIN: 12-001-0103, 12-001-0175) and 145 South Depot Street (TIN: 12-001-0176), based on the discussion and findings in the staff report with the following conditions:

1) A final clean copy of the Final Subdivision Plat needs to be filed with the Community Development Office, with all changes and redlines corrected from Planning, Public Works, and Engineering.

2) Depot Street road vacation shall be shown on the plat to indicate the former right-of-way width. Depot Street shall be signed and posted as no parking on both sides
of the street. The Depot Street access at State Street (S.R. 126) shall be posted right-out only (for turns from Depot Street onto State Street).

3) Ten (10) Foot public-utility-easements must be provided around Lot 1 in the areas not identified with wider drainage and water easements.

4) Future development of the site will be subject to Site Plan review and approval. Approval of the Preliminary Plat does not constitute approval or granting of a building permit.

5) Plat approval is subject to North Davis Fire District review and approval.

6) Plat approval is subject to approval, execution, and recordation of a Development Agreement with the City outlining specifics of the proposed mixed-use project.

7) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commission Millard. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray and Jugler. Voting NO: Commissioner Parkinson. Commissioner Parkinson said his vote to recommend denial was because he was generally not in favor of vacating an existing right-of-way.

DISCUSSION ON CUP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A CONDITIONAL USE PERMIT FOR A RESIDENTIAL USE IN THE DOWNTOWN REDEVELOPMENT ZONE, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-0001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Scott Hess said there was an existing billboard on site and the approval of the project would be dependent upon the billboard being relocated either on site or to another acceptable site. He said the sign company was willing to allow it to be moved on site, but it would be preferable to have it relocated if an acceptable site were found. JJ Allen said the developer and Reagan Outdoor Advertising had met and it was most likely the sign would stay on site, but shift to the south, close to the south property line. He said the relocated billboard would likely include a new structure, but the size and height should be the same. Commissioner Parkinson cautioned City staff to watch for sign size. Mr. Allen said the developer would rather not have the sign but the sign would be shifted with no extension to the lease. Mr. Hess said the State required a process by which a billboard sign could be moved. He said the procedure for Clearfield City was a Conditional Use Permit.

APPROVAL OF CUP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR A CONDITIONAL USE PERMIT FOR A RESIDENTIAL USE IN THE DOWNTOWN REDEVELOPMENT ZONE, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-0001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY IS APPROXIMATELY 2.586 ACRES COMBINED

Commissioner Mabey moved to approve as conditioned, CUP 1507-0004 a request by Jared
Nielson, on behalf of MV Properties, for a Conditional Use Permit for a residential use in the Downtown Redevelopment Zone, in the vicinity of 50 South State Street (TIN: 12-001-0193, 12-001-0196, and 12-001-0197), 70 South State Street (TIN: 12-0001-0103, 12-001-0175) and 145 South Depot Street (TIN: 12-001-0176), based on the findings and discussion in the staff report with the following conditions:

1) This Conditional Use Permit is for a mixed-use structure with a multi-family component located approximately 50 South State Street.
2) No on-street parking will be permitted on Depot Street. The project must contain all necessary parking for commercial uses and residential uses within the property. The project must maintain at a minimum 1.8 parking stalls per residential unit.
3) CUP approval is subject to North Davis Fire District review and approval.
4) Any other businesses proposed to be located on the same site must be required to obtain a business license, and will require review and approval by the business license official for the parking needs and configuration proposed.
5) The CUP is only valid once the project receives Final Subdivision Plat Approval, Site Plan Approval, and approval, execution, and recordation of a Development Agreement.
6) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

DISCUSSION ON SP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR SITE PLAN APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-0001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176). THE PROPERTY WAS APPROXIMATELY 2.586 ACRES COMBINED

Commissioner Parkinson said because of prior experience with the landscape architect he recommended staff ask for details on the benches to be installed. Mr. Hess said the Site Plan was preliminary and a landscaping and irrigation plan would be required. He told Commissioner Parkinson it could be included as a condition of approval if he desired. The decision was made to add to the end of condition of approval 1) h. “a full set of construction landscaping plans shall be provided to and subject to approval by the Zoning Administrator.”

Commissioner Murray asked about the width of the parking stalls. Jared Nielson said all parking stalls on site were nine feet wide; he said the concern was with the depth of the stalls which were 18 feet and 20 feet. Chair Peterson asked how the no on street parking would be marked. Mr. Nielson said the plans showed signs and red curb.
APPROVAL OF SP 1507-0004, A REQUEST BY JARED NIELSON, ON BEHALF OF MV PROPERTIES, FOR SITE PLAN APPROVAL, IN THE VICINITY OF 50 SOUTH STATE STREET (TIN: 12-001-0193, 12-001-0196, AND 12-001-0197), 70 SOUTH STATE STREET (TIN: 12-0001-0103, 12-001-0175) AND 145 SOUTH DEPOT STREET (TIN: 12-001-0176), THE PROPERTY WAS APPROXIMATELY 2.586 ACRES COMBINED

Commissioner Murray moved to approve as conditioned SP 1507-0004 a request by Jared Nielson, on behalf of MV Properties, for Site Plan approval, in the vicinity of 50 South State Street (TIN: 12-001-0193, 12-001-0196, and 12-001-0197), 70 South State Street (TIN: 12-0001-0103, 12-001-0175) and 145 South Depot Street (TIN: 12-001-0176), based on the discussion and findings in the staff report with the following conditions:

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1507-0004; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   b. A maximum of 10 percent of the surface parking stalls shall be designed as compact with a size of 9’x18’. The remainder of the exterior parking stalls must be 9’x20’ (“nose over landscape” may be considered part of the stall length).
   c. A minimum of 10 exterior parking stalls shall be covered for a minimum of one stall per unit provided as covered parking.
   d. Applicant shall provide exterior elevation drawings of the parking structure to ensure that it matches in color and materials to the main building for a cohesive design, and to minimize visual impacts.
   e. Depot Street shall not have on-street parking on either side of the street along the area of the reduced pavement at 28’ wide.
   f. Site circulation must be designed in such a manner that on-site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.
   g. Any new lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   h. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23 and a full set of construction landscaping plans shall be provided and approved by the Zoning Administrator.

2) The existing billboard on the southeast corner of the property shall be removed or relocated to a location approved by the City.

3) A garbage dumpster screen made of masonry in a matching color to the main structure must be in place prior to providing a dumpster on site.

4) Site Plan approval is subject to North Davis Fire District review and approval.

5) Site Plan approval is subject to obtaining any necessary reviews and approvals from the State of Utah Department of Transportation for access on State Highways.
6) Site Plan approval is subject to the approval of a Conditional Use Permit, and approval, execution and recordation of a Final Subdivision Plat and a Development Agreement for the project.

7) Pursuant to Land Use Ordinance § 11-13-23(B), (C) and (D), prior to issuing a building permit, the applicant must either bond or establish an escrow account to guarantee the installation of landscaping improvements.

8) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

Commissioner Roper moved to recess for a few minutes at 9:10 p.m. Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

A brief recess was taken at the request of several commissioners. The meeting reconvened at 9:20 p.m.

Commissioner Jugler asked if there were any items without a representative at the meeting. Scott Hess said no one was present for Auto HQ. Chair Peterson said accordingly, the discussion on Auto HQ, would be discussed as the last agenda item.

DISCUSSION ON CUP 1507-0003, A REQUEST BY SHIEKH AHMED, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE SALES LOT, LOCATED AT 245 NORTH MAIN (TIN: 12-020-0012). THE PROPERTY IS APPROXIMATELY 0.302 ACRES

Scott Hess said the request was for automotive sales without repair on site at 245 North Main. He said the existing building was recently used for automotive sales and was not required to have Site Plan approval. Mr. Hess reviewed the conditions of approval and indicated that condition number three stated vehicles awaiting repair may not remain on the sales lot and must be removed. He said staff recommended approval.

Shiekh Ahmed said he was in charge of the church on the adjacent property. He said there would not be any repairs made on the site. Mr. Ahmed said the business would follow any rules given on egress to the site.

Commissioner Mabey asked for clarification on the site layout. Mr. Ahmed said he would not have more than 15 automobiles. Mr. Hess said the former approval was for 20 automobiles, but that this application reduced that number. He also indicated that the drawing was not to scale. Commissioner Murray asked if there was adequate customer parking. Mr. Hess said the applicant stated they would like to restripe the parking area. He said there was room for four customer parking stalls. Commissioner Murray asked if a condition of approval needed to be added to require four customer parking stalls. Mr. Hess said it could be added to condition number two,
“No more than fifteen (15) cars for sale shall be kept on site and four parking spaces shall be designated for customer parking.” Chair Peterson suggested condition of approval number three be kept and changed to read, “No inoperable vehicles may be stored on site.”

APPROVAL OF CUP 1507-0003, A REQUEST BY SHIEKH AHMED, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE SALES LOT, LOCATED AT 245 NORTH MAIN (TIN: 12-020-0012). THE PROPERTY IS APPROXIMATELY 0.302 ACRES

Commissioner Millard moved to approve as conditioned, CUP 1507-0003 a request by Shiekh Ahmed, for a Conditional Use Permit for an automotive sales lot, located at 245 North Main (TIN: 12-020-0012), based on the findings and discussion in the staff report with the following conditions:

1) This Conditional Use Permit is for motor vehicle sales, located at 245 North Main Street.
2) No more than fifteen (15) cars for sale shall be kept on site with an additional four stalls designated for customer parking. The entire inventory must be able to be parked on site and cannot overflow onto adjacent roads. The site shall not have double parked vehicles and maintain adequate circulation flow at all times. Off-site parking for the purposes of inventory will be prohibited.
3) No inoperable vehicles may be stored on site.
4) No auto repair is to be conducted on site.
5) CUP approval is subject to North Davis Fire District review and approval.
6) Any other businesses proposed to be located on the same site, prior to obtaining a business license, will require review and approval by the Planning Commission. Additional parking requirements necessary for additional businesses may require amending this Conditional Use Permit and any other conditions deemed appropriate to mitigate additional impacts on surrounding properties.
7) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.


Scott Hess said the preliminary and final subdivision plats had been approved previously, but that when the Site Plan was submitted it differed slightly from the subdivision plat. He said the developer was required to either change the subdivision plat or the Site Plan in order to have them be consistent. Mr. Hess said it also included an additional parcel adjacent to Depot Street that had not been designated as right-of-way and the pedestrian walkway connection to 550 East. He said
the plat included the acreage required to justify the number of units that were approved on the Site Plan. Mr. Hess said the developer indicated that the subdivision plat and the Site Plan currently matched. He said staff recommended approval. He said the conditions of approval were the same as in the former approval.

Craig Winder was present representing the developer and stated he currently had no comments.


Commissioner Mabey moved to approve as conditioned PSP 1507-0007 a request by Jeff Jackson, on behalf of Ironwood Development Group, LLC, for a Preliminary Subdivision Plat approval located at 850 South 490 East (TIN: 12-066-0089, 12-066-0090, 12-066-0115, 12-067-0023, 12-067-0019, 12-066-0120, and 12-066-0121), based on the discussion and findings in the staff report with the following conditions:

1) A final clean copy of the Preliminary Subdivision Plat needs to be filed with the Planning Department, with all changes and redlines corrected from Planning, Public Works, Engineering, and the North Davis Fire District.
2) The plat must include a note stating that “Parcel A” shall be owned and maintained by the same property owner as “Lot 1.”
3) Ten (10) Foot public-utility-easements must be provided around Lot 1 and Lot 2 in the areas not identified with wider drainage and water easements.
4) Future development of the site is subject to the Site Plan approved on June 3, 2015. Approval of the Preliminary Plat does not constitute approval or granting of a building permit.
5) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.


Commissioner Jugler moved to recommend approval to the City Council as conditioned FSP 1507-0007 a request by Jeff Jackson, on behalf of Ironwood Development Group, LLC,
for a Final Subdivision Plat approval located at 850 South 490 East (TIN: 12-066-0089, 12-066-0090, 12-066-0115, 12-067-0023, 12-067-0019, 12-066-0120, and 12-066-0121), based on the discussion and findings in the staff report with the following conditions:

1) A final clean copy of the Final Subdivision Plat needs to be filed with the Planning Department, with all changes and redlines corrected from Planning, Public Works, Engineering, and the North Davis Fire District.

2) The Final Plat must include a note stating that “Parcel A” shall be owned and maintained by the same property owner as “Lot 1.”

3) Ten (10) Foot public-utility-easements must be provided around Lot 1 and Lot 2 in the areas not identified with wider drainage and water easements.

4) Future development of the site is subject to the Site Plan approved on June 3, 2015. Approval of the Preliminary Plat does not constitute approval or granting of a building permit.

5) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

DISCUSSION ON SP 1507-0002, A REQUEST BY OMAR MANSOUR, FOR SITE PLAN APPROVAL OF A RENOVATED EXISTING CONVENIENCE STORE, LOCATED AT 310 N. MAIN STREET (TIN: 14-094-0071). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Scott Hess said the plan included the removal of the existing buildings and construction of a new building on the east side of the property. He said Omar Mansour was a recipient of a Downtown Façade Improvement Grant. Mr. Hess said the access on the east end of the property was designated as exit only because of the access to the adjacent property on the east. He reviewed the conditions of approval. He said there was nothing that was concerning to staff. He said the project met the 10 percent landscaping requirement. Mr. Hess said the accesses on State Street were not changing. He said the building met the guidelines in City Code § 11-18.

Dave Badham of Badham Construction was the contractor engaged to do the construction of the new building. Commissioner Murray asked if the propane tank would remain. Omar Mansour, property owner, said the tank would be moved, but not far. Commissioner Murray asked if the area with the bench and weeds would be cleaned up. Mr. Badham said it would be incorporated in the landscaping. Mr. Hess said the property was owned by UDOT and was a maintenance issue. He said it was a benefit to the City for the area to be improved, but not a requirement. Mr. Badham said unless they were prohibited from improving the area, it would be included in the landscaping and beautification. Commissioner Parkinson was concerned whether the three angled parking stalls shown on the south side of the proposed building allowed enough room to back out if there were cars at the drive-thru window. He asked about access to the dumpster on the east of the building and was concerned whether there would be adequate room for the garbage truck. Mr. Badham said the garbage pickup schedule was early morning hours. Commissioner Parkinson
asked if there was a better location for the dumpster. Mr. Hess said the site was tight but there were no physical barriers. Mr. Mansour said the dumpster didn’t have to be east of the building; it was just one potential area. Mr. Badham said it was a better location because of deliveries. Councilmember LeBaron asked if the current underground fuel tanks would be vacated. Mr. Badham said the existing underground fuel tanks and the fuel distribution system would remain unchanged with the exception of the addition of two more dispensers.

APPROVAL OF SP 1507-0002, A REQUEST BY OMAR MANSOUR, FOR SITE PLAN APPROVAL OF A RENOVATED EXISTING CONVENIENCE STORE, LOCATED AT 310 NORTH MAIN STREET (TIN: 14-094-0071). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Millard moved to approve as conditioned, SP 1507-0002, a request by Omar Mansour, for Site Plan approval of a renovated existing convenience store, located at 310 North Main Street, based on the findings and discussion in the staff report with the following conditions:

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1507-0002; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer and Public Works Director.
   b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   c. The final building plans shall meet the minimum standards for building materials as established in City Code § 11-11B-12(D).
   d. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. A minimum of 11 stalls must be provided. A minimum of one parking stall must meet ADA standards.
   e. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.
   f. The eastern drive-thru exit shall be marked as “exit only” and “right turn only”.
   g. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   h. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.
   i. Proposed signage must meet Title 11, Chapter 15 standards of the Clearfield City Code. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) A garbage dumpster screen must be in place prior to providing a dumpster on site. The dumpster enclosure must be of masonry construction and match the exterior building materials and colors.
3) Site Plan approval is subject to obtaining any necessary reviews and approvals from the State of Utah Department of Environmental Quality for a convenience store selling motor fuels.

4) Site Plan approval is subject to obtaining any necessary reviews and approvals from Davis County Health Department for a proposed convenience store restaurant use.

5) Pursuant to Land Use Ordinance § 11-13-23(B), (C) and (D), prior to issuing a building permit, the applicant must either bond, or establish an escrow account, to guarantee the installation of landscaping improvements.

6) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

DISCUSSION ON CUP 1507-0001 AND SP 1507-0001, A REQUEST BY MARK FENTON, ON BEHALF OF AUTO HQ LLC, FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL FOR AUTOMOBILE SALES, TIRE INSTALLATION, AND AUTOMOBILE REPAIR, LOCATED AT 140 NORTH MAIN STREET (TIN: 12-001-0002). THE PROPERTY IS APPROXIMATELY 0.47 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

JJ Allen said the item was a reapplication for Site Plan and Conditional Use Permit that were approved April 2, 2014. He said after the previous approval the owner was unable to find a landscaper and the previous approval expired. Mr. Allen reviewed the conditions of approval which were the same as previously approved. He said the neighbor to the south had submitted a letter, which was read into the record, regarding concerns with noise. Commissioner Mabey asked if the neighbor had commented last year. Mr. Allen said he had not.

Scott Hess said the Conditional Use Permit and the Site Plan were required because the business license for the previous use as automotive sales was expired for more than twelve months and the use was considered abandoned; therefore, any new project would require a Site Plan. Commissioner Murray was concerned that approval was given and then soon after a “For Sale” sign was posted on the property. Mr. Hess said the cost of the landscaping was higher than anticipated and the project didn’t go forward. Mr. Allen said they had a landscape contractor ready to do the work. Commissioner Mabey asked if the applicant had given a time line for the work to be completed on the project. Mr. Allen said he received an email that stated that Laytonscape was ready to start work on the improvements to the property.

Brian Brower said the pole sign was shown on the Site Plan but the conditions of approval indicated the sign would be removed. Mr. Hess said the pole sign had been deemed abandoned and must be removed. Mr. Allen said some of the language of the conditions of approval was updated for both Conditional Use Permit and the Site Plan. Commissioner Millard said in relation to the letter that was written, the business operated during the daytime and the noise was likely
reasonably for that type of business and should not have the same type of noise for a tire installation business.

APPROVAL OF CUP 1507-0001, A REQUEST BY MARK FENTON, ON BEHALF OF AUTO HQ LLC, FOR A CONDITIONAL USE PERMIT FOR AUTOMOBILE SALES, TIRE INSTALLATION, AND AUTOMOBILE REPAIR, LOCATED AT 140 NORTH MAIN STREET (TIN: 12-001-0002). THE PROPERTY IS APPROXIMATELY 0.47 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Millard moved to approve as conditioned CUP 1507-0001, a request by Auto HQ LLC for a Conditional Use Permit for motor vehicle sales, tire installation, and automobile repair located at 140 North Main Street (TIN: 12-001-0002), based on the discussion and findings in the staff report with the following conditions:

1) This Conditional Use Permit is for motor vehicle sales and repair of vehicles to be sold on the sales lot, located at 140 N. Main St.

2) No more than 15 cars for sale or to be serviced shall be kept onsite. The entire inventory must be able to be parked on site and cannot overflow onto adjacent roads or parcels. The site shall not have double parked vehicles and must maintain adequate circulation flow at all times. Off-site parking for the purposes of inventory will be prohibited.

3) An approved oil/water separator must be installed and maintained by the applicant. The oil/water separator must be reviewed and approved by Public Works prior to any onsite automobile repairs.

4) Vehicles awaiting repair may only reside on the sales lot for 48 hours. Should inoperable vehicles reside on the property longer than that, they will be considered outdoor storage and must be parked on hard surface behind an appropriate screening fence which makes them impervious to view. This is the only type of outdoor storage that is allowed by this approval. Any additional storage of vehicle parts, wheels, or other items must be reviewed and approved by the Planning Commission.

5) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

6) Vehicle repairs are only allowed to be performed on vehicles which will be sold by the applicant, and as such, no advertisement for commercial vehicle repairs will be permitted.

Seconded by Commissioner Mabey. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.
APPROVAL OF SP 1507-0001, A REQUEST BY MARK FENTON, ON BEHALF OF AUTO HQ LLC, FOR SITE PLAN APPROVAL FOR A MOTOR VEHICLE SALES, TIRE INSTALLATION, AND AUTOMOBILE REPAIR BUSINESS, LOCATED AT 140 NORTH MAIN STREET (TIN: 12-001-0002). THE PROPERTY IS APPROXIMATELY 0.47 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Millard moved to approve as conditioned SP 1507-0001, a request by Auto HQ LLC for Site Plan approval for a motor vehicle sales, tire installation, and automobile repair business, located at 140 North Main Street (TIN: 12-001-0002), based on the discussion and findings in the staff report with the following conditions:

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in Site Plan approval SP 1403-0001; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   b. Any final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   c. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. A minimum of one parking stall must meet ADA standards.
   d. Site circulation must be designed in such a manner that Main Street is not affected. Adequate paved markings and/or signage shall be provided and incorporated on the site. No backing onto Main Street will be allowed.
   e. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   f. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.
   g. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) The pole sign currently located on the north of the property has been deemed to be abandoned, and must be removed. The additional pole immediately north of the access entry point shall also be removed.

3) If a garbage dumpster is desired, it must be behind screening as required by Clearfield City Code § 11-18-4C2.

4) Site Plan approval is subject to North Davis Fire District review and approval.

5) Site Plan approval is subject to obtaining any necessary permits or approvals including but not limited to a Conditional Use Permit from Clearfield City, as well as any approvals of permits from UDOT (Utah Department of Transportation).

6) Pursuant to Land Use Ordinance § 11-13-23(B), (C) and (D), prior to issuing a building permit, the applicant must either bond, or establish an escrow account, to guarantee the installation of landscaping improvements.
7) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.

DISCUSSION ON GPA 1507-0005, A REQUEST BY CLEARFIELD CITY STAFF, FOR AN AMENDMENT TO THE GENERAL PLAN, MASTER STREET PLAN TO DELETE THE EXTENSION OF 750 WEST FROM THE MAP. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE

Scott Hess demonstrated on the map where the extension of 750 West would go. He said staff looked at the reality of development. He said the future street accessed private property owned by Rocky Mountain Power and when asked if there were plans for development, Rocky Mountain Power stated it was highly unlikely the property would be developed. Mr. Hess said no change would be made to the text of the General Plan; the street would be removed from General Plan Map. Brian Brower stated his opinion that if 750 West was included on the General Plan Map, then it was required to be part of future development, but that the removal of the street from the map didn’t necessarily preclude future developers from including the road in their development proposals.

Commissioner Millard asked why the 750 West future road was being removed. JJ Allen said Wilcox Farms LLC had applied several times to develop the last of the commercial property in that area. He said Mr. Wilcox currently had a developer who proposed to put an apartment complex which included a cul-de-sac on the end of 1600 South. Mr. Allen said the General Plan currently required that the streets connect. He said Mr. Wilcox contended that the extension of 750 West was impossible. Mr. Allen said City Staff determined it wasn’t feasible to have the 750 West extension as a future street on the General Plan map. Mr. Hess recommended deleting 750 West north of its connection to 1600 South. He said he preferred connected streets more than cul-de-sacs.

RECOMMENDATION FOR GPA 1507-0005, A REQUEST BY CLEARFIELD CITY STAFF, FOR AN AMENDMENT TO THE GENERAL PLAN, MASTER STREET PLAN TO DELETE THE EXTENSION OF 750 WEST FROM THE MAP. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE

Commissioner Roper recommended approval to the City Council of GPA 1507-0005, an amendment to the General Plan, Master Street Plan to delete the extension of 750 West from 1600 South north from the map. Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Roper, Murray, Jugler and Parkinson. Voting NO: None.
STAFF REPORTS

Scott Hess said this was the last meeting he would attend and he introduced Spencer Brimley as the Development Services Manager. Mr. Hess appreciated the opportunity to provide contract services during the transition.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Millard – told Scott Hess congratulations and he would be missed. He welcomed Spencer Brimley.

Commissioner Mabey – said thanks to Scott Hess.

Commissioner Roper – echoed the previous comments, thanks to Scott Hess and welcome to Spencer Brimley.

Commissioner Murray – nothing.

Commissioner Jugler – said it was a privilege to work with Scott Hess and wished him the best.

Commissioner Parkinson – see you in two weeks at WFRC meeting.

Councilmember LeBaron – said goodbye to Scott and looked forward to working with Spencer Brimley. He also said congratulations to Brian Brower.

Brian Brower – said it was a privilege to work with Scott Hess. He appreciated Scott’s cooperative attitude and his efforts to do his very best. Mr. Brower expressed thanks to Mayor Shepherd and the City Council for his recent appointment as Justice Court Judge for Clearfield City. He said he would be the City Attorney for a couple of more months though. Councilmember LeBaron added that there were four or five applicants that were interviewed for the Justice Court Judge position and Mayor Shepherd said Brian Brower rose to the top of the group.

Chair Peterson – said goodbye to Scott Hess and Brian Brower and wished them the best. She welcomed Spencer Brimley.

There being no further business to come before the Planning Commission, Commissioner Murray moved to adjourn at 10:29 P.M. Seconded by Commissioner Millard.