Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF MINUTES FROM APRIL 1, 2015 PLANNING COMMISSION MEETING

Chair Peterson requested changes on page 17 for clarification that the rezone could not be revoked for a code enforcement violation. The first sentence of the third paragraph would read: “Chair Peterson said code enforcement concerns were voiced by the neighbors and clarified that condition of approval number one could not be interpreted that the rezone would be revoked for a code enforcement violation.” She also requested a change to the last sentence on page 18 stating why she voted in favor of the rezone. The sentence would now state: “She said her decision in favor of the rezone was based on the fact that there was a property owner with residential zoning without a residential structure which limited his ability to fully exercise his rights on the property.”

Commissioner Roper moved to approve the minutes of the April 1, 2015 meeting as amended. Seconded by Commissioner Mabey. The motion carried on the following vote:

Voting AYE: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey.
Voting NO: None.
PUBLIC HEARING ON RZN 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR A REZONE OF PROPERTY FROM AGRICULTURE (A-1) TO RESIDENTIAL (R-1-8) LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Chair Peterson declared the public hearing open at 7:04 p.m.

PUBLIC COMMENT:
None

Scott Hess stated he had received phone calls with questions on the rezone but no one was opposed.

Commissioner Murray moved to close the public hearing at 7:05 p.m. Seconded by Commissioner Roper. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

PUBLIC HEARING ON PSP 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR PRELIMINARY PLAT APPROVAL TO CREATE TWO BUILDING LOTS FROM A SINGLE LOT LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Chair Peterson declared the public hearing open at 7:06 p.m.

PUBLIC COMMENT:
None

Commissioner Mabey moved to close the public hearing at 7:07 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

PUBLIC HEARING ON FSP 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR FINAL PLAT APPROVAL TO CREATE TWO BUILDING LOTS FROM A SINGLE LOT LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Chair Peterson declared the public hearing open at 7:08 p.m.

PUBLIC COMMENT:
None

Commissioner Allen moved to close the public hearing at 7:09 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.
PUBLIC HEARING ON RZN 1504-0001, A REQUEST BY CON WILCOX ON BEHALF OF WILCOX FARMS, FOR A REZONE OF A PORTION OF PROPERTY FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3) LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE TOTAL PROPERTY IS APPROXIMATELY 3.371 ACRES, WITH THE REZONE REQUEST TOTALING 2.28 ACRES

Chair Peterson declared the public hearing open at 7:10 pm.

PUBLIC COMMENTS:
OPPOSED:
Verlan Robinson said he was not for the rezone because he owned a business adjacent to the property, Excel Excavating. He said concrete and asphalt were crushed on his property. He said the townhomes would cause more problems with his business than he had already.

FOR:
Monica Gailey, owner of the daycare Let Them Be Kids, said she was for the rezone because there would be a more homey feeling around the daycare. She said it would help her business with the construction of the road.

Commissioner Mabey moved to close the public hearing at 7:12 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

PUBLIC HEARING ON PSP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR PRELIMINARY PLAT, STREET VACATION AND RELLOCATION OF THE 550 SOUTH RIGHT-OF-WAY, LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT

Chair Peterson declared the public hearing open at 7:13 p.m.

PUBLIC COMMENT:
NONE

Commissioner Roper moved to close the public hearing at 7:14 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.
PUBLIC HEARING ON FSP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR FINAL SUBDIVISION PLAT, STREET VACATION AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY, LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT

Chair Peterson declared the public hearing open at 7:15 p.m.

PUBLIC COMMENT:
None

Commissioner Murray moved to close the public hearing at 7:16 p.m. Seconded by Commissioner Millard The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

DISCUSSION ON RZN 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR A REZONE OF PROPERTY FROM AGRICULTURE (A-1) TO RESIDENTIAL (R-1-8) LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Scott Hess said the request was for rezone from A-1 (Agricultural) to R-1-8 (Residential). He said the property was surrounded by residential zones R-1-9 and R-1-Open. Mr. Hess said the original home was placed so that the lot could be divided to create a second lot. The General Plan designation was residential and permitted the rezone. He said staff recommended approval of the rezone.

RECOMMENDATION OF RZN 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR A REZONE OF PROPERTY FROM AGRICULTURE (A-1) TO RESIDENTIAL (R-1-8) LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Commissioner Browning moved to recommend to the City Council approval of RZN 1504-0002, a request by Leasa Socci on behalf of Cherry LLC for a rezone of property from Agriculture (A-1) to Residential (R-1-8), located at 837 West 300 North (TIN: 12-019-0110), based on the discussion and findings in the staff report. Seconded by Commissioner Mabey. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.
DISCUSSION ON PSP 1504-0002 AND FSP 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR PRELIMINARY AND FINAL PLAT APPROVAL TO CREATE TWO BUILDING LOTS FROM A SINGLE LOT LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Scott Hess said the property line of the existing lot went to the middle of the street on 300 North. The subdivision plat included road dedication on 300 North and created two lots. He said public improvements were installed around the property and the only improvements needed were the utility stubs into lot 2. Mr. Hess said an existing fence was moved to the new surveyed property line of lot 1. He said staff recommended approval of both the preliminary plat and recommendation to the City Council of the final subdivision plat.

APPROVAL OF PSP 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR PRELIMINARY PLAT APPROVAL TO CREATE TWO BUILDING LOTS FROM A SINGLE LOT LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Commissioner Browning moved to approve as conditioned, PSP 1504-0002, a request by Leasa Socci on behalf of Cherry LLC, for preliminary plat approval to create two building lots from a single lot located at 837 West 300 North (TIN: 12-019-0110), based on the discussion and findings in the staff report with the following conditions:

1) The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited to necessary easements, addresses, and other call-outs as required.

2) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, City Public Works Director, and Planning Department.

3) Pursuant to the Clearfield City Subdivision Ordinance § 12-4-5, an estimate of public improvements (as outlined in § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to installing improvements in the public right-of-way. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any certificates of occupancy.

4) No building permits shall be issued for Lot 2 until both lots have been rezoned from A-1 (Agriculture) to R-1-8 (Residential), and the plat has been fully executed and recorded.

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 Roper. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.
RECOMMENDATION OF ON FSP 1504-0002, A REQUEST BY LEASA SOCCI ON BEHALF OF CHERRY LLC, FOR FINAL SUBDIVISION PLAT APPROVAL TO CREATE TWO BUILDING LOTS FROM A SINGLE LOT LOCATED AT 837 WEST 300 NORTH (TIN: 12-019-0110). THE PROPERTY IS APPROXIMATELY 0.51 ACRES

Commissioner Browning moved to recommend to the City Council approval as conditioned, FSP 1504-0002, a request by Leasa Socci on behalf of Cherry LLC, for final plat approval to create two building lots from a single lot located at 837 West 300 North (TIN: 12-019-0110), based on the discussion and findings in the staff report with the following conditions:

1) The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited to necessary easements, addresses, and other call-outs as required.

2) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, City Public Works Director, and Planning Department.

3) Pursuant to the Clearfield City Subdivision Ordinance § 12-4-5, an estimate of public improvements (as outlined in § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to installing improvements in the public right-of-way. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any certificates of occupancy.

4) No building permits shall be issued for Lot 2 until both lots have been rezoned from A-1 (Agriculture) to R-1-8 (Residential), and the plat has been fully executed and recorded.

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 Mabey. The motion carried on the following vote: Voting Aye: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.


Scott Hess said Mr. Hansen requested the item be moved to the end of the agenda because he would be late.
DISCUSSION ON SP 1406-0007, A REQUEST BY MICHAEL CHRISTENSEN, ON BEHALF OF THE THACKERAY COMPANY, FOR SITE PLAN APPROVAL FOR PHASE 1B ON AN APPROVED MIXED-USE DEVELOPMENT ON APPROXIMATELY 70 ACRES LOCATED AT 1250 SOUTH STATE STREET (TIN: 12-066-0071, 12-067-0139)

Scott Hess said the final subdivision plat was approved April 28, 2015 by the City Council. He said the site was generally in conformance with the MDP (Master Development Plan) which was a modified form based code. He said the parking area included 216 covered parking stalls plus a couple of ADA accessible stalls. Mr. Hess said the landscaping plan and storm water collection plan were available. He said Phase 1 was designed to stand on its own. He said the dumpsters were noted on a detail sheet with enclosures that matched the buildings. Mr. Hess said there were a few small decorative fences. He said due to topography there would be some small retaining walls along the sidewalk line along State Street and 1000 East.

Mr. Hess said there was a letter of approval from North Davis Fire District. He said there was a letter from the Public Works Director and the City Engineer and all concerns addressed in the letter had not been resolved. He said the plans didn’t show curb and gutter along 1000 East and staff recommended it be installed as a stand-alone improvement and the street scape improvements be installed now. He said the developer had verbally accepted that change to the plans.

Mr. Hess said UDOT had been notified of the two new intersections. He said the new intersection would be installed with a future phase when traffic warranted it. He said the main access road would be partially developed at this time with the completion of the road during a future phase.

Mr. Hess said the colors were the same as proposed in 2014. He said the project was stalled with questions on exterior building materials. He said staff reviewed the drawing and determined that the intent of the MDP was met with the exterior building materials. He said visible stucco was at about 15 percent, there were two different styles of hardie board and the exterior corner bump outs were corrugated steel. Mr. Hess said staff recommended approval of the site plan for Phase 1B with the corrections and redlines from the engineer and the other conditions as called out in the staff report.

Chair Peterson asked if the improvements on 1000 East needed to be included as a condition of approval. Mr. Hess said it could be done with the redlines from the engineer. JJ Allen said he spoke with developer and stated the improvements were acceptable to the developer.

Chair Peterson reviewed the conditions of approval. She stated conditions of approval one, two and three would be handled by staff. Commissioner Browning asked when the streets would be named. Mr. Hess said the final plat would have the street names and building addresses on it.

Chair Peterson asked if there were any comments about the covered parking spaces as noted in condition of approval number four. Scott Hess said the accessory structures to the site needed to match in color and detail; the condition was an administrative, out of the code call out. He said if the Planning Commission wanted to add a recommendation that the covered parking structures
matched the buildings that would be done with condition of approval number four. Amber Hansen said the carports would match the building colors, but not the bright colors; typically it would be a white, beige or tan colored structure. Commissioner Allen asked about the design of the parking structures in reference to the placement of the supporting posts. Ms. Hansen said the posts would be placed every two stalls and placed so the car doors did not hit the posts.

There were no concerns with conditions of approval number five, six, seven, nine and ten. Commissioner Allen asked if the retaining wall was retaining the road or the site. Mr. Hess said it would be retaining the road. Ms. Hansen said the retaining wall would be two to three feet tall due to the three foot grade elevation change.

Chair Peterson said condition of approval number eight was about the design element. She said there were standards that staff stated met the general intent of the MDP. She asked the commissioners for concerns about the architectural features.

 Commissioner Murray asked if there was a pop out on all corners. Ms. Hansen said the corner treatment was on each end of the building; the buildings with the pop out were labeled on the site plan. She said the other buildings would not have the pop out. She said there were five buildings with the corner treatment on each corner.

 Commissioner Murray asked about the awning that was over each entryway. Ms. Hansen said it was actually a thick metal roof that protruded about six feet. She said they wanted to make a statement with the corner roof. Commissioner Murray asked if the roof was on all the buildings. Ms. Hansen said it was every building on the front and back. Commissioner Murray asked why there wasn’t a window on the end of the building. Ms. Hansen said it was a bedroom and there was never a plan to have a window so there would be a wall designated for a headboard.

 Commissioner Murray asked about the colors that were shown on the rendering. Ms. Hansen said the colors on the rendering were not the actual color but provided a basic idea. She said a big mockup of the stucco would be made before it was applied to the building; it was then observed in the sunlight to determine if the color was acceptable, if the color wasn’t acceptable then it would be changed. JJ Allen asked if the developer would be locked into a specific color scheme. Mr. Hess said there wasn’t anything in the MDP specific enough to determine color.

Chair Peterson asked about the corner treatment. She said 5.4.1B in the MDP addressed blank walls and asked what options were being considered that eliminated the empty wall. Ms. Hansen said the MDP stated, “The total amount of blank wall shall be limited to 20% or a total of 40 ft. of building face, whichever is greater.” She said Thackery Garn determined the MDP had been met because it was the side of the building, plus the materials were broken up with the use of stucco and corrugated steel being installed running different directions. Chair Peterson asked what could be done to make the corner a true anchor. Ms. Hansen said there was a difference of opinion because Thackery Garn’s opinion was that it met the requirement and the corner treatments were different with material, height, color of brick, window pop-outs. She said the buildings were visibly different. Ms. Hansen said wrap around decks were not feasible. She said any additional corner treatment needed to stay with the landscaping, architecture material changes, height and dimensions.
Chair Peterson asked what could be accomplished with landscaping. Commissioner Allen suggested a brick corner wall. Ms. Hansen said she didn’t have a problem adding additional landscaping on the corner of the building, but was hesitant to add a wall. She suggested a possible designed landscaped bed on the corners. JJ Allen asked about a planter box. Ms. Hansen suggested a berm with landscaping that wasn’t a maintenance nightmare. Scott Hess asked if the commissioners wanted to add to condition of approval number eight for a planter box. He asked if the plans for the corner treatment design could be reviewed by staff. Ms. Hansen asked for clarification on the placement of the berms and she was told the berms should be placed at the corner treatment area.

Scott Hess said there would be limited blank wall space; the buildings had four sided architecture. Commissioner Browning said the intent was to follow the guidelines and the guidelines allowed for a percentage of blank walls. Commissioner Mabey said she was comfortable with the added vegetation on the corner. Commissioners Millard and Roper concurred with the added landscaping. Chair Peterson said she was comfortable with staff administration of the changes.

Mr. Hess said the colors would be complimentary to the previously approved Phase 1A. Chair Peterson said she was uncomfortable giving direction to a developer in regard to color. She said there would be an addition to condition of approval number eight that on the corner treatment would be on the buildings as identified and the grade level would match the low patio wall. JJ Allen suggested the additional language about corner treatments be added to the end of condition of approval 8d and recommended it to state “and shall be treated with additional landscaping to extend from low patio wall to the dark brick.”

Chair Peterson said an addition to condition of approval number four would state, “The color of carport to match the building color scheme.” Ms. Hansen said the carports were built with powder coated steel and would complement the buildings.

**APPROVAL OF SP 1406-0007, A REQUEST BY MICHAEL CHRISTENSEN ON BEHALF OF THE THACKERAY COMPANY, FOR SITE PLAN APPROVAL FOR PHASE 1B ON AN APPROVED MIXED-USE DEVELOPMENT ON APPROXIMATELY 70 ACRES LOCATED AT 1250 SOUTH STATE STREET (TIN: 12-066-0071, 12-067-0139)**

Commissioner Murray moved to approve SP 1406-0007, Clearfield Station Site Plan Approval for Phase 1B on an approved Mixed-Use Development on approximately 70 acres located at 1250 South State Street, based on discussion and findings in the staff report with the following conditions:

1) The developer shall submit a final clean copy of the Phase 1 Site Plan documents correcting all errors and omissions indicated by Staff Reviews.

2) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer and Public Works Director.

3) The final Fire Infrastructure design shall meet North Davis Fire District standards and be to the satisfaction of the Fire Marshall.
4) There should be at least one covered parking space per residential unit. The color of carports to match the building color scheme.

5) As per City Code § 11-13-23C, the developer should post a bond of 125 percent of the value of the landscape within each phase. Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance 11-13-23(B), (C) and (D) the applicant must establish an escrow account, as reviewed and approved by the City Engineer and City Attorney.

6) As per City Code § 12-4-5, an estimate of any public improvements not previously installed (as outlined in § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established for any public improvements not installed prior to recordation of the Final Plat.

7) Except for the temporary UTA building, as provided in the MDA, no building permits shall be issued or construction of buildings or improvements may begin until after recordation of the final plat. Final plat recordation may come in phases for large tract development.

8) The developer shall show that building renderings and construction documents are in substantial conformance with Section 5.4 of the Master Development Plan. This includes but is not limited to:
   a. Maintaining façade articulation and architectural elements around all four elevations of each building within the development.
   b. Development and identification of Base Articulation for the entrances of the apartment buildings to differentiate entrances from the rest of the building.
   c. EIFS or stucco material is not to exceed 30 percent of the total exterior.
   d. Corners indicated 5.4.1E shall have treatments to emphasize their unique gateway locations within the development. There shall be additional landscaping in the form of a berm or low patio wall at the bottom of window grade around the corner to the dark brick. Approval of landscaping can be done administratively.

9) All final plan submittals shall be in substantial conformance with the most recent approved Master Development Plan and Master Development Agreement.

10) 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 Millard. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard and Mabey. Voting NO: Commissioner Allen.

Commissioner Allen stated his reason for the dissenting vote was he preferred a different treatment on the corner.
DISCUSSION ON RZN 1504-0001, A REQUEST BY CON WILCOX ON BEHALF OF WILCOX FARMS, FOR A REZONE OF A PORTION OF PROPERTY FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3) LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE TOTAL PROPERTY IS APPROXIMATELY 3.371 ACRES, WITH THE REZONE REQUEST TOTALING 2.28 ACRES

Scott Hess said on April 2010 a General Plan Amendment was made for Wilcox Farms Lot 14 and Lot 15 listing the future use as residential. He stated the City Council approved a General Plan Amendment in December 2014 which removed language that restricted rezones to multi-family zoning.

Mr. Hess said the subject parcel was zoned C-2 (Commercial). He said the rezone included the southern portion of the lot. Mr. Hess said the plan showed 30 units on slightly more than two acres. The request was for R-3 zoning which allowed 16 dwelling units per acre. He said the land use description in the General Plan was residential and the zoning requirements could be met for rezone to R-3. He said staff recommended approval of the rezone with conditions to the City Council. Mr. Hess said the conditions assured the project met design standards and that there would be a fully executed and recorded development agreement against the parcel. He said a condition of approval stated that if the property was rezoned the split-zoned parcel would be properly subdivided.

Con Wilcox, Wilcox Farms, gave the history of the parcel from 1998. He said the configuration of the lot presented a challenge. He said 1.2 acres of the lot were under contract to be sold to the daycare, Let Them Be Kids, and the remainder of the parcel would be rezoned. It was Mr. Wilcox’s opinion that it was the best and highest use for the property.

Chair Peterson asked what type of buildings would be built. Mr. Wilcox said they would be apartments because townhomes were not feasible.

Chair Peterson asked for discussion as to what was the highest and best use for the property.

Commissioner Millard said in his opinion the property was commercial. He said it was surrounded by commercial and said it was like putting a subdivision in the middle of Freeport Center. He said it would set up the future residents for failure with the rock crusher business so close to the property.

Chair Peterson said the General Plan designation was residential. JJ Allen, Assistant City Manager, said Brian Brower, City Attorney, gave advice to the Planning Commission that the rezone should not be a question of residential vs commercial. The decision had been made in the General Plan and cautioned the commissioners to not look at the rezone as commercial vs residential.

Chair Peterson said an applicant had brought forward a request for rezone to R-3 which allowed an apartment complex. She said with a rezone the Planning Commission had more discretion than usual. Chair Peterson asked the commissioners to consider if the R-3 zone was in line with
the General Plan. She said the restrictions on rezone to multi-family were lifted in December. She said the language of the General Plan also stated that the City had an abundance of R-3 type product and for the growth and vitality of the City it recommended diversifying the housing stock.

Mr. Allen referred to the General Plan and said there were several zones in the residential category that could be utilized with the residential category. He said those zones were A-1, A-2, R-1-9, R-1-8, R-1-6, R-1-Open, R-2, R-3, R-3R and R-M. Mr. Allen said the discussion should focus on if R-3 was the appropriate zone for the property.

Commissioner Murray said she remembered when the future land use was changed to residential. She said twin homes or R-2 zoning was proposed. She said the property was not the appropriate place for single family homes. Commissioner Murray said she had a hard time rezoning it to R-3 because there was an abundance of R-3 zoning throughout the City and she was more comfortable rezoning the property to R-2.

Commissioner Mabey asked for clarification that the plan shown was not being approved. Chair Peterson said the request was just to grant the rezone to R-3. Mr. Hess said rezone requests might be required to come in with a site plan. He said an idea needed to be presented and the site plan would be tied to a development agreement.

Commissioner Roper said he supported rezone to R-2. Commissioner Allen said he was okay with an R-3 zone; however, his opinion was the R-2 zone had more buffer area and he supported the R-2 zone. Commissioner Mabey said she was more comfortable with the rezone to R-2. Mr. Hess said the difference between R-3 and R-2 was the density and R-3 allowed for 16 units per acre and R-2 allowed for eight units per acres. He said twin homes were required to have a two car garage per unit and the R-3 zone required a single covered space and one off-street parking space per unit.

Commissioner Browning said the problems he could see could be addressed in the site plan and the development agreement. He said there wasn’t a lot of high density housing in the area and it was his opinion it was not a bad area to have that type of development.

Commissioner Millard said he did not recommend the rezone to R-3. Chair Peterson said Mr. Wilcox had been trying to sell the property as commercial for many years. She hedged with the full entitlement that R-3 allowed with an apartment type product. It was her opinion that an R-2 development could look great in the area. Chair Peterson said her opinion was that the General Plan would not support R-3 just for the density and diversity of housing.

Con Wilcox said the change to the General Plan in December 2014 allowed the City to review rezone requests to multi-family on a case by case basis and on the merits of each project. He said the Planning Commission approved a project last month on State Street and he didn’t understand why the project didn’t have merit to move forward. Chair Peterson said the project approved on State Street had provided a rendering similar to the type of product that would be constructed. Her concern was that a rezone to R-3 allowed for any type of product to be built. Mr. Wilcox said
he didn’t know he needed renderings for approval and didn’t understand that aspect of it. Scott Hess said it wasn’t a requirement for a rezone to provide renderings.

RECOMMENDATION OF RZN 1504-0001, A REQUEST BY CON WILCOX ON BEHALF OF WILCOX FARMS, FOR A REZONE OF A PORTION OF PROPERTY FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3) LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE TOTAL PROPERTY IS APPROXIMATELY 3.371 ACRES, WITH THE REZONE REQUEST TOTALING 2.28 ACRES

Commissioner Allen moved to recommend to the City Council approval as conditioned, RZN 1504-0001, a request by Con Wilcox on behalf of Wilcox Farms for a Rezone of 2.28 acres of property from Commercial (C-2) to Residential (R-3), located at 850 West 1600 South (TIN: 12-391-0014), based on the discussion and findings in the Staff Report. Seconded by Commissioner Browning. The motion failed with the following vote: Voting AYE: Commissioners Allen and Browning. Voting NO: Commissioners Roper, Murray, Millard and Mabey.

Commissioner Mabey moved to recommend to the City Council denial of RZN 1504-0001. She said recommendation of denial was due to the amount of density the R-3 permitted. She said there was merit in moving forward with residential in that area but not at the higher density. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Mabey, Millard, Murray and Roper. Voting NO: Commissioners Browning and Allen.

Commissioner Allen said his dissenting vote was because he was of the opinion that R-2 would fail on the property. He said the percentage of high density housing seemed high in the City but across the nation the percentage of high density housing was going up and the percentage of single family dwelling ownership was going down. He said Clearfield City could be a leader in high density housing in the State. He said the direction to build was up. Commissioner Browning said his opinion was that R-3 was the highest and best use.


Scott Hess said the property received preliminary and final subdivision plat approval from the Planning Commission on April 1, 2015 and on April 28, 2015 the final subdivision plat was approved by the City Council. He said the site was a single cul-de-sac with a future access road to the west. He said 925 South was a public street and was designed with a 66 foot right-of-way, rather than the normal 60 feet. Mr. Hess said the landscaping on site was a mixture of turf grass that would be maintained by the homeowners’ association. He said the units had a small private space with small fencing. He said the common space behind units four through fifteen would be a native grass seed mixture because the extreme hillside made it impractical for another type of
grass. He said landscaping was about 49 percent which far exceeded the requirement of 20 percent due to the topography of the lot. He said there would be a six foot vinyl fence separating the residential portion from the commercial lots.

Mr. Hess said the storm water detention basins were sized correctly. He said there were some outstanding items from the engineer that would be resolved prior to recordation of plat. He said the development agreement would be considered at the City Council meeting on May 12, 2015 for approval. Mr. Hess said site plan approval was contingent on the acceptance, full execution and recording of the development agreement against the property prior to the issuance of any building permits. He said staff recommended approval of the site plan. The building elevations were shown to the commissioners. Mr. Hess said there would be multiply styles of hardie board and no stucco on the front of homes. He said a wainscot would wrap the sides of the building with stucco on the rear and sides. Mr. Hess said the units were over 1500 square feet and some homes on the south side of 925 South might have a basement.

Chair Peterson recognized John Hansen who was present and represented the property owner.

Commissioner Allen asked if the property was graded at a two to one slope if that would be adequate. Mr. Hess said he was not an engineer and could not answer the question.
Commissioner Allen asked if the basements would be walkouts on the north facing lots. John Hansen said the basements would not be walkouts. He said 30,000 yards of material must be moved to groom the slope.


Commissioner Browning moved to approve SP 1503-0007, a request by John Hansen on behalf of Thomas Rosenberg, for Site Plan approval located at 925 South 2000 East (TIN: 09-302-0008), based on discussion and findings in the staff report with the following conditions:

1) The developer shall submit a final clean copy of the Phase 1 Site Plan documents correcting all errors and omissions indicated by Staff Reviews.
2) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer and Public Works Director.
3) The final Fire Infrastructure design shall meet North Davis Fire District standards and be to the satisfaction of the Fire Marshall.
4) As per City Code § 11-13-23C, the developer shall post a bond of 125 percent of the value of the landscape within each phase. Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance 11-13-23(B), (C) and (D) the applicant must establish an escrow account, as reviewed and approved by the City Engineer and City Attorney.
5) As per City Code § 12-4-5, an estimate of any public improvements not previously installed (as outlined in § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established for any public improvements not installed prior to recordation of the Final Plat.

6) No building permits shall be issued or construction of buildings or improvements may begin until after recordation of the final plat. Final plat recordation may come in phases for large tract development.

7) All Final Subdivision Plat and Site Plan submittals shall be in substantial conformance with the Development Agreement.

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 Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

Commissioner Murray told John Hansen she appreciated his patience working with the City Council and the Planning Commission.

DISCUSSION ON PSP 1504-0004 AND FSP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR PRELIMINARY AND FINAL SUBDIVISION PLAT, STREET VACATION AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY, LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT

Scott Hess said the site for the City shops had the parks department buildings on the south side and public works shops were on the north side. He said the property was zoned PF (Public Facilities). He said the request was to clean up and have corrections made to consolidate City services. Mr. Hess said there would be curb, gutter, landscaping and sidewalk improvements along South Main Street. He said the access road would have curb and gutter with sidewalk along the north side. He said two buildings would be moved and one would be demolished. Mr. Hess said added safety was provided by moving the access right-of-way. He said staff recommended approval as conditioned.

Commissioner Browning asked about the small parcel. Scott Hodge, Public Works Director, said it hadn’t been determined if it would be landscaped or if Morgan Pavement would acquire the property from the City. Commissioner Allen stated the changes made sense. Mr. Hodge said the approval was the first step of several phases for a new campus with new buildings for both public works and parks. He said the utilities would be relocated and parks and public works would be operational as the new buildings are constructed.
Commissioner Browning liked the improvements to South Main. Mr. Hodge said landscaping would be installed and the RV dump station would be relocated.

**APPROVAL OF PSP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR PRELIMINARY PLAT, STREET VACATION, AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY, LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT**

Commissioner Millard moved to approve as conditioned PSP 1504-0004, a request by Clearfield City and Clearfield Community Development and Renewal Agency, for Preliminary Plat, Street Vacation and relocation of the 550 South right-of-way, located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197), based on findings and discussion in the staff report with the following conditions:

1) The Preliminary Plat shall include all red-lanes from Planning, and Public Works Departments, including but not limited necessary easements and other call-outs as required.

Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

**PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON FSP 1504-0004 A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR FINAL SUBDIVISION PLAT, STREET VACATION AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY, LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT**

Commissioner Allen moved to recommend to the City Council approval as conditioned FSP 1504-0004 a request by Clearfield City and Clearfield Community Development and Renewal Agency, for Final Subdivision Plat, Street Vacation and Relocation of the 550 South right-of-way, located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197), based on findings and discussion in the staff report with the following conditions:

1) The Final Plat shall include all red-lanes from Planning, and Public Works Departments, including but not limited necessary easements and other call-outs as required.

Seconded by Commissioner Mabey. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.
DISCUSSION ON SP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR SITE PLAN APPROVAL LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT

Scott Hess said the buildings would stay at their present location except the salt shed and a park maintenance building that would be relocated. He said the property lines would be corrected with Jennmar. He said the new 575 South Street would have a six foot tall vinyl fence, there would be ten percent landscaping, the existing entrance would be improved and the RV dump would have public access afterhours. He said there would an entrance added on the south and eventually the parking lot would be revised and new structures constructed with the temporary structures being removed. He said staff recommended approval.

Commissioner Browning asked where recycling bins would be located. Scott Hodge said there were still details to work out. He said the City might go to curb side recycling. Commissioner Millard stated it could be difficult to get in and out of the current RV dump facility and asked how long the new RV dump facility would be. Mr. Hodge had not measured the length to know if the new facility would be similar or longer.

APPROVAL OF SP 1504-0004, A REQUEST BY CLEARFIELD CITY AND CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, FOR SITE PLAN APPROVAL LOCATED AT 497 SOUTH MAIN STREET (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). THE PROPERTY IS APPROXIMATELY 7.9 ACRES AND LIES IN THE PUBLIC FACILITIES (PF) ZONING DISTRICT

Commissioner Millard moved to approve SP 1504-0004, a request by Clearfield City and Clearfield Community Development and Renewal Agency, for Site Plan approval located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197), based on discussion and findings in the staff report with the following conditions:

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer and Public Works Director.

2) The final Fire Infrastructure design shall meet North Davis Fire District standards and be to the satisfaction of the Fire Marshall.

3) No building permits shall be issued or construction of buildings or improvements may begin until after recordation of the final plat. Final plat recordation may come in phases for large tract development.

4) All Final Subdivision Plat and Site Plan submittals shall be in substantial conformance with the Development Agreement.

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 Murray. The motion carried on the following vote: Voting
AYE: Commissioners Murray, Roper, Browning, Allen, Millard and Mabey. Voting No: None.

STAFF REPORTS

Scott Hess said there was an administrative site plan at Legend Hills for a garage on the University of Phoenix site to be used for storage of maintenance items. He said the garage would be an improvement to the site. It had windows along the access road and the colors matched the exterior of the surrounding buildings.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Mabey – said great job by staff to pull together the materials for the meeting and last month’s meeting.

Commissioner Browning – said every time he wanted to give up reading the minutes he thought there was a lot of work into the minutes so he kept reading. Good job.

JJ Allen – told the commissioners to be careful as they drove home because of the weather.

Commissioner Murray – nothing

Commissioner Roper – nothing

Commissioner Allen – asked for an update on commercial to residential buffer. Scott Hess said there was no progress at this time. Commissioner Allen asked if a definition for an impervious fence could be added to the code. In reference to the haste with which some agenda items were approved at the April 1, 2015 meeting, he said each agenda item had its own importance and should be allowed plenty of discussion time.

Councilmember LeBaron – said the City Council stopped the rezone of the project at the Davis Behavioral Health property because of the number of housing units that had recently been approved and wanted to wait for results from the new housing units. He said the City Council chose to deny a great project and said he concurred with Commissioner Allen that the future was in building up.

Scott Hess – said the City was shifting gears in the Wasatch Front Regional Council (WFRC) grant. He said UTA and WFRC suggested a market study be done on residential and commercial along the corridor. He said the market study would help drive the General Plan.

Chair Peterson – said her only comment was that a definition for impervious fence needed to be added to City Code.

Commissioner Millard – said the Planning Commission needed to take the emotion out of the projects when the community was gearing up for a battle as was happening in the southwest
corner of the City. He said sometimes the Planning Commission needed to deny stuff to encourage more discussion.

There being no further business to come before the Planning Commission, **Commissioner Allen moved to adjourn at 9:26 P.M. Seconded by Commissioner Mabey.**