The Pledge of Allegiance was led by Chair Roper.

APPROVAL OF OCTOBER 5, 2016 PLANNING COMMISSION MEETING MINUTES

Commissioner Millard moved to approve the minutes of the October 5, 2016 meeting as written. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Millard, Murray, Browning and Roper. Voting NO: None. Commissioner Parkinson abstained from the vote.

Commissioner Uccardi arrived at 7:02 p.m. and took a seat on the dais.

PUBLIC HEARING ON CUP 1609-0003, A REQUEST BY ILGAR KASSOUMOV ON BEHALF OF CARSMART AUTO GROUP, FOR AN AMENDED CONDITIONAL USE PERMIT FOR A MOTOR VEHICLES SALES LOT LOCATED AT APPROXIMATELY 555 NORTH MAIN STREET (TIN: 14-591-0001). THE PROPERTY IS LOCATED IN A C-2 ZONING DISTRICT AND IS APPROXIMATELY 0.38 ACRES IN SIZE

The public hearing was continued from the October 5, 2016 meeting.

Chair Roper asked for public comment.
There was no public comment.

**Commissioner Millard moved to close the public hearing at 7:03 p.m. Seconded by Commissioner Parkinson. The motion carried on the following vote. Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray and Browning. Voting NO: None.**

PUBLIC HEARING ON CUP 1609-0005, A REQUEST BY JEREMY WISEMAN, FOR A CONDITIONAL USE PERMIT FOR A MOTOR VEHICLE SALES LOT, LOCATED AT 447 NORTH MAIN STREET (TIN: 14-090-0039). THE PROPERTY IS APPROXIMATELY 0.18 ACRES AND LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Chair Roper opened the public hearing at 7:04 p.m.

There were no public comments.

**Commissioner Murray moved to close the public hearing at 7:05 p.m. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray and Browning. Voting NO: None.**

Commissioners Jugler and Britton entered at 7:05 p.m. Commissioner Jugler took a seat on the dais.

PUBLIC HEARING ON ZTA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY FOR A ZONING TEXT AMENDMENT TO CITY CODE § 11-3-3 DEFINITIONS, § 11-11A-3 CONDITIONAL USES, IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO REMOVE THE TERMS “NURSING” OR “REST” HOMES AND REPLACE THEM WITH THE TERM “ASSISTED LIVING FACILITIES.” ADDITIONALLY, THIS REQUEST WILL CONSIDER AMENDING CITY CODE § 11-11A-6 HEIGHT REGULATIONS IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO INCREASE THE MAXIMUM HEIGHT ALLOWED IN THE ZONE FROM 35 FEET TO 55 FEET. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE

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

PUBLIC COMMENT:
Mark Eggert, Clearfield, said there might be adjacent residents that would be opposed to a 55 foot building in their back yard; however he was fine with the change in height.

**Commissioner Uccardi moved to close the public hearing at 7:07 p.m. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.**
PUBLIC HEARING ON GPA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY, TO AMEND THE MASTER STREETS AND TRANSPORTATION PLAN MAP OF THE CLEARFIELD CITY GENERAL PLAN BY REMOVING A FUTURE MINOR LOCAL ROAD TO ACCOMMODATE FUTURE DEVELOPMENT OF THE PROPERTY IN THE VICINITY OF 1450 SOUTH 1350 EAST. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

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

PUBLIC COMMENT:
Roy Zettel, Clearfield, said his property was adjacent to the subject property and he wanted to know if the City had a site plan that justified the revision to the code and asked if the public could see the proposed development. Spencer Brimley, Development Services Manager, said the information was accessible to the public on the City website or at the Community Development office.

Mark Eggert, Clearfield, said the existing road was installed with the development of his property for the dental office and allowed a fire hydrant closer to his building. He said the new proposed plan was not the same as the plan discussed in 2008 and requested the developer talk to him about the change in the development.

Commissioner Murray moved to close the public hearing at 7:10 p.m. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

PUBLIC HEARING ON CUP 1610-0001, A REQUEST BY JEREMY WITTE, FOR A CONDITIONAL USE APPROVAL FOR AN AUTOMOTIVE REPAIR SHOP LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS LOCATED IN A C-2 ZONING DISTRICT AND IS APPROXIMATELY 0.44 ACRES IN SIZE

Chair Roper declared the public hearing open at 7:11 p.m.

There was no public comment.

Chair Roper said the item would be discussed at the December 7, 2016 meeting.

Commissioner Parkinson moved to continue the public hearing to the December 7, 2016 meeting. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioner Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

DISCUSSION ON CUP 1609-0003 AND SP 1609-0003, A REQUEST BY ILGAR
KASSOUMOV ON BEHALF OF CARSMART AUTO GROUP, FOR AN AMENDED CONDITIONAL USE PERMIT AND AN AMENDED SITE PLAN FOR A MOTOR VEHICLES SALES LOT LOCATED AT APPROXIMATELY 555 NORTH MAIN STREET (TIN: 14-591-0001). THE PROPERTY IS LOCATED IN A C-2 ZONING DISTRICT AND IS APPROXIMATELY 0.38 ACRES IN SIZE

Spencer Brimley said the request was for an amendment to a previously approved Conditional Use Permit (CUP) and site plan. Three parcels were combined into one and the amended site plan included the entire property. Mr. Brimley said the site plan met the required 10 percent landscaping with planter boxes. He said the adjacent property to the north was the recently approved Dollar Tree. He reviewed the conditions of approval. Staff recommended approval of the site plan and the CUP.

Commissioner Murray asked for clarification on the landscaping. Mr. Brimley explained there would be landscaping along the north side of the property and in front of the building with planter boxes located on the front of the property. Commissioner Murray asked if the planter boxes along Main Street were existing and if there would be additional planter boxes. Mr. Brimley stated additional landscaping was required to be in compliance. Commissioner Murray said there were dead plants and the planter boxes were weedy and asked if the planter boxes would be required to be maintained. Mr. Brimley said it was required in the site plan condition of approval number four which also required them to maintain the park strip area.

Commissioner Parkinson stated because the planter boxes were above ground the trees and shrubs in the boxes would have difficulty through the winter with frost and freezing. Mr. Brimley said the site plan condition of approval number 1f stated that dead trees or shrubs must be replaced. Commissioner Parkinson asked how the landscaping would be watered. Mr. Brimley said the applicant was required to provide an automatic irrigation system.

Chair Roper asked if there was a plan for site circulation. Mr. Brimley said drive aisles were 24 feet as required and with access off Main Street and Villa Drive. Staff determined there was adequate circulation on the site as long as there were no double parked vehicles.

Commissioner Parkinson asked what the garage would be used for. Mr. Brimley said the garage had two bays and would be used for the cleaning of vehicles. Commissioner Parkinson asked if cars were parked in the striped stalls to the east of the building, would there be sufficient access to garage. Mr. Brimley said there was plenty of room in the area, but the question could be asked to the applicant.
APPROVAL OF CUP 1609-0003, A REQUEST BY ILGAR KASSOUMOV ON BEHALF OF CARSMA RT AUTO GROUP, FOR AN AMENDED CONDITIONAL USE PERMIT FOR A MOTOR VEHICLES SALES LOT LOCATED AT APPROXIMATELY 555 NORTH MAIN STREET (TIN: 14-591-0001). THE PROPERTY IS LOCATED IN A C-2 ZONING DISTRICT AND IS APPROXIMATELY 0.38 ACRES IN SIZE

Commissioner Browning moved to approve as conditioned CUP 1609-0003, a request by Ilgar Kassoumov on behalf of CarSmart Auto Group, for an amended Conditional Use for a motor vehicles sales lot located at approximately 555 North Main Street (TIN: 14-591-0001), based on the discussion and findings in the Staff Report with the following conditions:

1) This Conditional Use Permit CUP 1609-0003 is granted to CarSmart Auto Group for motor vehicles sales, located at 555 North Main Street (TIN: 14-519-0001).

2) No more than 20 total parking stalls (for customers, employees and inventory) shall be allowed. 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 drive lanes and circulation flow at all times.

3) Off-site parking for the purposes of inventory and customers shall be prohibited. Applicant will provide appropriate area for all inventory and customer parking as required in City Code § 11-14-2(B), as amended.

4) No vehicle repairs are allowed on this or subsequent properties that may be purchased by the applicant, and as such, no advertisement for any vehicle repairs will be permitted.

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

APPROVAL OF SP 1609-0003, A REQUEST BY ILGAR KASSOUMOV ON BEHALF OF CARSMA RT AUTO GROUP, FOR AN AMENDED SITE PLAN FOR A MOTOR VEHICLES SALES LOT LOCATED AT APPROXIMATELY 555 NORTH MAIN STREET (TIN: 14-591-0001). THE PROPERTY IS LOCATED IN A C-2 ZONING DISTRICT AND IS APPROXIMATELY 0.38 ACRES IN SIZE

Commissioner Browning moved to approve as conditioned SP 1609-0003, a request by Ilgar Kassoumov, on behalf of CarSmart Auto Group, an amended site plan for a motor vehicles sales lot located at approximately 555 North Main Street (TIN: 14-591-0001), based on the discussion and findings in the Staff Report with the following conditions:

1) The Documents submitted for building permits shall be in substantial conformance with the those submitted in site plan application SP 1609-0003, located at 555 North Main Street (TIN: 14-519-0001); however, they will also include and address the following:
   a. Applicant will provide revised, scaled drawings for final review. Landscape plan detail as well as site dimensions and detail shall be provided for review and approval.
b. Any 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. 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. No backing onto any public right-of-way will be allowed. No parking shall obstruct any drive approach.

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 of the site shall be landscaped and shall meet the minimum standards set forth in City Code § 11-13-23. Landscaping must be maintained as shown in the approved drawings. Any dead trees or shrubs must be replaced.

g. Proposed signage must meet City Code Title 11, Chapter 15 standards. Signs are not included as part of this site plan approval. Separate review and approval for any signage is required.

2) Snow removal and commercial waste removal services are required. If a garbage dumpster is desired, it must be behind screening as required by Clearfield City Code § 11-18-4(C)(2).

3) Clearfield Code § 11-14-5(G) states that “parking lot design shall plan for a snow stacking area to accommodate the stacking volume of a four inch (4") snow base over the entire parking lot.”

4) Applicant shall maintain property frontage along a public sidewalk and remove all weeds and noxious vegetation from such property to the curb line of the street and to keep the sidewalks along such property free from litter, snow, ice or obstructions.

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

6) 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).

7) Failure to meet all requirements here in within six months of approval will necessitate the revocation of any license for the business operation on the site.

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 Jugler. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

DISCUSSION ON CUP 1609-0005, A REQUEST BY JEREMY WISEMAN, FOR A CONDITIONAL USE PERMIT FOR A MOTOR VEHICLE SALES LOT LOCATED AT 447 NORTH MAIN STREET (TIN: 14-090-0039). THE PROPERTY IS APPROXIMATELY 0.18 ACRES AND LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Spencer Brimley said the request was for a conditional use permit (CUP) for a motor vehicle
sales lot. The property was previously used as a motor vehicle sales lot. He said there were some items that needed to be resolved prior to the issuance of the business license. Mr. Brimley said UDOT approval was required because the property was on Main Street. The applicant has proposed 16 cars to be sold on the property. He reviewed the parking lot layout and stated the applicant would be using the south access and not the north access. Mr. Brimley said there would not be more than sixteen (16) cars for sale at any one time on the lot and the entire inventory must be able to be parked on site and cannot overflow onto adjacent roads or parcels. He said the landscape plan was proposed and included with the approval and the applicant would remove all over growth and maintain property in accordance with Clearfield City Codes. Mr. Brimley said vehicle repairs would not be permitted and cars would not be permitted to park on Villa Drive. He said test drives were not allowed on Villa and Lakeview Drive. The delivery of inventory was not allowed on the public right-of-way. He said parking for customers and employees was provided on the parcel to the south. Mr. Brimley said staff recommended approval of the CUP.

Commissioner Uccardi said there was a proposal on the property recently and one issue that was discussed was the fencing. Mr. Brimley said the fence problem had been resolved. Commissioner Murray asked if lighting would be added. Mr. Brimley said any lighting added to the site would be permanent lighting.

Commissioner Murray asked the applicant, Jeremy Wiseman, what the plan was to stop those taking a test drive from using Villa and Lakeview Drive. Mr. Wiseman said a salesman would go on the test drive when possible and the driver would also be given an explanation of the roads not to be used.

APPROVAL OF CUP 1609-0005, A REQUEST BY JEREMY WISEMAN, FOR A CONDITIONAL USE PERMIT FOR A MOTOR VEHICLE SALES LOT LOCATED AT 447 NORTH MAIN STREET (TIN: 14-090-0039). THE PROPERTY IS APPROXIMATELY 0.18 ACRES AND LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Millard moved to approve as conditioned CUP 1609-0005, a request by Jeremy Wiseman for a conditional use permit for a motor vehicles sales lot located at 447 North Main (TIN: 14-090-0039), based on the findings and discussion in the Staff Report with the following conditions:

1) This Conditional Use Permit is for Westgate Auto Sales, located at 447 North Main Street.
2) No more than sixteen (16) cars for sale at any one time on the lot. 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 is prohibited.
3) Delivery of inventory must be conducted on private property and is not permissible on any public street or right-of-way, adjacent to the property.
4) Applicant will provide appropriately scaled stalls for all vehicles for sale, customer and employee parking as required in City Code § 11-14-2(B). Customer and employee parking must be striped and marked with signage.
5) No temporary lighting shall be permitted for the site. Lighting for the site, either parking lot or exterior to the building shall be shown and must meet City Code § 11-13-17.

6) No vehicle repairs are allowed on this or subsequent properties that may be purchased, leased or used by the applicant, and as such, no advertisement for any vehicle repairs shall be permitted.

7) CUP approval is subject to North Davis Fire District review and approval.

8) CUP approval is subject to UDOT review and approval.

9) Any other businesses proposed to be located on 447 North Main, prior to obtaining a business license, shall require review and approval by the Planning Commission.

10) The test drive routes are prohibited from using adjacent residential roads, including but not limited to Villa Drive and Lakeview.

11) Use of Villa Drive or Main Street to deliver, remove, or transport cars shall be prohibited.

12) Proposed signage must meet City Code Title 11, Chapter 15 standards. Signs are not included as part of this approval. Separate review and approval will be required.

13) 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 Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

DISCUSSION ON ZTA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY, FOR A ZONING TEXT AMENDMENT TO CITY CODE § 11-3-3 DEFINITIONS, § 11-11A-3 CONDITIONAL USES, IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO REMOVE THE TERMS “NURSING” OR “REST” HOMES AND REPLACE THEM WITH THE TERM “ASSISTED LIVING FACILITIES.” ADDITIONALLY, THIS REQUEST WILL CONSIDER AMENDING CITY CODE § 11-11A-6 HEIGHT REGULATIONS IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO INCREASE THE MAXIMUM HEIGHT ALLOWED IN THE ZONE FROM 35 FEET TO 55 FEET. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE

Spencer Brimley explained the zoning text amendment was requested to remove the obsolete term “rest” home and to include the term “assisted living facilities” within the C-1 Zone. He said the amendment also included an increase in the allowable building height from 35 feet to 55 feet. The additional 20 feet height could impact the adjacent residents. Mr. Brimley said there were 29 parcels zoned C-1 in the City and the majority of those parcels were in this area. He said the applicant stated the increased height would make the C-1 zone and the City as a whole more successful and attractive. He said the impact would not be felt in the City due to the small amount of property zoned C-1.
Mr. Brimley said the applicant stated a 35 foot building could be built but the look and feel would not be what they wanted to build in the City. Staff compared buildings around the City to give the commissioners a perspective as to what 55 feet looked like. He said the City building was about 50 feet in height with the Davis County Health Department building about 48 feet. The houses in the area of the proposed project ranged about 18 to 20 feet in height. Mr. Brimley said with the combined setbacks of the residential homes and the proposed facility the houses would be about 100 feet from the proposed building.

Mr. Brimley said staff recommended denial of the zoning text amendment because the 55 foot building height was not consistent with the neighborhood. He said the Planning Commission had the ability to disagree with staff or have an amended recommendation to the City Council.

David Clayton and Bill Terburg gave a presentation on the design of the work and the logic of why the proposal was being made. He said the project was modeled after an assisted living facility in St. George. The facility was not a standard assisted living facility, it was a community. Mr. Terburg said the concept was to have continued care from the nursing home to the assisted living facility.

Mr. Terburg said the property sloped 12 feet from the northeast to the southwest and adjacent to the houses on the north end of the building would be lower. He said they wanted the building to have three floors. Commissioner Parkinson asked why three stories couldn’t be built with the 35 foot height. Mr. Clayton said 35 feet allowed a flat roof with a parapet with a maximum height of 11 feet floor to floor. He said it was difficult to fit the mechanical and electrical systems with less than 11 feet floor to floor which would have 33 feet to the roof which allowed a two foot parapet and the building would be a flat line across a large building. Mr. Clayton said the intent was to have it feel more like a home than a prison.

Commissioner Parkinson said the 55 foot height seemed extensive and said 40 feet should be adequate. Mr. Clayton said Mr. Brimley had explained that the height of the building was based on the average of the cross slope of the property. He said the building would be lower at the north end than at the south end. He said the highest point of the building would be in the center of the building where the amenities for the community would be. He said there would be a space for theatrical productions, community meetings, a movie theater, a gym facility, game and activity rooms, a library, and a gift shop which created a city within the community. Mr. Clayton said there would be a mix of one and two bedroom units. A graphic was shown to illustrate the view to the mountains from the houses to the west of the property.

Commissioner Parkinson asked what height the majority of pitched roof would be. Mr. Clayton said the main part was 40 feet with the pop ups at 45 feet, the center of the building would be 50 feet. Commissioner Parkinson said there would still be a solid line across the building and suggested a percentage of the roof be allowed to be higher than the 35 feet. He said three stories could be reached with 35 feet.

Commissioner Murray asked for clarification on the different levels of care. Mr. Terburg said assisted living was the level of care where a person needed assistance in the activities of daily
living. If additional care was needed the person would be transferred to the nursing home. He said there was no skilled nursing staff at an assisted living center.

Dave Clayton said there were two parts to the request, one was the height of the building and the second was the text concerning rest home, nursing home and assisted living. He said the term “rest home” was an outdated term and no longer a legal licensed category under State Health Code. The change would remove “rest home” and add “assisted living” as a conditional use in the C-1 zone. Mr. Brimley said staff suggested adding “assisted living” but not removing “rest home” because “nursing or rest home” were defined as one in City Code.

Commissioner Jugler asked if a Conditional Use Permit (CUP) could be obtained to build to the height of 55 feet without changing the text of the zoning code. Mr. Brimley said a CUP could be obtained; however, the applicant wanted to be certain the height would be allowed when they submitted for the CUP.

Commissioner Millard said the zoning text amendment should be discussed independent of any project and it was unfair to the applicant. He said the Commission needed to forget about the project and discuss only the issue of the building height. Mr. Brimley said if the City had initiated the change it would not be for a specific project. The applicant requested the zoning change for a specific project and was required to provide an understanding of what and why the change was being requested. He said it was informative to see what 55 feet looked like and determine if it was acceptable for all properties zoned C-1. Mr. Brimley said the applicant provided justification for the change.

Commissioner Parkinson said the zoning text amendment to add assisted living made sense. He recommended a 45 foot height then with CUP approval required up to a 55 foot maximum height. Commissioner Uccardi agreed with Commissioner Parkinson and said the discussion was two separate items and said the terminology needed to be adjusted; however, he was concerned with the 55 foot height allowance.

Commissioner Millard liked the 45 foot height with the CUP. Commissioner Jugler agreed that the requests should be handled separately, assisted living should be added and didn’t see the need to adjust the allowed height.

Commissioner Browning recommended denial of the change in height. Commissioner Murray said assisted living needed to be added but nursing or rest homes should not be removed. She was concerned with increasing the height to 55 feet because it would impact a residential area. Her recommendation was denial on the increased height and approval of the addition of assisted living.
RECOMMENDATION OF ZTA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY, FOR A ZONING TEXT AMENDMENT TO CITY CODE § 11-3-3 DEFINITIONS, § 11-11A-3 CONDITIONAL USES, IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO REMOVE THE TERMS “NURSING” OR “REST” HOMES AND REPLACE THEM WITH THE TERM “ASSISTED LIVING FACILITIES.” ADDITIONALLY, THIS REQUEST CONSIDERED AMENDING CITY CODE § 11-11A-6 HEIGHT REGULATIONS IN THE C-1 (COMMERCIAL) ZONING DISTRICT TO INCREASE THE MAXIMUM HEIGHT ALLOWED IN THE ZONE FROM 35 FEET TO 55 FEET. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Commissioner Parkinson moved to recommend to the City Council approval of ZTA 1609-0006A, a request by Dave Clayton on behalf of Auburn Manor Holding Company, for a Zoning Text Amendment to City Code § 11-11A-3 Conditional Uses in the C-1 (commercial) zoning district to add the term “assisted living facility” based on the discussion and findings in the Staff Report. Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

Commissioner Parkinson moved to recommend to the City Council approval of ZTA 1609-0006B, a request by Dave Clayton on behalf of Auburn Manor Holding Company, for a Zoning Text Amendment to City Code § 11-11A-6 Height Regulations in the C-1 (commercial) zoning district to increase the maximum height allowed in the zone from 35 feet to 45 feet, based on the discussion from the Planning Commission. Seconded by Commissioner Millard. The motion failed on the following vote: Voting AYE: Commissioners Millard, Uccardi and Parkinson. Voting NO: Commissioners Browning, Jugler, Murray and Roper.

Commissioner Jugler moved to recommend to the City Council denial of ZTA 1609-0006B, a request by Dave Clayton on behalf of Auburn Manor Holding Company, for a Zoning Text Amendment to City Code § 11-11A-6 Height Regulations in the C-1 (commercial) zoning district to increase the maximum height allowed in the zone from 35 feet to 55 feet, based on the discussion from the Planning Commission. Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Browning, Jugler, Murray and Roper. Voting NO: Commissioners Millard, Uccardi and Parkinson.
DISCUSSION ON GPA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY, TO AMEND THE MASTER STREETS AND TRANSPORTATION PLAN MAP OF THE CLEARFIELD CITY GENERAL PLAN BY REMOVING A FUTURE MINOR LOCAL ROAD TO ACCOMMODATE FUTURE DEVELOPMENT OF THE PROPERTY IN THE VICINITY OF 1450 SOUTH 1350 EAST. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Spencer Brimley said the request was to remove 1350 East from the future land use map or Master Street plan. He said the existing 1350 East at 1450 South was developed as an access for the adjacent dental building but was never dedicated as a road. 1350 East was identified as a future roadway because of the location of a City water line. Mr. Brimley stated the maintenance of infrastructure was more simple within a public right-of-way rather than on private property. After review the public works office and the City engineer did not anticipate the accessibility to the water line would be reduced below an acceptable level and were not opposed to the removal of the road from the future streets map. Mr. Brimley said there were not any issues with the north/south connectivity. North Davis Fire District was comfortable with the emergency services access to the building with removal of the road. He said staff recommended approval of the General Plan amendment as presented.

Commissioner Murray asked about the road that was already paved. Mr. Brimley said the existing 1350 East was an access to the proposed development and the easement would be within the roadway for maintenance of the water line. He said the sewer would not be negatively impacted but there was an issue with the water line. Commissioner Murray said obtaining an easement was standard practice which allowed work on infrastructure within the easement. Mr. Brimley said it was easier for maintenance of public infrastructure within a public right-of-way rather than an on private property. He said the development would include an access easement to the water line.

Commissioner Browning asked if the dental office would still have access off 1350 East. Mr. Brimley said the change might eliminate parking along 1350 East. The minutes from a Planning Commission meeting in 2008 indicated that the property owner relinquished its rights to the access to the developer of the large parcel. He said the residents in the area were not interested in the connection.

RECOMMENDATION OF GPA 1609-0006, A REQUEST BY DAVE CLAYTON ON BEHALF OF AUBURN MANOR HOLDING COMPANY, TO AMEND THE MASTER STREETS AND TRANSPORTATION PLAN MAP OF THE CLEARFIELD CITY BY REMOVING A FUTURE MINOR LOCAL ROAD TO ACCOMMODATE FUTURE DEVELOPMENT OF THE PROPERTY IN THE VICINITY OF 1450 SOUTH 1350 EAST. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE GENERAL PLAN, A DOCUMENT GUIDING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Commissioner Jugler moved to recommend to the City Council approval of GPA 1609-0006 as proposed, an amendment to the General Plan, Master Street Plan to delete the future extension of 1350 East from the map. Seconded by Commissioner Millard. The motion
carried on the following vote: Voting AYE: Commissioners Parkinson, Uccardi, Millard, Murray, Jugler and Browning. Voting NO: None.

DISCUSSION ITEMS

Spencer Brimley gave the commissioners a list of the proposed dates for the 2017 Planning Commission meetings. Staff proposed changing the time of the meeting from 7:00 p.m. to 6:00 p.m. He asked for input on the time change. Commissioner Murray said some commissioners couldn’t be on time to the 7:00 p.m. meeting and then asked if the meeting started at 6:00 p.m. would dinner be provided. Mr. Brimley asked the commissioners to consider having a work session before the regular meeting. Commissioner Jugler said a work session had been discussed before and he wasn’t opposed to the earlier meeting. Chair Roper asked if it was difficult for any of the commissioners to have the meeting at 6:00 p.m. Commissioner Britton said he would not be able to make the meeting at the earlier hour. Mr. Brimley said the time change was to allow the commissioners to be home earlier. Commissioner Millard said he wasn’t opposed to 6:00 p.m. but said the later hour allowed the residents time to attend after a work day. Commissioner Jugler’s opinion was that 7:00 p.m. was a more convenient time. Mr. Brimley said a work session provided the opportunity for staff to clarify or answer questions prior to the public setting. He said the meeting would stay at 7:00 p.m. with the proposed dates as listed.

Mr. Brimley said the other discussion item was about accessory buildings and told the commissioners that the City Council had denied the ordinance for the changes to accessory buildings and requested the ordinance be re-evaluated. There would be a work session held for City Council and Planning Commission to discuss accessory buildings. Chair Roper said City Council trusted the decisions made by the Planning Commission and it was his opinion it was a compliment to the Commission. Mr. Brimley said a time frame for the discussion had not been determined.

STAFF REPORTS

Mr. Brimley showed the training video from LUAU on non-conforming uses and non-complying structures. He said the code for non-conforming uses and non-complying structures was found in Clearfield City Code Title 11 Chapter 17 and suggested the commissioners study the code to be more familiar with the ordinance. Mr. Brimley cautioned the commissioners to not be confused with non-conforming and illegal uses.

Mr. Brimley said there would be Land Use 101 training on Saturday, November 12, 2016 at 9:00 a.m. to – 1:00 p.m. He told the commissioners to contact him for registration and suggested the agenda be reviewed to determine if the material discussed was of interest. Chair Roper stated the last training he attended was useful. Commissioner Jugler stated he wanted to attend. Mr. Brimley asked any commissioner that wanted to attend to send him an email.

Mr. Brimley said on November 22, 2016, the Mayor would appoint a commissioner to replace Amy Mabey.
PLANNING COMMISSIONERS’ MINUTE

Commissioner Parkinson – Nothing

Commissioner Uccardi – Thanked staff for the work done for the meeting.

Commissioner Millard – Nothing

Commissioner Murray – Nothing

Commissioner Jugler – Said to pray for the election.

Commissioner Browning – Nothing

Councilmember Benson – Said that City Council appreciated the Planning Commission. She said staff did a great job. She said her house had sold, she was moving to Idaho and it was her last meeting with the Planning Commission. She thanked the commissioners for their support of the City Council. She was thankful for her time as the City Council liaison to the Planning Commission.

Chair Roper – Said Councilmember Benson would be missed.

There being no further business to come before the Planning Commission, Commissioner Uccardi moved to adjourn at 9:11 P.M. Seconded by Commissioner Murray.