CLEARFIELD PLANNING COMMISSION MEETING
May 3, 2017
7:00 P.M. - Regular Session

PRESIDING: Brady Jugler Chair

PRESENT: Kathryn Murray Commissioner
Michael Millard Commissioner
Robert Browning Commissioner
Michael Britton Commissioner
Steve Parkinson Commissioner
Chris Uccardi Alternate Commissioner

ABSENT: Ron Jones Commissioner
Mallory Call Alternate Commissioner
Karece Thompson Alternate Commissioner

STAFF PRESENT: Stuart Williams City Attorney
Brie Brass Assistant City Attorney
JJ Allen Assistant City Manager
Spencer Brimley Development Services Manager
Christine Horrocks Building Permits Specialist

VISITORS: Anthony Vasquez, Koral Vasquez, Matt Vasquez, Rick Scadden, Con L. Wilcox, Talin Painter, Kris Painter, Craig Winder

The Pledge of Allegiance was led by Chair Jugler

APPROVAL OF MINUTES FROM APRIL 12, 2017 PLANNING COMMISSION MEETING

Commissioner Uccardi moved to approve the minutes of the April 12, 2017 meeting as written. Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON PSP 1612-0003, A REQUEST BY MIKE DAWSON, FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT TO COMBINE TWO PARCELS FOR AN EXPANSION OF AN EXISTING BUSINESS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:00 p.m.

There was no public comment.
Commissioner Murray moved to close the public hearing at 7:01 p.m. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON CUP 1612-0003, A REQUEST BY MIKE DAWSON, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR AN INDUSTRIAL USE FOR DAWSON HOME SYSTEMS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:02 p.m.

There was no public comment.

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

PUBLIC HEARING ON RZN 1703-0001, A REQUEST BY SILVER PEAK ENGINEERING FOR A REZONE OF PROPERTY FROM M-1 (MANUFACTURING) TO M-1-SP (MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY) ON APPROXIMATELY 23.72 ACRES OF PROPERTY LOCATED AT OR NEAR 1250 S. STATE STREET (TIN: 12-066-0137).

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

PUBLIC COMMENT:

Koral Vasquez, Clearfield, said she owned property adjacent to the subject property and had been approached by Davis County, Clearfield City and Stadler Rail to purchase a portion of her property. She didn’t know how the rezone to M-1-SP would impact her property and was against any development that would decrease the value of her property. There wasn’t enough information about the project for her to determine how it would impact her property.

Spencer Brimley explained that after the public hearing notice was sent out, the property owner, UTA, said that the applicant didn’t have authority to receive a land use decision and UTA requested the discussion be continued to a future meeting.

Mr. Brimley also said the SP overlay allowed the developer to perform variations within the code relative to the development and allowed considerations of the site plan improvements. He said staff didn’t know the impact the rezone would have to the value of surrounding properties.

Ms. Vasquez questioned the need for the rezone if the negotiations were not completed.
Commissioner Parkinson moved to continue the public hearing to the June 7, 2017 Planning Commission meeting. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON RZN 1703-0003 A REQUEST BY CRAIG WINDER ON BEHALF OF IRONWOOD DEVELOPMENT, TO REZONE A PARCEL FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3), LOCATED AT 823 WEST 1600 SOUTH (TIN: 12-854-0026). THE TOTAL PARCEL IS APPROXIMATELY 1.88 ACRES

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

There was no public comment.

Commissioner Millard moved to close the public hearing at 7:09 p.m. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON CUP 1703-0005, A REQUEST BY DEAN GARRETT, FOR A CONDITIONAL USE PERMIT FOR THE USE OF PROPERTY BY MORGAN PAVEMENT FOR THE OPERATION OF ITS BUSINESS WITH OUTDOOR STORAGE, LOCATED AT APPROXIMATELY 600 SOUTH MAIN (TIN: 12-022-0066, 12-022-0058 AND 12-022-0009). THE PARCEL IS APPROXIMATELY 1.52 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:10 p.m.

There was no public comment.

Commissioner Millard moved to close the public hearing at 7:11 p.m. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON CUP 1704-0004, A REQUEST BY KRIS PAINTER ON BEHALF OF TALIA EVENT CENTER, FOR A CONDITIONAL USE PERMIT FOR A RECEPTION CENTER IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 22 EAST 200 SOUTH (TIN:12-001-0206). THE PARCEL IS APPROXIMATELY 1.37 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:12 p.m.

There was no public comment.
Commissioner Murray moved to close the public hearing at 7:13 p.m. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

DISCUSSION ON PSP 1612-0003 AND FSP 1612-0003, A REQUEST BY MIKE DAWSON, FOR APPROVAL OF A PRELIMINARY AND FINAL SUBDIVISION PLAT TO COMBINE TWO PARCELS FOR AN EXPANSION OF AN EXISTING BUSINESS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Spencer Brimley said the proposal was for preliminary and final subdivision approval to consolidate two lots. The site was just over two acres and was zoned M-1. He said the City Engineer recommended a deferral agreement for the installation of public improvements. The agreement provided the City security that its standards would be met with the future installation of the curb, gutter and sidewalk. He said the typical ten foot Public Utility Easement (PUE) was reduced along the east property line where the existing accessory building was located. Staff recommended approval of the preliminary subdivision and asked that a recommendation of approval for the final subdivision plat be given to the City Council.

APPROVAL OF PSP 1612-0003, A REQUEST BY MIKE DAWSON, FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT TO COMBINE TWO PARCELS FOR AN EXPANSION OF AN EXISTING BUSINESS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Britton moved to approve as conditioned, PSP 1612-0003, a request by Mike Dawson, for approval of a Preliminary Subdivision Plat to combine two parcels for an expansion of an existing business located at 171 West 200 South (TIN: 12-022-0097), based on the 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.

2) 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.

3) Pursuant to the Subdivision Ordinance § 12-4-5 in Clearfield City Code, an estimate of public improvements (as outlined in City Code § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits.

4) Deferral agreement for frontage improvements must be executed and recorded prior to final recording of the plat.

5) 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 permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to
recording of the Final Plat as outlined in Clearfield City Subdivision Ordinance § 12-4-6.
Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

RECOMMENDATION OF FSP 1612-0003, A REQUEST BY MIKE DAWSON, FOR APPROVAL OF A FINAL SUBDIVISION PLAT TO COMBINE TWO PARCELS FOR AN EXPANSION OF AN EXISTING BUSINESS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Britton moved to recommend to the City Council approval as conditioned of FSP 1612-0003, a request by Mike Dawson, for Final Subdivision Plat to combine two parcels for the expansion of an existing business located at 171 West 200 South (TIN: 12-022-0097), based on the discussion and findings in the Staff Report.

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer.
2) 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.
3) Pursuant to the Subdivision Ordinance § 12-4-5 in Clearfield City Code, an estimate of public improvements (as outlined in City Code § 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits.
4) Deferral agreement for frontage improvements must be executed and recorded prior to final recording of the plat.
5) 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 permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Subdivision Ordinance § 12-4-6.
Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

DISCUSSION ON CUP 1612-0003, A REQUEST BY MIKE DAWSON, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR AN INDUSTRIAL USE FOR DAWSON HOME SYSTEMS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Spencer Brimley said there was an existing building on the site and the proposal was to expand an additional 4,800 square feet on the front of the main building plus three additional storage
facilities. The expansion would improve the look and feel of the area and it was staff’s opinion that the proposal was a substantial improvement. Mr. Brimley said the previous approval limited outdoor storage and the request included indoor storage. The proposed storage buildings would be two feet from the property line, approximately 17.5 feet tall and were consistent with City regulations. Any outdoor storage would be limited to six feet due to the site’s proximity to residential property. Staff proposed that Mr. Dawson continue the existing chain link fencing with slats to provide screening. Mr. Brimley read the conditions of approval and stated the Conditional Use Permit was specific to outdoor storage.

Commissioner Murray said the Conditional Use Permit and the site plan were connected to the preliminary and final subdivision plat approval and asked if there should be a condition of approval stating the approval was contingent on the approval of the final subdivision plat by the City Council. Mr. Brimley said that could be done, but if the subdivision plat wasn’t approved the project would not proceed.

Commissioner Parkinson wondered if 15 feet of outdoor storage could be allowed if the location of the outdoor storage was limited to behind the new large storage building. Mr. Brimley said the interpretation of the Code was that across a street from residential properties was ‘adjacent’ and therefore the height of the outdoor storage was limited to six feet. Commissioner Murray’s opinion was that the new storage buildings helped mitigate the challenges on the property.

DISCUSSION ON SP 1612-0003, A REQUEST BY MIKE DAWSON, FOR SITE PLAN APPROVAL FOR AN INDUSTRIAL USE FOR DAWSON HOME SYSTEMS, LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Spencer Brimley said the existing 2,400 square foot building would be expanded with an addition on the front, west and south sides with the total square footage of the main building at 15,360 square feet. The maximum height allowed in the M-1 zone was 45 feet; however, the proposed height for the main building was just over 25 feet. The existing accessory building would have three 1,400 square foot expansions two feet off the east property line for a total of 5,740 square feet with a height of about 17.5 feet. Landscaping was proposed along the north and south boundary lines, and parking was consistent for the proposed use. Staff supported the existing fencing to be expanded around the entire property as proposed for chain-link with slats. The dumpster would be located on the property and screened from view.

Mr. Brimley reviewed the landscape plan stating the applicant was proposing to preserve the larger existing trees, the detention area would be improved with trees and shrubs and landscaping was at the required ten percent. Staff recommended approval of the site plan.

Commissioner Parkinson told the applicant, Michael Dawson, that the detention basin would need to be cleaned out regularly or it would not be as effective.

Mr. Dawson stated several years ago he requested 15 foot tall outdoor storage but the request was denied because of the residential area to the north. He said there were two roads between his
property and the residential property and asked for consideration of taller outdoor storage.

Chair Jugler asked for clarification about the previous approval of the six foot limitation. Mr. Brimley said staff determined it was consistent for recommendation of the six foot outdoor storage limit because of history in the area.

APPROVAL OF CUP 1612-0003, A REQUEST BY MIKE DAWSON, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR AN INDUSTRIAL USE FOR DAWSON HOME SYSTEMS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Uccardi moved to approve as conditioned, CUP 1612-0003, a Conditional Use Permit for outdoor storage for the Dawson Homes expansion located at 171 West 200 South, based on the findings and discussion in the Staff Report with the following conditions:

1) The construction documents submitted for City review shall be in substantial conformance with the documents submitted in this CUP and Site Plan approval, CUP 1612-0003.

2) The outdoor storage area is to be fully enclosed with a minimum six foot high chain link fence with privacy slats. The chain link fence with privacy slats should be kept in good repair. Failure to meet these standards (or any other applicable Code requirements of the City’s Municipal Code) and the development is subject to the Conditional Use Permit revocation process.

3) The final engineering design (construction drawings) submitted for grading/drainage and utility improvements shall meet City standards and be to the satisfaction of the City Engineer.

4) The requirements set forth by the North Davis Fire District letter, shall be fully complied with at the time a building permit is issued and not later than the certificate of occupancy final inspection.

5) The proposed expansion of the storage building is to be located at least two feet from the side property line.

6) Pursuant to Land Use Ordinance § 11-13-23(C) and (D) in Clearfield City Code, the final building permit approval is subject to the applicant establishing an escrow account, as reviewed and approved by the City Engineer and City Attorney if the landscape improvements have not been completed.

7) Roof and ground mounted mechanical equipment shall be screened pursuant to the Land Use Ordinance.

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 Millard. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.
APPROVAL OF SP 1612-0003, A REQUEST BY MIKE DAWSON, FOR A SITE PLAN APPROVAL FOR AN INDUSTRIAL USE FOR DAWSON HOME SYSTEMS LOCATED AT 171 WEST 200 SOUTH (TIN: 12-022-0097). THE PARCEL IS APPROXIMATELY 2.068 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Uccardi moved to approve as conditioned, SP 1612-0003, a Site Plan for the Dawson Homes expansion located at 171 West 200 South, based on the findings and discussion in the Staff Report with the following conditions:

1) The approval of Site Plan 1612-0003 is subject to approval of a Conditional Use Permit 1612-0003 for the use of a building materials supply yard and Outdoor Storage as permitted under the City’s ordinances and subject to conditions set forth in CUP 1612-0003.

2) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1612-0003.

3) Improvement plans, storm water detention facilities, and parking lot design shall be designed and installed to the satisfaction of the City Engineer and City Public Works Director. A clean out shall be provided to reduce sand and silt buildup in the storm detention facility.

4) Site Plan approval is subject to North Davis Fire District review and approval. The final plans shall meet Fire Code and be to the satisfaction of the North Davis Fire District Fire Chief.

5) Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance § 11-13-23(C) and (D) in Clearfield City Code, final approval will be subject to the applicant establishing an escrow account for future landscaping installation, as reviewed and approved by the City Engineer and City Attorney.

6) Fencing for any outdoor storage shall comply with City Code § 11-13-12 (B) by being at least 6 feet in height and making such storage impervious to sight from any public street, right-of-way, or adjacent property. No outdoor storage shall exceed six feet in height.

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

RZN 1703-0001, A REQUEST BY SILVER PEAK ENGINEERING FOR A REZONE OF PROPERTY FROM M-1 (MANUFACTURING) TO M-1-SP (MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY) ON APPROXIMATELY 23.72 ACRES OF PROPERTY LOCATED AT OR NEAR 1250 S. STATE STREET (TIN: 12-066-0137).

The item was continued to the June 7, 2017 Planning Commission meeting.
DISCUSSION ON RZN 1703-0003 A REQUEST BY CRAIG WINDER ON BEHALF OF IRONWOOD DEVELOPMENT, TO REZONE A PARCEL FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3) LOCATED AT 823 WEST 1600 SOUTH (TIN: 12-854-0026). THE TOTAL PARCEL IS APPROXIMATELY 1.88 ACRES.

Spencer Brimley said the request was for a zoning change from C-2 to R-3. The proposed use was a for sale townhome project. The developer requested maximizing density with 16 units to the acre, which allowed approximately 30 units on the property. Mr. Brimley said the change was consistent with the General Plan. The site plan and elevations were provided to the commissioners for insight only. He said City Council typically required a development agreement with projects in the R-3 zone.

Mr. Brimley said the intent of the developer was that the units would be for sale and not for rent and the subdivision plat would be amended and subdivided for individual lots.

Craig Winder, with Ironwood Development, said the lots would be individually owned.

Commissioner Parkinson asked if there would be any common area. Mr. Winder said there was some open space but the lot with the townhome would be owned by the homeowner.

Commissioner Murray said she was in favor of recommending to the City Council approval with amendments. Mr. Brimley reviewed the conditions of approval and stated they were the conditions discussed with the City Council on a previous request for the property. If there were additional conditions or concerns the Commission would like added it should be stated.

RECOMMENDATION OF RZN 1703-0003 A REQUEST BY CRAIG WINDER ON BEHALF OF IRONWOOD DEVELOPMENT, TO REZONE A PARCEL FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3) LOCATED AT 823 WEST 1600 SOUTH (TIN: 12-854-0026). THE TOTAL PARCEL IS APPROXIMATELY 1.88 ACRES.

Commissioner Parkinson moved to recommend to the City Council approval of, RZN 1703-0003 a request by Craig Winder on behalf of Ironwood Development, to rezone a parcel from Commercial (C-2) to Residential (R-3), located at 823 West 1600 South (TIN: 12-854-0026), based on the discussion and findings in the Staff Report with the following conditions:

1. This Zoning Map Amendment is conditioned upon the submittal and approval of a Site Plan.
2. A development agreement is required for the development of this parcel and shall be completed prior to final approval of the zoning request for the parcel.

Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Britton and Browning. Voting NO: Commissioner Murray.
DISCUSSION ON CUP 1703-0005 AND SP 1703-0005, A REQUEST BY DEAN GARRETT, FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL FOR THE USE OF PROPERTY BY MORGAN PAVEMENT FOR THE OPERATION OF ITS BUSINESS WITH OUTDOOR STORAGE LOCATED AT APPROXIMATELY 600 SOUTH MAIN (TIN: 12-022-0066, 12-022-0058 AND 12-022-0009). THE PARCEL IS APPROXIMATELY 1.52 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Spencer Brimley said Mr. Garrett had a conflict and was unable to attend. The final plat approval to combine two lots was approved by City Council and Morgan Pavement requested Conditional Use Permit (CUP) and site plan approval for outdoor storage with office space in an existing building. The main operation on the site would be for staging and storing of materials. Outdoor storage was an allowed secondary use if there was a primary use on the site. Two buildings would remain on the site with one used for an office and the other as an accessory building. A portion of the street would be dedicated to the City; curb, gutter and sidewalk would be installed. The proposed landscaping was in excess of the required ten percent. Mr. Brimley said the outdoor storage was limited to six feet because of the residential use across the street; however, a request for a taller fence was made.

Mr. Brimley said the owner had heavy equipment that caused problems on asphalt paving and options were being discussed that would keep the site in compliance with City Code and not cause damage to the site. The outdoor storage would be screened and the bins for material would have sprinklers installed to keep dust or particulates from blowing onto adjacent properties. The existing building was consistent with City Code and would be screened by fencing and landscaping and would not be seen from Main Street. The parking area would be enlarged to accommodate employees. A dumpster would not be provided at that site but the dumpster at the main facility across the street would be used. Staff recommended approval of the CUP and site plan as conditioned.

Commissioner Murray asked how tall the fence would be. Mr. Brimley said there was an existing eight foot chain link and staff recommended chain link with slats for screening purposes. All properties in the area were manufacturing except for the parcel that was zoned R-2, Residential, and the Public Works campus that was zoned PF, Public Facilities.

APPROVAL OF CUP 1703-0005, A REQUEST BY DEAN GARRETT, FOR A CONDITIONAL USE PERMIT FOR THE USE OF PROPERTY BY MORGAN PAVEMENT FOR THE OPERATION OF ITS BUSINESS WITH OUTDOOR STORAGE LOCATED AT APPROXIMATELY 600 SOUTH MAIN (TIN: 12-022-0066, 12-022-0058 AND 12-022-0009), THE PARCEL IS APPROXIMATELY 1.52 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Millard moved to approve CUP 1703-0005, a request by Dean Garrett, for a Conditional Use Permit for the use of property by Morgan Pavement for the operation of its business with outdoor storage, located at approximately 600 South Main (TIN: 12-022-0066, 12-022-0058 and 12-022-0009), based on the discussion and findings in the Staff Report with the following conditions:
1) This Conditional Use Permit is for Morgan Pavement for a material supply yard with outdoor storage as allowed pursuant to City ordinances.
2) The fencing plan should consist of a minimum of a 6-foot high screening fence which must make the site impervious to view from any public street, right-of-way, or adjacent property. Fencing shall be kept in good maintenance and repair.
3) Landscaping shall be installed along the south and west property lines as well as along the east side where the entrance is located.
4) Staff would also recommend additional trees in the area planted to add necessary screening to reduce detrimental impacts to neighboring property owners. No bins for materials shall have storage taller than 6 feet in height.
5) Any outdoor storage must be kept orderly and clean of debris and items not permitted by this Conditional Use Permit.
   a. No visibility or stacking of materials may exceed six feet in height. If this standard is documented to be violated, the revocation process for the CUP and Business License will be initiated.
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.
7) Hours of operation shall be consistent with surrounding businesses and operations for adjacent Morgan Pavement Business. The site may not produce any vibrations or concussive noises that adversely affect surrounding properties.
8) This approval does not constitute the approval of an excavation site or gravel pit. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

APPROVAL OF SP 1703-0005, A REQUEST BY DEAN GARRETT, FOR A SITE PLAN FOR THE USE OF PROPERTY BY MORGAN PAVEMENT FOR THE OPERATION OF ITS BUSINESS LOCATED AT APPROXIMATELY 600 SOUTH MAIN (TIN: 12-022-0066, 12-022-0058 AND 12-022-0009). THE PARCEL IS APPROXIMATELY 1.52 ACRES AND IS LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Parkinson moved to approve, SP 1703-0005, a request by Dean Garrett, for a Site Plan for the use of property by Morgan Pavement for the operation of its business located at approximately 600 South Main (TIN: 12-022-0066, 12-022-0058 and 12-022-0009) based on the discussion and findings in the Staff Report with the following conditions:
1) The approval of Site Plan 1703-0005 is subject to approval of a Conditional Use Permit 1703-0005 for the use of a materials supply yard and Outdoor Storage as permitted under the City’s ordinances and subject to conditions set forth in CUP 1703-0005.
2) Landscape plan must be revised to include automatic irrigation system, as well as tree and shrub counts for the site. Additional landscaping shall be provided for the site to assist with the screening of the use from Main Street on the east and the trail on the west.
3) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1703-0005.

4) Improvement plans, storm water detention facilities, and parking lot design shall be designed and installed to the satisfaction of the City Engineer and City Public Works Director. A clean out shall be provided to reduce sand and silt buildup in the storm detention facility.

5) Site Plan approval is subject to North Davis Fire District review and approval. The final plans shall meet Fire Code and be to the satisfaction of the North Davis Fire District Fire Chief.

6) Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance § 11-13-23(C) and (D) in Clearfield City Code, final approval will be subject to the applicant establishing an escrow account for future landscaping installation, as reviewed and approved by the City Engineer and City Attorney.

7) Fencing for any outdoor storage shall comply with City Code § 11-13-12 (B) by being at least 6 feet in height and making such storage impervious to sight from any public street, right-of-way, or adjacent property. No outdoor storage shall exceed six feet in height.

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

DISCUSSION ON CUP 1704-0004, A REQUEST BY KRIS PAINTER ON BEHALF OF TALIA EVENT CENTER, FOR A CONDITIONAL USE PERMIT FOR A RECEPTION CENTER IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 22 EAST 200 SOUTH (TIN:12-001-0206). THE PARCEL IS APPROXIMATELY 1.37 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley said the request was for a reception center at the building formerly occupied by Bogey’s Rockin’ Country. It was staff’s opinion that the proposal was an improvement to the area. The building would be used as an event/reception center with improvements to the site and additional landscaping creating garden space and changes to the front façade. The building was approximately 18,000 square feet and some changes would be made to the interior of the building. The business hours would be 8 a.m. to 11 p.m. An application would be made for an event liquor license. There was adequate parking on the site. Staff recommended approval of the Conditional Use Permit.

Commissioner Browning asked if there were any issues with the other reception center in the City. Mr. Brimley said staff was not aware of concerns or violations associated with Villa Magnolia. The owner wanted to run an establishment that brought events and opportunities to the City.
APPROVAL OF CUP 1704-0004, A REQUEST BY KRIS PAINTER ON BEHALF OF TALIA EVENT CENTER, FOR A CONDITIONAL USE PERMIT FOR A RECEPTION CENTER IN AN EXISTING COMMERCIAL BUILDING LOCATED AT 22 EAST 200 SOUTH (TIN:12-001-0206). THE PARCEL IS APPROXIMATELY 1.37 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Millard moved to approve as conditioned, CUP 1704-0004, a request by Kris Painter on behalf of Talia Event Center, for a Conditional Use Permit for a reception center in an existing commercial building located at 22 East 200 South (TIN:12-001-0206), based on the findings and discussion in the Staff Report with the following conditions:

1) This Conditional Use Permit is for a reception center use located at 22 East 200 South (TIN:12-001-0206).
2) Hours of operation shall be from 8 a.m. to 11 p.m.
3) 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 Uccardi, Millard, Parkinson, Murray, Britton and Browning. Voting NO: None.

DISCUSSION ITEMS

Spencer Brimley reminded the commissioners he had sent an email about training on Saturday, May 6 from the Land Use Academy of Utah. Changes made in State Statute would be discussed. He said registration was free and could be completed online.

COMMUNICATION ITEMS

Mr. Brimley said two of the three City Council open houses had been held. He encouraged the commissioners to attend the last open house on May 30th at Wasatch Elementary. There would be a combined work session with City Council on May 16th at 6:00 p.m.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Browning – Nothing

Commissioner Britton – Asked if there were many applications for chicken licenses. Mr. Brimley said there had been about eight to ten applications received.

Commissioner Murray – Nothing

Commissioner Parkinson – Said the training on Saturday included discussion on HB 232 which addressed conditional uses. Mr. Brimley said staff was looking at a timeline to address those issues and the notification process would change. State Law required some changes to Clearfield City’s conditional use permit process. Commissioner Parkinson asked Mr. Brimley to involve the
Planning Commission in the ordinance revision process.

Commissioner Uccardi – Asked if there was a time for the TOC meeting that was scheduled to be held in Clearfield on May 10th. Mr. Brimley said the meeting would be held at 6 p.m. in the Council Chambers. The meeting was being held by UTA but told the commissioners they were welcome to attend. JJ Allen, Assistant City Manager, said TOC was an advisory body to UTA and would make a recommendation to the board. There were several steps required for UTA to sell the property. He said public comment would be taken at the meeting next week. Mr. Allen said when the public notice was posted by UTA it would be posted on the City’s website.

Commissioner Millard – Said June would be his last meeting. Chair Jugler thanked Commissioner Millard for his service and contribution to the Planning Commission.

Chair Jugler – Thanked staff for the work on a large agenda.

There being no further business to come before the Planning Commission, Commissioner Parkinson moved to adjourn at 8:21 P.M. Seconded by Commissioner Millard.