The Pledge of Allegiance was led by Chair Jugler.

APPROVAL OF MINUTES FROM NOVEMBER 7, 2018 PLANNING COMMISSION MEETING

Commissioner Uccardi moved to approve the minutes of November 7, 2018 as written. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

Chair Jugler read the Planning Commission Chair statement.

PUBLIC HEARING AND DISCUSSION ON PSP 1811-0001, A PRELIMINARY SUBDIVISION PLAT REQUEST BY JACOB WOODWARD TO MODIFY THE EXISTING PROPERTY LINES TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION LOCATED AT 1350 EAST 700 SOUTH (TIN: 09-020-0015 & 09-020-0036).

The public hearing was declared open at 7:06 p.m.

The following facts were presented:
- The subdivision plat request included two existing commercial properties at the location of the existing Chevron Gas Station and JP’s Auto Repair site.
- The proposed subdivision realigned the shared property line to be located at the rear of the
convenience store to provide a clear separation between the two uses.

- Lot 1 would be the location for the gas station and convenience store
- Lot 2 would continue as the location for the auto repair business.
- Lot 2 was a flag lot and included a staff portion that provided access to 700 South (Highway 193). The staff portion of Lot 2 was twenty feet wide (as required by ordinance) and included an access easement in favor of Lot 1.
- Lot 1 included a ten foot public utility easement along the property frontage and each lot had the required perimeter easements to accommodate the existing utilities in the area.

The conditions of approval were reviewed.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 7:09 p.m.

APPROVAL OF PSP 1811-0001, A PRELIMINARY SUBDIVISION PLAT REQUEST BY JACOB WOODWARD TO MODIFY THE EXISTING PROPERTY LINES TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION LOCATED AT 1350 EAST 700 SOUTH (TIN: 09-020-0015 & 09-020-0036).

Commissioner Uccardi moved to approve the preliminary subdivision plat PSP 1811-0001, a request by Jacob Woodward for a two (2) lot commercial subdivision for the properties located at 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). The approval is based on the discussion and findings in the Staff Report with the following conditions:

1) The plat shall be revised to meet requirements of the Clearfield City Engineer prior to approval by the City and recording at the Davis County Recorder’s office.
2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
3) Future development or redevelopment of these properties shall comply with the development standards outlined for the C-2 Zone and as also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.
PUBLIC HEARING AND DISCUSSION ON PSP 1811-0002, A PRELIMINARY SUBDIVISION PLAT REQUEST BY LESLIE MASCARO ON BEHALF OF MAVERIK TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION AT THE PROPERTY LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 EAST (TIN: 09-017-0001, 09-017-0002, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011).

The public hearing was declared open at 7:13 p.m.

The following facts were presented:

- The request was to combine the existing properties and create a two lot commercial subdivision.
- Lot 1 of the proposed subdivision would be the future location of a new Maverik convenience store.
- Lot 2 was provided for Dominion Energy to construct a new regulation facility.
- Lot 1 would have a continual thirty foot easement for access to the Dominion Energy regulation station.
- The proposed plat included the vacation of a previous street right-of-way that was used for the homes that fronted 700 South.
- This right-of-way was also the location of existing water, sewer, and natural gas utility lines. With the request to vacate that right-of-way, the plat provided a twenty foot wide utility easement for access and maintenance of those existing utilities.
- Due to the increased traffic that the proposed convenience store would generate, there was a right-of-way dedication provided for the corner of 700 South and 1000 East and along 1000 East to widen the turn radius and the northbound travel lane. The street right-of-way vacation will be reviewed by the Clearfield City Council in a public hearing on December 11, 2018.

The conditions of approval were reviewed.

PUBLIC COMMENT:

David Bloomfield, Clearfield, was concerned about the traffic. He said it was difficult for a semi to turn right from 700 South to 1000 East. He said 1000 East should be widened. The amount of traffic on 1000 East had increased since the realignment of the freeway entrance. He said a traffic survey needed to be done. He asked where the Dominion Energy facility would be built. Access needed to be made for the truck drivers to enter into Maverik.

Leslie Mascaro, representing Maverik, said a traffic survey was provided. She said 1000 East would be widened. The Dominion Energy regulation station would be shifted to the north. She stated all necessary easements were in place.

Brad McIlrath stated the traffic impact study would be reviewed on December 6, 2018 by the City Engineer, staff engineer and a traffic engineer. The site layout and building would be reviewed at the January meeting.
The public hearing was closed at 7:24 p.m.

APPROVAL OF PSP 1811-0002, A PRELIMINARY SUBDIVISION PLAT REQUEST BY LESLIE MASCARO ON BEHALF OF MAVERIK TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION AT THE PROPERTY LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 EAST (TIN: 09-017-0001, 09-017-0002, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011).

Commissioner Jones moved to approve the preliminary subdivision plat PSP 1811-0002, a request by Leslie Mascaro on behalf of Maverik to create a two (2) lot commercial subdivision at property located at approximately 700 South 1000 East. The recommendation is based on the discussion and findings in the Staff Report with the following conditions:

1) The proposed plat shall be simplified to include only new property lines, easements, and areas of dedication. Utilities are to be shown on a Utility Plan and the final plat shall not include topographic lines.

2) Sufficient right-of-way shall be dedicated along 1000 East for northbound travel as determined by the traffic study and Clearfield City staff. The final plat shall be revised to reflect that right-of-way dedication.

3) These conditions shall be met prior to review of the final plat by the Clearfield City Council.

Seconded by Commissioner Lloyd. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON RZN 1811-0003, A ZONING MAP AMENDMENT REQUEST BY CRAIG NORTH TO REZONE THE PROPERTY LOCATED AT 1295 WEST 300 NORTH (TIN: 12-024-0014) FROM A-1 (AGRICULTURAL) TO R-2 (RESIDENTIAL).

The public hearing was declared open at 7:28 p.m.

The background information and facts presented were:

- The request was to rezone this property from A-1 to R-2 to develop the property with townhomes or with a smaller lot single-family development.
- The A-1 Zone allowed the development of single-family residential lots that have a minimum lot area of one third (1/3) an acre or 14,520 square feet.
- Clearfield City’s General Plan designates this area along the south end of 300 North as residential. The residential designation is to be used primarily for residential activities and includes the agricultural land that allows for single-family residences and the keeping of certain animals.
- “The R-2 Zone was designated for multi-family dwelling units with a density up to eight (8) units per acre. Developments under this zone are typically arranged as duplexes, twin homes, or townhome-style units”
- The R-1-8 zone in the General Plan was identified as Clearfield City’s default residential
single-family zone, and was the preferred zone for future development of single family housing. The surrounding residential properties were zoned R-1-8 or R-1-9, which were both single-family zoning districts.

- Clearfield City recently placed an emphasis on high density housing being constructed along the downtown corridor with the intent to revitalize the downtown area, while encouraging single-family development for residential areas located outside of the downtown. The following Land Use Guidelines of the General Plan support this development strategy.
  - The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
  - Transitions between differing land uses and intensities should be made gradually with compatible uses.
  - Density increases should be considered only after adequate infrastructure and resource availability have been sufficiently demonstrated.
  - Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding uses.

Staff recommended the Planning Commission forward a recommendation of denial to the City Council for the proposed rezone based upon the following findings:
1. Surrounding residential uses are single-family and share an existing single-family zoning classification.
2. This rezone would increase the residential density of the area without support from public transportation or additional pedestrian infrastructure and connections.
3. The General Plan supports the increase use of the R-1-8 Zone as the preferred zone for development of single-family residential neighborhoods.
4. Clearfield City is focused on multi-family development within the downtown and single-family development outside of the downtown corridor.

Dean Cotter, realtor for the property, determined the only way the property would sell was to rezone. He gave a copy of an aerial map of the area and said the surrounding properties included a mobile home park, commercial businesses, storage units, duplexes and single family homes. He proposed construction of 14 to 15 patio homes. The existing house on the property would be demolished.

PUBLIC COMMENT:

Sam North, representing the applicant Craig North, said it was their opinion that there was a market for single family homes.

Devin Prouty, Clearfield, lived south and west of the property and asked the commissioners to consider the impact on the surrounding properties with the additional residences in the small area created traffic issues.

Brad McIlrath read an email comment from Jeff Smith, Clearfield, who said his opinion was that
rezoning to allow townhomes would increase congestion and decrease surrounding property values.

Mr. Cotter gave the commissioners a map of the houses that had sold in the area and explained how there was a market for smaller lot, residential patio homes and that those types of properties do not decrease surrounding property values but increase the value.

The public hearing was closed at 7:53 p.m.

Points of Planning Commission discussion:
- The rezone should not be made based on the proposed project because the project could change.
- The R-2 zone allowed for single family homes plus some multi-family housing.
- The General Plan stated the R-2 zone typically had duplexes, twin homes and townhomes.
- The General Plan listed the property as residential and the R-2 zone was not in conflict with the General Plan but the guidelines state to use the R-1-8 zone.
- Recent direction from the City Council was for density in the downtown area.
- There were other parcels throughout the City with similar problems that had been rezoned to allow single-family but which were now being developed with multi-family housing.

RECOMMENDATION ON RZN 1811-0003, A ZONING MAP AMENDMENT REQUEST BY CRAIG NORTH TO REZONE THE PROPERTY LOCATED AT 1295 WEST 300 NORTH (TIN: 12-024-0014) FROM A-1 (AGRICULTURAL) TO R-2 (RESIDENTIAL).

Commissioner Murray moved to recommend denial of RZN 1811-0003 to the Clearfield City Council, a request by Craig North to rezone the property located at 1295 West 300 North from A-1 (Agricultural) to R-2 (Residential) based on the findings and discussion in the staff report. Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

Chair Jugler requested a five minute recess. Commissioner Bigelow moved to have a five minute recess at 8:08 p.m. Seconded by Commissioner Browning.

The meeting resumed at 8:12 p.m.

PUBLIC HEARING AND DISCUSSION ON GPA 1811-0005, A GENERAL PLAN AMENDMENT REQUEST BY KIM KELLER TO CHANGE THE GENERAL PLAN DESIGNATION FOR THE PROPERTY LOCATED AT 755 EAST 200 SOUTH (TIN: 12-002-0015) FROM RESIDENTIAL TO COMMERCIAL.

The public hearing was declared open at 8:13 p.m.

The following facts were presented:
The property under consideration was developed as storage units in 1989. Terrace View Subdivision was built in 1959 and the Smith Village Subdivision, to the west was built in 2004. All parcels in this area were shown as residentially zoned and identified in the General Plan as residential. The current use of the property as a storage facility, which was not a residential use and would be more appropriately identified as a commercial use in a residential area. The request for amendment to the General Plan was from Residential to Commercial. The applicant requested a rezone of the parcel from R-1-8 (Residential) to C-2 (Commercial), to make the zoning more consistent with the use of the property. Approval of the zoning request would provide a buffer from the I-15 corridor for any future residential development and would prohibit the development of single family or any other residential uses adjacent to the interstate. The amendment to the general plan was the first step in the process and must be approved to allow for the rezone of the parcel as well. The general plan request, along with the rezone would not intensify the non-conforming use on the property, but rather applied a more appropriate zoning designation to an existing use. Prior to 2002 storage units were a conditional use within the C-2 (Commercial) zone. In January 2002 and in November 2009 the Land Use Code was amended to disallow the future construction of commercial storage units and facilities within the City. A General Plan Amendment was a necessary step, in order to allow for the rezone of parcels.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 8:16 p.m.

RECOMMENDATION OF GPA 1811-0005, A GENERAL PLAN AMENDMENT REQUEST BY KIM KELLER TO CHANGE THE GENERAL PLAN DESIGNATION FOR THE PROPERTY LOCATED AT 755 EAST 200 SOUTH (TIN: 12-002-0015) FROM RESIDENTIAL TO COMMERCIAL.

Commissioner Murray moved to recommend approval of GPA 1811-0005, to the Clearfield City Council, a request by Kim Keller to change the General Plan designation for the property located at 755 East 200 South (TIN: 12-002-0015) from Residential to Commercial based on the following findings:

1. The proposed general plan amendment is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed general plan amendment is supported by Chapter 2 – Land Use Element as Commercial is an appropriate designation for this location.
3. Commercial is the appropriate designation for properties along a major transportation corridor of the City.
Seconded by Commissioner Lloyd. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON RZN 1811-0005, A ZONING MAP AMENDMENT REQUEST BY KIM KELLER TO REZONE THE PROPERTY LOCATED AT 755 EAST 200 SOUTH (TIN: 12-002-0015) FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL).

The public hearing was declared open at 8:17 p.m.

The following findings were presented:
1. The proposed zone change is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed zone change is supported by Chapter 2 – Land Use Element as the C-2 (Commercial) Zone is an appropriate designation for this location.
3. The C-2 Zone is the appropriate zone for properties along a major transportation corridor of the City.
4. Subject to conditional use permit approval, the C-2 Zone provides the flexibility, design standards, and process by which appropriate commercial uses can be constructed.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 8:19 p.m.

RECOMMENDATION OF RZN 1811-0005, A ZONING MAP AMENDMENT REQUEST BY KIM KELLER TO REZONE THE PROPERTY LOCATED AT 755 EAST 200 SOUTH (TIN: 12-002-0015) FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL).

Commissioner Uccardi moved to recommend Approval of RZN 1811-0005, to the Clearfield City Council, request by Kim Keller to rezone the subject property from R-1-8 (Residential) to C-2 (Commercial) based on the findings and discussion in the staff report. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

DISCUSSION AND POSSIBLE ACTION ON FSP 1810-0006, AN AMENDED SUBDIVISION PLAT REQUEST AND SP 1810-0007, A SITE PLAN REVIEW REQUEST BY JOSEPH EARNEST TO AMEND LOT 2 OF THE DOLLAR TREE SUBDIVISION TO REDUCE THE NORTH PROPERTY LINE EASEMENT FROM SEVEN FEET (7’) WIDE TO THREE FEET (3’) ALONG A 114 FOOT PORTION OF THAT PROPERTY LINE AND CONSTRUCT A QUICK QUACK CAR WASH AT THE PROPERTY LOCATED AT 585 NORTH MAIN STREET (TIN: 14-530-0002) - TABLED.

The applicant requested to table the amended subdivision plat and site plan approval to the
January 2019 Planning Commission meeting.

Commissioner Uccardi moved to table FSP 1810-0006 and SP 1810-0007 to the January 9, 2019 meeting. Seconded by Commissioner Lloyd. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

DISCUSSION ON FSP 1811-0001, A FINAL SUBDIVISION PLAT REQUEST BY JACOB WOODWARD TO MODIFY THE EXISTING PROPERTY LINES TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION AT THE PROPERTY LOCATED AT 1350 EAST 700 SOUTH (TIN: 09-020-0015 & 09-020-0036).

The conditions of approval were discussed.

It was also noted that a firewall along the property line to separate the auto repair business from the convenience store in the building was required to meet building code.

RECOMMENDATION ON FSP 1811-0001, A FINAL SUBDIVISION PLAT REQUEST BY JACOB WOODWARD TO MODIFY THE EXISTING PROPERTY LINES TO CREATE A TWO (2) LOT COMMERCIAL SUBDIVISION AT THE PROPERTY LOCATED AT 1350 EAST 700 SOUTH (TIN: 09-020-0015 & 09-020-0036).

Commissioner Lloyd moved to forward a recommendation of approval of FSP 1811-0001 to the Clearfield City Council for the final subdivision plat request by Jacob Woodward for a two (2) lot commercial subdivision for the properties addressed 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). This recommendation is based on the discussion and findings in the Staff Report with the following conditions:

1) The plat shall be revised to meet requirements of the Clearfield City Engineer prior to approval by the City and recording at the Davis County Recorder’s office.
2) The surveyor for the project shall confirm whether or not the 8.8 foot gap is part of the Tai Pan Subdivision or another property, if not it can resolved by being included as part of Lot 2. This shall be resolved prior to printing the final plat on mylar for signatures.
3) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
4) Future development or redevelopment of these properties shall comply with the development standards outlined for the C-2 Zone and as also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.
5) All improvement drawings required by the City Engineer shall be provided for review prior to any remodeling/redesigning of the site.

Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.
DISCUSSION ON FSP 1811-0002, A FINAL SUBDIVISION PLAT REQUEST BY LESLIE MASCARO ON BEHALF OF MAVERIK TO CREATE A TWO LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 EAST (TIN: 09-017-0001, 09-017-0002, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011).

The conditions of approval were reviewed.

Points of Planning Commission discussion included:

- Pedestrian traffic would be increased including high school students and this was a concern to commission members that the intersection was safe for pedestrians.
- The intersection would be widened.
- The utilities might be relocated.
- UDOT requested an increase in the turning radius of the intersection.
- The traffic light needed to be shifted as part of the widening of the intersection.

RECOMMENDATION OF FSP 1811-0002, A FINAL SUBDIVISION PLAT REQUEST BY LESLIE MASCARO ON BEHALF OF MAVERIK TO CREATE A TWO LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 EAST (TIN: 09-017-0001, 09-017-0002, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011).

Commissioner Uccardi moved to forward a recommendation of approval of FSP 1811-0002 to the Clearfield City Council for the final subdivision plat request by Leslie Mascaro on behalf of Maverik to create a two (2) lot commercial subdivision at approximately 700 South and 1000 East based on the discussion and findings in the Staff Report with the following conditions:

1) The proposed plat shall be simplified to include only new property lines, easements, and areas of dedication. Utilities are to be shown on a Utility Plan and the final plat shall not include topographic lines.

2) Sufficient right-of-way shall be dedicated along 1000 East for northbound travel as determined by the traffic study and Clearfield City staff. The final plat shall be revised to reflect that right-of-way dedication.

3) The proposed plat shall comply with the City Engineer requirements prior to printing a mylar for signatures and recording.

4) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

5) Future development of these properties shall comply with the development standards outlined for the C-2 Zone and also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

6) 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 Code 12-4-6.

Seconded by Commissioner The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones, and Bigelow. Voting NO: None.

DISCUSSION ITEMS:

TRAINING

The open meetings law was reviewed and discussed in accordance with Utah State law.

2019 PLANNING COMMISSION MEETING SCHEDULE

The schedule for the 2019 Planning Commission meetings was presented to the commissioners.

- January 9, 2019 (second Wednesday)
- February 6, 2019
- March 6, 2019
- April 3, 2019
- May 1, 2019
- June 5, 2019
- July 10, 2019 (second Wednesday)
- August 7, 2019
- September 4, 2019
- October 2, 2019
- November 6, 2019
- December 4, 2019

PLANNING COMMISSION PRE-MEETING/WORK MEETING

Discussion was held about holding a pre-meeting/work meeting at 6:30 p.m. before each regular Planning Commission meeting.

- Held in the Executive Conference Room.
- Recorded and included in the minutes.
- Open to the public, but no public comment.
- Briefly discuss agenda items and answer questions.
- The work meeting could shorten the Planning Commission meeting.
- Discussion on City Code or policy could be resolved prior to the meeting.
- Could help staff be more prepared for response during meeting.
- Work session allowed commissioners’ time to think through the project and go to the meeting prepared.
- Optional to attend.
PUBLIC HEARINGS

Brad McIlrath said Table 11.2 was reviewed in a joint work meeting with City Council. Utah State Land Use Development and Management Act (LUDMA) separated all items into legislative or administrative actions.

Recommendation from staff:
  Legislative Items
  • Require a public hearing
  • Meet State Code requirements for noticing
  • Notice on site when applicable

  Administrative Items
  • Remove public hearing
  • Decide as City how to notice or if to notice at all
  • Decide as City if public comment would be allowed

After discussion of the current procedure, the Planning Commission determined to remove the public hearings but continue with the posting the property and sending a notice to surrounding property owners and allow public comment on administrative items.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Bigelow – Nothing

Commissioner Jones – Nothing

Commissioner Browning – Nothing

Commissioner Murray – Nothing

Commissioner Uccardi – Have a wonderful holiday.

Commissioner Lloyd – Said as an applicant public comment could be frustrating.

Chair Jugler – Merry Christmas and Happy New Year.

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