The Pledge of Allegiance was led by Chair Jugler.

APPROVAL OF MINUTES FROM OCTOBER 3, 2018 PLANNING COMMISSION MEETING

Commissioner Uccardi moved to approve the minutes of the October 3, 2018 Planning Commission meeting as written. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Bigelow, Murray, Browning, and Jones. Voting NO: None.

Chair Jugler read the Planning Commission Chair statement.

PUBLIC HEARING AND DISCUSSION ON RZN 1810-0002, A ZONING MAP AMENDMENT REQUEST BY MARK GARZA TO REZONE THE PROPERTIES LOCATED AT 320, 340 AND 360 WEST 1700 SOUTH (TIN: 12-787-0003, 12-787-0002, & 12-787-0001) FROM M-1 (MANUFACTURING) TO C-2 (COMMERCIAL).

The public hearing was declared open at 7:04 p.m.

Brad McIlrath, Senior Planner, said the request was for rezone from M-1 (Manufacturing) to C-2 (Commercial). The properties were adjacent to Freeport Center and the properties to the south were zoned C-2. Staff had reviewed the General Plan and recommended the Planning
Commission forward a recommendation of approval to the City Council based on the following findings:

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 of the General Plan, 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. The C-2 Zone provides the flexibility, design standards, and process by which this type of commercial business can be constructed

Mark Garza, applicant, said he had received positive feedback on the rezone to commercial.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 7:07 p.m.

RECOMMENDATION OF RZN 1810-0002, A ZONING MAP AMENDMENT REQUEST BY MARK GARZA TO REZONE THE PROPERTIES LOCATED AT 320, 340 AND 360 WEST 1700 SOUTH (TIN: 12-787-0003, 12-787-0002, & 12-787-0001) FROM M-1 (MANUFACTURING) TO C-2 (COMMERCIAL).

Commissioner Browning moved to recommend approval of RZN 1810-0002, to the Clearfield City Council, a request by Mark Garza to rezone the properties located at 320, 340 and 360 West 1700 South (TIN: 12-787-0003, 12-787-0002, & 12-787-0001) from M-1 (Manufacturing) to C-2 (Commercial). Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Bigelow, Murray, Browning, and Jones. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON CUP 1810-0004, A CONDITIONAL USE PERMIT REQUEST BY CAMERON WINQUIST TO OPERATE A MOTOR VEHICLE SALES BUSINESS (DUBS AUTO) AT THE PROPERTY LOCATED AT 345 WEST 1700 SOUTH (TIN: 12-809-0001).

The public hearing was declared open at 7:09 p.m.

Brad McIlrath said the Conditional Use Permit (CUP) was for motor vehicle sales in the rear of the Pawn Depot building at 345 West 1700 South. The property was zoned C-2 (Commercial). Additional striping of the parking lot would designate the parking lot use for Dubs Auto for customer parking and inventory. The parking and landscaping met City requirements. Staff recommended approval of the CUP with the nine conditions which were reviewed.
Cameron Winquist, applicant, said he had owned a dealership in another city and was moving his business to Clearfield.

Commissioner Murray said the storm drain was not free of weeds as required from the approval for Pawn Depot. Mr. Winquist said weed killer had been applied and the weeds would be removed now they were dead.

PUBLIC COMMENT:

There were no public comments.

Public hearing was closed at 7:17 p.m.

RECOMMENDATION OF CUP 1810-0004, A CONDITIONAL USE PERMIT REQUEST BY CAMERON WINQUIST TO OPERATE A MOTOR VEHICLE SALES BUSINESS (DUBS AUTO) AT THE PROPERTY LOCATED AT 345 WEST 1700 SOUTH (TIN: 12-809-0001).

Commissioner Uccardi moved to approve as conditioned, CUP 1810-0004, a Conditional Use Permit request by Cameron Winquist to operate a motor vehicle sales business (Dubs Auto) at property located at 345 West 1700 South (TIN: 12-809-0001). The recommendation was based on the findings and discussion in the staff report with the following conditions:

1) No sign or advertising shall be displayed on the premises other than signs permitted in accordance with City Code § 11-15.
2) The applicant shall provide one (1) van accessible ADA parking space with an eight foot (8') wide access aisle as required by code.
3) Vehicles that are stored for display shall be parked in the designated parking spaces shown on the site plan and shall not be double parked to provide access for employees, customers, and the fire district if necessary.
4) No washing, repair, or auto body work may occur on site. If those functions are to occur on site then floor drains are required to be installed with a 1,000 gallon oil-water separator to which all floor drains are connected.
5) There shall be complete conformity with the currently adopted building code, fire code, plumbing code, mechanical code, national electrical code and Davis County and state health codes, and to all state and city ordinances.
6) The business shall comply with all applicable building and fire code standards along with all applicable Davis County Health Department standards.
7) A fire safety inspection of the building shall be completed prior to the issuance of a business license.
8) The existing site landscaping shall continue to be maintained as previously approved and kept free of weeds.
9) The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.
Secended by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Bigelow, Murray, Browning, and Jones. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON FSP 1810-0004, A REQUEST BY CAMERON WINQUIST TO AMEND LOT 2A OF THE EXISTING LARSEN COMMERCIAL SUBDIVISION PLAT, TO SUBDIVIDE THE EXISTING LOT INTO TWO (2) NEW LOTS LOCATED AT 325 WEST 1700 SOUTH (TIN: 12-809-0001).

The public hearing was declared open at 7:19 p.m.

Brad McIlrath said the proposal was to amend the existing amended Larsen Commercial Subdivision plat which created a new lot for the building on the east. The amended plat had a shared access and no easements were being changed. Staff recommended the Planning Commission recommend approval to the City Council as conditioned. The conditions of approval were reviewed.

There was discussion that with the lot amendment the ten percent landscaping requirement would not be met on lot 2D. The Planning Commission could modify the requirement for the landscaping which required a development agreement with the City Council. The landscaping requirement was met prior to the lot amendment and lot 2C would have the required amount of landscaping.

Cameron Winquist said he was willing to make changes for a solution to the problem. Mr. McIlrath said the Commission could recommend approval with a Development Agreement to be approved by City Council.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 7:41 p.m.

Spencer Brimley, Community Development Director, said the Planning Commission needed to make the decision as the land use authority and send the recommendation to the City Council regarding the landscaping.

After discussion it was decided that the landscaping on lot 2D was satisfactory. Brie Brass, Assistant City Attorney said the Planning Commission needed to put on record if it were recommending modification with the development agreement that the standards had been met. Mr. McIlrath read City Code § 11-13-23

I. Modification: The percentage of required landscaped open space may be modified through a development agreement, subject to planning commission recommendation and city council approval. No modification shall be granted, however, unless the following standards are met:
1. The granting of the modification will not adversely affect the rights of adjacent landowners or residents;
2. The modification desired will not adversely affect the public health, safety or general welfare; and
3. The granting of the modification will not be opposed to the general spirit and intent of this title or the general plan.

After a review of the above referenced standard it was determined that the Planning Commission recommended that Development Agreement be executed between the City and Mr. Winquist to insure the landscaping as is was maintained unless otherwise required by the City Council to add additional landscaping based on the findings outlined in § 11-13-23-I.

RECOMMENDATION OF FSP 1810-0004, A REQUEST BY CAMERON WINQUIST TO AMEND LOT 2A OF THE EXISTING LARSEN COMMERCIAL SUBDIVISION PLAT, TO SUBDIVIDE THE EXISTING LOT INTO TWO (2) NEW LOTS LOCATED AT 325 WEST 1700 SOUTH (TIN: 12-809-0001).

Commissioner Uccardi moved to recommend approval to the City Council as conditioned FSP 1810-0004 a request of Cameron Winquist to amend Lot 2A of the existing Larsen Commercial Subdivision Plat to subdivide the existing lot into two (2) new lots at the property located at 325 West 1700 South (TIN: 12-809-0001) based on finding and discussion with the following conditions of approval:

1. The applicant shall work with the Clearfield City Engineer to address the items outlined in the engineering review letter dated 15 October 2018.
2. Items noted by the City Engineer shall be addressed prior to the recording of the mylar for the amended subdivision.
3. If the storm water detention basin located in the southwest corner of Lot 2C is to be used for both lots, language shall be added to the subdivision plat to indicate the maintenance and use of the detention for both lots.
4. The amended plat shall maintain existing utility and access easements as required by the City Engineer.
5. The proposed lots shall comply with lot frontage, width, setback, and development standards required by Title 11 of the Clearfield City Code.
6. Execution of a Development Agreement between the City Council and the Developer that the existing landscaping was acceptable based on finding of City Code § 11-13-23-I that granting the modification does not adversely affect the rights of adjacent landowners or residents, the public health, safety or general welfare and was not opposed to the general spirit and intent of City Code § Title 11 or the General Plan.
7. The monument sign located on Lot 2D shall not be used for signage of businesses located on Lot 2C.

Seconded by Commissioner Bigelow. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Bigelow, Murray, Browning, and Jones. Voting NO: None.
PUBLIC HEARING AND DISCUSSION ON FSP 1810-0001, AN AMENDED SUBDIVISION PLAT REQUEST BY JANET THOMAS ON BEHALF OF WEST SQUARE, LLC TO AMEND THE EXISTING SUBDIVISION PLAT TO CREATE A CONDOMINIUM SUBDIVISION PLAT FOR BUILDINGS B & C OF THE WEST SQUARE DEVELOPMENT LOCATED AT 875 SOUTH DEPOT STREET. (TIN: 12-850-0001)

The public hearing was declared open at 8:09 p.m.

Brad McIlrath said the request was to amend the existing subdivision plat to create a condominium plat for buildings B and C. The project was originally approved for apartments. A condominium plat was previously approved for Building A which included the clubhouse. The amendment was for Building B & Building C to have condominium plats rather than apartments. There were one, two and three bedroom condos with separate garages on the first floor. Staff recommended the Planning Commission send a recommendation of approval to the City Council as conditioned. The private covenants and restrictions were previously provided and approved with Building A and were written to include Buildings B and C.

Craig Winder, West Square LLC, said the condominium plat was the next step in the West Square project. He said the units were selling. The proposal was consistent with Development Agreement that had been executed.

PUBLIC COMMENT

There were no public comments.

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

RECOMMENDATION ON FSP 1810-0001, AN AMENDED SUBDIVISION PLAT REQUEST BY JANET THOMAS ON BEHALF OF WEST SQUARE, LLC TO AMEND THE EXISTING SUBDIVISION PLAT TO CREATE A CONDOMINIUM SUBDIVISION PLAT FOR BUILDINGS B & C OF THE WEST SQUARE DEVELOPMENT LOCATED AT 875 SOUTH DEPOT STREET. (TIN: 12-850-0001)

Commissioner Murray moved to recommend approval of FSP 1810-0001, to the Clearfield City Council, for the request by Janet Thomas on behalf of West Square, LLC, to amend the existing subdivision plat to create a condominium subdivision plat for Buildings B and C of the West Square development based on the findings and discussion in the staff report with the following conditions:

1) The final condominium plat shall meet City standards and be to the satisfaction of the City Engineer.
2) Construction of the units shall comply with current building code standards for condominiums with sufficient separation, materials, and connections for utilities.
3) Final review of the private covenants and restriction documents shall be completed by the City Attorney and any comments generated be appropriately addressed, prior to recordation of the associated documents along with the condominium plat.
4) The private covenants and restrictions required (pursuant to 11-13-24 of the City Land Use Ordinance), any amendment, and any instrument affecting the property or any unit therein, shall be approved by the City Attorney, Planning Commission, and City Council, and shall be recorded with the county recorder.

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

DISCUSSION ON SP 1809-0005, A SITE PLAN REVIEW REQUEST BY MATT GERTGE TO CONSTRUCT AN 18 UNIT OFFICE/WAREHOUSE BUILDING AT THE PROPERTY LOCATED AT 305 WEST 200 SOUTH (TIN: 12-022-0092)

Brad McIlrath said the site plan request was for construction of an 18 unit office/warehouse building. Each unit had an office and restroom area plus a large warehouse in the rear. The property was zoned M-1 and the General Plan designation was Business Park. The property was addressed off 200 South, but now had access off Center Street and the address would be amended. The site also contained self-storage units and an accessory building. The site plan proposed an additional access and the existing access needed to be reduced to 45 feet. The access points met the standards of the City Ordinance. Parking was provided on the west side of the building with the bay doors on the east side.

Staff recommended approval as conditioned. The conditions of approval were discussed. Points of discussion included:
   1. Chain link fence would not be allowed along street frontage.
   2. Design standards required roofline variations for the continuous roofline.

Matt Gertge, applicant, said the addition of an eyebrow canopy over the entrances should meet the variation to the roofline.

APPROVAL OF SP 1809-0005, A SITE PLAN REVIEW REQUEST BY MATT GERTGE TO CONSTRUCT AN 18 UNIT OFFICE/WAREHOUSE BUILDING AT THE PROPERTY LOCATED AT 305 WEST 200 SOUTH (TIN: 12-022-0092).

Commissioner Browning moved to approve as conditioned, SP 1809-0005, a site plan request by Matt Gertge to construct an 18 unit office/warehouse building at the property addressed 305 West 200 South (TIN: 12-022-0092) based on the discussion and findings in the Staff Report with the following conditions:
   1. The project shall comply with all applicable development standards of the M-1 Zone.
   2. The project shall comply with the minimum landscaping standards outlined in this report and as required by the Land Use Ordinance. A Landscaping and Irrigation plan shall be submitted that includes the following
      a. 1 tree for every 500 square feet of landscaped area and 1 shrub for every 300 square feet of landscaped area;
      b. Parking lot islands that meet the minimum standards outlined in this report shall be provided for the single row of parking;
c. The perimeter landscaping shall comply with the standards outlined in Section 11-14-5F 5 to include a hedge, berm or wall;
d. Drought resistant plans should be used along with an efficient low water use irrigation system.

3. An outdoor amenity as required by Section 11-18-4D of the code shall be provided and shown on the revised site and landscaping plans.

4. The dumpster enclosures shall be constructed of the same materials as the building or an approved masonry fence enclosure.

5. Chain link fencing is prohibited. All fencing for this property that faces a public right of way will need to be constructed of a permanent approved material and softened with landscaping if greater than 20’ in length.

6. The existing east vehicular access shall be reduced to a maximum width of 45’ as required by ordinance.

7. A five foot (5’) wide pedestrian access shall be provided from the new public sidewalk and provide a direct connection to the walkway of the office/warehouse building. The pedestrian access will need to be constructed of different materials than the parking area as required by ordinance.

8. The applicant shall work with Public Works staff to provide a pedestrian access ramp to connect to the sidewalk on the north end of Center Street. This shall be shown on the revised plans.

9. The building shall include the following materials as required by code: brick, stone, rock, vinyl. The use of metal as the primary material is allowed with additional variation added to the base and around the entrances. The applicant shall provide additional variation around each unit entry.

10. The entrances shall include a prominent architectural feature that is unique to the building design and includes complementary yet differing materials or colors.

11. The building will need to include a horizontal or vertical variation every thirty feet (30’) as required by code and outlined in this report.

12. The building shall include roofline variations for the continuous roofline.

13. The building shall include a minimum of three (3) colors per each elevation as required by code.

14. A materials board shall be submitted for review and approval by Staff that meets the design standards.

15. The applicant shall obtain a building permit and the project shall comply with all applicable building code standards. (To be obtained following land use approval)

16. This building shall not be used solely as a storage building but for industrial businesses. Storage unit buildings are prohibited.

17. The project shall comply with all applicable fire code standards.

18. The project shall comply with engineering standards / requirements.

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

Brad McIlrath said a Wasatch Front Regional Council meeting would be held November 14, 2018 at the Syracuse City Police Station. Discussion would be on the regional goals for the transportation plan. The Planning Commission meeting on December 5, 2018 had five items at this time.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Jones – Was grateful to have a home in Clearfield.

Commissioner Browning – Nothing

Commissioner Murray – Nothing

Commissioner Bigelow – Nothing

Commissioner Uccardi – Mentioned the ballot amendment in Holladay about the Cottonwood Mall that was opposed by the residents. He was grateful for what was being done in the downtown redevelopment.

Youth Commissioner Bush – Nothing

Chair Jugler – Thanked the commissioners and staff.

There being no further business to come before the Planning Commission, Commissioner Uccardi moved to adjourn at 8:55 P.M. Seconded by Commissioner Murray.