

**CLEARFIELD PLANNING COMMISSION MEETING**

April 3, 2019

6:30 P.M. – Work Session

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- PRESIDING: Brady Jugler Chair
- PRESENT: Kathryn Murray Commissioner
- Robert Browning Commissioner
- Chris Uccardi Commissioner
- Levi Lloyd Commissioner
- Ruth Jones Commissioner
- Nicole Bigelow Commissioner
- Eden Bush Youth Ambassador
- David Bloomfield Alternate
- Brett McAllister Alternate
- ABSENT: Brett McAllister
- STAFF PRESENT: Brie Brass Assistant City Attorney
- Brad McIlrath Senior Planner
- Denise Clayburn Customer Service Rep
- VISITORS: None

Chair Jugler called the meeting to order at 6:30 p.m.

DISCUSSION ON RZN 1903-0001, A ZONING MAP AMENDMENT REQUEST BY JASON HAMBLIN TO REZONE THE SUBJECT PROPERTIES FROM A-1 (AGRICULTURAL) TO R-1-O (RESIDENTIAL). LOCATION: APPROXIMATELY 875 WEST 200 NORTH (TIN: 12-019-0103 & 12-711-0112). REZONE AREA: 3.569 ACRES.

- Rezone from A-1 to R-1-Open
- Commissioner Jones asked if the egress and ingress will become part of the road completion. Brad McIlrath, Senior Planner, responded it would be.

DISCUSSION ON RZN 1903-0003, A ZONING MAP AMENDMENT REQUEST BY TODD GOFF ON BEHALF OF BARNECK PRESCHOOL TO REZONE THE SUBJECT PROPERTY FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL). LOCATION: 49 WEST 300 NORTH (TIN: 12-020-0007). REZONE AREA: 0.19 ACRES.

- The request was a rezone request from R-1-8 to C-2 for the property to be more conforming
- Commissioner Browning expressed a concern about the request being about a billboard location.
- The applicant would like the property to be rezoned to commercial so the use as a commercial preschool is conforming.

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3 DISCUSSION ON FSP 1901-0010, AN AMENDED SUBDIVISION PLAT REQUEST BY JOHN  
4 RYAN TO ADD SIX (6) ADDITIONAL TOWNHOME PROPERTIES AND AN OFFICE/GARAGE  
5 PROPERTY TO THE KENSINGTON PLACE PHASE 2 SUBDIVISION. LOCATION: 852 & 880  
6 SOUTH 550 EAST (TIN: 12-815-0001 & 12-815-0002). PARCEL AREA: 0.33 ACRES. ZONE: R-3  
7 (RESIDENTIAL).

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- The request would include the addition of six new townhome units and a future office/leasing space and storage garage.
  - The use of the garage is important and to assist with keeping his lawn and snow removal equipment on site.
  - The plat adds the six additional lots and office space.

15 DISCUSSION ON SP 1901-0011, AN AMENDED SITE PLAN REQUEST BY JOHN RYAN TO ADD  
16 SIX (6) ADDITIONAL TOWNHOMES AND AN OFFICE/GARAGE SPACE TO THE KENSINGTON  
17 PLACE PHASE 2 DEVELOPMENT. LOCATION: 852 & 880 SOUTH 550 EAST (TIN: 12-815-0001 &  
18 12-815-0002). PARCEL AREA: 1.66 ACRES. ZONE: R-3 (RESIDENTIAL).

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- Same as above

22 DISCUSSION ON CUP 1903-0002, A CONDITIONAL USE PERMIT AMENDMENT REQUEST BY  
23 DOMINION ENERGY TO ALLOW AN EIGHT FOOT (8') SECURITY FENCE WITH BARBED  
24 WIRE TO MEET DOMINION ENERGY SECURITY STANDARDS. LOCATION: 659 SOUTH 1000  
25 EAST (TIN: 09-017-0010). PARCEL AREA: 0.066 ACRES. ZONE: C-2 (COMMERCIAL).

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- The request would allow a chain-link fence for security with the addition of barbed wire. Total fence height would be eight feet.
  - Dominion was willing to add slates to the chain link fence
  - The property only had direct adjacency to the I-15 off ramp right-of-way.
  - North fence would be vinyl as it was adjacent to residential and to match the Maverick fencing.
  - The fence would be a seven foot chain-link with slats and one foot of barbed wire (three straight lines tilt out)
  - Dominion would clean annually.

37 DISCUSSION ON PSP 1903-0007, A PRELIMINARY SUBDIVISION PLAT REQUEST BY  
38 HAMBLIN INVESTMENTS FOR A 13-LOT SINGLE-FAMILY SUBDIVISION (AUTUMN RIDGE  
39 PHASE 5) AT THE SUBJECT PROPERTIES. LOCATION: APPROXIMATELY 875 WEST 200  
40 NORTH (TIN: 12-019-0103 & 12-019-0117). PROJECT AREA: 3.159 ACRES.

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- The request was to rezone the property to R-1-Open to keep it the all same as the previous four phases of the subdivision.
  - The City did not do not generally allow R-1-O zone because of the HOA and open space requirements. It was being considered so phase 5 would be the same zone as the already completed phases.

1 COMMISSIONER DISCUSSION

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3 Brad McIlrath, Senior Planner, informed the Commission that the mayor wanted to have a  
4 training with the Commission when all the new commissioners were on board. Staff and  
5 Commission had a decision about the best time and format. It was decided the meeting would  
6 best be scheduled at 6:00 p.m. on a day of an already schedule meeting.

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9 The meeting adjourned at 6:58 p.m.

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2 Staff recommended approval with the conditions that were reviewed.

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4 PUBLIC COMMENT:

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6 There were no public comments.

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8 The public hearing was closed at 7:09

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10 **Commissioner Uccardi moved to recommend to the City Council approval of RZN 1903-**  
11 **0001, a zoning map amendment request by Jason Hamblin to rezone the property located at**  
12 **875 West 200 North from A-1 (Agricultural) to R-1-O (Single Family Residential). The**  
13 **recommendation was based on the finding and discussions in the Staff Report with the**  
14 **following conditions:**

- 15     **1. The rezone is consistent with the land use guidelines, goals, and objectives of the**  
16     **Clearfield City General Plan.**
- 17     **2. The proposed rezone is supported by the Future Land Use Map designation of**  
18     **Residential in the General Plan.**
- 19     **3. The R-1-O zone is the same zoning district as the first four phases of the Autumn**  
20     **Ridge Subdivision.**
- 21     **4. Future subdivision and development of these properties in the R-1-O zone would be**  
22     **consistent with the existing land uses in the area.**
- 23     **5. Although not fully supported by the General Plan the rezone of these properties to**  
24     **R-1-O will be a unique situation as Autumn Ridge Phase 5 will complete this**  
25     **subdivision. As such, no other land will be encouraged to be rezoned to R-1-O by**  
26     **Clearfield City Staff.**

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

29 PUBLIC HEARING, DISCUSSION AND ACTION ON RZN 1903-0003, A ZONING MAP  
30 AMENDMENT REQUEST BY TODD GOFF ON BEHALF OF BARNECK PRESCHOOL TO  
31 REZONE THE SUBJECT PROPERTY FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO  
32 C-2 (COMMERCIAL). LOCATION: 49 WEST 300 NORTH (TIN: 12-020-0007). REZONE  
33 AREA: 0.19 ACRES. PLANNER: BRAD MCILRATH (LEGISLATIVE MATTER).

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35 The public hearing was declared open at 7:10 p.m.

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37 Brad McIlarth, Senior Planner, presented the following information:

- 38     • The property was previously a residential property, but had been used as a commercial  
39     preschool for many years.
- 40     • The request was for a rezone from R-1-8 (Residential) to C-2 (Commercial)
- 41     • The property had been used as a commercial preschool since 2007 according to licensing  
42     information.
- 43     • The current General Plan designation for the property was mixed use, which supported the  
44     rezone to C-2 (Commercial).

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2 Staff recommended the Planning Commission forward a recommendation of approval to the City  
3 Council for the proposed rezone with the conditions as outlined in the staff report.

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5 PUBLIC COMMENT

6  
7 There were no public comments.

8  
9 The public hearing was closed at 7:14

10  
11 Commissioner Jugler had a question regarding the traffic on 300 north  
12 Brad McIlrath answered that there would be no change as of now.

13  
14 **Commissioner Murray moved to recommend to the City Council approval of RZN 1903-**  
15 **0003, a zoning map amendment request by Todd Goff on behalf of Barneck Preschool to**  
16 **rezone the property located at 49 West 300 North from R-1-8 (Single Family Residential) to**  
17 **C-2 (Commercial). The recommendation was based on the findings and discussions in the**  
18 **Staff Report with the following revised language:**

- 19 1. **The proposed rezone is consistent with the land use guidelines, goals, and objectives**  
20 **of the Clearfield City General Plan.**
- 21 2. **The proposed zone change is supported by the Future Land Use Map designation of**  
22 **Mixed-Use in the General Plan.**
- 23 3. **The continuation of the commercial preschool or future development of the site with**  
24 **a commercial use is consistent with the adjacent land uses in the area.**

25 **Seconded by Commissioner Lloyd. The motion carried on the following vote: Voting AYE:**  
26 **Commissioners Browning, Uccari, Jones, Murray, Lloyd and Bigelow. Voting NO: NONE**  
27

28 DISCUSSION AND ACTION ON FSP 1901-0010, AN AMENDED SUBDIVISION PLAT  
29 REQUEST BY JOHN RYAN TO ADD SIX (6) ADDITIONAL TOWNHOME PROPERTIES  
30 AND AN OFFICE/GARAGE PROPERTY TO THE KENSINGTON PLACE PHASE 2  
31 SUBDIVISION. LOCATION: 852 & 880 SOUTH 550 EAST (TIN: 12-815-0001 & 12-815-  
32 0002; R-3 (RESIDENTIAL). PLANNER: BRAD MCILRATH (ADMINISTRATIVE  
33 MATTER).  
34

35 Brad McIlrath, Senior Planner, presented the following facts:

- 36 • The total project acreage was 1.66 acres.
- 37 • The setback heights, building materials, design, etc. were previously approved with a  
38 development agreement. The amended plat would require an amendment to the  
39 development agreement.
- 40 • Building J and Building K would match the other buildings.

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42 Staff recommended approval with conditions that were reviewed.

43  
44 **Commissioner Uccardi moved to recommend to the City Council approval of FSP 1901-**

1 **0010, an amended subdivision plat request by John Ryan to add six (6) additional**  
 2 **townhome properties and an office/garage property to the Kensington Place Phase 2**  
 3 **Subdivision. The recommendation was based on the findings and discussions in the Staff**  
 4 **Report with the following revised language:**

- 5 1) **The plat and plans shall be revised to address Clearfield City Engineering**  
 6 **requirements with revisions noted in a response letter to obtain final approval.**
- 7 2) **An amended development agreement for Kensington Place Phase 2 Amended shall**  
 8 **be approved and executed between Clearfield City and the developer.**
- 9 3) **The amended plat and development agreement shall be recorded together prior to**  
 10 **the issuance of a building permit.**
- 11 4) **The applicant is responsible for the replacement or repair of deteriorated, damaged**  
 12 **or missing surface improvements surrounding the perimeter of the subdivision. This**  
 13 **includes, but is not limited to: curb and gutter; sidewalk; landscaping park strip**  
 14 **improvements; driveways; etc.**
- 15 5) **An escrow agreement shall be established for improvements outlined in City Code §**  
 16 **12-4-6 and will be subject to approval by the City Engineer and City Attorney. The**  
 17 **escrow account shall be established and executed prior to any permits being issued**  
 18 **for the properties or the plat being recorded.**

19 **Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE:**  
 20 **Commissioners Murray, Browning, Lloyd, Uccardi, Jones and Bigelow. Voting NO: None**  
 21

22 DISCUSSION AND APPROVAL OF SP 1901-0011, AN AMENDED SITE PLAN REQUEST  
 23 BY JOHN RYAN TO ADD SIX (6) ADDITIONAL TOWNHOMES AND AN  
 24 OFFICE/GARAGE SPACE TO THE KENSINGTON PLACE PHASE 2 DEVELOPMENT.  
 25 LOCATION: 852 & 880 SOUTH 550 EAST (TIN: 12-815-0001 & 12-815-0002). PARCEL  
 26 AREA: 1.66 ACRES. ZONE: R-3(RESIDENTIAL). PLANNER: BRAD MCILRATH  
 27 (ADMINISTRATIVE MATTER).  
 28

29 Brad McIlrath, Senior Planner, presented the following facts:

- 30 • Phase 2 was approved with a development agreement, which dictated design, setbacks,  
 31 materials, etc.
- 32 • Building J's garage was more set back then seen with building K.
- 33 • Building K was a little different design and had garages that extended out.
- 34 • The parking space and mailbox area would be located to the west of building K.  
 35

36 Commissioner Lloyd had a question as to why there was a different brick base on building K.  
 37 John Ryan, developer, explained the difference was to make everything look similar. He  
 38 indicated there would be a fence thirteen feet away that would cover the difference.  
 39

40 Staff recommended approval with conditions that were reviewed.  
 41

42 **Commissioner Murray moved to approve as conditional SP 1901-0011, an amended site**  
 43 **plan request by John Ryan to add six (6) additional townhomes and an office/garage space**  
 44 **to the Kensington Place Phase 2 development located at 852 & 880 South 550 East. The**

1 recommendation was based on the findings and discussions in the Staff Report with the  
2 following revised language:

- 3 1) The plat and plans shall be revised to address Clearfield City Engineering
- 4 requirements with revisions noted in a response letter to obtain final approval.
- 5 2) An amended development agreement for Kensington Place Phase 2 Amended shall
- 6 be approved and executed between Clearfield City and the developer.
- 7 3) The amended plat and development agreement shall be recorded together prior to
- 8 the issuance of a building permit.
- 9 4) The applicant is responsible for the replacement or repair of deteriorated, damaged
- 10 or missing surface improvements surrounding the perimeter of the subdivision. This
- 11 includes, but is not limited to: curb and gutter; sidewalk; landscaping park strip
- 12 improvements; driveways; etc.
- 13 5) An escrow agreement shall be established for improvements outlined in City Code §
- 14 12-4-6 and will be subject to approval by the City Engineer and City Attorney. The
- 15 escrow account shall be established and executed prior to any permits being issued
- 16 for the properties or the plat being recorded.

17 **Seconded by Commissioner Browning. The motion carried on the following vote: Voting**  
18 **AYE:**

19 **Commissioners Uccardi, Lloyd, Jones, Murray, Browning and Bigelow. Voting NO: None**  
20

21 DISCUSSION AND APPROVAL OF CUP 1903-0002, A CONDITIONAL USE PERMIT  
22 AMENDMENT REQUEST BY DOMINION ENERGY TO ALLOW AN EIGHT FOOT (8')  
23 SECURITY FENCE WITH BARBED WIRE TO MEET DOMINION ENERGY SECURITY  
24 STANDARDS. LOCATION: 659 SOUTH 1000 EAST (TIN: 09-017-0010). PARCEL AREA:  
25 0.066 ACRES. ZONE:  
26 C-2 (COMMERCIAL). PLANNER: BRAD MCILRATH (ADMINISTRATIVE MATTER).  
27

28 Brad McIlrath, Senior Planner, presented the following facts:

- 29 • The request was for a conditional use permit amendment to address the requested changes
- 30 in fencing height and materials.
- 31 • Clearfield’s standard did not allow chain link fence adjacent to property frontage, only to
- 32 I-15 but staff was asking the condition be modified for the property.
- 33 • UDOT standards required the fence to be chain link for security purposes.
- 34 • The Dominion Energy facility was essentially an accessory structure to the new Maverik.
- 35 • The request would increase the fence height from a six foot fence to an eight foot fence;
- 36 seven foot slatted chain link fence with one foot of barbered wire on top.
- 37

38 Staff recommended approval with conditions that were reviewed.  
39

40 Commissioner Uccardi had a question regarding who owned the right-of-way. Mr. McIlrath  
41 explained frontage on 1000 East belonged to Maverik and UDOT held a small right-of-way  
42 against the staff bound off-ramp.  
43

44 Commissioner Jones asked if there would be barbed wire on the vinyl fencing. Mr. McIlrath



1 explained there would be vinyl fence on the east property line atop a three-foot retaining wall.  
 2 Commissioner Jones acknowledged the height of the vinyl fence did not make the barbed wire  
 3 necessary for the back side of the chain link enclosure.  
 4

5 Commissioner Murray asked about weed and trash control between the two fences. Justin Holley,  
 6 Dominion Energy, responded Dominion would provide site maintenance annually at which time  
 7 any trash would be collected. He stated there would not likely be an environment for the growth  
 8 of weeds. Alternate Commissioner Bloomfield suggested the maintenance needed to be  
 9 performed more than once a year.

10 Mr. McIlrath commented Code Enforcement would address the maintenance of the property as  
 11 often as necessary.  
 12

13 **Commissioner Uccardi moved to approve as conditioned, CUP 1903-0002, a conditional use**  
 14 **permit amendment request by Dominion Energy to allow an eight foot (8') security fence**  
 15 **with barbed wire to meet Dominion Energy security standards on the property located at**  
 16 **659 South 1000 East. The motion included the changes outlined for condition 3 and the**  
 17 **removal of condition 4. The recommendation was based on the findings and discussions in**  
 18 **the Staff Report with the following revised language:**

- 19 1) **The project shall comply with all Public Works and permitting standards for the**  
 20 **relocation of the facility.**
- 21 2) **The six foot (6') vinyl fence shall match the fencing that will be installed by**  
 22 **Maverick along the north property line of that lot.**
- 23 3) **The chain link fencing shall include the installation of privacy slats that match the**  
 24 **color of the facility to provide additional buffering, screening, and integration into**  
 25 **the surrounding development site.**
- 26 4) **The regulator station building shall be painted to match the autumn tan color used**  
 27 **for the convenience store.**
- 28 5) **The subdivision plat shall be recorded prior to the issuance of a building permit for**  
 29 **this facility.**
- 30 6) **There shall be complete conformity with the currently adopted building code, fire**  
 31 **code, plumbing code, mechanical code, national electrical code and Davis County**  
 32 **and state health codes, and to all state and city ordinances.**
- 33 7) **The project shall comply with City Engineer requirements.**

34 **Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE:**  
 35 **Commissioners Murray, Browning, Lloyd, Jones, Uccardi and Bigelow. Voting NO: None**  
 36

37 DISCUSSION AND APPROVAL OF PSP 1903-0007, A PRELIMINARY SUBDIVISION  
 38 PLAT REQUEST BY HAMBLIN INVESTMENTS FOR A 13-LOT SINGLE FAMILY  
 39 SUBDIVISION (AUTUMN RIDGE PHASE 5) AT THE SUBJECT PROPERTIES.  
 40 LOCATION: APPROXIMATELY 875 WEST 200 NORTH (TIN: 12-019-0103 & 12-019-  
 41 0117). PROJECT AREA: 3.159 ACRES. PLANNER: BRAD MCILRATH (LEGISLATIVE  
 42 MATTER).  
 43

44 Brad McIlrath, Senior Planner, presented the following facts:

- 45 • The request was specific to the fifth and final phase of the Autumn Ridge single family

1 development.

- 2 • Phase five would include 13 single family lots.
- 3 • All of the properties in Autumn Ridge were to be zoned R-1-Open.
- 4 • A development agreement was required for a subdivision in the R-1-Open zone.

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6 Staff recommended approval with conditions that were reviewed.

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8 **Commissioner Murray moved to approve as conditioned: PSP 1903-0007, a preliminary**  
9 **subdivision plat request by Hamblin Investments for a 13-Lot single family subdivision**  
10 **(Autumn Ridge Phase 5) located at approximately 875 West 200 North. The**  
11 **recommendation was based on the findings and discussions in the Staff Report with the**  
12 **following revised language:**

- 13 1) **Plans shall be revised to address Clearfield City Engineering requirements prior to**  
14 **the submittal of plans for Final Plat review and approval.**
- 15 2) **A full civil set of plans shall be submitted as part of the final subdivision plat review**  
16 **which shall include but not be limited to: site plan, grading and drainage plan, utility**  
17 **plan, storm water pollution prevention plan (SWPPP), roadway cross sections, etc.**
- 18 3) **A development agreement for Autumn Ridge Phase 5 shall be submitted as part of**  
19 **the final subdivision plat application. The development agreement shall be**  
20 **consistent with the development standards of the R-1-Open zone and incorporate**  
21 **elements common to all phases of the Autumn Ridge development.**
- 22 4) **The applicant shall submit a geotechnical report as part of the final subdivision plat**  
23 **application.**
- 24 5) **The applicant is responsible for the replacement or repair of deteriorated, damaged**  
25 **or missing surface improvements surrounding the perimeter of the subdivision. This**  
26 **includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip**  
27 **improvements, driveways, etc.**
- 28 6) **An escrow agreement will be subject to approval by the City Engineer and City**  
29 **Attorney and an escrow account shall be established prior to any permits being**  
30 **issued for the properties or plat being recorded. Installation of required**  
31 **improvements or an escrow account shall be established prior to recordation of the**  
32 **Final Plat as outlined in City Code § 12-4-6.**

33 **Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE:**  
34 **Commissioner, Uccardi, Lloyd, Murray, Browning, Bigelow and Jones. Voting NO: None**  
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### 36 STAFF DISCUSSION

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38 There were no staff discussion items.

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40 Chair Jugler asked for an update on the recent changes to the members of the Planning  
41 Commission. Brad McIlrath, Senior Planner, informed the Commission that David Bloomfield  
42 Brett McAllister were recently appointed as alternate members. He explained that Commissioner  
43 McAllister was absent because he had a previous engagement. He reported Commissioner Lloyd  
44 would be resigning because he was moving out of Clearfield and the mayor and City Council

1 would decide how to respond to the vacancy.

2  
3 Mr. McIlrath also responded to a previous question by Commissioner Bigelow regarding taxable  
4 income. He explained the commissioners were receiving a stipend of \$50 per meeting and there  
5 would generally be two meetings a month so it was likely the income would be reported by the  
6 City on a 1099 tax form for the next year.

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8 Mr. McIlrath also indicated Youth Ambassador Eden Bush would likely be reappointed at the  
9 next City Council meeting

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11 PLANNING COMMISSIONERS' MINUTE

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13 Commissioner Llyod – Nothing

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15 Commissioner Uccardi – Nothing

16  
17 Commissioner Browning – Nothing

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19 Commissioner Murray – Nothing

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21 Commissioner Jones – Nothing

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23 Commissioner Bigelow – Nothing

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25  
26 There being no further business to come before the Planning Commission, **Commissioner**  
27 **Murray moved to adjourn at 8:00 P.M. Seconded by Commissioner Jones.**

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