PRESIDING: Brady Jugler Chair

PRESENT: Kathryn Murray Commissioner
Robert Browning Commissioner
Chris Uccardi Commissioner
Levi Lloyd Commissioner
Ruth Jones Commissioner
Nicole Bigelow Alternate Commissioner
Eden Bush Youth Ambassador

ABSENT: Mallory Call Commissioner

STAFF PRESENT: Brie Brass Assistant City Attorney
Spencer Brimley Community Development Director
Brad McIlrath Senior Planner
Christine Horrocks Customer Service Rep

VISITORS: Leslie Mascaro, David W. Bloomfield, Grey Garza, Mark Garza, Cameron Winquist, Natalie Winquist, Robert Poerier, Joseph Bush

The Pledge of Allegiance was led by Chair Jugler.

APPROVAL OF MINUTES FROM DECEMBER 5, 2018 PLANNING COMMISSION MEETING

Commissioner Murray moved to approve the minutes of the December 5, 2018 Planning Commission Meeting 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, DISCUSSION AND POSSIBLE ACTION ON CUP 1812-0001, A CONDITIONAL USE PERMIT REQUEST BY LESLIE MASCARO ON BEHALF OF MAVERIK TO CONSTRUCT A NEW CONVENIENCE STORE AND GAS STATION AT THE PROPERTY LOCATED AT 1000 EAST 700 SOUTH (TIN: 09-017-0001, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011).

The public hearing was declared open at 7:08 p.m.

Brad McIlrath, Senior Planner, presented the following facts:

- The site contained a Dominion Energy regulator station.
There were east/west water, sewer and gas lines.
An old street right-of-way was vacated.
There would be two lots, one for Dominion Energy and one for the Maverik gas station.
There were two high flow pumps.
The convenience store was located toward the northeast corner of the property.
The majority of the traffic that came to the site would be from 1000 East and 700 South.
The traffic on 1000 East peaked in the morning hours.
Shrubs, not trees, would be required in the landscaping along the north property line because of the new gas line for the relocated Dominion Energy regulator station.
The building elevations were reviewed.

Staff recommended approval with nine conditions which were reviewed.

Leslie Mascaro, Maverik, presented the following points of discussion:
• Maverik paid close attention to the tight site layout.
• Additional detail and architectural articulation was added to the elevations.
• The north side of the property had an easement for Dominion Energy and the vegetation for the landscaping included bushes and shrubs without deep roots plus a six foot vinyl fence.
• Two access points were provided along 1000 East with none along 700 South.
• Additional landscaping was provided and the picnic area included three tables.
• Pedestrian connectivity was ADA compliant with heavy vegetation to encourage pedestrians walking to the walkway.
• The elevation facing 700 South had an entrance feature with additional windows.
• The color and materials board was shown to the commissioners.
• Maverik had worked with UDOT and Dominion Energy and were working to improve the area.
• The other two Maverik locations in the area were not planned to close at this time, convenience stores were about convenience.
• A freeway oriented sign would be allowed but other site signs would be monument signs.

PUBLIC COMMENT:

David Bloomfield, Clearfield, was concerned with the traffic flow and the impact of the semi-truck traffic on 1000 East. He said delivery times should be evaluated to avoid high traffic times. He was also concerned with fuel delivery trucks with two trailers. Mr. Bloomfield recommended the widening of 1000 East be done right so that in two to three years the road wouldn’t be required to be repaired and that weight limit signs being posted. He was not opposed to Maverick and said it would be an improvement to the area. He just wanted his concerns heard.

Leslie Mascaro thanked Mr. Bloomfield for his feedback. She said Maverik had a department that worked on safety. And with their model a standard semi-truck was able to make the turn. She stated long haul vehicles generally fueled mid-day.
The public hearing was closed at 7:40 p.m.

Commissioner Uccardi moved to approve as conditioned, CUP 1812-0001, a Conditional Use Permit request by Leslie Mascaro on behalf of Maverik to construct a new convenience store and gas station at the property located at approximately 1000 East 700 South (TIN: 09-017-0001, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, & 09-017-0011). 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. A sign permit shall be obtained for all future signage.

2) The landscaping and irrigation plans shall be revised to include the following:
   a. Additional landscaping shall be added along the north property line adjacent to the residential property to include shrubbery approved by Dominion Energy;
   b. Two (2) of the three (3) tree species used shall be water-wise trees from the Water-Wise Plants for Utah list to make the landscaping design more drought tolerant.
   c. The site landscaping shall be installed as shown on the approved landscape plan with the plant quantities and locations as shown.

3) The applicant shall post a cash bond or escrow account for 125% of a landscaping companies estimate for the landscaping improvements.

4) All site lighting shall comply with the standards outlined in Sections 11-13-17 & 11-18-4E of the Clearfield City Land Use Ordinance for design and shielding. Revised plans shall be submitted and approved that comply with those standards.

5) The five foot (5’) wide pedestrian access shall be constructed of a different material than the surrounding asphalt or concrete. Plans shall be revised to indicate the different material used.

6) 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.

7) The project shall comply with all North Davis Fire District requirements as outlined in the attached review letter.

8) The project shall comply with City Engineer requirements as outlined in the attached review letter.

9) The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.

Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Lloyd, Murray, Browning, Jones and Bigelow. Voting NO: None.
PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON GPA 1812-0007, A GENERAL PLAN AMENDMENT REQUEST BY CLEARFIELD CITY TO AMEND THE CLEARFIELD CITY GENERAL PLAN TO ALLOW THE USE OF THE R-1-6 ZONE IN AREAS IDENTIFIED AS RESIDENTIAL.

The public hearing was declared open at 7:41 p.m.

Brad McIlrath presented the background information:
- The General Plan discourages the use of the R-1-6 zone for future single-family development.
- The R-1-8 zone was identified as the preferred single-family zone in the General Plan.
- The proposed amendment allowed the use of R-1-6 for areas designated residential in the General Plan.
- R-1-6 would be a better use than multi-family zoning for residential infill developments outside of the downtown corridor.
- There was a limited amount of land that was developable.

The following revised language was reviewed:

The R-1-6 Zone was created for single family use with building lots a minimum of six thousand five hundred (6,500) square feet in size, and now allows for minimum lot sizes of six thousand (6,000) square feet in size. Due to the large number of existing single family lots developed throughout the City under the provisions of the R-1-6 Zone and in order to promote a more balanced pattern of land use development, it is the City’s policy that no new parcels of land be rezoned to R-1-6. Any property with existing R-1-6 zoning may continue with that designation until such time as it is removed or changed in accordance with applicable law. The R-1-6 Zone is encouraged for infill single family development and also as an alternative to larger lot single family uses in areas designated as residential on the future land use map. The R-1-6 Zone is an alternative single family option to multi-family development in areas outside of the downtown corridor and should be used to encourage a mix of housing types throughout the City.

Staff recommended approval 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 the following General Plan Land Use Guidelines:
   a. The Land Use Plan should provide for a full range and mix of land uses including residential, commercial, manufacturing, and public use areas.
   b. Transitions between differing land uses and intensities should be made gradually with compatible uses.
   c. The Land Use Plan should promote and encourage land use patterns that provide a high quality of life to all and offer choice and mobility and transportation.
   d. The remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.
The R-1-6 Zone will be a more efficient use of land and would allow for increased home ownership opportunities within the City.

PUBLIC COMMENT

There were no public comments.

The public hearing was closed at 7:45 p.m.

Commissioner Murray moved to recommend approval of GPA 1812-0007 to the Clearfield City Council, a proposal by Clearfield City Staff to amend the General Plan to allow the use of the R-1-6 Zone in areas identified as residential based on the findings and discussion in the staff report. 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, DISCUSSION AND POSSIBLE ACTION ON ZTA 1812-0008, A ZONING TEXT AMENDMENT PROPOSAL BY CLEARFIELD CITY TO AMEND THE DEVELOPMENT STANDARDS FOR THE R-1-6 ZONING DISTRICT AS OUTLINED IN CHAPTER 11-9C OF THE CLEARFIELD CITY LAND USE ORDINANCE.

The public hearing was declared open at 7:46

Brad McIlrath presented the background information:

- The General Plan stated, “The R-1-6 residential zone is established to provide medium density residential neighborhoods for the encouragement and promotion of an environment for family life with houses having smaller lot areas. To provide lower housing construction costs and to encourage efficiency in construction and municipal service, certain nonresidential uses that are compatible with residential developments are also anticipated and provided for.”
- The R-1-8 Zone was identified as the preferred single-family zone in the General Plan.
- 50% of Davis County communities have an R-1-6 or similar medium density single-family zone.
- The proposed amendments will align with recent amendments to R-1-8 Zone and with development standards of other communities.

The following proposed ordinance changes were reviewed:

11-9C-4: AREA AND FRONTAGE REGULATIONS

A. Lot Size: The minimum lot size shall be six thousand (6,000) square feet.
B. Lot Width: The minimum lot width, as measured at the front setback line, shall be sixty feet (60').
C. Lot Width, Corner Lots: Each corner lot shall have a minimum lot width, as measured at the front setback line, of seventy feet (70').
D. Lot Frontage: The minimum lot frontage shall be fifty feet (50').
11-9C-5: YARD REGULATIONS:
A. Front Yard: The minimum front yard setback for all main buildings shall be twenty feet (20').
B. Side Yard: The minimum side yard setback for all main buildings shall be six feet (6') on each side.
C. Side Yard, Corner Lots: The minimum side yard setback for all main buildings on corner lots shall be twenty feet (20') on the side adjacent to a street. (No Change)
D. Rear Yard: The minimum rear yard setback for all main buildings shall be twenty feet (20').

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 7:51 p.m.

Commissioner Uccardi moved to recommend approval of ZTA 1812-0008, to the Clearfield City Council, a zoning text amendment request by Clearfield City to amend the R-1-6 Zone as outlined in Chapter 11-9C to reduce the lot size standard to 6,000 square feet, and the front and rear setbacks to 20 feet. 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, DISCUSSION AND POSSIBLE ACTION ON ZTA 1812-0009, A ZONING TEXT AMENDMENT BY CLEARFIELD CITY TO AMEND THE PUBLIC NOTICE REQUIREMENTS FOUND IN TABLE 11.2 OF TITLE 11 CHAPTER 1 OF THE CLEARFIELD CITY LAND USE ORDINANCE, INCLUDING 11-4-3(B). THE PURPOSE OF THESE AMENDMENTS IS TO CONFORM WITH UTAH STATE CODE STANDARDS FOR NOTICING WHILE PROVIDING APPROPRIATE NOTICE TO THE PUBLIC.

The public hearing was declared open at 7:53 p.m.

Spencer Brimley, Community Development Director, presented the following information as contained in Utah State Code.
Utah State Land Use Development and Management Act, Title 10 Chapter 9a
- Legislative Items – public hearing required
  - Adoption or Amendment of General Plan
  - Adoption or Amendment of Ordinance
  - Annexations
- Administrative Items - public hearing not required
  - Site Plan Review
  - Conditional Use Permits
  - Subdivisions
  - Vacations
State law said administrative items “shall be approved”

Table 11.2 Public Notice Requirement was reviewed and the proposed changes brought Clearfield City Code into compliance with State Code. Staff recommended that public hearings for administrative items be removed from Clearfield City Code because State Code did not require them. Mr. Brimley said the Planning Commission Chair or Vice-Chair could accept public comment during a public meeting, but it was not required. Brad McIlrath said an administrative action taken in a public meeting would not have a public hearing.

PUBLIC COMMENT:

There were no public comments.

The public hearing was closed at 8:03 p.m.

Comments from the Planning Commission:
- Conditional Use Permits (CUP) in the past had public hearings and some citizens didn’t know about the proposal until the mailer was received. Concern with not having the mailer sent to surrounding property owners.
- The property would be posted when there was a CUP which informed citizens.
- The mailer was sent to the property owner which in some instances lived out of the city or state.
- The sign on the property should be noticed by the neighbors in the area of the project.
- Can’t over notice.
- Comments received at Planning Commission meetings were often too late.
- Citizens didn’t understand the process and hadn’t contacted City offices for further explanation.
- A larger sign would be more productive than a mailer.

The Commission was polled for opinion of sending a mailer. The majority said the mailer was not necessary and were in favor of the changes as presented because the noticing was in accordance with State Code.

Commissioner Jones moved to recommend, to the City Council, approval of ZTA 1812-0009, a zoning text amendment request by Clearfield City to amend the Public Notice Requirements found in Table 11.2 of Title 11 Chapter 1 of the Clearfield City Land Use Ordinance, 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.
DISCUSSION AND POSSIBLE ACTION ON FSP 1810-0006, AN AMENDED SUBDIVISION PLAT 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 SP 1810-0007, A SITE PLAN REVIEW REQUEST TO CONSTRUCT A QUICK QUACK CAR WASH AT THE PROPERTY LOCATED AT 585 NORTH MAIN STREET (TIN: 14-530-0002).

Chair Jugler noted that FSP 1810-0006 and SP 1810-0007 were withdrawn by the applicant and would not be discussed at a future meeting.

DISCUSSION AND POSSIBLE ACTION ON FSP 1812-0004, AN AMENDED SUBDIVISION PLAT REQUEST BY MARK GARZA TO COMBINE LOTS 1, 2, & 3 OF THE JNH SUBDIVISION INTO A SINGLE NEW LOT, PROPERTY LOCATED AT 360, 340, & 320 WEST 1700 SOUTH (ANTELOPE DRIVE) (TIN: 12-787-0001, 12-787-0002, & 12-787-0003).

Brad McIlrath presented the following facts:
- The JNH Subdivision included the three lots, plus properties to the north.
- Changes would not be made to the easements.
- The combination of the three lots into one was for future development.

Staff recommended approval with two conditions.

Mark Garza said they would be able to work around the gas and storm drain easements.

Commissioner Uccardi moved to recommend approval of FSP 1812-0004, to the Clearfield City Council, an amended subdivision plat request by Mark Garza to combine Lots 1, 2, and 3 of the JNH Subdivision into a single new lot for the properties addressed 360, 340, and 320 West Antelope Drive (TIN: 12-787-0001, 12-787-0002, & 12-787-0003). This recommendation is based on the findings and discussion in the staff report and 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) Future development of the proposed property shall comply with the development standards outlined for the C-2 Zone and as also found in Clearfield City Code § 11-18 Design Standards of the Clearfield City Land Use ordinance.

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 AND POSSIBLE ACTION ON FSP 1812-0006, 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 ANTELOPE DRIVE (1700 SOUTH) (TIN: 12-809-0001).

Brad McIlrath gave the following facts for the request:
• 2nd Amendment to previously amended subdivision.
• Creation of one new lot from proposed amendment.
• The new lot must comply with current ordinance standards.
  o i.e. Lot width, setbacks, access, landscaping, parking, etc.
• Denied by City Council in December.
• Reapplied with landscape revisions.
• The existing landscaping was 707 square feet; an addition of 506 square feet along 1700 South provided a total of 1,213 square feet.

Staff recommended that the Planning Commission forward a recommendation of approval to the City Council with the seven conditions listed.

Commissioner Jones moved to recommend approval of FSP 1812-0006, to the Clearfield City Council, 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. This recommendation is based on the findings and discussion in the staff report with the following conditions:

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) The applicant shall execute a development agreement with Clearfield City to allow the existing site landscaping, along with additional frontage landscaping, to be less than the 10% required in the C-2 Zone.
7) The monument sign located on Lot 2D shall not be used for signage of businesses located on Lot 2C.

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 AND POSSIBLE ACTION ON FSP 1812-0002, AN AMENDED SUBDIVISION PLAT REQUEST BY ROBERT POIRIER TO AMEND LOT 2 OF THE MASONIC TEMPLE SUBDIVISION AND SUBDIVIDE THE PROPERTY INTO A 32 UNIT TOWNHOME SUBDIVISION LOCATED AT 723 SOUTH DEPOT STREET (TIN: 12-066-0113, 12-066-0099, & 12-850-0002).

Brad McIlrath stated the following facts on the request:
The request was for a 32 unit townhome project on lot 2 of the Masonic Temple Subdivision.

The remainder of the property would be common area which included the private streets, landscaping and amenities.

The subdivision plat included cross access easements for utilities and vehicular and pedestrian access.

Staff recommended that the Planning Commission forward a recommendation of approval to the City Council with four conditions.

Robert Poirier, applicant, said the street names listed on the plat would be changed.

Commissioner Murray moved to recommend approval to the City Council as conditioned, FSP 1812-0002, an amended subdivision plat request by Robert Poirier to amend Lot 2 of the Masonic Temple Subdivision to create a 32 unit townhome subdivision at the proposed property address of 723 South Depot Street (TIN 12-066-0113, 12-066-0099, & 12-850-0002). This recommendation is based on the discussion and findings in the Staff Report with the following conditions:

1) Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining signatures for the amended plat.
2) The plat shall be revised to clearly designate private, common, and limited common areas of the plat.
3) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surround the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
4) 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 Uccardi. 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 SP 1812-0003, A SITE PLAN REVIEW REQUEST BY ROBERT POIRIER TO CONSTRUCT A NEW 2-STORY 9,682 SQUARE FOOT OFFICE BUILDING AT THE PROPERTY LOCATED AT 458 EAST 700 SOUTH (TIN: 12-066-0099 & 12-850-0002).

Brad McIlrath presented the following information:

- The property was located at the northeast corner of Depot Street and 700 South (SR193).
- The property was zoned T-C (Town Commerce).
- The office building was on Lot 3 of the Masonic Temple Subdivision.
There were site constraints with grade changes and a UDOT slope easement.
The engineering for the office building property, the Masonic Temple and Depot Crossing Residential subdivision were tied together.
Grading was required for drainage.
The landscaping met the standards of the form based code.
The building contained three office units.
Four items addressed in the Development Agreement were reviewed.

Staff recommended approval of the site plan subject to the 13 conditions which were reviewed.

Commissioner Murray moved to approve as conditioned, SP 1812-0003, a site plan application by Robert Poirier to construct a new 2-story, 9,682 square foot office building at the property to be addressed 458 East 700 South (TIN: 12-066-0099 & 12-850-0002). This recommendation was based on the discussion and findings of the Staff Report with the following conditions:

1) The applicant shall submit a landscape plan that complies with the standards of the Form-Based Code and includes the following revisions:
   a. Not including the street trees, the project shall have a minimum of 15 site trees. 4 additional site trees will need to be added.
   b. The street trees along 700 South shall be revised to be Frontier Elms as required by FBC.
   c. The street trees along Depot Street shall be revised to be a medium street tree from the approved list on page 59 of the FBC.
   d. At least one street bench shall be provided along each street frontage in the locations noted on the plans.
   e. The street lights along 700 South shall be rotated by 90 degrees and one additional double acorn light is required in the location noted on the reviewed plans. Single acorn street lights shall be added along Depot Street in the locations noted on the reviewed plans.
   f. A five foot (5') sidewalk shall be provided along the Depot Street frontage to comply with the FBC.
   g. The dumpster enclosure shown on the site plan will need to be moved to the north to provide a five foot (5') planter on the south side of the enclosure
   h. The two (2) parking lot islands shall be revised to include 1 shade tree each as required by the FBC.

2) The plans shall be revised to meet the following parking lot requirements:
   a. The two (2) parking spaces located within the front setback area shall be removed and replaced with frontage buffer landscaping.
   b. An additional ADA parking space shall be added adjacent to the access aisle of the proposed ADA space.
   c. The parking lot islands shall be shifted to the east by one space to comply with spacing standards of the Form-Based Code.

3) A pedestrian connection shall be provided along each street frontage.
4) Three (3) bicycle parking spaces shall be provided and the design of the spaces shall comply with the standards outlined in Section 8.3.3 of the Form-Based Code.
5) The building plans shall be revised to comply with the façade, roof type, and additional design standards outlined in this report.
6) The project shall comply with all other development standards of the Form-Based Code and of Clearfield City not outlined in this report.
7) The landscape plans shall be revised to include the revisions outlined in this report and noted on the plans.
8) The developer/property owner shall execute a development agreement with Clearfield City to address the following items with the attached conditions:
   a. Allow the continuance of the six foot (6’) wide public sidewalk along 700 South provided that street lighting and street trees required by the Form-Based Code are provided at the back of the sidewalk.
   b. No benches are required due to the topography and potential danger of locating a bench on the slope easement and grade change of 700 South, provided that one bench is provided in the area north of the parking area.
   c. The principal entries are allowed to be located along the rear of the building facing the parking lot due to the slope easement, grade change, and need to construct a retaining wall along the front of the property; provided that pedestrian access is provided from 700 South and Depot Street.
   d. An open space type outlined in the Form-Based Code is not required for this project due to the site constraints with topography and parking, provided that the site landscaping meet the standards of the code.
9) All proposed or future signage shall comply with Form Based Code standards and be reviewed at a separate date as part of a building permit. This approval does not grant approval of any nonconforming proposed or existing signage on site.
10) The project shall comply with all applicable building and fire code standards.
11) The project shall comply with all North Davis Sewer District standards.
12) The project shall comply with all North Davis Fire District standards as outlined in the attached review letter and as otherwise required.
13) The project shall comply with the development standards required by the City Engineer and Public Works.

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 SP 1812-0005, A SITE PLAN REVIEW REQUEST BY ROBERT POIRIER TO CONSTRUCT A 32 UNIT TOWNHOME DEVELOPMENT AT THE PROPERTY LOCATED AT 723 SOUTH DEPOT STREET (TIN: 12-066-0113, 12-066-0099, & 12-850-0002).

Brad McIlrath presented the following information:
- The property was zoned T-C (Town Commerce)
- The 32 townhomes would be located on Lot 2 of the Masonic Temple Subdivision.
- There was a sidewalk for a pedestrian connection to Depot Street.
- The developer would work with West Square to enlarge its existing drainage to include
the townhomes and office building. If they couldn’t a new drainage plan would be required.

- Each townhome had a two car garage and all on-site parking was visitor parking.
- The open space included a playground and lawn area.
- The development met all the standards of the form based code.

Staff recommended approval with nine conditions which were reviewed.

Robert Poirier said the engineering comments had been reviewed and changes would be made.

Commissioner Lloyd moved to approve as conditioned, SP 1812-0005, a site plan application by Robert Poirier to construct a 32 unit townhome development at the property to be addressed 723 South Depot Street (12-066-0113, 12-066-0099, & 12-850-0002) based on the discussion and findings of the Staff Report with the following conditions:

1) The primary buildings materials of stone, brick, wood lap siding, fiber cement lap siding, shingled or panel siding, and glass must be used for 80% of each façade. The aluminum siding shall be replaced with another primary material such as panel siding.

2) As required by the Form-Based Code, 20 trees are required per 1 acre of project with street trees not allowed to count toward this requirement. An additional 10 trees shall be added to the project to meet the total of 45 required for the 2.25 acre site.

3) Medium street trees from the permitted list found on page 59 of the Form-Based Code shall be provided within the park strip along Depot Street and be spaced between 20 and 40 feet on center. The spacing of these trees shall be coordinated with the street trees required for the commercial property. (Street trees do not count towards the number required per acre of project.)

4) A bench shall be provided at the back of the sidewalk along Depot Street and shall be coordinated with the distance of a bench provided for the commercial property so that there is a bench every 200 feet as required by code.

5) Street lighting shall be provided within the park strip of Depot Street. The lighting shall be spaced between 60 and 90 feet apart and be single acorn lights. Lighting spacing shall coordinate with spacing of the lights of the commercial property to the north.

6) The park strip along Depot Street shall be widened to 5 feet and the sidewalk shall be widened to 5 feet.

7) The project shall comply with all North Davis Sewer District standards.

8) The project shall comply with all North Davis Fire District standards as outlined in the attached review letter and as otherwise required.

9) The project shall comply with all City Engineer standards as outlined in the review letter and as otherwise required.

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

Brad McIlrath told the commissioners that at the February meeting a new chair and vice-chair needed to be elected.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Bigelow – Nothing
Commissioner Jones – Excited to be here as always.
Commissioner Browning – Nothing
Commissioner Murray - Nothing
Commissioner Lloyd – Nothing
Commissioner Uccardi – Nothing
Youth Ambassador Bush – Nothing

Chair Jugler – Received a letter of resignation from Commissioner Call and said he appreciated her work on the Planning Commission. He thanked the commissioners for being at the meeting and thanked staff.

STAFF COMMUNICATIONS

Brad McIlrath thanked the commissioners for being at the work session and hoped it was worth the time spent.

There being no further business to come before the Planning Commission, **Commissioner Murray moved to adjourn at 9:02 P.M. Seconded by Commissioner Uccardi.**