

**CLEARFIELD PLANNING COMMISSION MEETING**

**August 17, 2005**

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Cornell Griffeth	Commissioner
	Paul Poorte	Commissioner
	Robert Osborne	Commissioner
	Matt Hartvigsen	Commissioner
	Mark Bottema	Alternate Commissioner
	Marilyn Fryer	Council Liaison
EXCUSED:	Mark Shepherd	Commissioner
	Ligia Muñoz	Commissioner
UNEXCUSED:	Charles Johnson	Alternate Commissioner
STAFF PRESENT:	Larry Waggoner	City Attorney
	Scott Hodge	Director Public Works
	Kay Chandler	Economic Development Director
	Kent Bush	Planning/Zoning Administrator
	Christine Horrocks	Building Permits Specialist
	Gregg Benson	Planning/Zoning GIS Specialist
VISITORS:	David W. Bloomfield, Bruce Burningham, Greg Stephany, Korry Green, Karen Green, Brent VanZweden, Lynette Wojechowski, Kari Spencer, Brian Spencer	

Pledge of Allegiance was led by Commissioner Osborne

APPROVAL OF MINUTES FROM JULY 20, 2005 PLANNING COMMISSION MEETING

Chairman Olson requested that some discussion on the color of the Clearfield Auto Parts building be added to the minutes. **Commissioner Hartvigsen moved to approve the minutes of July 20, 2005, as corrected. Seconded by Commissioner Griffeth. All Voting AYE**

7:00 PUBLIC HEARING - RE-ZONE OF PROPERTY AT 607, 627, 655 SOUTH 1000 EAST AND 1011 EAST 700 SOUTH FROM R-1-8 TO C-2

Chairman Olson read the public hearing notice and declared the public hearing open at 7:03 P.M.

Mr. Richard Hansen was not present. Kent Bush said Mr. Hansen came in several years ago with the intention of building a hotel for the Olympics. Mr. Bush is not sure what Mr. Hansen has in mind at this time, however, this re-zone does fall in line with the general plan as amended last year.

FOR:

None

AGAINST:

Robert VanZweden, 1029 East 700 South was unable to attend, however, Brent VanZweden and Lynette Wojechowski were present to represent their father. They asked how the re-zone will affect their father's property. Brent VanZweden said his father feels pressured by Mr. Hansen. He had animals since before zone changes and is grandfathered. This re-zone would encompass the property owned by their brother and father with the C-2 zone with the exception of I-15 and 700 South. Lynette Wojechowski said she talked to Mr. Richard Hansen a few years ago and he told her the city would no longer maintain the lane to their property. They were also concerned that it would affect the property taxes. Larry Waggoner said it should not affect the property taxes because their property will remain residential. Because Mr. Richard Hansen does not live in the area and is currently renting out the property, they feel he isn't concerned with how the property is maintained. Mr. VanZweden said that between the property owned by his father and his brother there is a gas substation. Mr Hansen made an effort to purchase their father's property. They are also concerned about his water rights. Mr. VanZweden was told this request is only for a re-zone. They were told that until the city has a copy of the site plan they don't know what will go in. The family requested a copy of the minutes from this meeting.

David Bloomfield, 597 South 1000 East. Mr. Bloomfield said he is opposed to the re-zone. When Mr. Hansen first bought the apartments they were well maintained, however he has become an absentee landlord. He asked if the gas company was aware of this public hearing. Mr. Hansen has approached neighbors about buying property or re-zoning property to commercial. Even though Mr. Hansen lives in Logan if he was truly concerned about this re-zone, he would have scheduled his time to be at this public hearing. Mr. Bloomfield has a list of 16 items that he is concerned with. A copy of the list was given to Mr. Kent Bush. He said Mr. Hansen should not be allowed to start demolition without an approved plan. He asked the commissioners how they would vote if this property was next to their property. He asked if the commissioners had tried to get up and down 1000 East on the 4<sup>th</sup> of July. Mr. Bloomfield feels the present street will not accommodate another commercial development.

**Commissioner Poorte moved to close the public hearing.** Commissioner Osborne requested to leave the public hearing open until Mr. Hansen is present. Mr. Hansen should hear what the neighbors have to say. Commissioner Hartvigsen commented that he would like to know what Mr. Hansen's plans were for the property. Larry Waggoner reminded them this is only a re-zone, when they decide to develop the site, then they will come back for site plan approval. **Motion failed for lack of a second. Commissioner Osborne made a counter motion to leave the public hearing open. Seconded by Commissioner Griffeth. All Voting AYE.**

Mr. Bloomfield, Mr. VanZweden and Ms. Wojechowski asked if they would be notified of the Public Hearing. After some discussion they were told the Planning Commission Agenda will be posted on the website so they can check for when the re-zone will be on the agenda again.

REVIEW OF CONDITIONAL USE PERMIT FOR A HOME OCCUPATION LICENSE FOR A WOODWORKING SHOP AT 766 NORTH 625 WEST

Mr. Greg Stephany said he does woodworking in his garage full time. The City has not had any complaints for over a year. Chairman Olson suggested this conditional use permit be reviewed on a complaint type basis. Commissioners asked Mr. Stephany how late he worked. He said he has worked a few nights until 9:00 or 10:00 P.M., but only occasionally. He has been doing a lot of work offsite and he tries to keep noise to a minimum. Commissioner Griffeth stated he had a neighbor that worked late at night, and suggested that Mr. Stephany keep the noise down and not work late at night.

**Commissioner Griffeth moved to approve this request for continuation of the conditional use permit for a home occupation at 766 North 625 West with the condition that we review the permit on a complaint basis. Seconded by Commissioner Poorte. All Voting AYE.**

SITE PLAN APPROVAL FOR A NEW BUSINESS AT 420 WEST 1700 SOUTH

Mr. Korry Green said they will have a farm supply store. They are currently located in Layton and UTA will consume that location. They will be adding a hay storage building in the rear of the property and are requesting additional signage in the front. They will move a hay storage building from their Layton location to the northeast corner of the property. Gregg Benson said the Planning Commission can approve two signs and by ordinance there can be one on the building.

**Commissioner Poorte moved to approve this request for site plan approval for a change of use at 420 West 1700 South and approve the signage to include three signs. Seconded by Commissioner Griffeth. All Voting AYE.**

SITE PLAN APPROVAL FOR AN AMENDED SITE PLAN FOR AUTOZONE AT 995 EAST 700 SOUTH

Blair Wall said they are requesting the relocation of the storm water retention pond from the east side to the west side of the approach. It was moved because there were a lot of signal loops and an irrigation line under ground. When they approached the property owner to the west it was determined it would serve the needs of both to put it on his property. They will grass the retention pond. Commissioner Hartvigsen asked who would maintain the retention pond. He was told that AutoZone will maintain it until the other property is developed. Commissioner Osborne asked why the retention pond was in the front. He was told the slope of the property requires that location.

**Commissioner Hartvigsen moved to approve this request for site plan amendment for AutoZone at 995 East 700 South. Seconded by Commissioner Poorte. All Voting AYE.**

FINAL SUBDIVISION APPROVAL FOR PACIFIC PARK AMENDED

Bruce Burningham is requesting final subdivision approval. Larry Waggoner said they have written the development agreement. The developer, Dwayne Matheson, will sod, sprinkle and landscape the common area. There has been a change in that the owners lots 6 and 7 will own half of the common area and maintain it as open space for the subdivision. It will be their responsibility to pay taxes and maintain the property. The Commissioners were very concerned about the owners and how they will accept that responsibility. Larry Waggoner and Bruce Burningham said that it will be stated in the deed. There was concern that there should be a fence to indicate the lot line. Kent Bush said there will need to be a lot split, and the subdivision will need to be redrawn before it can be approved. He also stated a fence should be required. Mr. Burningham suggested there could be a visual barrier that will identify the separation of the properties so the homeowner can mow with ease. Commissioner Osborne was concerned that the owner of lot 6 or 7 would come out and tell people to leave because it is their property. Larry Waggoner said they can't ask people to leave even though it is their property, it is private property with stipulations. The owners will know upfront the requirements associated with those lots. Chairman Olson suggested that the developer and city staff need time to discuss these changes and present it again with corrections made. Commissioner Griffeth said the open space presents a problem to the entire subdivision or to the two homeowners.

**Commissioner Poorte moved to table this request. Seconded by Commissioner Hartvigsen All Voting AYE.**

FINAL SUBDIVISION APPROVAL FOR BARTON FARMS AMENDED

Barton Farms Amended was discussed at the previous meeting. Kent Bush explained this subdivision is 5 lots in a cul-de-sac. The Spencers live in the subdivision on the new lot No. 8. They wanted to buy the back portion of lots 3 and 4. They know they will have to maintain the storm drain pond. The city has worked out agreement with the Spencers to put curb, gutter and pavement in front of house and will extend to the end of lot 8. The sidewalk will be put in at a later date.

**Commissioner Griffeth moved to approve this request for final subdivision approval for Barton Farms Amended as discussed. Seconded by Commissioner Osborne. All Voting AYE.**

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Talked about the meeting with City Council about UTA sites. He asked for feedback from those who were in attendance. Larry Waggoner said the City's first choice is across the street from the city building and their second is the UTA property at 1250 South State. They have decided to put together a committee to discuss the options. Some members of the City

Council, two Planning Commissioners, Commissioner Shepherd and Commissioner Poorte, a few citizens, and business owners plus staff will meet with Larry Waggoner to draw up a plan to develop the site across the street. UTA is not interested in developing their site, they want to have someone come in and develop it. The site across the street will need to have a plan in place by the end of year. UTA only wants to put in parking lot at their site.

Commissioner Griffeth - Nothing

Commissioner Poorte - Nothing

Commissioner Osborne - has heartburn with Pacific Park. He said he feels the City needs to use a zone other than R-1 Open.

Commissioner Hartvigsen - Nothing

Commissioner Bottema - Nothing

Councilmember Fryer - Nothing

Staff - Kent Bush said attended the Western State Planners Conference and he has more information to give them. Mr. Bush mention that Utah League is coming up. September 15<sup>th</sup> is Planners Day. He will need to know by September 1<sup>st</sup> if the commissioners will be attending.

There being no further business to come before the Planning Commission, **Commissioner Poorte moved to adjourn at 8:11 P.M. Seconded by Commissioner Griffeth. All Voting AYE.**