

CLEARFIELD PLANNING COMMISSION MEETING

July 6, 2005

7:00 P.M. - Regular Session

| | | |
|----------------|--|--------------------------------|
| PRESIDING: | Victor Olson | Chairman |
| PRESENT: | Cornell Griffeth | Commissioner |
| | Mark Shepherd | Commissioner |
| | Robert Osborne | Commissioner |
| | Ligia Muñoz | Commissioner |
| | Matt Hartvigsen | Commissioner |
| (Non-voting) | Mark Bottema | Alternate Commissioner |
| | Charles Johnson | Alternate Commissioner |
| | Marilyn Fryer | Council Liaison |
| EXCUSED: | Paul Poorte | Commissioner |
| | Larry Waggoner | City Attorney |
| | Scott Hodge | Director Public Works |
| STAFF PRESENT: | Kay Chandler | Economic Development Director |
| | Kent Bush | Planning/Zoning Administrator |
| | Christine Horrocks | Building Permits Specialist |
| | Gregg Benson | Planning/Zoning GIS Specialist |
| VISITORS: | Josh Lee, Con Wilcox, Jim Miller, Ray Bertoldi, Josh Watts | |

Pledge of Allegiance was led by Commissioner Olson

APPROVAL OF MINUTES FROM JUNE 15, 2005 PLANNING COMMISSION MEETING

Commissioner Shepherd moved to approve the minutes of June 15, 2005 as submitted. Seconded by Commissioner Munoz. All Voting AYE.

7:00 P.M. PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A DAYCARE CENTER TO BE BUILT AT 1595 SOUTH 900 WEST

Chairman Olson read the public hearing notice and declared the public hearing open at 7:00 P.M.

The Architect, Ray Bertoldi, and Josh Watts, director of the Academy of Education, were present asking to be allowed to have a daycare. Commissioner Olson asked how many children would be. Mr. Watts said it would be determined by the square footage and there could be up to 35 at one time. They will be open 24 hours to accommodate the single parents working shifts at the Freeport Center. Commissioner Osborne asked if there would be sleeping facilities. Mr. Watts said the main common area will double as a sleeping area. Commissioner Shepherd said he feels the area is suitable for the daycare.

FOR:
None

AGAINST:
None

Commissioner Shepherd moved to close the public hearing at 7:03 P.M. Seconded by Commissioner Osborne All Voting AYE.

Commissioner Shepherd moved to approve this request for a conditional use permit for a daycare center at 1595 South 900 West with the conditions to review in 6 months after it is open. Seconded by Commissioner Hartvigsen. All Voting AYE.

SITE PLAN APPROVAL FOR A DAYCARE CENTER AT 1595 SOUTH 900 WEST

Kent Bush said the only concern staff had was a monument sign in the left corner that may need to be relocated depending on clear vision. Commissioner Griffeth asked if the sign could be moved. Josh Watts said they had planned on moving it, they weren't aware of the regulation when the drawing was prepared. Commissioner Osborne asked if there would be signage on the building. Mr. Watts said no, there would only be the one monument sign. Commissioner Hartvigsen asked about the site lighting. He was told there would be two lights in the parking lot and one on the building.

Commissioner Shepherd moved to approve this request for site plan approval for a daycare center at 1595 South 900 West with the condition that the sign be moved to meet the clear vision ordinance. Seconded by Commissioner Osborne. All Voting AYE.

SITE PLAN APPROVAL FOR A TRI-PLEX AT 947 EAST 1150 SOUTH

Jim Miller, purchased the property last year. The previous owner had received approval for a site plan with condominiums, however, they will be building them as apartments. The change came about because the amendment to the subdivision did not receive approval from the City Council. Kent Bush mentioned this property has an SP overlay therefore an agreement is required. They are working on an agreement with Larry Waggoner to change the rear yard setback to 24' and the side yard setback to 7'. There will be a new fire hydrant on the property instead of sprinkling the building. Mr. Miller said the existing house will be fixed up and the lot will be improved. Fire Department has reviewed the site plan and has approved the access.

Commissioner Hartvigsen moved to approve this request for site plan approval for a tri-plex at 947 East 1150 South. Seconded by Commissioner Shepherd. Commissioner Shepherd asked to add "with the condition the staff approve the SP overlay contract." The first concurred. All Voting AYE.

APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE BRIARWOOD HOLLOW SUBDIVISION

The developers undertaking section of the agreement had been given to the commissioners. Marvin Murri has reviewed the agreement with staff and had signed it. Kent Bush reviewed with the commissioners the items specific to this subdivision. Commissioner Hartvigsen asked about the screened fence around parcel A. He was told the fence would not be screened around the park area at the request of the Police Department. Some typographical changes were suggested to be made.

Commissioner Osborne moved to approve this request for approval of the development agreement for Briarwood Hollow Subdivision with the few changes Kent Bush has noted. Seconded by Commissioner Griffeth. All Voting AYE.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Nothing

Commissioner Griffeth - Nothing

Commissioner Shepherd - Noting

Commissioner Osborne - Asked to be excused for the next meeting

Commissioner Muñoz - Nothing

Commissioner Hartvigsen - Nothing

Commissioner Bottema - Nothing

Commissioner Johnson - Nothing

Councilmember Fryer - Nothing

Staff - Kent Bush said training was set up in the conference room.

There being no further business to come before the Planning Commission, **Commissioner Shepherd moved to adjourn to training at 7:30 P.M. Seconded by Commissioner Osborne. All Voting AYE.**

TRAINING

The training session was conducted by Kent Bush and commenced at 7:40 P.M.

Kent Bush said he was happy to be able to share his knowledge of zoning with the commissioners. Mr. Bush gave the commissioners a handout on SB-60. He said this year at the legislative session dealt with land use development.

He also gave them a handout by Utah League of Cities and Towns. This will be discussed at the ULCT September conference. Zoning is now referred to as Land Use. Currently the Land Use Authority is the Planning Commission. On planners day at the ULCT Conference, September 15, this will be discussed.

The items discussed were:

1. Non-conforming uses: In existence and then the ordinance is changed and so the property is grandfathered. Reasons to allow to have re-built.

Amortization - Example - Provo passed an ordinance in order to rent out a basement, the owner must occupy the upstairs. The city gave the owners 3 years to conform. Kent mentioned that it had been taken to court in Provo and the ordinance stood. Pole signs could be amortized out of the city.

Nuisance or eminent domain - can be eliminated for those reasons.

Vested rights or development agreements - Vested rights are different in each state. Some states make developers give major compensations to the city, such as, new fire trucks or library books.

Geology in Utah. Soils are different in the three regions of the state and need to be identified. Geologists are the best way to know if soil is stable. Geo-tech reports may need to be done by a geologist. Building code doesn't allow to build on more that a 30% slope.

Kent talked about an article entitled "Have it your Way" which discussed architectural design of buildings.

TOD & Downtown redevelopment - Kent said there are some similarities and some differences between the two. He gave them a handout and discussed the information it contained.

Training was dismissed at 9:00 P.M.

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