

CLEARFIELD PLANNING COMMISSION MEETING

October 19, 2005

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Cornell Griffeth	Commissioner
	Paul Poorte	Commissioner
	Mark Shepherd	Commissioner
	Robert Osborne	Commissioner
	Matt Hartvigsen	Commissioner
	Marilyn Fryer	Council Liaison
EXCUSED:	Mark Bottema	Alternate Commissioner
UNEXCUSED:	Ligia Muñoz	Commissioner
	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:	Ronald Marcyes, Robin Layman, Dennis Monroe, Trudy Monroe, Clayton Windler, Judith Windler, Dan Gardner, Ed Lewis, Jeri Bruce, Ren Monson, Holly Monson, Chuck Frady, Nettie Frady, Cindy Hall, Darryle C. McDaniel, Don Wood, Bryant J. Luker, Gaye Luker, Todd Sorenson	

Pledge of Allegiance was led by Chairman Olson

**PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION
AT 16 NORTH 1300 WEST**

Chairman Olson read the Public Hearing Notice and declared the Public Hearing open at 7:02 P.M.

Ronald Marcyes, owner, stated that 99% of his business will be done in the home. He will need to use his air compressor in the garage. Commissioner Poorte asked what hours he would be using the garage. Mr. Marcyes said he will stop working at 5:00 P.M. Commissioner Shepherd asked if he would have people coming to his house. He said occasionally customers will drop off a machine, rather than have him pick it up. Most of his work is through referrals. Commissioner Shepherd asked if he would have a sign on the house. Mr. Marcyes said he wouldn't at this time.

He also mentioned that he won't have inventory at his residence. He will order parts only as needed for the machine he is repairing.

CITIZEN COMMENTS:

Bryant Luker said he has an eye problem and doesn't produce tears. He asked if Mr. Marcyes would be using a gas or electric compressor and he wondered if there would be loud noises and fumes associated with the air compressor. The vapors from a gas generator or a wood burning stove are a nuisance to him. Mr. Marcyes told Mr. Luker the air compressor runs on electricity, the noise is minimal.

FOR:

None

AGAINST:

None

Commissioner Shepherd moved to close the Public Hearing at 7:08 P.M. Seconded by Commissioner Poorte. All Voting AYE.

Commissioner Shepherd moved to approve this request for a Conditional Use Permit for a Home Occupation at 16 North 1300 West. Seconded by Commissioner Griffeth. Commissioner Osborne requested the motion be amended to include a review in 6 months. Both concurred. All Voting AYE.

SITE PLAN APPROVAL FOR A LOADING DOCK SOUTH SIDE OF BUILDING G-11, FREEPORT CENTER

Ed Lewis with Robert E. Bailey Construction said they are building a loading dock for building G-11. The trucks will pull up against the building and will not be interrupting the flow of traffic. Chairman Olson asked Kent Bush if there were any traffic issues. He was told there should not be any problems, it will be an easy in and out for trucks.

Commissioner Poorte moved to approve this request for Site Plan Approval for a loading dock on the south side of Building G-11 in the Freeport Center. Seconded by Commissioner Shepherd. All Voting AYE.

DISCUSSION ITEM: DEVELOPMENT OF PROPERTY AT 1109 WEST 300 NORTH

Dan Gardner said they would like to discuss the development of an active adult community on the Gardner and Weatherston properties. He explained which properties on 300 North it would include. The Church of Jesus Christ of Latter-day Saints is actively pursuing the purchase of his home and 3 acres for use as a recreational area adjacent to their existing stake center.

Todd Sorenson with Gardner Development gave the commissioners a copy of the floor plan of the proposed homes and the layout of the property. He recognized this is only a discussion and knows the property on the general plan is shown as a commercial area. The parcel has been for sale as commercial property for several years. Commercial development in this area doesn't seem to work. In their opinion an active adult community would work well because of its proximity to a church, park, and grocery store. They are aware of the high rate of rental property in Clearfield. The covenants and restrictions in this development would require the property to be owner occupied.

The floor plan meets all of the code requirements. The home will be one level with two bedrooms and two baths. There will be a zero lot line and the Home Owners Association (HOA) will take care of the landscaping. From his point of view, they see land that sits vacant. This type of development is a growing trend and they think this would work well in this area.

Chairman Olson asked where the water retention would go, stating that this area has a high water table. Dan Gardner said currently there is a storm drain to the Utah Power property. On-site retention would be required and addressed when the subdivision is approved.

Mr. Gardner stated he bought this property with commercial development in mind. For six years he has tried to get various retailers to this location, but has been unsuccessful. He feels the rooftops will help the city. The bus stops are there, with the parks, it is an ideal spot for this type of community.

Chairman Olson asked about snow removal and where would they put it. Mr. Gardner said it would be part of the maintenance of the grounds. Councilmember Fryer asked if it would be a gated community. Mr. Gardner said they hadn't made a decision at this time. Commissioner Griffeth mentioned if he lived there he wouldn't want to do his yard work. He was told that the entire community would be contracted out for maintenance of the grounds. Todd Sorenson said he understands there are details that will need to be resolved, however, this presentation is just to discuss the concept. The previous applicant wanted to put mixed use with some residential and some commercial and office space. Mr. Gardner said there aren't any commercial projects that have been interested in this parcel. Mr. Gardner said he feels the time is right for this active adult community and this is a good location. This concept is being well received around the northern Utah area.

Commissioner Osborne commented that city council members do not want to see anything but commercial on that ground. Dan Gardner said the council members do not want anymore rental units and high density units. These are detached, single family homes with the homes being owner occupied with three being the maximum number living in the home. Commissioner Osborne reminded Mr. Gardner that he was a harsh critic for the Autumn Ridge subdivision. Mr. Gardner said this is a different type of community. These homes will sell in the \$200,000 range. They will have rock and stone on the front and will be maintenance free units. Mr. Gardner said he was critical of Autumn Ridge because of the frontage. He said the homes are nicer and larger than he thought they would be and it has turned out to be a very nice subdivision.

Commissioner Osborne asked if they can legally tell the occupants they need to be a certain age and can have only so many in the home. Mr. Sorenson said the concept is for an active adult lifestyle. It can be a young family. It could be a young couple. It is to avoid the rental issue. It is limiting the number of family members that can be there and they need to be immediate family members. Commissioner Osborne couldn't understand how they can tell a family to sell their home because they had four occupants. Mr. Gardner said the HOA can exercise the CCNR's. Larry Waggoner said they could do it contractually. The city could not enforce it, but it is enforceable. It is the responsibility of the HOA to enforce the CCNR's.

Chairman Olson told the citizens this wasn't a public hearing, however, they would take some comments or questions from the citizens.

- Would Mr. Gardner be taking his peacocks? They will be gone.
- With 50 new residences, what will it do to the water pressure? Impact on all utilities will be addressed by the City prior to any construction.
- Safety with only two exits from the development. That will be addressed by UDOT and the City.
- Something needs to be done with the field because the weeds are overtaking her yard.
- Will there be any type of privacy fence around the property? A 6' fence.
- What impact will it have on the schools, will there be adequate school space? The number of students cannot be predicted at this time.
- If given approval, what would be the time of construction? There is concern for safety of children walking on 300 North to school. They would put a fence along 300 North and they would try to work around the schedule for school and the heavy traffic pattern with the construction equipment. The safety of children is paramount.
- Don't want commercial in this area.
- It is now difficult to get onto 300 North, what will be done to help traffic? That will be addressed by UDOT and the City.
- Concern about the water runoff because of a finished basement. Larry Waggoner said they are required by law to keep their water on their property or take care of it somehow. He was told he would have recourse if his property was damaged.

Commissioner Hartvigsen said to him the major change is that this property is master planned for commercial. Because this is a discussion item there will be no decisions made at this time. Larry Waggoner said there would need to be a change in the master plan before this can occur. Dan Gardner asked if there was an ethics code in Clearfield City that states that he can't call members of the Planning Commission or City Council. Chairman Olson said that anytime a conversation is held privately, it would be reported at the next meeting.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Likes to see the citizens come to the meetings showing their interest and concern for what happens in the city.

Commissioner Griffeth - Nothing

Commissioner Poorte - Nothing

Commissioner Shepherd - Said the steering committee meetings are going well. There will be a meeting with surrounding community leaders tomorrow. He said the next meeting is open to the public and they are trying to decide the location of the rail stop. That meeting will be held October 27th at 6:30 P.M. on the 2nd Floor of the city building. All citizens are invited to give opinions on the rail site.

Commissioner Osborne - Nothing

Commissioner Hartvigsen - Nothing

Councilmember Fryer - Mentioned it is important for citizen comments on the rail stop.

Staff - Kent Bush gave a handout on a training seminar on land use regulations. The tentative agenda for next meeting was handed to commissioners.

There being no further business to come before the Planning Commission, **Commissioner Shepherd moved to adjourn at 7:50 P.M. Seconded by Commissioner Poorte. All Voting AYE.**