

CLEARFIELD PLANNING COMMISSION MEETING

September 7, 2005

7:00 P.M. - Regular Session

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|----------------|--|--------------------------------|
| PRESIDING: | Victor Olson | Chairman |
| PRESENT: | Paul Poorte | Commissioner |
| | Robert Osborne | Commissioner |
| | Matt Hartvigsen | Commissioner |
| | Mark Bottema | Alternate Commissioner |
| | Charles Johnson | Alternate Commissioner |
| | Marilyn Fryer | Council Liaison |
| EXCUSED: | Cornell Griffeth | Commissioner |
| | Mark Shepherd | Commissioner |
| | Ligia Muñoz | Commissioner |
| | Scott Hodge | Director Public Works |
| | Larry Waggoner | City Attorney |
| STAFF PRESENT: | Kay Chandler | Economic Development Director |
| | Kent Bush | Planning/Zoning Administrator |
| | Christine Horrocks | Building Permits Specialist |
| | Gregg Benson | Planning/Zoning GIS Specialist |
| VISITORS: | Jared Johnson, David Bloomfield, Barbara Bloomfield, John Brown, Rebecca Bryan, Bruce Burningham, Lynette Wojackowski | |

Pledge of Allegiance was led by Chairman Olson

CONTINUATION OF PUBLIC HEARING FOR RE-ZONE OF PROPERTY ON 1000 EAST

Chairman Olson said this Public Hearing is to consider re-zone of property at 607, 627, 655 South 1000 East and 1011 East 700 South from R-1-8 to C-2. He explained this re-zone was continued because there was considerable opposition from the public at the meeting held August 17, 2005. The Planning Commission felt the public deserved to hear from the applicant and there was no representation from the property owner. Jeff Hansen, representing his father, Richard Hansen, said his father is contemplating selling the property and wants to re-zone it so he can sell it as commercial. John Brown, Coldwell Banker, said Mr. Hansen does not intend to develop the property.

FOR:
None

AGAINST:
David Bloomfield , 597 South 1000 East, said he won't say he will outright oppose the re-zone, but has concerns that he feels the City Council and Planning Commission need to look at. He is

aware that this area is proposed for commercial development. He feels as a City we need to look down the road, a few more years maybe 15 to 20 years to figure how the road will be paid for when it is developed. He plans on being at his residence until he is bought out, which might be 25 to 30 years. He doesn't want the city to increase the property taxes because there is a need to pay for new infrastructure and roads. He asked if anyone has done any studies to see how this proposed re-zone will affect the structures within the city. Chairman Olson said there have not been any studies, however, the general plan is well mapped out and is the guideline the City Council and Planning Commission use. He said the infrastructure will be addressed when someone comes in with a plan of what will be put on the property. Mr. Bloomfield said if there is one car parked on each side of the street, there isn't enough space to drive two cars. If the zone is changed how will it affect the safety of the children? There is the high school and elementary school in that immediate area. Chairman Olson explained that the City as a whole will look at the use and development when it comes in for approval. Mr. Bloomfield felt that when there is a proposed zoning change a light synopsis of the type of buildings that can be built in that area should be made available. He would like to know what is going to be there before it is re-zoned. He was also concerned if there would be enough room to build what is allowed in a commercial zone. Chairman Olson told him when the site plan is submitted for review, they will need to meet all the requirements, however, this hearing is only for a re-zone. Mr. Bloomfield asked if this item would have been tabled last meeting if there had been no opposition to the re-zone. Chairman Olson said that the Planning Commission will table an item if there is no representation from the applicant. Commissioner Osborne told Mr. Bloomfield that it is against the law for the commissioners to vote against this request because it is in the master plan as a commercial area. Kent Bush said the Master Plan was posted several times for the public to review and comment on if they had any concerns. Mr. Bloomfield said it is a waste of time to those who oppose this re-zone to come, because you are bound by law to approve it.

Lynette Wojeckowski, representing her father, Robert VanZweden, 1029 East 700 South, said she was very unhappy with what she was hearing this evening. If you are bound by law to vote for it, why is she here. If the public hearing doesn't make a difference, what does it matter. She was concerned about her father's water rights, and the access road. Ms. Wojeckowski said she just wanted to know the plan Mr. Hansen had for this property. She was told that he will sell it and then a developer will present plans for approval. Any developer will have to provide access to whatever the neighbors had before. She hopes that when they come in for site plan approval, that they will take into consideration how they would vote if it was next their home.

Commissioner Osborne moved to close the public hearing at 7:23 P.M. Seconded by Commissioner Hartvigsen. All Voting AYE.

Commissioner Hartvigsen commented to the audience that the Planning Commission cannot dictate what people do with their own private property. We try to make sure that they conform to the City standards and regulations. We can't impose what we want done on their property. We are basically bound on what we can and cannot do, even if we do have different wishes or desires.

Commissioner Bottema moved to send this request for re-zone of property at 607, 627, 655 South 1000 East and 1011 East 700 South to the City Council with recommendation of approval from the Planning Commission. Seconded by Commissioner Osborne. All Voting AYE.

PUBLIC HEARINGS FOR CONDITIONAL USE PERMITS FOR BILLBOARDS AT 1386 SOUTH LEGEND HILLS DRIVE AND 1266 SOUTH LEGEND HILLS DRIVE

Chairman Olson read the Public Hearing Notice for the billboard at 1386 South Legend Hills Drive and declared the Public Hearing open at 7:26 P.M. Chairman Olson then read the Public Hearing Notice for the billboard at 1266 South Legend Hills Drive and declared the Public Hearing open at 7:28 P.M.

Jared Johnson, Young Electric Sign Company, said YESCO wants to put up two billboard signs. Mr. Johnson said there are some slight differences in the signs and he will be sure to point those out while they are discussing the signs to try to avoid confusion. He said they wanted to flag the signs so they could see what the sign would look like at different heights and they wanted to have the owners and city staff present. YESCO has a lease agreement with Manor House Development. Mr. Johnson said YESCO installed the original billboard signs in 1978. In 2001 the property changed ownership and the plans for the Legend Hills project affected the billboards. The overhead power lines also presented a problem. They removed the two signs and applied to the State of Utah to replace both signs. They were first denied permission to replace the signs. So they went to court and YESCO received a judgement from the Court of Appeals requiring the State of Utah to give them a permit to put up one sign.

There was discussion on the height of the past and proposed signs and that the height allowed for signs was changed in the new sign ordinance. Kent Bush told the commissioners, that if this is approved, they will need to go to Board of Adjustment to get a height variance. Mr. Johnson said in order for signs to be effective, they need to be where they can be seen. He said that billboard signs need to conform with city, county and state laws. Mr. Johnson said even with the judgement, he can't force the City of Clearfield to allow him to put in the signs. He knows he needs to have permission and comply with all city regulations. The sign at 1386 South Legend Hills Drive complies with regulations. However, the sign at 1266 South Legend Hills Drive is too close in proximity to the Goldstone Sign. Kent Bush said if the Goldstone sign is a billboard sign, they will need to meet the 500' rule. Chairman Olson said there are issues that need to be clarified before next meeting. Kent Bush will speak with Larry Waggoner look at the 500' rule and get clarification for the definition on the types of signs. Mr. Johnson asked what other information he will need to have before next meeting. Chairman Olson told him we need information from the City Attorney, Larry Waggoner, and also need to flag the signs before returning for approval.

Commissioner Osborne moved to table the public hearings for billboard signs at 1386 South Legend Hills Drive and 1266 South Legend Hills Drive. Seconded by Commissioner Bottema. All Voting AYE.

FINAL PLAT AND DEVELOPMENT AGREEMENT APPROVAL FOR PACIFIC PARK AMENDED

Bruce Burningham said they are looking for final subdivision approval for Pacific Park Amended. Chairman Olson brought up the discussion at last meeting on the common area. The development agreement states that there will be a home owners association and the common area will be developed and maintained by the developer until the subdivision is complete and then the home owners association will take over the maintenance. The developer will install a visual barrier, not a fence to separate the common area. The homeowners of lots 6 & 7 can put up a fence if they so desire.

Commissioner Osborne moved to approve this request for final subdivision approval and for Pacific Park Amended and the development agreement. Seconded by Commissioner Hartvigsen. All Voting AYE.

Chairman Olson welcomed Commissioner Poorte to the meeting.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Will need to be excused from the next meeting. He asked if there was someone to provide an update on the Rail Stop meetings. Gregg Benson told them they will report when there is information they are allowed to talk about.

Commissioner Poorte - Said he was happy to be here and he apologized for being late.

Commissioner Osborne - Nothing

Commissioner Muñoz - Nothing

Commissioner Hartvigsen - Nothing

Commissioner Bottema - Nothing

Commissioner Johnson - Nothing

Councilmember Fryer - Spent the day with the Davis Weber County Water Conservancy District, she told them the water from the tap is as clean as it gets, there is no need to buy bottled water.

Staff - Kent Bush said those going to Utah League if they wanted to carpool they will need to meet at the city building at 6:45 A.M. The meetings are at the Sheraton on 6th South. He had a schedule of the classes that will be available.

Gregg Benson said he would be going to Rail Volution this Thursday through Saturday and should have some information to report to them at a later date.

There being no further business to come before the Planning Commission, **Commissioner Osborne moved to adjourn at 8:00 P.M. Seconded by Commissioner Bottema. All Voting AYE.**