

## CLEARFIELD PLANNING COMMISSION MEETING

September 5, 2007

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Mark Shepherd	Commissioner
	Matt Hartvigsen	Commissioner
	Darren Carpenter	Commissioner
	Bill Moore	Commissioner
	Kenneth Jeppesen	Alternate Commissioner
	Tyler Gibson	Alternate Commissioner
	Phillip Hoggan	Alternate Commissioner
	Doyle Sprague	Council Liaison
EXCUSED:	Josh Taylor	Commissioner
UNEXCUSED:	Cornell Griffeth	Commissioner
STAFF PRESENT:	Brian Brower	City Attorney
	Scott Hodge	Director Public Works
	Kent Bush	Planning/Zoning Administrator
	Christine Horrocks	Building Permits Specialist
	Gregg Benson	Planning/Zoning GIS Specialist
VISITORS:	Lynda Dust, Chris J. Chelemes, David Preece, Deven Pettet, Kathryn Murray, Sam J. Chelemes, Scott Carter	

Pledge of Allegiance was led by Chairman Olson.

Chairman Olson welcomed the new City Attorney, Brian Brower.

### APPROVAL OF MINUTES FROM JULY 18, 2007 PLANNING COMMISSION MEETING

Commissioner Carpenter requested on page 8 to correct the last two sentences under “Water Tank” to read: “It is their view that before and during construction, property values will be affected *negatively*. His concern is for the potential impact on the property *values*.”

**Commission Carpenter moved to approve the minutes of July 18, 2007 as amended. Seconded by Commissioner Moore. All Voting AYE.**

### APPROVAL OF MINUTES FROM AUGUST 1, 2007 PLANNING COMMISSION MEETING

Commissioner Carpenter said the name of one of the visitors should be corrected to read Martine

Phelps, not Marline.

**Commissioner Jeppesen moved to approve the minutes of August 1, 2007 as corrected. Seconded by Commissioner Hartvigsen. All Voting AYE.**

7:00 P.M. PUBLIC HEARING TO REZONE AND SUBDIVIDE PROPERTY AT 460 EAST 1700 SOUTH

Chairman Olson read the Public Hearing Notice and declared the Public Hearing open at 7:05 P.M.

David Preece had a plan of the proposed development. They plan to build a transitional care facility. The clients will be those coming home from the hospital and need short term care and therapy due to knee surgery, stroke, heart conditions, etc. There will be thirty beds and the patients will be allowed to stay up to 100 days. It is not a drug or sex therapy place. He said the facility will be a good neighbor and will be good for the City. They will have a therapy pool. It will have everything; it is like assisted living only with more care. The goal is to get people up and going as soon as possible so they are able to return home. The rezone is so they can build this facility. He feels that the neighbors will not be in opposition to this. Chairman Olson asked if there would be a medical doctor on staff. Mr. Preece said there would not be a doctor on staff; their personal physicians will come in and make rounds like they would at a hospital and give additional instructions for the care of the patients. Kent Bush reminded the Commissioners that the discussion on this property tonight is only for rezone and subdivision approval. All the information discussed this evening will need to be repeated in two weeks when the site plan is brought in for approval. Commissioner Jeppesen asked if there could be a list of complaints with Rocky Mountain Care Center as a comparison.

FOR:

Sam Chelemes said this is a great project and very compatible with the single family housing. This may not be as noisy as a retail development. Full heartily supports this project.

AGAINST:

None

**Commissioner Shepherd moved to close the Public Hearing at 7:12 P.M. Seconded by Commissioner Hartvigsen. All Voting AYE.**

**Commissioner Shepherd moved to approve this request to subdivide property at 460 East 1700 South and send the request to rezone property at 460 East 1700 South to the City Council with recommendation of approval from the Planning Commission. Seconded by Commissioner Jeppesen. All Voting AYE.**

FINAL APPROVAL FOR CHELEMES PLACE COMMERCIAL SUBDIVISION AT 460 EAST 1700 SOUTH

Commissioner Hartvigsen asked if access to lot 1 from 1700 South would be permitted. He said there would need to be a cross easement across lot 2 for lot 1 if access is denied. Gregg Benson said they would need to negotiate that with UDOT. At the present time they have access to the property from 1700 South. Commissioner Jeppesen was concerned about the number of accesses allowed on 1700 South.

**Commissioner Shepherd moved to send this request for Final Subdivision Approval for Chelemes Place Commercial Subdivision at 460 East 1700 South to the City Council with recommendation of approval from the Planning Commission. Seconded by Commissioner Hartvigsen. All Voting AYE.**

#### SITE PLAN APPROVAL FOR LEGEND HILLS PHASE 4 AT 1900 EAST 1450 SOUTH

Lynda Dust was present representing Wayne Belleau. Commissioner Shepherd had concerns about the signage. He noted there are four pole signs. Gregg Benson said the Planning Commission has the authority according to the Sign Ordinance to grant an exception of numbers. He mentioned other phases of Legend Hills have received approval for additional signs. Chairman Olson asked what the rationale was behind the pole signs. Mr. Benson said Mr. Belleau feels there is better visibility with pole signs. Commissioner Shepherd said he has his office in one of the buildings and clients are unable to find them even with the large pole signs. He feels it makes more sense to have the signs at eye level. Gregg Benson said if the ordinance was followed Phase 4 would be allowed to have nine monument signs. Kent Bush said he put every possible location on the site plan; however, they may decide not to put every sign up. Chairman Olson said he prefers monument signs. Commissioner Jeppesen asked what signs Mr. Belleau's really wanted. Gregg Benson said he wanted one at each entrance and one directional on the corner. Commissioner Shepherd asked how it was determined which business would go on the pole sign. Lynda Dust said the larger suites in the three story buildings are given signage on the pole signs. There are more tenants than can fit on the pole signs.

Commissioner Hartvigsen felt a couple of the pole signs could be removed. Mr. Belleau is allowed one pole sign or monument sign per building. He has one monument sign per building plus four pole signs. This phase has seven buildings. The plan includes nine monument signs and four pole signs. Gregg Benson suggested that they limit the signs to one per building. It would not include the signage on the building. Commissioner Hartvigsen said with a development this size, there may be a need for additional signage. He suggested we allow him one sign per building with two additional signs. He stated that the Clearfield City sign would not be included in the number of allowed signs. Commissioner Carpenter asked about the parking, saying that it looks sufficient; however, he didn't count the number of parking spaces. Gregg Benson said they meet the parking ordinance. Commissioner Carpenter asked if the City has had much experience on the storm water being detained in underground pipes. Scott Hodge said there are currently three commercial sites that have underground storm water and there are no issues. Kent Bush said this is a new system, but works well. Commissioner Carpenter asked where they

were currently using this type of system. Mr. Hodge said the new Auto Zone on 1700 South, the new Utah State Workforce Service building on 1450 South and the Silverstone Development on 1700 South.

**Commissioner Hartvigsen moved to approve this request for Site Plan Approval for Legend Hills Phase 4 at 1900 East 1450 South with the exception of limiting the number of signs to one per building but allowing two additional signs at the site, either monument or pole signs. Seconded by Commissioner Carpenter. All Voting AYE.**

#### APPROVE AMENDED DEVELOPMENT AGREEMENT FOR PARK VILLAGE

Chairman Olson said there has been some confusion as to the type of dwellings that are to be built in Park Village. There is some wording attached to the agenda. Commissioner Jeppesen asked what the confusion is. The Development Agreement was not specific enough to allow what the City thought would be built. Kent Bush said the one currently under construction has an upper level. The upper level will only be used as a loft or storage. Commissioner Shepherd said a 1,000 square foot loft would be another story. The loft will be smaller on the smaller home. They could have a 1,800 square feet house with a full basement and a loft would be a 4,000 square feet house in a subdivision that going to have patio homes. Commissioner Jeppesen asked if there could be a maximum square footage for the homes. Councilmember Sprague was concerned that we have a development agreement written up on something we didn't agree with. Kent Bush said the attorney writes the agreement and it is signed by the Mayor. Commissioner Hoggan asked what the intent was when the original agreement was drawn up. He was told it was to be patio homes for seniors and limit the number of people that could live in each house. The developer asked for smaller lots so they could build patio homes with a certain square footage size. Gregg Benson said the signed Development Agreement is the standard development agreement and has been recorded with the County. Gardner Development has agreed to change the recorded agreement. Commissioner Shepherd said we need to define the loft. Kent Bush said the Planning Commission discussed last meeting that we would decrease the required square footage to 1,425. The number of houses hasn't changed. Scott Hodge explained it is best to have the loft finished so the work receives inspections. Commissioner Shepherd suggested allowing them to have a finished loft or a basement. The price of the finished loft adds substantially to the price of the home. After discussion Kent Bush read what the corrections to be put in the Development Agreement as: "...may have either a full basement or a finished loft area not to exceed 1,070 square feet."

**Commissioner Shepherd moved to send this request to amend the Development Agreement for Park Village to the City Council with recommendation of approval from the Planning Commission with the changes as noted that there be either/or, a basement or a finished loft area not to exceed 1,070 square feet in the loft area. Seconded by Commissioner Jeppesen. All Voting AYE.**

PLANNING COMMISSIONER'S MINUTE

Chairman Olson – Nothing

Commissioner Shepherd – Nothing

Commissioner Hartvigsen – It's been fun again!

Commissioner Carpenter – He said he understands we are only doing the rezone, but he likes to think ahead and understand why it was being zoned C-1. Commissioner Shepherd said it is good to know what their plans are; however, this evening he went into more detail than was required. Brian Brower clarified that the intent of Kent Bush's comment was for the purpose of the record and the minutes to make sure the developer knew what the scope of this action was tonight. Mr. Bush told the Commissioners that they need to understand that what they discussed this evening will need to be discussed at the next meeting. The neighbors will be notified of the Conditional Use Permit for a rehabilitation facility, and then there may be some neighbors at the meeting. If you don't talk about the same things you discussed this evening, at that time which is pertinent to that specific facility, then that is where the wrong doing is. You can talk about it tonight, but you need to talk about it again next meeting.

Commissioner Moore – Nothing

Commissioner Jeppesen – Nothing

Commissioner Gibson – Nothing

Commissioner Hoggan – Nothing

Councilmember Sprague – Nothing

Staff – Kent Bush gave the Commissioners a copy of the Midtown Development Agreement. He told them to read through it. It will be discussed at the next meeting. Another copy will not be mailed to them. There are some minor changes that will be made.

Gregg Benson said the SP overlay for the Public Facilities Zone is being worked on and it will address the height of the tank. He also said the Utah Local Government Trust offers a class for Planners, Planning Commissioners, and City Council members. If you want to go, there are funds in the budget available for you to attend. It is a two day seminar on Thursday and Friday. The most convenient location is North Salt Lake will be held December 13<sup>th</sup> & 14<sup>th</sup>.

Kent Bush told the Commissioners that will be attending the Utah League meeting next week to meet him after the meeting to talk about carpooling.

There being no further business to come before the Planning Commission, **Commissioner Shepherd moved to adjourn at 8:08 P.M.**

