

CLEARFIELD PLANNING COMMISSION MEETING

September 17, 2008

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Matt Hartvigsen	Commissioner
	Darren Carpenter	Commissioner
	Bill Moore	Commissioner
	Kenneth Jeppesen	Commissioner
	Tyler Gibson	Commissioner
	Nathan Dunn	Alternate Commissioner
	Doyle Sprague	Council Liaison
EXCUSED:	Josh Taylor	Commissioner
	Mark Bottema	Alternate Commissioner
UNEXCUSED:	Tim Roper	Alternate Commissioner
STAFF PRESENT:	Adam Lenhard	Community Development Director
	Kent Bush	Planning/Zoning Administrator
	Gregg Benson	Planner
	Christine Horrocks	Building Permits Specialist
STAFF EXCUSED:	Brian Brower	City Attorney
VISITORS:	Michael Ford, John Ord, Blair Wall, Kathryn Murray	

Pledge of Allegiance was led by Chairman Olson

APPROVAL OF MINUTES FROM JULY 16, 2008 AND AUGUST 20, 2008 PLANNING COMMISSION MEETING

Chairman Olson said the minutes for July 16, 2008 and August 20, 2008 will not be approved this evening.

PUBLIC HEARINGS:

REQUEST TO AMEND THE MEADOW PHASES 4 AND 5 AT 490 EAST 700 SOUTH

Chairman Olson declared the Public Hearing open at 7:00 p.m.

John Ord, Ord and Rodgers, said they have met with neighbors to give them details of the

changes. Mr. Ord said the Condominiums, Phases 1 through 4, were created some time ago. The buildings in Phase 5 are town homes. Because of the different types of buildings there needs to be two separate homeowners associations. The amendment to Phase 4 is a deannexation and lot line adjustment and Phase 5 shows the amended plat for the town home portion. The lot line adjustment will place all the easements on one plat. Chairman Olson said he understood that basically we are moving the lot line and cleaning up the plats. Mr. Ord said they need to get approval from 66% of the homeowners of the existing phases. The name of Phase 5 will be changed from The Meadow to Park Meadows for the town home portion. The two homeowners associations will be separate, yet they will share the amenities and there will be cross easements. A joint powers agreement has been structured between the two associations.

RECEIVE PUBLIC COMMENT

Kent Bush mentioned that several surrounding property owners came in or called about the change. No concerns were voiced when the change was explained to them.

Commissioner Gibson moved to close the Public Hearing at 7:06 p.m., seconded by Commissioner Jeppesen. All Voting AYE.

CONSIDER APPROVAL OF THE REQUEST

Commissioner Carpenter moved to approve this request to Amend The Meadow Subdivision Phases 4 and 5 at 490 East 700 South, seconded by Commissioner Gibson. All Voting AYE.

CONDITIONAL USE PERMIT TO CONSTRUCT A DAYCARE AND PRESCHOOL AS PART OF A CHILDREN'S ACTIVITY CENTER AT 690 EAST 1700 SOUTH

Chairman Olson declared the Public Hearing open at 7:08 p.m.

Michael Ford said the children's activity center will be a second location for an existing business. Mr. Ford said they have looked at similar businesses around the country. They will teach swimming lessons also and the indoor pool will be 25' x 50'. Chairman Olson asked how many they would have in daycare. Mr. Ford said they would have 150 to 185 children in the daycare, depending on the state license; there will be 8,000 to 10,000 sq. ft. allotted for the daycare. The daycare will be open from about 6:00 a.m. to 6:30 p.m. The instruction portion of the business will run 9:00 a.m. to 9:00 p.m. Kent Bush told the Commissioners to refer to the site plan for information on the scope of the entire project. Commissioner Jeppesen was concerned about the difference in elevation between the homes to the south and their project. He asked if they would put the building on the ground at the existing level or if some dirt would be removed. Mr. Ford said the drive and parking lot will slope toward the fence. They will add bushes and trees for a buffer for lights shining in the direction of the homes. Three to six feet of fill will be removed and compacted. Mr. Ford said the preschool will be on the west side of the building and there

will be about 60 in the preschool in two different sessions. Commissioner Carpenter said it sounds like a significant number of employees. Mr. Ford said there would probably be about thirty daycare workers.

PUBLIC COMMENT

None

Commissioner Hartvigsen moved to close the Public Hearing at 7:16 p.m., seconded by Commissioner Carpenter. All Voting AYE.

CONSIDER APPROVAL OF CONDITIONAL USE PERMIT

Commissioner Carpenter moved to approve this request for a Conditional Use Permit for a Daycare and Preschool at 690 East 1700 South, with a review of this Conditional Use Permit one year following the opening of this facility, seconded by Commissioner Moore. All Voting AYE.

SCHEDULED ITEMS

REVIEW OF A HOME OCCUPATION FOR A CABINET SHOP IN THE GARAGE AT 2480 SOUTH MAIN

Kent Bush said he spoke to Mr. Kelly on Friday and he wasn't sure if he would be able to attend this evening. Mr. Bush said there have been no complaints from neighbors. Commissioner Gibson lives in the area and drives by every day and hasn't noticed anything causing problems.

Commissioner Carpenter moved to approve this request for continuation of a Conditional Use Permit for a home occupation to use the garage for a cabinet business at 2480 South Main and we will review upon complaint to the City, Seconded by Commissioner Jeppesen. All Voting AYE.

APPROVAL OF THE FINAL PLAT FOR THE MEADOW PHASE 4 AMENDED AT 490 EAST 700 SOUTH

John Ord said this amendment to the existing condo association and is being amended to accommodate phase 5. This amendment will coordinate the two plats so they can interface without lot line problems.

Commissioner Jeppesen moved to send this request for approval of the final plat for The Meadow Phase 4 Amended to the City Council with recommendation of approval from the

Planning Commission, seconded by Commissioner Gibson. All Voting AYE.

APPROVAL OF THE FINAL PLAT FOR THE MEADOW PHASE 5 AMENDED AT 490 EAST 700 SOUTH

Commissioner Jeppesen moved to send this request for approval of the final plat for The Meadow Phase 5 Amended to the City Council with recommendation of approval from the Planning Commission, seconded by Commissioner Gibson. All Voting AYE.

SITE PLAN APPROVAL FOR A CHILDREN'S ACTIVITY CENTER AT 690 EAST 1700 SOUTH

Michael Ford said they are requesting site plan approval for the building that was previously discussed. Commissioner Dunn asked how the entrance lined up with the businesses across the street. Mr. Ford said their entrance will be north of the existing entrance due to the location of utility boxes. The landscape space was there for underground retention and that still may be necessary; however, the retention basin is shown on future development. The engineer wanted to do it that way depending on how much dirt needs to be removed. Mr. Ford said they will try to keep retention in a detention basin. Commissioner Gibson asked if the parking currently shown just the minimum for code and they would add more if needed. Mr. Ford said it was more than required by code. Commissioner Gibson asked if there would be recitals that would require a large group needing parking at once. Mr. Ford said their music recitals are in-house but are only for a few students at a time. Commissioner Dunn asked about the exterior finish. Mr. Ford said it would be block construction with stucco with rock veneer. Commissioner Dunn asked about the signs. Mr. Ford said they haven't made their final plans yet. Gregg Benson said they won't have to come back to the Planning Commission if they comply with the sign ordinance. They would be allowed one monument plus signage on the building. The lights shine down and do not shine into the neighbors' yard.

Commissioner Gibson moved to approve this request for Site Plan Approval for a Children's Activity Center at 690 East 1700 South, seconded by Commissioner Moore, All Voting AYE.

SITE PLAN APPROVAL FOR AN ADDITION TO SAHCO AT 210 EAST 700 SOUTH

Blair Wall, representing the owner Shaw-Naptech, said they need to have a training/break room. Chairman Olson asked how many employees they had. Mr. Wall said there are about 110 to 120 employees and they have three shifts. Mr. Wall said the addition will be one big room with one unisex restroom. He said the exterior finish will match the existing building.

Commissioner Jeppesen moved to approve this request for Site Plan Approval for an

addition to the building at 210 East 700 South, seconded by Commissioner Dunn. All Voting AYE.

DISCUSSION ITEMS
CONDITIONAL USES

Adam Lenhard said in 2005 the State Legislature made some changes in regard to conditional uses. The conditional uses that we put in the code for a specific zone state that we are willing to approve those. The courts are interpreting the state code to say that we must approve those conditional uses. If we have listed them in a particular zone then they must be approved. As Title 11 is being rewritten, we need to consider very carefully which conditional uses we want. If you don't want a use in that zone, don't put it on the list. The State Code requires that we have a comprehensive, all inclusive list of the types of conditions that we would consider. It does not require that for a particular conditional use these are the specific conditions that could be placed on it. It refers to the types of conditions, for example, landscaping, fencing, buffering, hours of operation, time limit on review. We need to name each category of condition that we would consider. There is a list in the draft ordinance for the conditional uses chapter. Gregg Benson said we need to keep the lists general. But with conditional uses we want to be specific. Those are the businesses that we want to discourage or regulate a little bit more. Adam Lenhard said our list will say, that among the conditions that the Planning Commission can consider are conditions related to, noise, dust, hours of operation. Conditional uses give the Planning Commission an opportunity to review and impose conditions. Adam Lenhard said the draft should be ready for review at the next meeting. Councilmember Sprague said he doesn't want control to be removed from the Planning Commission. The steering committee will review before it comes to the Planning Commission.

TRAINING

Kent Bush said the fall conference of the Utah Chapter APA will be held Friday November 7th. There will be a class for Planning Commissions and City Council. The discussion is entitled: Planning Commission its purpose and relationship with the governing body. It will be held at the Holladay City Hall there will be two presentations, one from 2:45 to 3:45 and the other from 4:00 to 5:00. Commissioner Jeppesen asked Kent Bush to email the information on the class to him. Gregg Benson said he would be able to drive a carpool to one of the sessions and if the Commissioners wanted to attend to let him know.

Kent Bush gave the Commissioners a handout that was put out by the Utah League of Cities and Towns in 2003. There are usually changes to the land use ordinance every year. He told the Commissioners when the handout references Utah Code, they should refer to the current code. The information is the basic. Kent Bush reviewed the items in the handout, Handbook for new Planning Commissioners.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson – Nothing

Commissioner Hartvigsen – Nothing

Commissioner Moore – Thanks for his agenda because he had trouble for a few days getting email.

Commissioner Carpenter – He asked to get information sooner about meetings to attend. He would have liked to attend the Utah League Meetings, but didn't have enough notice so he could attend.

Commissioner Jeppesen – Nothing

Commissioner Gibson – Nothing

Commissioner Dunn – Thought the training was good. He asked about the notices sent for conditional uses. Gregg Benson said public hearings have different requirements depending whether it is a subdivision, amendment to a subdivision, rezone or a conditional use.

Councilmember Sprague – Wanted to take a minute to let the Commissioners know what was happening in the City. Midtown Village is on hold until problems in Orem are resolved. Mr. Kennedy has the project on 2000 East and he has been quiet since his last visit. Syracuse has put a hold on DTEC. The Davis County Health building across the street is making progress. The bridge project was rebid. Most of the problems are because of the economy.

There being no further business to come before the Planning Commission, **Commissioner Hartvigsen moved to adjourn at 8:31 P.M.**