

CLEARFIELD PLANNING COMMISSION MEETING

August 25, 2010

7:00 P.M. - Regular Session

PRESIDING:	Darren Carpenter	Vice-Chair
PRESENT:	Matt Stones	Commissioner
	Ron Jones	Commissioner
	Joel Gaerte	Commissioner
	Brandon Stanger	Alternate Commissioner
	Doyle Sprague	Council Liaison
EXCUSED:	Nike Peterson	Chair
	Bill Moore	Commissioner
	Randy Butcher	Commissioner
	Barbara Perry	Alternate Commissioner
STAFF PRESENT:	Brian Brower	City Attorney
	Adam Lenhard	Community Development Director
	Gregg Benson	Planner
	Christine Horrocks	Building Permits Specialist
VISITORS:	Ashley Garlick, Chris Garlick, Krista Hailey, Kathryn Murray	

Commissioner Carpenter called the meeting to order at 7:20 p.m.

Pledge of Allegiance was led by Commissioner Carpenter.

APPROVAL OF MINUTES FROM JULY 21, 2010 AND AUGUST 4, 2010 PLANNING COMMISSION MEETING

There were not any minutes available for approval.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A PRESCHOOL AT 329 WEST 1980 SOUTH

Commissioner Carpenter declared the public hearing open at 7:23 p.m.

Gregg Benson stated in November 2009 changes to City ordinances were made and daycares and preschools are now a conditional use in residential zones. This is the first application since that change. Ashley Garlick is requesting a preschool in her home and she does meet all requirements of the ordinance for the number of classes and children. She has also provided a traffic plan for drop off and pick up.

Ashley Garlick asked what information the commissioners would like to know. Commissioner Carpenter asked what days and hours she would be operating and how many children she would expect in the classes. Mrs. Garlick said she planned to have classes on Monday, Wednesday and Friday for four year olds. This year she will hold only a class in the morning from 9:00 a.m. to 11:30 a.m. She plans to hold a three year old class on Tuesday and Thursday but it will not be held this year. She said there will be no more than eight per class; she currently has four students. Commissioner Stanger asked when she adds afternoon classes if it still meets the requirements of the conditional use permit. Commissioner Carpenter stated the ordinance allows for two classes per day and eleven students per class. Commissioner Stones asked how many students would be within walking distance. Mrs. Garlick said one will be walking and the other three are within Clearfield.

PUBLIC COMMENT:

None

Commissioner Stanger asked about signage requirements. Gregg Benson said a home occupation business is limited to three square feet and the sign must be attached to the house.

Commissioner Stones moved to close the public hearing at 7:27 p.m., seconded by Commissioner Jones. All Voting AYE.

CONDITIONAL USE PERMIT FOR A PRESCHOOL AT 329 WEST 1980 SOUTH

Brian Brower suggested on the conditions the wording such as, pickup and drop off of students may not have a significant adverse impact on neighborhood traffic flows or congestion.

Commissioner Stones moved to approve this request to allow a pre-school at 329 West 1980 South subject to the following conditions:

- 1) There shall be no more than eleven students at any given time.**
- 2) The pickup and drop off of students shall not have a significant adverse impact on the neighborhood traffic flows or congestion.**
- 3) The conditional use permit becomes reviewable at the time a three year old class would be opening up for additional students.**
- 4) The sign in front be brought into compliance with terms and conditions in Title 11 for business signs at the time of application for the business license.**

Commissioner Stones stated the findings of fact that this preschool does fall into the requirements in Title 11 for pre-schools and daycares and at this time there is not a significant impact on the traffic flows. Seconded by Commissioner Gaerte. Voting AYE: Commissioners Stones and Jones, Voting NAY: Commissioners Stanger and Gaerte.

The Motion failed.

Commissioner Stanger asked if there was a way to remove the third condition requiring the conditional use permit to be reviewed because the additional class is already in line with the permit as it stands. Commissioner Stones said the reason he wants it to come into review at that time is there will be the opportunity for eleven additional students which could cause problems at the drop off and pickup times. Commissioner Stanger said the classes will be on different days and different times of the day with no more than eleven students at a time. Commissioner Gaerte said the conditional use permit will not need to be reviewed because she will still be within the ordinance.

Councilmember Sprague asked how the number of students was determined. Gregg Benson said Utah State code determines the number of students allowed. Brian Brower said if this body has concerns relative to traffic, the reasons to place conditions on a conditional use permit is to try to address some of the impacts that could potentially be there and to remedy any adverse impacts that the use might place.

Commissioner Gaerte moved to approve the request to allow a pre-school at 329 West 1980 South subject to the following conditions:

- 1) Stay within the City codes with no more than eleven students per class, no more than two classes per day and no more than four hours per class, and the two classes per day may not be held simultaneously.**
- 2) The pickup and drop off of students may not have significant adverse impact on the neighborhood traffic flows and congestion.**

Seconded by Commissioner Jones. All Voting AYE.

DISCUSSION

AMENDMENTS TO THE GENERAL PLAN

Adam Lenhard said the proposed changes of the General Plan were summarized in the staff report. He asked if there were any questions or suggestions for changes to the General Plan. A public hearing has been set for September 1, 2010 for the Planning Commission to make a recommendation to the City Council.

Commissioner Stanger asked how the new Business Park was different from DTEC. Adam Lenhard said a lot of the same language was used. The City envisions an upper scale business park, adding office components. Commissioner Stanger asked how it would affect the existing homes and businesses in that land use. Adam Lenhard said it should enhance the values and the appearance of the entire area.

Commissioner Carpenter asked if M-1 would still be allowed as part of the business park. Adam Lenhard said future development should be similar some of to the newer buildings in Freeport that have more of an office component. The M-1 zone is subject to the design standards in chapter 18. Mr. Lenhard said the move is away from the old industrial look. The design standards should create an attractive and suitable building for that area.

Commissioner Stanger asked if there would be any adverse affect on any of the existing businesses and residences in that zone. Adam Lenhard said as property is redeveloped the design standards for that zone will need to be met. Commissioner Stanger asked for an explanation on how overlay zones work. Mr. Lenhard said with an overlay zone there is a separate set of regulations added to the underlying zone. He said other mechanisms are in place that will accomplish the same as an overlay zone. The overlay zone will no longer be used, but they will continue to be in the ordinance because there are existing properties with an overlay zone. It is the City's policy now to not use those zones any more. Commissioner Carpenter said the table on page 13 does not include the A-2 zone. Adam Lenhard said Vision 2020 contains a variety of goals and objectives and some are related to land use. If there is something in Vision 2020 that you would like to specifically put in the General Plan, it could be done. However, Mr. Lenhard felt there is no need to overlap those. The vision statement of the General Plan states "to promote the goals of the Vision 2020 plan." Commissioner Stones asked if there will be revisions to the General Plan to add water protection zones. Adam Lenhard said Title 13 addresses that issue. There are separate capital facilities plans that have been developed. The City was contacted by Weber Basin Water to create and add a map in the General Plan showing the well protection zones within the City. Adam Lenhard said staff will contact Weber Basin Water and get their request in writing. Commissioner Stanger asked if a change in the roads will affect any property values. Adam Lenhard said the extension of a road will only occur when there is new development.

PLANNING COMMISSIONER'S MINUTE

Commissioner Stones – nothing

Commissioner Jones – asked to be excused for next week meeting.

Commissioner Gaerte – nothing

Commissioner Stanger – nothing

Councilmember Sprague – said he appreciates the members of the Planning Commission.

Commissioner Carpenter – said he had a phone call from Dwayne Matheson who has differences with the City. Mr. Matheson owns a piece of property on South Main behind Freeport Cold Storage. Gregg Benson said the City is working with Mr. Matheson to bring the property on South Main into compliance. Mr. Matheson did not get a site plan or a business license for that business. He was given a notice of violation giving him 14 days to come into compliance. Mr. Matheson turned in a site plan which had significant items that needed to be addressed. He felt the changes were beyond his ability to accomplish and decided to apply for a zoning modification. Commissioner Carpenter asked if he was aware of the process to change an ordinance. Adam Lenhard said he gave him specific instructions.

STAFF REPORTS

Adam Lenhard apologized to the commissioners for the late start to the meeting.

There being no further business to come before the Planning Commission, **Commissioner Stones moved to adjourn at 8:02 P.M.**