

CLEARFIELD PLANNING COMMISSION MEETING

May 4, 2011

7:00 P.M. - Regular Session

PRESIDING:	Nike Peterson	Chair
PRESENT:	Bill Moore	Commissioner
	Matt Stones	Commissioner
	Ron Jones	Commissioner
	Randy Butcher	Commissioner
	Joel Gaerte	Commissioner
NON-VOTING	Barbara Perry	Alternate Commissioner
	Brandon Stanger	Alternate Commissioner
	Kathryn Murray	Council Liaison
EXCUSED:	Darren Carpenter	Commissioner
	Doyle Sprague	Council Liaison
	Brian Brower	City Attorney
STAFF PRESENT:	Adam Lenhard	Interim City Manager
	Valerie Claussen	City Planner
	Christine Horrocks	Building Permits Specialist
VISITORS:	Allen Whittle, Barbara Valentine, Krista Hailey, Scott Miner	

Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF AGENDA

Commissioner Moore moved to accept as the agenda as written, seconded by Commissioner Stanger. All Voting AYE.

APPROVAL OF MINUTES FROM APRIL 20, 2011 PLANNING COMMISSION MEETING

The minutes for the April 20, 2011 meeting were not available for approval.

SITE PLAN APPROVAL FOR SP 11-017, A REQUEST BY SCOTT MINER ON BEHALF OF ALLEN WHITTLE, FOR SITE PLAN APPROVAL OF A PATIO ADDITION AT BOGEY'S LOCATED AT 22 EAST 200 SOUTH (TIN: 12-001-0170). THE PROPERTY IS APPROXIMATELY 1.38 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Valerie Claussen, City Planner, said an email was received from the Department of Alcoholic Beverage Control (DABC) stating they had previously approved the outdoor patio use for the sales, service and consumption of alcohol at Bogey's. Therefore, staff recommended removing

condition number two. Ms. Claussen said the patio cover was approximately 392 square feet and covered an existing outdoor patio area. The area was entirely enclosed by a six foot wall with minimal visibility of the cover. Ms. Claussen stated the patio cover was outside the pedestrian walkway and the existing wall provided a buffer. She said the patio cover was an accessory structure only and met the requirements of Chapter 18. Ms. Claussen stated the construction documents would be in substantial conformance with the plans provided with the site plan. Staff recommends approval of SP 11-017 with the conditions as modified.

Commissioner Stanger asked if the wall was consistent with the building. Ms. Claussen said the existing wall had a stucco finish. Commissioner Stones asked if the drainage from the patio cover would be retained on the property. Scott Miner, representing the contractor Kool Breeze, said the structure had its own gutter and there was an existing drain in the patio area. The roof was sloped enough to drain.

Commissioner Moore moved to recommend approval of SP 11-017, as conditioned, a Site Plan for Bogey's patio addition, based on the findings and discussion in the Staff Report as modified, seconded by Commissioner Jones. All Voting AYE.

PUBLIC HEARING FOR A PRELIMINARY AND FINAL SUBDIVISION APPROVAL FOR FSP 11-015, A REQUEST BY CLEARFIELD CITY FOR A PRELIMINARY AND FINAL SUBDIVISION PLAT TO MERGE AND RE-SUBDIVIDE SEVERAL PARCELS APPROXIMATELY 7.23 ACRES TOTAL, INTO TWO PARCELS. THE SITE IS LOCATED AT THE SOUTHEAST CORNER OF CENTER AND STATE STREETS. THE PROPERTY IS ZONED C-2. (TINS: 12-001-0087, 12-001-0089 THROUGH -0099, 12-001-0112 AND -0113, 12-001-0129 AND -0130, 12-001-0145, 12-001-0166 AND 12-001-0169)

Chair Peterson declared the public hearing open at 7:13 p.m.

PUBLIC COMMENT:

None

Commissioner Gaerte moved to close the public hearing at 7:14 p.m., seconded by Commissioner Moore. All Voting AYE.

Valerie Claussen, City Planner, stated the preliminary and final subdivision plat was for the City Hall Municipal campus and was approximately 7.23 acres. The proposed subdivision had two parcels, the 5.3 acre parcel contained city hall and the community center and the fire house was on the 1.42 acre parcel. The subdivision merged approximately 19 parcels and eliminated unnecessary parcels and brought the property into conformance with the land use ordinance. It allowed North Davis Fire District to obtain the 1.42 acre parcel which contained the fire house.

Commissioner Stanger asked if there were a difference in revenue to the City if the property was purchased or leased to the North Davis Fire District. Adam Lenhard, Interim City Manager, stated the sale of the property was in the best interest to both entities. Chair Peterson asked why the

property lines had not been previously resolved. Ms. Claussen said she was not aware of the reason why the properties had not been joined at the time the city building was constructed.

Commissioner Stanger moved to recommend approval to the City Council FSP 11-015, a Preliminary and Final Subdivision Plat for Clearfield City Municipal Campus, based on the discussion and findings. First for the housekeeping, secondly for the potential for the North Davis Fire District to obtain the property and also that it will all fit into the two parcels as outlined, seconded by Commissioner Butcher. All Voting AYE.

DISCUSSION ON TITLE 11 CHAPTER 5 *SITE PLAN REVIEW* AND TABLE 11.1 *LAND USE AND APPEAL AUTHORITY* AND POSSIBLE CRITERIA AND PROCESS FOR ADMINISTRATIVE REVIEWS OF “MINOR SITE PLANS”

Valerie Claussen, City Planner, said she wanted to explore the possibility of minor site plan reviews. An excerpt of the existing City Code, 11-5-2: Site Plan Procedures, was given to the Commissioners. Ms Claussen said some of the recent site plans could possibly have been handled administratively; but the ordinance doesn't have a mechanism to catch minor site plan approval. Ms. Claussen gave the Commissioners an example of the possible changes of the Review Authority Table which included minor site plan. She provided examples of ordinances from other jurisdictions. Ms. Claussen said a minor site plan review would add some flexibility if added to the ordinance.

She stated the typical elements of a minor site plan review were:

- Review and approval administratively completed.
- With discretion for request to be directly referred to the Planning Commission (and not be administrative)
- Appeal process
- Findings and Review Considerations still made, but by Staff
- Review and Decision approximately 10 business days
- Request is below an established threshold
 - i.e. square footage or percent of addition to a building size
- Request does not require additional review or coordination by outside agencies (UDOT, Fire, Engineering)
- May include a change of use, but not additional impact to existing services or infrastructure

Chair Peterson asked if there would be a different fee structure for a minor site plan review. Ms. Claussen said there would be different fees because not as much time is required. Commissioner Butcher asked when the decision would be appealed. Ms Claussen said if the application were denied then the applicant could appeal to the Planning Commission. Commissioner Stanger asked if additional fees would be assessed if the applicant appealed. Ms. Claussen said it would be taken into consideration that the fees would not exceed the fees for a site plan. Commissioner

Stones asked for an example of change of use. Ms Claussen said it could possibly have been a toy store and changed to a hair salon, which required changes to the exterior of the building. Ms. Claussen stated the minor site plan approval could also be for mechanical equipment that needs to be moved or a small addition.

Commissioner Stanger said he would recommend using a percentage of the building rather than a square footage amount. Chair Peterson said she liked the percentage also and asked staff to determine what they thought would be appropriate. She wanted to be more customer friendly and use resources more efficiently. Commissioner Stones asked if it were feasible to do a percentage up to a certain size of building, then a different percentage for a larger building. Ms. Claussen said the ordinance could have a percentage with a not to exceed clause. Chair Peterson directed staff to write the ordinance using a percentage with the not to exceed and with a fee schedule.

STAFF REPORTS

Valerie Claussen reviewed the projects that will be on an agenda in the future.

PLANNING COMMISSIONERS' MINUTE

Commissioner Peterson – Nothing

Commissioner Moore – Nothing

Commissioner Stones – Nothing

Commissioner Jones – Nothing

Commissioner Butcher – Thanked staff for the effort and work put into the agenda.

Commissioner Gaerte – Nothing

Commissioner Stanger – Asked about the information on landscape requirements he was given. Ms. Claussen told him it had been discussed at the last meeting and copies were given to the commissioners that were not in attendance.

Councilmember Murray – Said the purchase of the fire station by the Fire District is a win-win for both the City and the Fire District.

There being no further business to come before the Planning Commission, **Commissioner Moore moved to adjourn at 7:38 P.M.**