

**CLEARFIELD PLANNING COMMISSION MEETING**

March 7, 2012

7:00 P.M. - Regular Session

PRESIDING: Randy Butcher Vice-chair

PRESENT: Joel Gaerte Commissioner  
Brandon Stanger Commissioner  
Norah Baron Alternate Commissioner  
Lance Brown Alternate Commissioner  
Michael LeBaron Council Liaison

ABSENT: Nike Peterson Chair  
Becky Brooks Commissioner  
Ron Jones Commissioner

STAFF PRESENT: Brian Brower City Attorney  
JJ Allen Assistant City Manager  
Valerie Claussen Development Services Manager  
Christine Horrocks Building Permits Specialist

VISITORS: Brent Allenbach, Kathryn Murray, Koral Vasquez, Anthony Vasquez,  
William Hill, Sam Chelemes, Chris Chelemes, Kevin Deis, Jacob Jensen

Pledge of Allegiance was led by Commissioner Butcher

APPROVAL OF AGENDA

**Commissioner Gaerte moved to approve the agenda as stated. Seconded by Commissioner Stanger. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

APPROVAL OF MINUTES FROM FEBRUARY 1, 2012 PLANNING COMMISSION MEETING

**Commissioner Stanger moved to approve the minutes of February 1, 2012 as written. Seconded by Commissioner Baron. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

PUBLIC HEARING FOR CONDITIONAL USE PERMIT CUP 1202-0004 AND A REQUEST FOR SITE PLAN APPROVAL SP 1202-0004 FOR A CONVENIENCE STORE (7-Eleven) LOCATED AT 712 SOUTH STATE STREET

Commissioner Butcher declared the public hearing open at 7:06 p.m.

PUBLIC COMMENT:

Kevin Deis, applicant, said they were remodeling an old Chevron station. Commissioner Butcher had concerns with the access for filling the tanks. Mr. Deis said they were still working with Utah Department of Transportation (UDOT) for the north access. He stated the truck would approach from the south, circle around the building and exit on the north. Safety rules for 7-11 do not allow the truck to go under the canopy and the tank cannot be filled from the opposite side by putting the hose under the truck. Mr. Deis said they were working with UDOT to maintain the circular action. He said the trash enclosure might be moved a little to allow more space for the turn behind the building. The delivery truck would be parked away from the parking spaces in the front and the side and the sidewalk which circulated around the building. Mr. Deis said it is a very tight site.

Commissioner Butcher said the City received a letter from Connie Collins, daughter of Marjorie Thornley and an adjacent property owner. He read the letter aloud. Ms. Collins was opposed to the use of the property for a convenience store. She wanted to protect the lease the Thornley Family Trust has with Maverik and said there was not sufficient need for another convenience store in the area.

Commissioner Stanger asked if the chain link fence around the property would be screened for the adjacent businesses. Mr. Deis said yes; currently there were slats on west side and they could put additional slats in the fence.

**Commissioner Gaerte moved to close the public hearing at 7:13 p.m. Seconded by Commissioner Brown. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

Valerie Claussen, Development Services Manager, discussed both the conditional use permit and the site plan. She stated the request was for a Conditional Use Permit for a convenience store and associated gas sales and a site plan approval, which was compatible with the surrounding properties. She said 7-Eleven was using the same foot print but would make improvements to the exterior of the building and the site plan met the 10 percent landscaping required. The sign package met code and the abandoned pole sign would be removed. Ms. Claussen said staff recommended approval.

Commissioner Stanger asked if the environmental issues had been addressed. Ms. Claussen stated the environmental approvals were taken care of through the State. Commissioner Butcher had a question if the monument sign would block any views. Ms. Claussen said the intent of the condition of approval required them to show verification with the construction documents the sign was out of the clear vision triangle and had met code.

**Commissioner Stanger moved to approved as conditioned in the staff report and also with the addition of the fencing to be similar to what was existing for privacy CUP 1202-0004, a Conditional Use Permit for a convenience store (7-Eleven) located at 712 South State Street based on the findings and discussion in the Staff Report. Seconded by Commissioner Brown. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte,**

**Stanger, Brown and Baron. Voting NO: None.**

**Commissioner Baron moved to approve, as conditioned, SP 1202-0004, Site Plan approval of a convenience store (7-Eleven) located at 712 South State Street, based on the findings and discussion in the Staff Report. Seconded by Commissioner Gaerte. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

PUBLIC HEARING FOR CONDITIONAL USE PERMIT CUP 1202-0005 FOR A TRAINING FACILITY FOR RIDER'S EDGE MOTORCYCLE SAFETY SCHOOL TO BE CONDUCTED ON A PORTION OF PROPERTY LOCATED AT 1250 SOUTH STATE STREET

Commissioner Butcher declared the public hearing open at 7:21 p.m.

PUBLIC COMMENT:

Brent Allenbach with Golden Spike Harley-Davidson stated the program was a safety school called Riders Edge. He said the purpose of the class was to train motorcycle riders who were new or needed to brush up on their skills. The class spanned five days, but two days were on the driving range. The hours of operation were from 9:00 a.m. to 5:00 p.m. The class size was four to eleven people. Mr. Allenbach said there were no structures on the property. A container to house the motorcycles plus portable restroom facilities would be placed on the property. He said lines were drawn on the ground and cones placed for the rider to drive through. Mr. Allenbach said the bike was a smaller bike, a 492cc motorcycle, single cylinder. The purpose of the class was to develop riding skills, teach safety and defensive driving skills.

*Sam Chelemes, Layton*, said he had rental property close to the proposed property. He said motorcycles were too noisy with the number of motorcycles that would be operating at one time. Mr. Chelemes said they had sheep in the area that were frightened by motorcycles.

Mr. Allenbach said most people visualized a loud machine when they hear "Harley Davidson." He had one of the motorcycles used for training in a trailer in the parking lot and said he would demonstrate to those who wanted to hear the noise level. Mr. Allenbach said the sheep and neighbors won't know they were there because it was a very quiet motorcycle. Commissioner Butcher said it was his understanding the exhaust system was stock and not enhanced. Mr. Allenbach said yes. He told Mr. Chelemes he understood the concerns, but stated the bike was not a noisy bike.

Commissioner Stanger asked if the area close to the apartments in the proposed training area would be used. Valerie Claussen, Development Services Manager, said the area Utah Transit Authority (UTA) proposed was identified on the map. Mr. Allenbach said the pavement had better upkeep in the proposed area. Commissioner Stanger asked if the participants would be able to bring their own personal bikes. Mr. Allenbach said the participants were required to use the bikes provided. He said there were other programs that allowed the use of personal bikes. Commissioner Stanger asked what time the class was held. Mr. Allenbach said the motorcycles

were not started until 9:00 a.m.

*Chris Chelemes, Clearfield*, asked if the area was fenced. Mr. Allenbach said there was some fencing but there would not be additional fencing. Mr. Chelemes was concerned the area would be used by others to run bikes and 4-wheelers when the class was not held. Mr. Allenbach said the area would only have some lines added. The cones used were stored when not in use. Mr. Chelemes said if there was a lot of noise and dust, he was not happy about it.

**Commissioner Gaerte moved to close the public hearing at 7:38 p.m. Seconded by Commissioner Stanger. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

Valerie Claussen said the use was consistent with the City's land use ordinance as the use was permitted with a Conditional Use Permit. The area used was an interior paved portion approximately 200 feet by 400 feet. Ms. Claussen said the storage containers also needed approval by the Planning Commission. Conditions of approval addressed the length of time allowed for the storage containers and portable restrooms. UTA was the property owner and had coordinated the short-term lease with the applicant. She said one condition of approval was based on a current executed agreement between UTA and the applicant. Ms. Claussen said a condition of approval was the motorcycles would not be altered and would have stock mufflers. She said staff recommended approval based on the findings and the proposed conditions.

Commissioner Butcher asked if the size of the bikes could be added as a condition. Ms. Claussen said condition number six on page six of six (6 of 6) stated, "the motorcycles that will be used in training will have stock mufflers and will not be enhanced or altered in any way to increase sound." Brian Brower, City Attorney, said a condition that the motorcycles used were required to be capable of being registered and a restriction on the engine size was not excessive based on the input received from the public. A Mr. Allenbach said the endorsement for the driver's license was given based on the motorcycle size. The participants were given an opportunity to receive a higher cc classification on their driver's license on a larger motorcycle, a Sportster 883. Mr. Allenbach said the Sportster 883 was used for testing only. He said he was okay with putting a "not to exceed cc" as a condition. The smaller bike was used at the class and was what would be heard 99 percent of the time. Commissioner Stanger asked if the start time could be later. Mr. Allenbach said they would, if needed, move the start time of the class to a later time. Valerie Claussen asked if there was a cc engine capacity that would cover the Sportster. Mr. Allenbach said not to exceed 900cc would cover the need. Commissioner Butcher stated motorcycles used for the instruction class would be less than 500cc engine capacity, and the motorcycles used for testing would not exceed 900cc engine capacity. Mr. Brower said the discussion from the Planning Commission acknowledged concern about the proximity of the subject property to high density housing. He said in his opinion the noise ordinance is difficult to enforce and would recommend the conditions be based on Title 11-4-3 of the Clearfield City code.

**Commissioner Stanger moved to approve as conditioned, CUP 1202-005, a Conditional Use Permit for a training facility (Rider's Edge Motorcycle Safety School) to be conducted on a portion of the property located at 1250 South State Street, based on the findings and**

**discussion in the Staff Report with the change to Conditions of Approval number 5, the hours of operation shall be Saturday and Sunday between 8:30 a.m. and 5:00 p.m. during the months of April through September with the bikes starting after 9:30 a.m. And the addition to Conditions of Approval number 6, the motorcycles used in training will have stock mufflers not to be enhanced or altered in any way to increase sound. Motorcycles used for training will not be larger than 500cc's and motorcycles used for testing will not be more than 900cc's. And add Conditionals of Approval number 9 that according to the proposed layout that the southern portion closest to the apartments not be used for riding to protect the noise for the residents. Seconded by Commissioner Baron. The motion carried upon the following vote: Voting AYE: Commissioners Gaerte, Stanger, Brown and Baron. Voting NO: None.**

#### TRAINING

Postponed until the next meeting.

#### STAFF REPORTS

Valerie Claussen introduced JJ Allen, Assistant City Manager. He would handle administrative needs while she was on leave. She said on March 27, 2012, there would be a Vision 2020 open house. No meeting will be held on April 4, 2012.

#### PLANNING COMMISSIONERS' MINUTE

Commissioner Butcher – wished Valerie Claussen the best and thanked her for her input.

Commissioner Gaerte – nothing

Commissioner Stanger – thanked staff for doing a great job on the staff reports. It makes it easy to come and participate. He stated he would like to review city code on payday lending institutions.

Commissioner Baron – good luck to Valerie Claussen.

Commissioner Brown – thanks to staff for all you do.

Councilmember LeBaron – thanks for letting him sit in with the Planning Commission, good luck to Valerie.

There being no further business to come before the Planning Commission, **Commissioner Gaerte moved to adjourn at 8:12 P.M.**