

CLEARFIELD PLANNING COMMISSION MEETING

May 2, 2012

7:00 P.M. - Regular Session

PRESIDING: Nike Peterson Chair

PRESENT: Becky Brooks Commissioner
Ron Jones Commissioner
Brandon Stanger Commissioner
Norah Baron Alternate Commissioner
Michael LeBaron Council Liaison

ABSENT: Randy Butcher Commissioner
Joel Gaerte Commissioner
Lance Brown Alternate Commissioner

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

VISITORS: Lynda Stacy, Rex Stacy, Kathryn Murray, Robert Goupios, Brian Barnett

Chairman Peterson called the meeting to order at 7:09 p.m.

Pledge of Allegiance was led by Chair Peterson

APPROVAL OF AGENDA

Commissioner Stanger moved to approve the agenda as it currently stands. Seconded by Commissioner Brooks. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Jones, Stanger and Baron. Voting NO: None.

APPROVAL OF MINUTES FROM MARCH 7, 2012 PLANNING COMMISSION MEETING

Commissioner Baron moved to approve the minutes of March 7, 2012. Seconded by Commissioner Jones. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Jones, Stanger and Baron. Voting NO: None.

DISCUSSION ON CLEARFIELD CITY'S VISION 2020 UPDATE

Adam Lenhard, Clearfield City Manager, said the original approval of Vision 2020 was in January 2010. There had been changes made and goals met. Mr. Lenhard discussed the updated Vision 2020 with the commissioners.

Commissioner Jones said residents had asked when there was a construction project what the City

had done to cut down on traffic through the neighborhoods. Mr. Lenhard said another full-time traffic officer had been added and when school was out the D.A.R.E. officer would spend additional time in traffic. Commissioner Stanger said he noticed comments from the open house about code enforcement. He wanted to make sure the image of Clearfield City was improved. Mr. Lenhard said there was a change from part-time to full-time code enforcement officers and the officers were moved to the police department. One code enforcement officer had been hired and there would be one additional officer. Mr. Lenhard said the City was a property owner and a new program had been implemented for the maintenance of public property. Commissioner Stanger asked if part of the budget could be focused on graffiti removal. Chair Peterson asked if the Vision 2020 plan could identify the completed goals in the document. Mr. Lenhard said that was a great idea. Commissioner Brooks stated it was good that the Vision 2020 was updated.

PUBLIC HEARING FOR CONDITIONAL USE PERMIT CUP 1204-0002, FOR BEEHIVE DAYCARE, A COMMERCIAL DAYCARE FACILITY IN THE B-1 (BUFFER ZONE) AT 573 NORTH 1000 WEST

Chair Peterson declared the public hearing open at 7:38 p.m.

Brian Barnett with Western Region Construction was the contractor. He said the project received approval in 2010 but the construction wasn't done and the approval had expired. The daycare would have four classrooms and would be for children two and one-half years and older. Mr. Barnett said the plans had been reviewed, the restroom layout was revised, and legal issues addressed.

PUBLIC COMMENT:

Rex Stacy, Clearfield, owns the property next door. He was not opposed to the project but during prior construction projects trash was thrown into his property. Mr. Stacy said the snow was pushed into his property. He asked about the location to load and unload the children. He said it would be a real traffic problem.

Commissioner Brooks moved to close the public hearing at 7:45 p.m. Seconded by Commissioner Stanger. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Jones, Stanger and Baron. Voting NO: None.

Valerie Claussen said the site consisted of three parcels and a condition of approval would be to consolidate the lots. She gave background of the site. Ms. Claussen stated staff had concerns with the circulation of the site as proposed. She said no public comment had been received and staff recommended approval with the conditions as stated.

Chair Peterson asked if the commissioners had any concerns with the layout of the daycare facility. She asked about the placement of the restrooms. Brian Barnett said the hallways will go to all restrooms. The area has been reconfigured so there were no dark corners. Chair Peterson asked about the capacity on the drains on the south side of the building. Mr. Barnett said an awning would be placed over the entrance doors. He said there had not been problems with the

existing drains. The awning would have a gutter system and would be over the entry door. Commissioner Stanger asked if the snow would be put in the retention area. Mr. Barnett said the placement of the snow in the retention pond would be addressed and made part of the contract with the snow removal company. Chair Peterson said the snow removed could not hamper the traffic flow.

Chair Peterson asked if Mr. Barnett had a plan to address the traffic flow and parking. Mr. Barnett proposed to use signage that stated for daycare use only, plus drop off and pick up signs. Commissioner Jones asked what the oldest age would be for children at the daycare. Mr. Barnett said up to about ten. He said there would be space available for older children to do homework. Commissioner Jones asked about how many children would be at the daycare. Mr. Barnett said the maximum allowed would be 100. He said the age groups would be in different rooms and the employees would be required to meet State standards. Commissioner Stanger asked what would stop parents from using 1000 West to drop off their children. Mr. Barnett said the parents were required to sign the child in and out of the facility. He said the playground equipment would be down sized because of legal ramifications. Chair Peterson asked about the use of a shuttle. Mr. Barnett said one would be obtained if needed.

Chair Peterson stated she visited the site at 4:00 p.m. today and was almost hit twice within 30 seconds of being on the site and there were only four cars in the parking lot. She said there was not an adequate turn lane from 1000 West. Chair Peterson asked if the access onto 1050 West could be opened and used as a one-way exit. Various options were discussed to solve the parking, drop off and traffic through the parking lot. Mr. Barnett said the parking spaces could be skewed and a drop off lane marked; in the rear some parking spaces could be hashed. Chair Peterson said slanting the parking spaces is a good start, but she wanted to see a buffer area. She asked if opening the access to 1050 West was possible allowing the daycare clients to use the 1050 West entrance and the dental clients to use 1000 West.

Kathryn Murray, Clearfield, said the discussion was to use 1050 West for access and she knew the surrounding neighbors were noticed of the change of use, but the residents in the area were told the exit onto 1050 West was for emergency use only. She said she knew the residents were not present at the meeting but the original agreement needed to be considered.

Ms. Claussen said the B-1 Buffer Zone was meant for uses that were compatible with residential and daycare facilities were listed as compatible. She said the commissioners needed to consider the impact. Chair Peterson stated the Planning Commission needed to determine which option had the least negative impact. Ms. Claussen stated the use was permitted but the Commission needed to determine if the capacity was appropriate for that site.

Commissioner Jones suggested maximizing the parking spaces in the rear so the parents could park and take the children in to the daycare. He said the residents need to be happy. Brian Brower, City Attorney, said it was up to the client to present the plan that would conform to City Code and met all the engineering requirements. Ms. Claussen said the City could not design the project for them.

Chair Peterson asked for a recess at 8:55 p.m.

The meeting reconvened at 9:03 p.m.

Chair Peterson said after discussion with staff and the city attorney it was noted that the applicant must provide a solution that would mitigate the impact. The Commission would set a minimum requirement that addressed the concerns and additional terms of approval and allow the applicant and staff to work together to work out the details. Chair Peterson said there were two additional conditions of approval that had been discussed. She recommended the motion include 1) 1050 West would need to be used as an egress from the site. 2) This would need to be one-way traffic that must have a physical mechanism that would insure the access was one-way. Commissioner Stanger said he would rather protect the neighborhood, have more traffic on 1000 West and have the customers on the Goupios property turn around in the parking lot.

Robert Goupios said the daycare hours were earlier than the dental office. Chair Peterson said the bulk of the traffic issues would probably be during the early morning hours. Mr. Goupios wanted the opportunity to utilize what was on the property and not open the exit on 1050 West. He said his father made a promise to the neighborhood that the exit would be used only in case of emergency. Mr. Goupios would like his father's promise to the neighbors kept. He said they would make it work without disturbing the neighborhood. Mr. Goupios would rather sacrifice some lawn or modify drainage, rather than betraying the neighbors.

Chair Peterson said the Commission needed to decide the conditions of approval and then allow staff to guide the applicant to make it work. Commissioner Stanger suggested removal of parking spaces in the front of the lot for clear view issues, construction of a turnaround area, and absolutely no drop off on 1000 West. Chair Peterson asked the commissioners if 1050 West was part of the solution or was an on-site circulation plan that did not include the use of 1050 West the solution. Commissioner Brooks said it should be done to not impact 1050 West and keep the flow of traffic on the current property. Commissioners Jones, Stanger, and Baron agreed. Councilmember LeBaron said if Mr. Goupios could work circular flow with one entrance on his property he needed to be given that opportunity. Brian Brower said if the will of the Commission was to restrict the flow of traffic on the property it should be made part of a condition. Chair Peterson asked the applicant if he understood that if an acceptable plan was not provided to staff, the waiting period was four weeks before it was reviewed again by the Commission. Mr. Barnett asked if construction on the interior of the building could proceed until the egress problem was resolved. Mr. Brower said for the construction to move ahead before the condition of approval was met would be at their risk. Ms. Claussen said the contractor could move forward with the construction of tenant improvement and staff had the certificate of occupancy that would be held until the site issues were resolved. Mr. Brower suggested the Commission make its will known regarding the use of 1050 West so there was no question in the future.

Commissioner Jones moved to approve as conditioned, CUP 1204-0002, a Conditional Use Permit for Beehive Daycare, a commercial daycare facility in the B-1 (Buffer Zone) zoning district located at 573 North 1000 West, based on the findings and discussion in the Staff Report. Conditions of approval items 1, 2 and 3 to remain the same with the addition to 1a) should state: Such modification shall be approved by Staff at the time of Construction Document review and issuing of building permits. However, all traffic flow must be

contained on site with no ingress or egress on 1050 West except for emergency access. And the rest of paragraph a) as written. Seconded by Commissioner Baron. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Jones, Stanger and Baron. Voting NO: None.

PLANNING COMMISSION TRAINING

Chair Peterson recommended an amendment to the agenda to postpone the Planning Commission Training: Municipal Code, Title 11 to another meeting. Seconded by Commissioner Stanger. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Jones, Stanger and Baron. Voting NO: None.

STAFF REPORTS

Valerie Claussen said text amendments would be presented in the next few meetings due to legislative changes.

PLANNING COMMISSIONERS' MINUTE

Commissioner Peterson – congratulations to Valerie Claussen and welcomed her back. Said she still had concerns on the site and hoped the staff would be able to resolve the issues.

Commissioner Brooks – Nothing

Commissioner Jones – said he would need to be excused from the June 6th meeting.

Commissioner Stanger – said he would like City Council to know he was not a fan of spending money to install high tech equipment. He would like to see the money spent somewhere else.

Commissioner Baron – said she joined the Clearfield University and had learned a lot. She suggested other commissioners give it a try.

Councilmember LeBaron– told the commissioners, “Way to steam roll through it.”

There being no further business to come before the Planning Commission, **Commissioner Stanger moved to adjourn at 9:37 P.M.**