

CLEARFIELD PLANNING COMMISSION MEETING

July 10, 2013

7:00 P.M. - Regular Session

PRESIDING: Nike Peterson Chair (participating electronically)

PRESENT: Becky Brooks Commissioner
Randy Butcher Commissioner
Joel Gaerte Commissioner
Ron Jones Commissioner
Norah Baron Commissioner
Michael LeBaron Council Liaison

ABSENT: Keri Benson Commissioner
Timothy Roper Alternate Commissioner

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

VISITORS: Brian Allred, Scott Crawley, Cindy Crawley, Jeri Wilcox, Con Wilcox, Kent Bush, Sam J. Chelemes, Chris J. Chelemes, Kathryn Murray, Scott Hart, Jose Criollo, James Ortberg, Matt Jones, Curtis Clayton, Amber Huntsman, Mike Christensen, Sattar Tabriz, Beverly Bradley

APPROVAL OF AGENDA

Commissioner Gaerte moved to approve the agenda as presented. Seconded by Commissioner Brooks. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Gaerte, and Baron. Voting NO: None.

The Pledge of Allegiance was led by Commissioner Butcher.

APPROVAL OF MINUTES FROM JUNE 5, 2013 PLANNING COMMISSION MEETING

Commissioner Brooks moved to approve as written the minutes from the June 5, 2013 Planning Commission meeting. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Gaerte, and Baron. Voting NO: None.

DISCUSSION ON SP 1304-0008 A SITE PLAN REQUEST FOR ROCKET FUEL COFFEE COMPANY, LLC, A RESTAURANT, LOCATED AT 329 NORTH MAIN STREET

Commissioner Jones was welcomed at 7:04 p.m.

Valerie Claussen said the site plan approval was for a change of use from a gas station to a restaurant. Minor exterior modifications and site improvements were necessary. She said the same project was considered at the March 6, 2013 Planning Commission meeting. Ms. Claussen said additional engineering plans were submitted; however, there were outstanding deficiencies previously identified that remained. She said although the item had been conditionally approved the applicant didn't agree with the conditions and missed the time frame to file an appeal to City Council. Ms. Claussen said the intent of the application was to create a new application with conditions that could be appealed.

Ms. Claussen said the applicant's request was to operate on the site as is, with a commitment from Rocket Fuel that they would contact BP (British Petroleum) within 30 days of City approval to request permission to fix the asphalt and landscaping. Rocket Fuel would enter into an escrow agreement with the City for these changes. Rocket Fuel said they would not pursue the completion of the storm water retention facility. Ms. Claussen said the concern with the escrow was that landscape improvements were generally escrowed for no more than six months and were permitted under code when winter weather was a factor. She said winter was not currently a factor and the completion of the improvements within the six months was a concern. She said even if the escrow was there, the City would have no way to complete the improvements.

Ms. Claussen stated that just prior to the meeting she was given a hard copy of an email the applicant received from the State Department of Environmental Quality (DEQ). She did not have time to read the document. Chair Peterson asked for a synopsis from the email. Ms. Claussen said it acknowledged the change of use. She said the site needed to be updated to current code. Ms. Claussen said as conditioned the site plan could meet the review considerations for approval. She said no public comment had been received to date and recommendation from staff was to continue, until at a minimum the appropriate approvals obtained by DEQ or approve as conditioned. Chair Peterson stated there was a substantial amount of paperwork that had not been given to the Planning Commission. Commissioner Butcher agreed with Chair Peterson's assessment that the items addressed previously by the Commission through the conditional site plan approval had still not been resolved by the applicants. Commissioner Jones stated as much as he wanted a business located on the property, it needed to be done correctly. Commissioner Butcher asked if the gas tanks had been removed. Councilmember LeBaron said the letter stated the contamination was within acceptable levels and he assumed the tanks were removed. Chair Peterson said there was still a lot of missing information and she was disappointed that since the last time the applicants brought this property in front of the Commission for site plan approval back in March, so little progress has been made. Commissioner Brooks wanted to know how the storm drain issues would be addressed and requested more solid information regarding that issue to be provided by the applicants.

ACTION ON SP 1304-0008 A SITE PLAN REQUEST FOR ROCKET FUEL COFFEE COMPANY, LLC, A RESTAURANT, LOCATED AT 329 NORTH MAIN STREET

Commissioner Jones moved to continue SP 1304-0008 until at a minimum the appropriate approvals have been obtained by the State of Utah Department of Environmental Quality and clarification received from the applicants on how the storm drain issues would be

addressed as noted. Seconded by Commissioner Gaerte. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

PUBLIC HEARING FOR CUP 1305-0002, A CONDITIONAL USE PERMIT FOR AN EMISSION AND INSPECTIONS USE FOR EL CHAMO LOCATED AT 1181 SOUTH STATE STREET

Valerie Claussen said the conditional use permit (CUP) was a request for approval for an emissions, safety and inspection use in the C-2 zoning district. She said the business used one service bay of approximately 630 square feet. Ms. Claussen said the applicant had indicated that no automotive repair work was done. She emphasized condition of approval number seven stated, "For this CUP to be in full force and effect, the Conditions of Approval shall be acknowledged and accepted in writing by both the tenant/business owner and the property owner, as joint applicants." She said no public comment had been received to date and staff recommended approval as conditioned or to continue until there was a determination of what needed to be done with the site.

Chair Peterson declared the public hearing open at 7:16 p.m.

PUBLIC COMMENT:

None

Commissioner Jones moved to close the public hearing at 7:17 p.m. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

Commissioner Butcher said he visited the property and noted the sign for El Chamo was over the bay on the south end, but the site plan indicated El Chamo was in the second bay from the south. He said it was confusing as to the bay El Chamo occupied and the sign stated auto repair and oil change along with safety and emissions. Commissioner Butcher said there were items from April that had not been resolved. Chair Peterson asked if Commissioner Butcher was concerned with El Chamo or all of the businesses. Commissioner Butcher said he had concerns across the entire site. Chair Peterson asked the commissioners if they wanted to discuss each business or discuss the businesses on the site together. Commissioner Butcher said each business had code violations and all the violations should be cleared up before approval of the CUP. Commissioner Gaerte agreed and said the property needed to meet City code and standards. Commissioner Butcher said he would like to move forward, but there were concerns and violations. Chair Peterson requested the representative from El Chamo to explain the business.

Jose Criollo, owner of El Chamo, asked what was wrong with his bay and his business. Commissioner Butcher said two parking spaces were required and striping of the spaces. Mr. Criollo said there were signs, but he didn't know the spaces needed to be painted. Ms. Claussen stated two parking spaces were required for El Chamo based on square footage, but it was difficult to distinguish what spaces were for which business. Brian Brower, City Attorney, stated

there was also an issue with the ingress/egress based upon previous site plan approval for the entire parcel. He said the ingress/egress problem would apply to all businesses on the site. Commissioner Butcher asked about the pole sign. Brian Allred, property owner, said the pole sign was put in place in 1956. Ms. Claussen said the pole sign was non-conforming and its removal was a condition from a CUP from 2009; however, Mr. Allred was not aware of the requirement to remove the sign from the property.

Commissioner Brooks said she attempted to go to the business, but it was difficult to get in or out of the property and there was no place to park. She said it was unsafe to get to the business. Chair Peterson said she had the same experience on the site. She asked if the commissioners would want to review the project again. Commissioner Brooks said she wanted to have the businesses combined and resolve all issues.

ACTION ON CUP 1305-0002, A CONDITIONAL USE PERMIT FOR AN EMISSION AND INSPECTIONS USE FOR EL CHAMO LOCATED AT 1181 SOUTH STATE STREET

Commissioner Gaerte moved to continue, CUP 1305-0002, a Conditional Use Permit for an emission and inspections use, El Chamo, located at 1181 South State Street which property lies in the C-2 (Commercial) zoning district, until further compliance is demonstrated as necessary with the site. Seconded by Commission Butcher. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

PUBLIC HEARING ON CUP 1304-0011, A REQUEST FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE REPAIR AND OUTDOOR STORAGE USE, JIM'S TIRES, LOCATED AT 1181 SOUTH STATE STREET

Chair Peterson declared the public hearing open at 7:33 p.m.

PUBLIC COMMENT:

None

Commissioner Butcher moved to close the public hearing at 7:34 p.m. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

Valerie Claussen said the conditional use permit (CUP) was for automotive repair and outdoor storage. She said a notice of violation was sent and the CUP was part of the businesses' efforts to try to come into compliance. There were deficiencies and violations identified and discussed in the staff report. Chair Peterson asked if there were efforts made toward coming into compliance with the conditions imposed during site plan approval in 2009 and with issues which were raised at the last meeting with the applicant. Ms. Claussen said there were none.

Scott Hart, owner of Jim's Tires, said currently there were 17 cars for sale on the car lot side of the property. He said no cars were double parked and all violations from the County and State

had been cleaned up. Mr. Hart said the outdoor storage of tires has been cleaned up and removed. Commissioner Butcher asked if the awning was his. Mr. Hart said it was property of the land owner. Commissioner Butcher asked if the four cars parked under the awning were for sale. Brian Brower said the site plan approval from 2009 had conditions placed upon it. He said conditions of approval were that there would be 10 to 15 cars for sale on the lot, that the tire rack would be removed, the carport would be removed, provide landscaping on the south side of the property, and the dumpster must be enclosed. Mr. Brower said the carport was still on the property. Brian Allred said the carport was there for A & B Glass and had been since 1990; and the carports were for sale. He said the cars parked under the carport were not owned by A & B Glass. Mr. Allred said Mr. Hart should not be held liable for requirements of 2009 because he was not a tenant at that time. Chair Peterson stated that a CUP was tied to the land and not to any particular business. She said unless the conditions were modified in writing, the conditions would still run with the land.

Brian Brower confirmed that although there may be different business owners on the property, the CUP runs with the land. Chair Peterson stated she believed 17 vehicles exceeded the original allowed number of 15. Ms. Claussen clarified there were 17 spaces for vehicle sales and seven spaces for customer parking. Chair Peterson asked if Jim's Tires was strictly auto sales or was repair work done on the site. Ms. Claussen said there was a repair component and it was outside the scope of the original site plan approval. Mr. Hart said he owned two separated businesses at the property, Jim's Cars and Jim's Tire's, which did tires and auto repair. Ms. Claussen said one notice of violation stated repair of vehicles occurred outside the bays and on the property. Mr. Hart asked if he could put road base in and park cars in the rear. Ms. Claussen told Mr. Hart a CUP was required to park cars in the rear along and with outdoor storage. Mr. Brower said the area would need to be paved per City Code §11-13-12.

Commissioner Gaerte said until the violations were resolved, action should not be taken on the CUP. Chair Peterson said the Planning Commission did not necessarily have purview over all the code violations, only those violations related to land use. She said any representation of compliance made verbally during this meeting must be obtained in writing and be verifiable. Ms. Claussen said approval from the Fire District, Public Works and Building Department had not been received. She told Mr. Hart it was his responsibility to get the written approval from each entity. Mr. Brower said the issue of ingress/egress from 2009 had not been resolved. Commissioner Butcher asked if all four businesses used the same ingress/egress. Mr. Allred said the lot was open but the Department of Motor Vehicles required one side to be closed. He said the fence was temporary and could be removed. Mr. Brower said the violation letter from code enforcement stated that at least two points of ingress/egress were required on the site. Chair Peterson told Mr. Hart to begin with the punch list previously given him from the notifying entities. She said the site must meet code at all times – even at peak business times as far as access, parking and circulation were concerned. Chair Peterson stated there was not enough information to move forward with the approval. Mr. Hart asked what he needed to do to comply. Mr. Brower read off the violations from the conditions included in the site plan approval from 2009 as set forth in the letter from Code Enforcement and said that there might be other existing violations as well which were not addressed in the letter. Chair Peterson told Mr. Hart he needed to work with the City and other agencies to come into compliance.

ACTION ON CUP 1304-0011, A REQUEST FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE REPAIR AND OUTDOOR STORAGE USE, JIM'S TIRES, LOCATED AT 1181 SOUTH STATE STREET

Commissioner Gaerte moved to continue CUP 1304-0011 until the applicant can demonstrate full compliance with the deficiencies in the staff report and also the applicant providing adequate plans to scale consistent with the requirements of the City's Zoning Ordinance; and in addition, unless the site comes into compliance with the conditions imposed by the Commission in 2009 for site plan approval, the revocation of the business license is recommended. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

PUBLIC HEARING ON CUP 1306-0003 FOR A CONDITIONAL USE PERMIT FOR MOTOR VEHICLE SALES LOCATED AT 245 NORTH MAIN STREET

Valerie Claussen stated the conditional use permit (CUP) was for motor vehicle sales on a 0.302 acre lot in a C-2 (Commercial) zone. She said City Code permitted conditions of approval to mitigate impact on adjacent properties and motor vehicle sales was one of the more intense uses permitted in the C-2 zone. Ms. Claussen said four parking stalls would be required based on the square footage of the building. She said other conditions of approval were no overflow parking on adjacent residential streets, the site must maintain adequate circulation and flow not to impede adjacent road traffic and any other business that would co-locate on the site would be required to obtain Planning Commission review and approval. Ms. Claussen said the current request was for no more than 20 outside units of inventory on the property. She said there were no proposed exterior changes or outdoor storage. Ms. Claussen said as conditioned findings were met for equivalent to permitted uses. No public comment was received to date and staff recommended approval as conditioned.

Chair Peterson declared the public hearing open at 8:06 p.m.

PUBLIC COMMENT:

None

Commissioner Brooks moved to close the public hearing at 8:07 p.m. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

James Ortberg, owner, was present. Commissioner Butcher asked about double parking. Brian Brower said City Code didn't prohibit the parking design submitted by Mr. Ortberg. Mr. Brower stated if the number of cars, based upon site access or parking capacity available, would have a detrimental impact on the surrounding property owners, conditions could be imposed. Commissioner Baron asked if the customers taking a test drive would be driving into the neighborhood. Mr. Ortberg said he would tell the customers to go out on Main Street and not on 250 North. Commissioner Brooks said she was concerned with double parking and asked what

the plan was to remove a car from the second row. Mr. Ortberg said cars would be moved temporarily beside and behind the building. He said he planned to have 12 to 15 cars for sale and wouldn't inventory over 20 cars. Mr. Ortberg said there was room for 20 cars. Commissioner Brooks was concerned about the number of parking spaces for customers. Mr. Ortberg said there were four spaces for customer parking for only one business at the site.

Commissioner Butcher asked about the layout of the office space. Mr. Ortberg said there was an office and about two-thirds of the building was open which was where he planned to have the ATV's and motorcycles. He said there were other rooms that could be converted to offices, but currently there would be one business office. Chair Peterson had concerns with the parking and the test drives going into the residential neighborhood. She wanted to cap the number of vehicles for sale on the outside lot to 16. Mr. Ortberg stated the ingress/egress was not close to the double parking. Chair Peterson asked if the site would support 20 vehicles and four customers at one time. Mr. Ortberg said there was open space for parking on the south and west sides of the building. Mr. Ortberg said the parking spaces for inventory were the size required for customer parking which gave more space than most car dealerships. Commissioner Jones said he didn't have concerns with the double parking because of the additional parking at the side and back of the building and he wasn't concerned with dropping the inventory number. Commissioner Gaerte agreed with Commissioner Jones and stated the parking spots for the customers should be marked and the inventory could be moved as needed. Commissioner Jones asked if the employee parking in the rear could be put at a 45 degree angle to better utilize the space. Mr. Ortberg said it was about 40 feet from the back of the building to the fence. Commissioner Butcher asked if the lighting would be changed and if there was adequate lighting on the site. Mr. Ortberg said there was no lighting from the building it was from street lights. Ms. Claussen said code didn't require any additional lighting.

Chair Peterson asked to have a condition added that would prohibit vehicles that required repair to be parked on the site. Mr. Ortberg said he didn't plan to have non-sellable inventory. Ms. Claussen said "no inoperable or non-sellable inventory to be stored on site" could be added to condition number five. There was discussion about adding a condition that would state that test drives could not go into the neighborhood. Brian Brower stated that condition could be problematic for enforcement. He said the business owner could instruct and direct, but could not require the customers' compliance. JJ Allen, Assistant City Manager, suggested signage at the ingress/egress to the residential street be marked for right turn only. Ms. Claussen suggested the condition be stated, "The test drive route shall not turn west on 250 North into the residential neighborhood and shall include signage and/or paved markings on site." Commissioner Butcher asked where the snow would be placed. Mr. Ortberg said it would be put in the rear of the building. Commissioner Gaerte said condition number three was not necessary.

Commissioner Gaerte moved to approve as conditioned, CUP 1306-0003, a conditional use permit for motor vehicle sales in the C-2 zone located at 245 North Main Street based on the discussion and findings in the staff report with the following adjustments: 1) Conditions of approval number two, striking the word "cars" and replacing it with "units of inventory"; 2) Striking conditions of approval number three; 3) Adding to conditions of approval number five, "that no inoperable or non-sellable vehicles are to be stored on site";

and 4) Adding a subsequent condition of approval “that test drive route would not turn west on 250 North and the applicant shall include such signage and/or paved markings on site as necessary to prohibit left-hand turns onto 250 North.” Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

PUBLIC HEARING ON RZN 1303-0004, FOR REZONING FROM C-2 (COMMERCIAL) AND A-1 (AGRICULTURAL) ZONING TO R-2 (MULTIPLE-FAMILY RESIDENTIAL) FOR 79 UNITS ON APPROXIMATELY 10.846 ACRES LOCATED AT 850 WEST 1600 SOUTH

Valerie Claussen said the request was for rezone of 10.846 acres from C-2 and A-1 to R-2 for the intent of constructing approximately 79 units. She stated the request was not consistent with the General Plan. Ms. Claussen said section four of the General Plan states, “Current data show that almost 55% of the City’s housing stock was considered affordable. There are still approximately five acres of undeveloped high-density residential property in the City; therefore, current policy were that no additional property would be rezoned for the development of two-family or multi-family dwellings, except as part of an approved R-3R, C-R, or D-R Zone project.” She said those zones were redevelopment zones and mixed use projects. Ms. Claussen said the site has undergone a couple of applications, most recently a General Plan amendment in April of 2010 in which the property changed in the general designation from a commercial use to a residential use. The only approval at that time was a General Plan amendment not a rezone. Ms. Claussen continued any future rezoning should still be consistent with the General Plan. The property was not in a mixed use or redevelopment area and it had been the City’s policy to not rezone additional properties to multi-family residential. Ms. Claussen said the findings to support the rezoning could not be made as it was not consistent with the General Plan. She said staff recommended denial based on the discussion in the staff report and that the findings required to grant the rezoning could not be made legally.

Chair Peterson declared the public hearing open at 8:49 p.m.

PUBLIC COMMENT:

Scott Crawley, Clearfield, thanked the City for being given the opportunity to voice his concerns. He asked the same question he was asked by Geri Wilcox in the January 18, 2006 Planning Commission meeting, “Why here?” Mr. Crawley asked if there was a reason to put high-density residential in a manufacturing area. He said at the Planning Commission meeting in 2006, when he asked to have his property rezoned to M-1 (Manufacturing) several neighbors commented that the area would be better if zoned commercial. Mr. Crawley asked why R-2, when it was against the City’s General Plan. He presented some information he had compiled about traffic that would be created with the increase in residents. Mr. Crawley asked the City to deny the request.

Commissioner Jones moved to close the public hearing at 9:00 p.m. Seconded by Commissioner Brooks. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

Chair Peterson asked Con Wilcox to explain the differences between the submission and what was submitted earlier in the year. Mr. Wilcox stated the first submission was for R-3 zoning with private roads and when he was told it wouldn't be considered it was changed to R-2. Mr. Wilcox said the current General Plan identified the property in the application as residential. He reviewed the history of the property at 1000 West and 1700 South and stated the commercial development had been very successful. Mr. Wilcox said big box stores were not interested in the location because of the lack of rooftops. He said in 2010 the subject property was changed from commercial to residential in the General Plan. Mr. Wilcox said the commercial businesses needed the support of rooftops. He had a petition signed by 14 of the 19 business owners in the Wilcox Farms development that supported the rezone to residential. Mr. Wilcox said the R-2 zone was a good transition from commercial use to residential use. He said the proposed units would have a double car garage, and would be two story, three bedroom units, with approximately 1700 square feet, and the streets would be dedicated public roads. He further indicated that the open space would be owned and maintained by the homeowners association (HOA). Mr. Wilcox said the units were not designed to be just apartments or rental properties but for sale product. He said the Wilcox family desired and intended to enhance what was started, to help the established businesses become more successful, encourage new commercial businesses, and develop a residential component that could provide a nice place for families to live in Clearfield.

Chair Peterson said even though the General Plan did not specifically call out density, the plan was very specific for the need to diversify housing. She said studies indicated that a multi-family product would be detrimental to Clearfield's home ownership rate. The General Plan was very specific that this type of development was not consistent with the City's long-term vision. Commissioner Brooks wanted to know what the surrounding residents thought of the development. Mr. Wilcox said most of the neighbors were members of the Wilcox family and all neighbors had received a notice. Chair Peterson was concerned that even though the project was called owner occupied, the City wouldn't have the ability to dictate whether it was owner occupied or rental property. Brian Brower confirmed that Chair Peterson was correct regarding the City's inability to control owner occupied versus rental property.

Commissioner Butcher said he didn't know if businesses would locate in the area because of the lack of street frontage, but he didn't want apartments. Commissioner Brooks said there were too many multi-family residences and she was not in favor of adding more. Commissioner Jones said he was a fan of roof tops, but was not a fan of lower income housing and there was already plenty of that in Clearfield. He said he would side with the General Plan. Commissioner Gaerte asked if the property were rezoned to R-2, could the applicant come in next month with apartment complexes. Valerie Claussen said the rezone changed the color on the zoning map; the concept plan presented with the request was not binding. Commissioner Gaerte was concerned that when it was rezoned the plan would be different than shown. Commissioner Baron said she was not a fan of more high density units in the City. Chair Peterson said if the rezone were approved then the maximum density would be allowed. Con Wilcox stated there was no intention to build apartments; he would be farming for some time and would be willing to enter into a development agreement with the City to keep people comfortable.

Brian Brower, City Attorney, first indicated that his comments were not necessarily directed at the applicant's project in particular. He went on to state that he believed it was very important for the City Council and the Planning Commission to follow the General Plan in rezoning property. He said any recommendation for approval without first making changes to the General Plan would be contrary to City policy. Mr. Brower said if the City Council or Planning Commission wanted to rezone any property to multi-family residential except for redevelopment or mixed use projects then the General Plan would need to be amended first. Mr. Brower explained to Mr. Wilcox the R-3R zone would involve the removal of existing buildings and redevelopment of blighted property.

Based on the current General Plan relating to multi-family residential Commissioner Brooks moved to recommend to the City Council denial of RZN 1303-0004, a request for a rezoning from C-2 and A-1 to R-2 based on the discussion in the Staff Report and that the findings required to grant rezoning cannot be made. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Jones, Gaerte, and Baron. Voting NO: Commissioner Butcher. Commissioner Butcher said the purpose for his no vote was he wanted a change to the General Plan.

PUBLIC HEARING FOR RZN 1304-0007 A REQUEST FOR REZONING FROM C-2 (COMMERCIAL) AND M-1 (MANUFACTURING) TO MU (MIXED USE) FOR APPROXIMATELY 72 ACRES LOCATED AT 1250 SOUTH STATE STREET

Valerie Claussen said the item would be discussion only. She said the applicant was proposing revisions to the site layout, the zoning regulation plan, and the phasing plan. Ms. Claussen said the revisions were received late in the day and staff was not recommending action at this point. Chair Peterson was concerned because the commissioners hadn't received the information prior to the meeting. Ms. Claussen introduced Mike Christensen, Amber Huntsman and Sattar Tabriz representing Thackeray Company and Curtis Clayton representing UTA.

Mike Christensen gave a presentation comparing the proposed changes with the previous plan submitted. He said it was conceptually the same in uses, but some areas were reoriented. Mr. Christensen said the changes were driven by new engineering data.

Chair Peterson declared the public hearing open at 9:42 p.m.

PUBLIC COMMENT:

None

Commissioner Gaerte moved to close the public hearing at 9:43 p.m. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Brooks, Butcher, Jones, Gaerte, and Baron. Voting NO: None.

STAFF REPORTS

Valerie Claussen distributed the Planning Commissioner identification cards, except the ones for Chair Peterson and Commissioner Butcher. She said there was a request for Jon's Park subdivision, it was approved several years ago, however the plat was never recorded and the approvals had expired. Ms. Claussen said she had accepted a position with Pleasant View City and Friday would be her last day with Clearfield City. She told the commission members thanks for all the work they did for the City.

PLANNING COMMISSIONERS' MINUTE

Commissioner Baron – said she would miss Valerie Claussen. She asked about the status of Right Price Auto. Ms. Claussen said the business owners called the office and said they were changing the name.

Commissioner Gaerte – thanked Valerie Claussen for her time and effort given to the Planning Commission.

Commissioner Jones – echoed Commissioner Gaerte and appreciated all Valerie Claussen had done and said she would be missed.

Commissioner Brooks – said thanks to Valerie Claussen for being her mentor and for her help.

Commissioner Butcher – asked if a recommendation could be made to the City Council for a denial for Valerie Claussen to leave. He said it was a pleasure working with Valerie Claussen and she would be missed. He thanked Chair Peterson for participating in the meeting via Skype.

Chair Peterson – said Valerie Claussen would be missed and recognized the work that went into the preparation of the staff reports. She wished her the best of luck.

Councilmember LeBaron– echoed the sentiments for Valerie Claussen; she deserved every good thing she gets.

Brian Brower – said as staff we would also miss Valerie Claussen a great deal. She was a tremendous planning official and he wished her the very best.

There being no further business to come before the Planning Commission, **Commissioner Butcher moved to adjourn at 9:50 P.M.**