



Community Development

Planning & Zoning, Building Inspections,
Business Licensing, and CDBG Administration

MEETING NOTICE OF THE CLEARFIELD CITY PLANNING COMMISSION

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at **7:00 P.M., Wednesday, August 6, 2014** on the 3rd floor in the **City Council Chambers** of the Clearfield City Municipal Building, 55 S. State, Clearfield, Utah.

7:00 PM CALL TO ORDER-- PLEDGE OF ALLEGIANCE

1. ROLL CALL
2. APPROVAL OF THE AGENDA
(Items may be removed, continued to a later date, or addressed out of sequence)
3. APPROVAL OF MINUTES
 - A. June 4, 2014
 - B. July 2, 2014

PUBLIC HEARINGS:

4. Continued Public Hearing, Discussion and Possible Action on **RZN 1403-0005** a request by John Hansen, on behalf of Thomas Rosenberg, for Rezone from Commercial (C-2) to Commercial Residential (C-R), located at 938 S. 2000 E. (TIN: 09-302-0008). The property is approximately 7.09 acres and lies in the Commercial (C-2) zoning district.
5. Public Hearing, Discussion and Possible Action on **FSP 1407-0001, SP 1407-0001**: a request by Marvin Murri and John Ryan, on behalf of Hamblin Investment group, for a Final Subdivision Plat and Site Plan review of a multi-family housing subdivision located at approximately 880 South 550 East (TIN: 12-067-0109, 12-067-0145, 12-067-0144). The property is approximately 1.64 acres and lies in the Residential (R-2) and (R-3) zoning districts.
6. Public Hearing, Discussion and Possible Action on **CUP 1407-0005**: a request by Jose Criollo, on behalf of El Chamo Auto Repair, for a Conditional Use Permit for an automobile repair and emissions business located at 325 W. 1700 S. Unit #7 (TIN: 12-243-0011). The property is approximately 1.8 acres and lies in the Commercial (C-2) zoning district.
7. Public Hearing, Discussion and Possible Action on **RZN 1407-0006**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Residential (R-3) and Commercial (C-2) to Public Facilities (PF), located west of 888 South 2000 East (TIN: 09-302-0006, 09-021-0055). The property is approximately 5.2 acres and lies in the Commercial (C-2) and Residential (R-3) zoning districts.

8. Public Hearing, Discussion and Possible Action on **RZN 1407-0007**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Manufacturing (M-1) and Residential (R-2) to Public Facilities (PF), located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). The property is approximately 7.9 acres and lies in the Manufacturing (M-1) and Residential (R-2) zoning districts.

DISCUSSION ITEMS

9. Discussion on potential Zoning Text Amendment regarding Daycare and Preschool facilities.
10. Discussion on potential Zoning Text Amendment regarding Mobile Food Vendor standards.

COMMUNICATION ITEMS:

11. Staff Communications – Administrative Site Plan Review
12. Planning Commissioners' Minute

****PLANNING COMMISSION MEETING ADJOURNED****

Dated this 31st day of July, 2014

/s/Scott A. Hess, Development Services Manager



The City of Clearfield, in accordance with the 'Americans with Disabilities Act', provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call Christine Horrocks at 525-2780, giving her 48 hours notice.

CLEARFIELD PLANNING COMMISSION MEETING

June 4, 2014

7:00 P.M. - Regular Session

PRESIDING: Nike Peterson Chair

PRESENT: Becky Brooks Commissioner
Kathryn Murray Commissioner
Timothy Roper Commissioner
Robert Browning Commissioner
Robert Allen Alternate Commissioner
Michael Millard Alternate Commissioner

ABSENT: Norah Baron Commissioner
Michael LeBaron Council Liaison

STAFF PRESENT: Brian Brower City Attorney
Scott Hess Development Services Manager
Christine Horrocks Building Permits Specialist

VISITORS: Rita Painter, Clarence Painter, Bill Rielly, Dana Schlutter, A.N. Al Sadat, Focah Sadat, Dan Thompson, Laura Thompson, Jared Schofield, Ron Tubbs, John Monroe, Brady Juglen, James Wright, Stan Smith, Paula Smith, Curtis Beames, Teri Beames, Kris Gibson, Lezlee Monroe, M. Gaitee, Sam Chelemes, Chris J Chelemes, Mr. & Mrs. Ronnie Williams, Matt Bailey, Kent Bush, David Hansen

Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF AGENDA

Chair Peterson suggested a few changes to the order of the agenda items to accommodate the citizens that had come to the meeting. She proposed that after item number eight the public hearing for item number 12 be heard, followed by items 10, 11 and 9. **Commissioner Browning moved to approve the agenda with the amendment to change the order of items nine and twelve. Seconded by Commissioner Murray. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.**

APPROVAL OF MINUTES FROM MAY 7, 2014 PLANNING COMMISSION MEETING

Chair Peterson stated the minutes would be available for approval at the next meeting.

DISCUSSION ON SP 1405-0001, SITE PLAN FOR LIFETIME PRODUCTS TO CONSIDER THE ADDITION OF AN EXTERIOR SILO LOCATED AT BUILDING B-12 IN THE FREEPORT CENTER

Scott Hess stated the request was for a 12 foot diameter silo on a concrete pad. He said the site was located between building B-11 and B-12. Mr. Hess said two 60 foot tall silos were approved by Planning Commission in 2011. He said the requested silo was approximately 60 feet tall; City Code §11-13-11 allowed height limitation exceptions and silos used for product storage were classified as a similar structure. Mr. Hess said there were no traffic impacts and the site was away from vehicular traffic and pedestrian walkways. He said the proposal was an ancillary use to an existing industrial building and was not required to meet City Code §11-18 Design Standards. Mr. Hess stated the only condition of approval was that the construction documents submitted for building permits shall be in substantial conformance with the document submitted in the Site Plan approval, SP 1405-0001.

Commissioner Brooks asked if the request added a third silo to the existing silos. Mr. Hess said yes, the silo was adjacent to the existing silos. Commissioner Allen asked what was stored in the silo. Mr. Hess said it was plastic pellets for the injection molding process and it would be difficult to change the type of material in the silo. Matt Bailey, representing Lifetime Products and R.E. Bailey Construction, said R.E. Bailey Construction built other two silos. He said Lifetime Products could not keep up with the product and need the additional storage space. He said there were no hazardous materials stored in the silos.

APPROVAL OF SP 1405-0001, SITE PLAN FOR LIFETIME PRODUCTS TO CONSIDER THE ADDITION OF AN EXTERIOR SILO LOCATED AT BUILDING B-12 IN THE FREEPORT CENTER

Commissioner Brooks moved to approve as conditioned, SP 1405-0001, a site plan for Lifetime Product silo addition, based on the findings and discussion in the staff report.

Conditions of approval:

- 1) The construction documents submitted for building permits shall be in substantial conformance with the documents submitted in this site plan approval, SP 1405-0001.**

Seconded by Commissioner Roper. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

DISCUSSION ON SP 1405-0002, SITE PLAN REQUEST FOR A CHANGE OF USE FOR A CHURCH AT 225 NORTH MAIN STREET

Scott Hess said the last use of the building was a chiropractic office and historically it had been used commercially. He said with the site plan for change of use, the site would be brought into compliance with City Code. Mr. Hess said there was a single access driveway that serviced 225 and 245 North Main and there had never been a formal drive onto the site. He said a permanent

access easement had been requested from the owner of 245 North Main. Mr. Hess said the landscaping was currently deficient; raised planter beds would be added and the area between 225 and the property to the south would be improved. With the proposed improvements, the property would exceed the required ten percent landscaping. Mr. Hess stated that abutting properties on the north and south were commercial. He reviewed the conditions of approval.

Dan Thompson, property owner, was present. Commissioner Murray asked where the property line was on the west side of the building. Mr. Thompson said there was a partial fence that would be removed; planter boxes would be placed on the property line and the remaining property would be asphalted to complete the parking area. Scott Hess said the two property owners of 225 and 245 North Main would work out an easement agreement and the agreement would be recorded with Davis County.

APPROVAL OF SP 1405-0002, SITE PLAN FOR A CHANGE OF USE FOR A CHURCH AT 225 NORTH MAIN STREET

Commissioner Murray moved to approve as conditioned, SP 1405-0002, Site Plan approval for 225 North Main change of use, based on the findings and discussion in the staff report.

Conditions of approval:

- 1) **The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1405-0002. Construction Documents shall demonstrate full compliance with City Code and Standards, including, but not limited to the following:**
 - a. **A landscape plan will be submitted with the construction documents that include quantities and specify plant materials and will demonstrate that the plants are irrigated with an automatic irrigation system, pursuant to City Code § 11-13-23(E)**
 - b. **Mechanical equipment (either roof or ground mounted, shall be screened from public view).**
 - c. **One sign per street frontage Main Street will be permitted, pursuant to the standards established in City Code § 11-15-8(E).**
 - d. **The garbage dumpster shall be fully screened from view.**
- 2) **Site Plan approval is subject to North Davis County Fire District review and approval.**
- 3) **Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance 11-13-23(C) and (D) Final building permit approval is subject to the applicant establishing an escrow account, as reviewed and approved by the City Engineer and City Attorney. *(This includes the installation of the irrigation system if applicable.)***

Seconded by Commissioner Allen. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

DISCUSSION ON SP 1405-0004, SITE PLAN REQUEST BY JENNMAR FOR ADDITIONAL PARKING AREA AT 155 EAST 550 SOUTH

Scott Hess said with the SR193 construction the access to this particular property was cut off from the south side. He said the request was for additional parking. He said there were often cars parked on the street which had become a burden. Mr. Hess said Jenmar hoped the additional parking would mitigate safety concerns. He said there was a large detention pond to the south of the parking lot. He said landscaping surrounded the building and the site plan would reconfigure the detention pond and would take all the surface drainage from the existing and expanded parking areas. Mr. Hess said the plans were reviewed and approved by the City's Storm Water Manager, Dan Schuler. He said the change would create a better traffic flow. He stated the only condition of approval was that the construction documents submitted for building permits shall be in substantial conformance with the documents submitted in the site plan approval, SP 1405-0004.

Jared Scofield with Jenmar was present to answer questions from the commissioners. Commissioner Roper asked if the request was just an expansion of the parking. Scott Hess showed a map of the area and stated the new parking had a better design because it had separation from the frontage road. He said the amount of traffic by the building has been reduced with the construction of SR193. Chair Peterson said the road and parking on the road was an issue a few years ago and she was glad to see the improvements to the area. Commissioner Browning said it was great that Jenmar was willing to solve the problem. Commissioner Allen asked about lighting for the parking area. Mr. Scofield said lighting on the exterior of the building was adequate for the parking area.

APPROVAL OF SP 1405-0004, SITE PLAN REQUEST BY JENNMAR FOR ADDITIONAL PARKING AREA AT 155 EAST 550 SOUTH

Commissioner Brooks moved to approve as conditioned SP 1405-0004, a site plan for Jenmar parking lot expansion, based on the findings and discussion in the staff report.

Conditions of approval:

- 1) **The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1405-0004.**

Seconded by Commissioner Murray, The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

Scott Hess stated the site plan indicated a proposed Jenmar building; however, that building was not part of the request just the parking.

DISCUSSION ON SP 1405-0005 A REQUEST FOR SITE PLAN APPROVAL FOR EXTERIOR MODIFICATIONS TO TACO BELL AT 632 NORTH MAIN STREET

Scott Hess said the Taco Bell was located immediately off 650 North and Main Street. He said there were no changes in site design, just a refresh on the exterior of the building plus concrete for the addition of a walk-out freezer and pedestrian walkway between the building and the garbage dumpster. Mr. Hess said design standards required high quality materials and three colors per elevation, basically what major companies were doing in their buildings. He reviewed the conditions of approval.

Adam Naylor was representing Taco Bell. Commissioner Murray asked about landscaping and the ownership of property along 650 North. Scott Hess said the property adjacent to the sidewalk on 650 North was owned by Utah Department of Transportation (UDOT). Commissioner Murray said there were many weeds.

APPROVAL OF SP 1405-0005 A REQUEST FOR EXTERIOR MODIFICATIONS TO TACO BELL AT 632 NORTH MAIN STREET

Commissioner Murray moved to approve as conditioned, SP 1405-0005, Site Plan approval for Taco Bell located at 632 North Main Street, based on the discussion and findings in the staff report.

Conditions of Approval:

- 1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1405-0005.**
- 2) Approval is subject to any UDOT (Utah Department of Transportation) approvals that may be required for Main Street driveways.**
- 3) Approval is subject to North Davis County Fire District review and approval.**

Seconded by Commissioner Roper, The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON CUP 1405-0002 A REQUEST FOR A CONDITIONAL USE PERMIT FOR A CHURCH IN AN EXISTING STRUCTURE LOCATED AT 225 NORTH MAIN

Scott Hess said the request was for a church use in a C-2 zoning district. He said it was compatible with surrounding commercial uses and the interior would be remodeled to facilitate offices and prayer areas. Mr. Hess said the congregation was under 15 people and future growth was not expected. He said the site was fully developed with ample parking. Mr. Hess said there was a shared common driveway with 245 North Main. He said there was no record of an easement recorded against that property. Mr. Hess spoke with the property owner of 245 North Main who was willing to record an easement. He reviewed the conditions of approval. Brian Brower recommended amending condition number three to state, "Provide proof of recorded

legal vehicle access (ingress/egress) to the property.” Mr. Hess also recommended the addition of condition number five, “No backing onto Main Street.” Mr. Brower asked if the striping of the parking stalls was part of the site plan. Mr. Hess said an inspection was made to assure the landscaping and parking area was completed prior to the certificate of occupancy. He recommended adding to condition number four, “Any missing or damaged asphalt and concrete must be repaired or replaced and the striping installed as per site plan approval SP 1405-0002.”

Brian Brower, City Attorney, said prior to beginning any public hearing comments, time would be limited to three minutes. He requested the citizens stay on topic and encouraged them to avoid restating opinions that had already been addressed.

Chair Peterson declared the public hearing open at 8:00 p.m.

PUBLIC COMMENT:

None

Commissioner Roper moved to close the public hearing at 8:01 p.m. Seconded by Commissioner Murray. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

The applicant, Shiekh M. Ahmed, was present. Commissioner Allen asked when the building would be used during the week. Mr. Ahmed said there were two major activities, the Friday prayer and during the month of Ramadan there was a night prayer for one hour. He said the church had been meeting in a home. Commissioner Murray asked if the church would purchase the property. Mr. Ahmed said yes.

APPROVAL OF CUP 1405-0002 A REQUEST FOR A CONDITIONAL USE PERMIT FOR A CHURCH IN AN EXISTING STRUCTURE LOCATED AT 225 NORTH MAIN

Commissioner Brooks moved to approve as conditioned with the changes as discussed, CUP 1405-0002, a conditional use permit for a church in the C-2 (Commercial) zoning district located at 225 North Main Street, based on the findings and discussion in the staff report.

Conditions of approval:

- 1) **This Conditional Use Permit is for a church use located at 225 N. Main St. This Conditional Use Permit approval is intended for the sole use of the applicant as it relates to this application.**
- 2) **The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.**
- 3) **Provide proof of recorded legal vehicle access (ingress/egress) to the property.**
- 4) **Parking must be contained on-site, or applicant must provide an easement or use agreement from the adjacent property owner if parking is to be shared between the sites. Any missing or damaged asphalt and concrete must be repaired or replaced and the striping installed as per site plan approval SP 1405-0002.**

5) **No backing onto Main Street.**

Seconded by Commissioner Allen. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1404-0003, ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 14 TO PROPOSE STANDARDS FOR GRAVEL PARKING AREAS WITHIN RESIDENTIAL ZONES

Scott Hess said he received a number of emails and phone calls regarding gravel driveways. The City Council directed staff and the Planning Commission to consider changes to the gravel parking ordinance that would allow gravel parking in some fashion. He said the objective was to establish a clear set of rules and guidelines that Code Enforcement could use. Mr. Hess said in November 2009 City Council passed Ordinance 2009-41 which changed City Code to require all off-street parking be on an impermeable surface effective January 1, 2015. He stated a recent article published in the City Newsletter generated a number of comments.

Mr. Hess reviewed the proposed changes. He said the intent was to provide the opportunity for residents to have clean, gravel accessory driveways. Mr. Hess said the intent was to provide installation guidelines. He said gravel parking areas within residential zones could be aesthetically pleasing and could be nuisance free, but that depended on how they were installed and maintained. Mr. Hess said condition of approval number four stated, "All new main residential driveways, approaches and parking spaces required by this Title shall be surfaced with an asphaltic or concrete or other hard surfacing pavement material." He said hard surface main driveways were required in new subdivisions. Mr. Hess said the ordinance needed to be explicit to keep gravel areas maintained, weed free, and fully contained on the parcel where they had been installed. He said as long as the ordinance could do that, then the code change met the goals of the Master Plan.

Chair Peterson continued the public hearing from May 7, 2014 at 8:13 p.m.

PUBLIC COMMENT:

Curtis Beames, Clearfield, proposed Clearfield City Ordinance 11-14-5 be removed and not be replaced or added upon. 1) He believed if the City enforced the existing ordinances it would take care of the nuisance problems and driveways. 2) He said there was an economic impact on the residents when they were asked to upgrade the gravel driveways. 3) He asked who would enforce the ordinance. He said Code Enforcement would go out looking for gravel driveways. Mr. Beames said the City didn't maintain all its property weed and garbage free. He believed the City shouldn't impose the restriction at all and if it didn't change he would move to strike it on the ballot. Mr. Beames asked when the elected officials decided there was a need to monitor everything the residents did. He said just take care of the ordinances already in place.

Kris Gibson, Clearfield, said she supported the comments made by Curtis Beames.

Lezlee Monroe, Clearfield, said Mr. Beames stated it beautifully.

John Monroe, Clearfield, said he lived in a homeowner association (HOA) area. He said there were some gravel driveways in the HOA and he was concerned with the cost. Mr. Monroe said many residents were not aware of what was going on with City ordinances and would be surprised in January when they were ticketed. He said Mr. Beames stated it perfectly.

Dana Schlutter, Clearfield, said if the City Council would not remove the ordinance as a whole, she asked for changes to the proposed ordinance if the wording was sent forward as is. 1) She asked to have it removed. 2) She asked to have "atop a weed barrier" removed and wanted a definition for durable borders. 3) She asked to have gravel included with hard surfaced parking. 4) Asked for a definition for all new main residential. 5) Asked for a definition to all new parking surfaces. 6) She asked to take away the words "legally and conforming", so it stated "Established gravel driveways."

Bill Reilly, Clearfield, echoed the statements so far. He wanted beautification in the City. He said fines should never be a misdemeanor. Mr. Reilly said he was trying to bring business to Clearfield City. He lived adjacent to an older subdivision and said the City was not maintaining the sidewalks but the City wants the residents to have well maintained gravel driveways.

David Hansen, Clearfield, said he was at the meeting when the mayor asked the gravel driveway ordinance be discussed and thought it was a dead issue. He appreciated the sign on his door knob. The only proposed ordinance change he agreed with was number one. He asked to have the remaining proposed changes stricken. He said it would cause financial burdens on residents. He said three inches was too thick and a weed barrier was useless. He would like to see the homes that met the criteria. He said the City should be an example in following the ordinances.

James Wright, Clearfield, asked to completely do away with the gravel parking ordinance. He said there were too many encroachments on the freedoms of residents. He said gravel looked wonderful and was manageable for his budget. He didn't want his rights and freedoms silently taken by those in power.

Sam Chelemes, Layton, wanted to speak on the Clearfield Station subdivision. He was told the public hearing for the subdivision would be discussed next.

Stan Smith, Clearfield, had issues with some of the specifications for gravel driveways. He would like a concrete driveway but could not afford it. He said the gravel from his driveway didn't go into the storm drain rather it was the gravel from the road. In his opinion the area where he lived was more rural than urban.

Ronnie Williams, Clearfield, agreed with what had been said. He walked around his neighborhood and said there were at least 25 houses that had gravel driveways. He said it would be upsetting to be in jail for 90 days. He said there were some properties that needed work. He said sometimes rewards worked better than punishment.

Chair Peterson read several emails that had been received.

Adonia Perham, Clearfield, asked the Planning Commission to vote no on City Code § 11-14-5. She said there was nothing wrong with a gravel driveway for parking.

Richard Fisher, Clearfield, said he was opposed to City Code § 11-14-5. He said as long as it was a gravel drive or parking area it should be okay to park on.

Tricia Bishop, Clearfield, said it was unacceptable to make it illegal to have a gravel driveway as a parking area. Her gravel driveway was installed in 2004 and they checked City Codes and gravel driveways were not illegal at that time. She said failure to comply being a class c misdemeanor with a fine of \$500 was unacceptable. She asked to be grandfathered in with the gravel driveway as the cost to install a concrete driveway was not something she could afford.

Carrie Whitby, Clearfield, said they didn't support the ordinance. She said part of their driveway was gravel and well maintained. She said they did not have the income to pay a fine or change the driveway to cement. She asked that the ordinance not be put in place.

Christine Johns, Clearfield, said she was unaware of the ordinance until she received a flyer on her door. She recognized that Clearfield City wants to keep the City beautiful, but if weeds were maintained there should be no reason a homeowner should be able to choose gravel surfacing. She didn't see gravel or other crushed rock deterring from the beauty of a home.

Curtis Galbraith, Clearfield, said the cost to have a concrete pad for parking an RV was in the thousands of dollars. To pay that amount of money he would need to miss mortgage payments. He asked if the City wanted bank foreclosed homes all over Clearfield rather than a bit of gravel. He thought the ordinance was ridiculous.

Calvin A. and Marcene Riley, Clearfield, said they had gravel beside their driveway because concrete was overpriced and asphalt next to concrete would look tacky. They said they live on a fixed income and could not afford to consider either. They said driving around the City they had seen trashed driveways with weeds and grass growing in the cracks, junk cars, unkempt lawns and no sidewalks. They suggested cleaning up the City with more logical rules. They said their household was against ordinance 11-14-5 and included the names of their five children and spouses.

Commissioner Brooks moved to close the public hearing at 8:46 p.m. Seconded by Commissioner Roper. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

Commissioner Browning asked for a point of order before the discussion started to assure the commissioners were all on the same page. He said City Ordinance 11-14-5 existed and if nothing was done before January 1, 2015, then the ordinance that required concrete driveways would be in effect. Brian Brower said City Council gave staff direction to draft language to change the ordinance to allow gravel driveways. He said there were methods available for residents to

challenge a legislative action and have changes made. Commissioner Browning wanted the citizens to know the intent of the Planning Commission was to be responsive to the issue of removing gravel driveways. Chair Peterson restated the ordinance was being changed at the request of the City Council. Brian Brower explained Clearfield City Council was the legislative body and passed laws for the City. The Planning Commission was an advisory body to the City Council. Mr. Brower said the ordinance being discussed was a land use ordinance and Utah State statutes indicated land use ordinances must be reviewed by the Planning Commission and then a recommendation would be given to the City Council. He said the City Council then makes the final decision and could accept or change the recommendation from the Planning Commission. Chair Peterson said the Planning Commission would make a recommendation to the City Council, a public hearing would be held at the City Council meeting on June 24, 2014 and then the final decision would be made.

Chair Peterson asked the commissioners for feedback on the proposal. Commissioner Allen asked if item number six of the proposed ordinance changes could be changed to "Existing established and non-conforming." Scott Hess stated in order for something to be legal non-conforming it had to have been legal at some point. Brian Brower explained the statement "legal non-conforming" was designed to say anything that was legal prior to July 1, 2014 was legal at some point. Commissioner Brooks said any gravel driveway installed before July 1, 2014 that was maintained would be legal. Mr. Brower said one gray area was the reference to durable borders and suggested the Planning Commission be specific in the requirement of durable borders and if an existing gravel driveway required a durable border. Chair Peterson said it was her understanding that the proposed ordinance change number four "all new main residential" would refer to the construction of a new home. Mr. Hess said the construction of a new house required a concrete driveway. Commissioner Brooks asked for clarification that the main driveway must be concrete or asphalt, the gravel regulations were for accessory driveways. Mr. Hess said yes except for legally established and conforming gravel driveways installed prior to July 1, 2014 or the effective date of the ordinance. Commissioner Browning said the language for the ordinance was taken from other cities. Mr. Hess said yes, but it was difficult to find standards for gravel driveways in surrounding cities because they were not allowed; parking was required to be on a hard surface. He said there were varying grades of gravel and it was difficult to establish standards. He said the ordinance needed to be written so it was enforceable. Mr. Hess said the ordinance relieved the burden and allowed the gravel driveway to continue to exist for anyone with an existing, maintained gravel driveway. He said Clearfield City was no longer rural and standards were needed to state what was acceptable and what was not.

Commissioner Millard said any accessory parking area installed after July 1, 2014 was required to be hard surface. Brian Brower said any new construction of a driveway that didn't exist before would need to meet the new standards. Commissioner Millard said offenders of the ordinance would be given a time frame to comply. His opinion was that it was a good ordinance; a standard needed to be set.

Commissioner Murray said the ordinance was passed in 2009 because people were not keeping gravel driveways in good repair. She said residents were given five years to replace gravel driveways because of the cost of concrete or asphalt. She said the new ordinance stated if you had

a well maintained gravel accessory driveway it could be kept. Commissioner Murray said the City set standards to judge which gravel driveways had not been maintained. She said many residents had said the City couldn't take away their freedoms but citizens don't have the right to encroach upon anyone else there needed to be mutual consideration. She said those complaining the loudest appeared to be the ones that didn't want to have standards. She said this was a good change from what the City currently had.

Commissioner Roper said he had neighbors express their views on the gravel driveway issue. He said there needed to be standards and wanted better definitions included.

Commissioner Brooks said she had neighbors with well-maintained gravel driveways; others were poorly maintained or not maintained. She said as a single parent she worked and saved extra money so she could pour a concrete accessory driveway. She said it improved the marketability of her home and made the neighborhood look better. Commissioner Brooks said if residents were willing to spray weeds and maintain a gravel driveway she didn't have a problem. She said the City was moving in the right direction to not force residents to put concrete down, but knew residents would be glad they installed concrete.

Chair Peterson asked the commissioners if discussion at a future meeting was necessary or if a recommendation to the City Council could be made. The majority of the commissioners recommended working through the issues and making the changes tonight to present to the City Council.

The Planning Commission discussed the conditions of approval as presented in the staff report.

- 1) *Remove City Code § 11-14-5 B2 stating that gravel or crushed rock will no longer be permitted after January 1, 2015.* All agreed this should not change.
- 2) Changes were discussed to change the wording of the condition to: *“Any gravel or crushed rock installed for accessory parking in a residential zone after July 1, 2014 must be a minimum of four inches deep, compacted, placed atop a weed barrier, be maintained to be completely free of grass and weeds and contained with durable borders.”*
- 3) It was determined to strike condition number three.
- 4) A minor change was made to have the condition state: *“All new main residential driveways, approaches and parking spaces required by this Title shall be surfaced with an asphaltic or concrete or other hard surfacing pavement material.”*
- 5) Scott Hess stated that all new parking surfaces were inspected during the building permit process. The commissioners decided it could be deleted.
- 6) There was discussion on the height of the weeds prohibited by City Code and the commissioners determined gravel driveways needed to be free of weeds and corrected the condition to state: *“Legally established and conforming gravel driveways installed prior to July 1, 2014 may continue to be utilized so long as they are maintained and free of grass and weeds.”*

Brian Brower spoke to Scott Hodge, Public Works Director, and asked his recommendation for the minimum depth required to compact a gravel driveway. Mr. Hodge said he would not recommend going below three inches and that was questionable with the standard being four

inches. The commissioners decided to leave the minimum depth at four inches. Mr. Brower stated Code Enforcement had plenty of work to do and unless the driveway looked bad they wouldn't check the depth. Chair Peterson reviewed the changes to the conditions of approval.

RECOMMENDATION ON ZTA 1404-00003, ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 14 TO PROPOSE STANDARDS FOR GRAVEL PARKING AREAS WITHIN RESIDENTIAL ZONES

Commissioner Murray moved to recommend approval of ZTA 1404-0003 to the City Council an amendment to Title 11, Chapter 14 to propose standards for gravel parking areas within residential zones, based on the findings and discussion in the Staff Report with the following conditions,:

- 1) Remove City Code § 11-14-5 B2 stating that gravel or crushed rock will no longer be permitted after January 1, 2015.**
- 2) Add provision as follows: Any gravel or crushed rock installed for accessory parking in a residential zone after July 1, 2014 must be a minimum of four inches deep, compacted, placed atop a weed barrier, be maintained to be completely free of grass and weeds and contained with durable borders.**
- 3) Stricken.**
- 4) Add provision as follows: All new main residential driveways, approaches and parking spaces required by this Title shall be surfaced with an asphaltic or concrete or other hard surfacing pavement material.**
- 5) Stricken.**
- 6) Legally established and conforming gravel driveways installed prior to July 1, 2014 may continue to be utilized so long as they are maintained and free of grass and weeds.**

Seconded by Commissioner Brooks. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1404-0001, ZONING TEXT AMENDMENT TO TITLE 11, C-1 AND C-2 COMMERCIAL PARKING REGULATIONS AND DEFINITION TO BETTER DEFINE COMMERCIAL PARKING LOTS

Scott Hess stated on April 22, 2014, the Clearfield City Council enacted a temporary land use regulation regarding parking lots and facilities which was applicable to all commercially zoned property within Clearfield City. The proposed ordinance changes were:

1. Amend the definition of "Commercial Parking" to require these types of facilities to be pay lots. The potential definition could read as follows: "A garage or parking lot used for commercial purposes and open to the public for a fee where vehicles may be parked for not more than five (5) days."

2. Amend the location of “Commercial Parking” to remove the use within B-1, C-1, C-2, C-R and D-R Zones (will be allowed in M-1, MU, PF Zones).
3. Add “Commercial Parking” as a pay parking lot use within the Mixed-Use MU Zone. The area immediately surrounding the UTA Transit station may be one that is viable for a commercial pay lot in the future. Other MU projects may benefit from the same allowance depending on uses and site specifics within those projects in the future.
4. Amend the definition of “Parking Lot” to require the facility to be provided specifically for a primary use or building on the same property as the parking will be located, as well as require that the use be entirely located within Clearfield City.
5. Add a provision to the language for off-site parking to include a requirement that uses must be located within Clearfield City as indicated below in italics: Alternatives To On Site Parking: For any new use, structure or building which must be located entirely within Clearfield City (*located entirely within Clearfield City*), required off street parking may be provided on other property not more than a two hundred foot (200') distance from the nearest point of the parcel, and shall not require persons to cross a public street. The planning commission may consider such alternatives through the site plan process. (*Off-site parking shall not be allowed for dwellings or to accommodate parking needs for property located outside Clearfield City*) (Ord. 2009-41, 11-24-2009)
6. Add “Parking Lot” as a use within the Permitted Uses of the PF zone for the case of parks, city buildings, or other city needs to assure that there is a legal established parking use within Public Facility Zones. The areas zoned PF may or may not be owned and maintained by Clearfield City.

Chair Peterson reopened the public hearing at 9:50 p.m.

PUBLIC COMMENT:

None

Commissioner Roper moved to close the Public Hearing at 9:51 p.m. Seconded by Commissioner Allen. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

Commissioner Browning asked how the ordinance would affect Tanner Clinic. Scott Hess said staff determined representatives from Tanner Clinic had set up a meeting and presented sketch drawings prior to the enactment of the temporary land use regulation; therefore, it could file an application under the old ordinance. Commissioner Allen asked if the ordinance eliminated parking and ride lots. Mr. Hess said existing, legal park and ride lots would become legal non-conforming and future park and ride lots could apply for a PF (Public Facilities) zoning. Commissioner Allen asked about parking at Clearfield Station. Mr. Hess said the development of Clearfield Station could potentially require a multi-tiered parking structure. Chair Peterson said the primary goal of the City as called out in the General Plan and Vision 2020 was to maintain the few remaining commercial parcels and have developed something that would benefit Clearfield City.

RECOMMENDATION FOR ZTA 1404-0001, ZONING TEXT AMENDMENT TO TITLE 11, C-1 AND C-2 COMMERCIAL PARKING REGULATIONS AND DEFINITION TO BETTER DEFINE COMMERCIAL PARKING LOTS

Commissioner Brooks moved to recommend approval of ZTA 1404-0001 to the City Council, an amendment to the Land Use Ordinance Title 11, C-1 and C-2 Commercial Parking Regulations and Definition, based on the findings and discussion in the staff report. Seconded by Commissioner Browning. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1404-0002, ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 5 TO PROPOSE STANDARDS FOR ADMINISTRATIVE SITE PLAN REVIEWS

Scott Hess said paragraph two on page two referred to a Site Plan Review Committee. He recommended, if the Planning Commission wanted to have a site plan review committee, the information in the staff report should be discarded and the City should move in that direction. Mr. Hess said a written response obtained from the Building Official, Public Works Director, City Engineer and Planner served as a committee without being codified. He said the Planning Commission would be made aware of the approvals, but should be kept separate from that discussion because the Planning Commission was the review body for an appeal. Mr. Hess said from discussion with Brian Brower it was suggested that the final decision level would be the Assistant City Manager. He said recommended procedure was that after an application was received it would be reviewed by the Zoning Administrator and then the Assistant City Manager would determine if the project was an administrative site plan or should be reviewed by the Planning Commission. He said a notice of determination letter would be sent to the applicant and he recommended a copy be sent to the Planning Commission Chair. Mr. Hess said at that point the ten day time clock for appeal would begin.

Scott Hess reviewed the changes that were requested in City Code § 11-5-3: Application Review Procedure:

B. Administrative Site Plan Review: The Zoning Administrator shall review all Site Plans eligible for administrative review. Administrative Site Plan reviews are subject to the Review Considerations as outlined in City Code § 11-5-3C.

Written determinations from the Zoning Administrator shall be sent to the Applicant, Planning Commission Chair, and City Departments for their records and review of the decision.

Site Plans eligible for Administrative Review must meet at least two of the following criteria:

1. Additions up to 10,000 square feet, or less than 10% of gross area of an existing building, whichever is less
2. Exterior modifications to multi-family residential, institutional, commercial, or industrial buildings that do not include additional residential units, or changes to access from state highways or approvals from state or federal agencies
3. Minor revisions to site plans previously approved by the Planning Commission that meet the standards of the zoning code, will not expand, intensify, or substantially change any approved site plan, landscape plan, or structure, and are consistent with the intent of the original approval
4. Exterior remodeling that affects color and materials, building design, location of utilities or other mechanical equipment within an existing or approved project that does not substantially change the appearance of the site or its structure
5. Changes in use requiring additional parking, where the proposed use will not cause increased impacts on existing infrastructure and public services, as determined by the Zoning Administrator, City Engineer, and Public Works Department, and the use is proposed in existing structures.

Chair Peterson liked the check and balance with the procedure. Mr. Hess said a zoning determination letter would be sent to the Planning Commission Chair. He said the decision could be appealed by the Chair or the applicant. Commissioner Browning said he was okay with how it was written. Mr. Hess said a staff report would be written and other documentation would be in the file. Chair Peterson said the administrative site plan made Clearfield more business friendly.

RECOMMENDATION FOR ZTA 1404-0002, ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 5 TO PROPOSE STANDARDS FOR ADMINISTRATIVE SITE PLAN REVIEWS

Commissioner Browning moved to recommend approval of ZTA 1404-0002 to the City Council, an amendment to the Title 11, Chapter 5 to propose standards for Administrative Site Plan reviews, based on the findings and discussion in the staff report. Seconded by Commissioner Roper, The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

DISCUSSION ON STANDARD FOR ANIMAL KEEPING WITHIN AGRICULTURAL ZONES

Chair Peterson asked for the discussion on this item to be moved to the July meeting. Scott Hess said he did some research on conditional use permits (CUP) for agricultural businesses. He said Layton City required a CUP but had never received an application for one. He asked the Planning Commission for direction because a formal application had not been received. He said the discussion was started because a resident asked City Council about agricultural businesses. Chair Peterson said if a resident wanted to apply for a change to the ordinance then it could be

discussed, however, at this time she did not want to burden staff. The commissioners agreed to wait until an application was received.

PUBLIC HEARING ON FSP 1405-0003, A FINAL SUBDIVISION PLAT REVIEW FOR PHASE ONE ON AN APPROVED MIXED-USE DEVELOPMENT ON APPROXIMATELY 70 ACRES LOCATED AT 1250 SOUTH STATE STREET

Chair Peterson said a joint decision was reached by the applicant and staff to continue the discussion on the final subdivision review at the July meeting. Brian Brower stated that the submittal wasn't sufficiently complete for a full review. Scott Hess said the Phase 1 documents were reviewed by the Fire District and their concerns had been met in the preliminary review. The City Engineer and Public Works Department had questions that were not answered yet. Mr. Hess said the developer was unsuccessful in purchasing property to the north which required the turn radius to be moved south.

Chair Peterson declared the public hearing open at 10:25 p.m.

PUBLIC COMMENT:

Chair Peterson stated Sam Chelemes and Chris Chelemes had filled out the public hearing comment forms but due to the length of the meeting had left. There were no specific comments on the form.

Commissioner Allen moved to continue the public hearing to the July 2, 2014 Planning Commission meeting. Seconded by Commissioner Roper. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

CONTINUATION OF FSP 1405-0003, A FINAL SUBDIVISION PLAT REVIEW FOR PHASE ONE ON AN APPROVED MIXED-USE DEVELOPMENT ON APPROXIMATELY 70 ACRES LOCATED AT 1250 SOUTH STATE STREET

Commissioner Allen moved to continue item to July 2, 2014, FSP 1405-0003, Clearfield Station, Final Subdivision Plat located at 1250 South State Street (TIN: 12-066-0071, 12-067-0139) based on discussion and findings in the staff report. Seconded by Commissioner Millard. The motion carried upon the following vote: Voting AYE: Commissioners Brooks, Murray, Roper, Browning, Allen and Millard. Voting NO: None.

STAFF REPORTS

Scott Hess said training would be held possibly prior to the July 2, 2014 meeting on understanding land use law. He thanked Commissioner Becky Brooks for her service on the Planning Commission.

Brian Brower said training on open and public meetings would be done in conjunction with land use training. He said he regretted losing Commissioner Brooks and thanked her for her service.

PLANNING COMMISSIONERS' MINUTE

Commissioner Millard – told Commissioner Brooks good luck in the future.

Commissioner Murray – said thank you for your service and good luck to Commissioner Brooks

Commissioner Roper – echoed the remarks and thanked Commissioner Brooks for her service.

Commissioner Allen – thanked Commissioner Brooks and told her the grass wasn't greener on the other side.

Commissioner Browning – thanks and good luck to Commissioner Brooks

Commissioner Brooks – said this was her last meeting. She wished the best for the City and people of Clearfield. She said after living in Clearfield for 35 years she was building a new home in Farr West. Her home sold in two weeks.

Chair Peterson – thanked Commissioner Brooks for not being afraid to speak up and go against the grain and ask questions when she didn't agree. She was always concerned for the residents of Clearfield City.

There being no further business to come before the Planning Commission, **Commissioner Murray moved to adjourn at 10:33 P.M. Seconded by Commissioner Roper.**



Planning Commission

STAFF REPORT

AGENDA ITEM
#4

TO: The Clearfield City Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **RZN 1403-0005** a request by John Hansen, on behalf of Thomas Rosenberg, for Rezone from C-2 (Commercial) to C-R (Commercial Residential), located at 938 S. 2000 E. (TIN: 09-302-0008). The property is approximately 7.09 acres and lies in the C-2 (Commercial) zoning district.

RECOMMENDATION

Move to **Recommend to the City Council Approval as conditioned**, RZN 1403-0005 a request by John Hansen, on behalf of Thomas Rosenberg, for Rezone from C-2 (Commercial) to C-R (Commercial Residential), located at 938 S. 2000 E. (TIN: 09-302-0008), based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Rosenberg Rezone
Site Location	938 S. 2000 E
Tax ID Number	09-302-0008
Applicant	John Hansen
Owner	Thomas Rosenberg
Proposed Actions	Rezone Request – Zoning Map Amendment
Current Zoning	C-2 (Commercial)
Proposed Zoning	C-R (Commercial Residential)
Current Master Plan	Mixed Use
Gross Site Area	7.09 Acres

Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Open Ground – Further North, Northrup Grumman Building	C-2 (Commercial)	Mixed Use
East	Layton City – Residential	(Residential)	N/A
South	Pinnacle Apartments	R-3 (Multi-Family Residential)	Residential
West	Summer Place PUD	R-3 (Multi-Family Residential)	Residential

ANALYSIS

Background

Clearfield City Planning Commission held the noticed public hearing for this item on April 2, 2014. The applicant requested information and feedback from the Planning Commission and asked that no action be taken on the application during the meeting. Since that time, the applicant has re-worked the conceptual plan and would like the Planning Commission to consider the preliminary site plan that is attached to this staff report. A formal Site Plan, Preliminary and Final Subdivision Plat application will be forthcoming if the Planning Commission is willing to accept this conceptual plan and development configuration.

The property is currently owned by Thomas Rosenberg, and has been listed and marketed for sale with John Hansen Real Estate for multiple years as a Commercial property. There has been little to no interest in the property as a solely commercial piece of ground. In order to better utilize this property the applicant has decided to pursue a rezone to Commercial Residential to provide more opportunity for mixed use development on this piece of property.

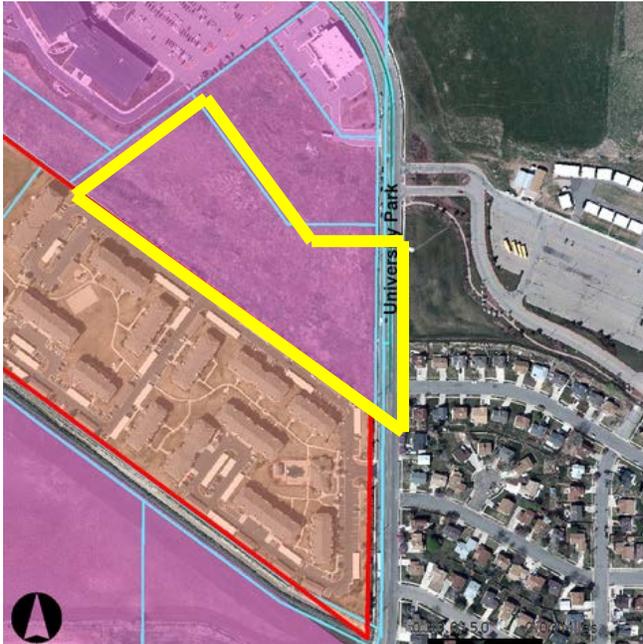
The proposal includes a request for approximately 7.09 acres to be rezoned from C-2 (Commercial) to C-R (Commercial Residential) with the intent to construct a Commercial building fronting University Park Boulevard, and twin homes on the west side (rear) of the parcel. A minimum requirement of the C-R zone is that 20% of the total finished floor area of the buildings must be Commercial.

Any future development of this parcel will be held to the standards of Clearfield City Zoning Code Title 11, Chapter 11, Article C Commercial Residential which requires submittal and approval of a Site Plan, Conditional Use Permit, and Development Agreement. At this time, the owner's agent, John Hansen has applied simply for the rezone before moving forward to a complete plan. Before spending money and time on revising and finalizing a Site Plan for the

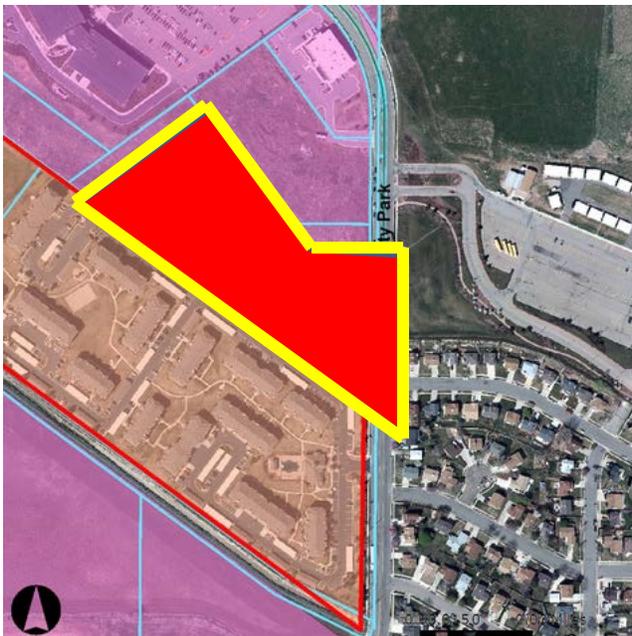
area, the applicant was interested in receiving the zoning change in order to know for certain that a mixed-use development would be possible on this property.

Zoning Map Amendment Information:

Current Clearfield City Zoning Map: Parcels in question have been outlined in yellow. The purple color is C-2 (Commercial) zoning, and the orange is R-3 (Multi-Family Residential).



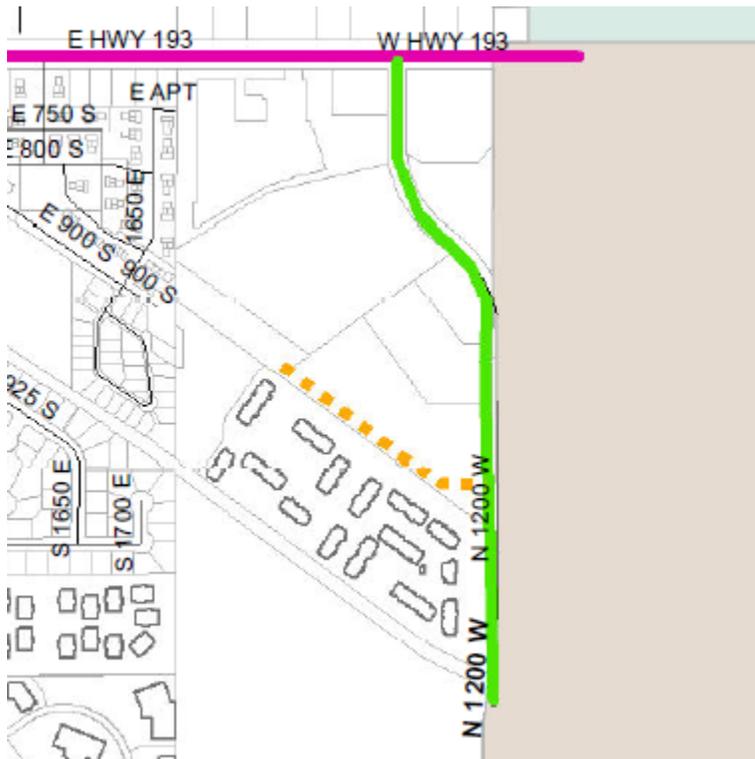
Clearfield City Zoning Map Amendment Requested: Parcels in question have been filled in red to indicate the change from C-2 (Commercial) to C-R (Commercial Residential).



Master Plan and Zoning

The Clearfield City General Plan currently shows this property as Mixed-Use. As part of Chapter 4 of the Affordable Housing Element, properties within Clearfield City may be re-zoned as part of an approved C-R Zone project.

Clearfield City's General Plan shows an east/west connector road on this property that would eventually tie 1500 East to 2000 East. The desire of the City at this time is not to physically connect these roads at this time, but rather to preserve an adequate transportation corridor. The City is working with engineers from Great Basin to assure that there is a roadway connection preserved from the west side of the Rosenberg property into the City-owned property to the west.



Zoning Map Amendment

The basic zoning and development standards can be met for this request with some amendments to the proposed concept plan. The C-R zone requires that 20% of the total proposed floor area be provided as commercial. The project proposes 35 units of housing primarily as twin homes with one single tri-plex. The units are 1,575 square feet each with a total floor area square footage of 55,125. The proposed Commercial building is 11,550 square feet as proposed. The total floor area for the development is 66,675. Taking 20% of this number would require 13,335 square feet of total commercial to be provided. The development as it is proposed is slightly short of this number, and could be tweaked to bring it into compliance with the zone requirements.

Properties developed under C-R zoning designation are pursuant to a Development Agreement to cover timing and construction of the Commercial and Residential portions of property. The applicant has prepared a Conceptual Site Plan to consider possible development strategies, but they are not ready at this time for a formal subdivision or site plan application.

Public Comment

No public comment has been received to date.

FINDINGS

Zoning Map Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Map Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	Goal 1 of the Land Use Element states "Maintain consistency between the City's Land Use Ordinance and the General Plan". A General Plan Amendment from Commercial to Commercial Residential for these parcels has been requested by the applicant to be considered by the Planning Commission. Staff feels that the General Plan Amendment can be justified as meeting the purposes and intent of Clearfield City's General Plan. No further action is needed to amend the General Plan to facilitate this request.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	Approval Conditions will be pursuant to a future site plan and subdivision plat requirements, where Title 11, Chapter 11, Article C Commercial Residential Zoning Code will need to be satisfied in order to approve any development on this property. Rezoning of this property will require a development agreement, Site Plan, and Preliminary/Final Plat.

ATTACHMENTS

1. Clearfield City General Plan Land Use Map
2. Conceptual Site Plan - July 14, 2014

Lot 4

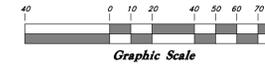
Clearfield City
City Park
(0006)

Hillside Park
Subdivision

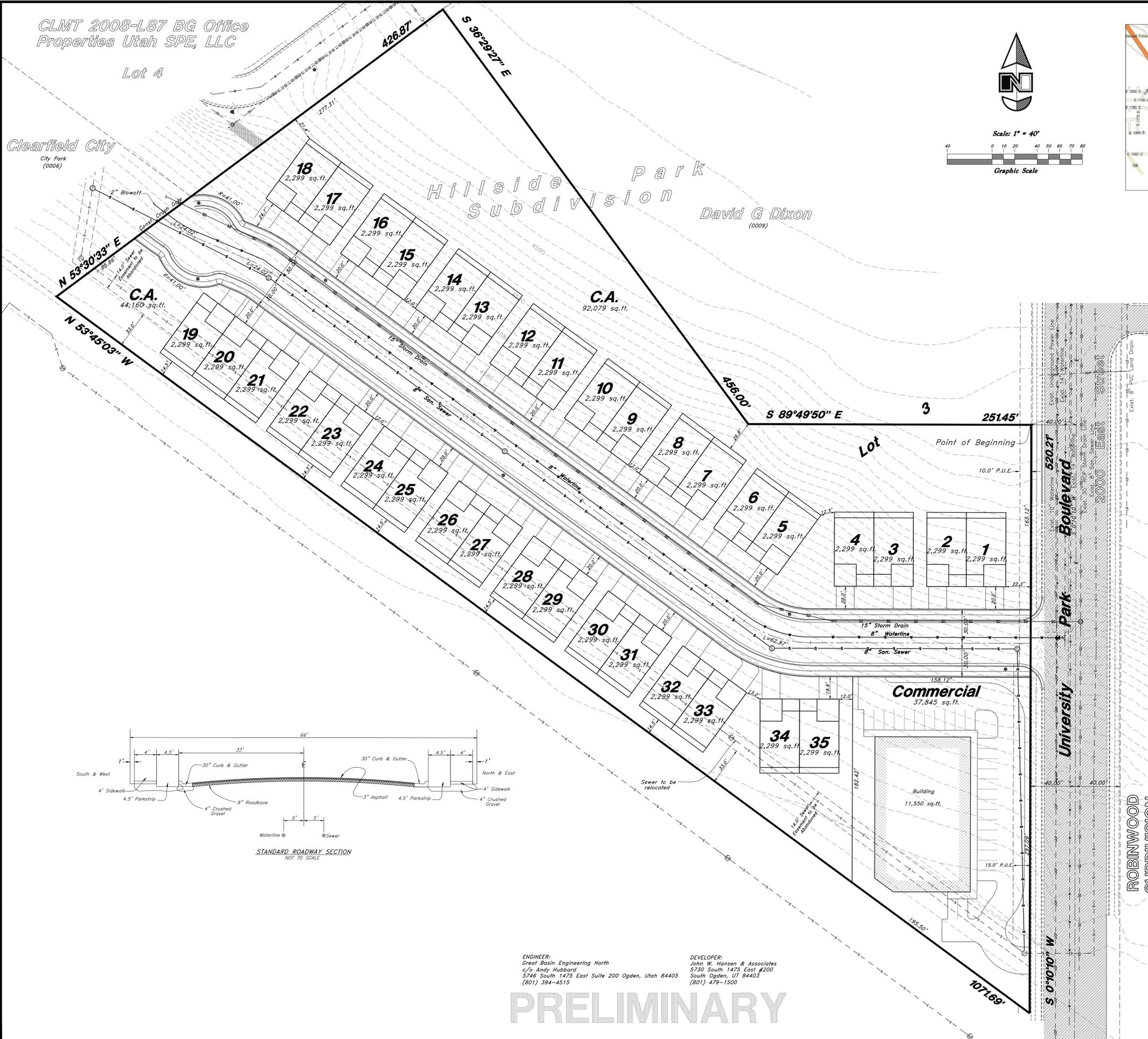
David G Dixon
(0009)



Scale: 1" = 40'



VICINITY MAP
(Not to Scale)



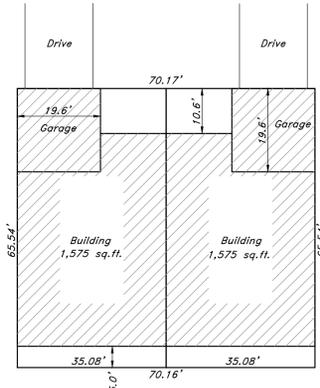
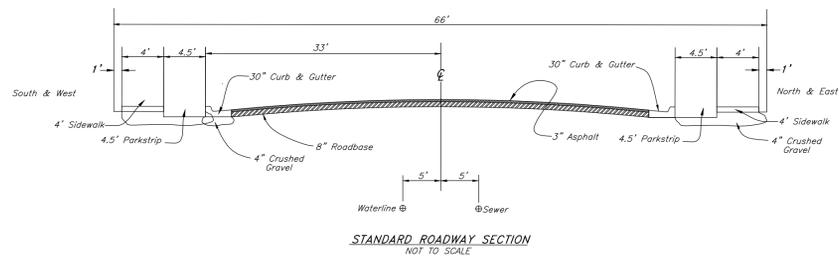
BOUNDARY DESCRIPTION

A part of Lot 3, Hillside Park Subdivision, Clearfield City, Davis County, Utah and a part of the Northeast Quarter of Section 7, Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, more particularly described as follows:
Beginning at a point on the Westerly right of way line of University Park Boulevard, 2000 East Street) which is 1516.60 feet South 0°10'10" West along the East line of said Northeast Quarter and 21.50 feet North 89°49'50" West from the Northeast corner of said Section 7, and running thence South 0°10'10" West 520.21 feet along said Westerly right of way line to the Southerly boundary line of said Lot 3; thence North 53°45'03" West 1071.70 feet along said Southerly boundary line to the most Westerly corner of said Lot 3, thence North 53°30'33" East 426.87 feet along the Westerly boundary line of said Lot 3; thence South 36°29'27" East 456.00 feet; thence South 89°49'50" East 251.45 feet to the point of beginning.

Contains 308,667 sq. ft. or 7.086 acres

ZONING INFORMATION

This property is Zoned C-R (Commercial Residential) and has the following building setbacks:
Front Yard = 20 feet as proposed
Side Yard = 12 feet as proposed
Back Yard = 20 feet as proposed
Building Height = 1 Story building
(This property is proposed to be rezoned from C-2 to C-R)



Typical Building pad
Scale: 1" = 20'

ENGINEER:
Great Basin Engineering North
c/o Andy Hubbard
5746 South 1475 East Suite 200 Ogden, Utah 84405
(801) 394-4515

DEVELOPER:
John W. Hansen & Associates
5730 South 1475 East #200
South Ogden, UT 84403
(801) 479-1500

PRELIMINARY

REV.	DATE	DESCRIPTION

GREAT BASIN ENGINEERING

5746 SOUTH 1475 EAST OGDEN, UTAH 84403
MAIN (801) 394-4515 FAX (801) 521-0222
WWW.GREATBASINENGINEERING.COM

Preliminary Plan

Hansen - Clearfield

Approx. 1000 South University Park Blvd.
Clearfield City, Davis County, Utah

14 Jul, 2014

SHEET NO.
1

21st July 2014

City of Clearfield
55 South State Street
Clearfield City, Utah 84015

Attn: Scott A. Hess, Development Services Manager
Proj: **Hansen - Rosenberg**
Subj: Conceptual / Preliminary - Site Plan Drawing Review

Dear Scott,

I reviewed the preliminary plan and the following items will need to be considered and addressed prior to receiving recommended approval from our office.

General Note:

1. An **electronic copy** of the completed Site Plan drawings and details must be submitted to the Public Work Department via our office for record keeping upon design completion and prior to approval of the Site Plan drawings from our office.

Site Plan – Improvement Drawings

1. Notes need to be placed on the Site Plan improvement drawings indicating all deteriorated, damaged or missing surface improvements surrounding the perimeter of the development be replaced or installed; i.e., curb and gutter, sidewalk, landscaping park strip improvements, asphalt patching, etc.
2. The site storm water collection system and detention calculations will need to be prepared and submitted for review.

The storm water detention basin and facilities will need to be designed and constructed in consideration of a 100-year storm event. The storm water detention basin and collection system will need to have the standard operating and control facilities, i.e., inlet/outlet control structure, interior over-flow control, outlet control orifice, over flow spillway, and all basin maintenance/landscaping improvements. The design of the storm water on-site collection piping system, finish contours lines, site grades, 12” freeboard berm, and all general on-site facilities will need to be submitted for review along with the drainage drawings and detail plans for their construction.

3. The following Site Plan drawings and details need to be submitted for review:

- Site Grading Plan – Existing and finish contours, spot elevations over the site, new curbs and walls – with finish elevations, grades across the hard surfacing, parking stalls and handicap stalls and ramps, dumpster facilities, walls and perimeter fence and other.
- Site Drainage Plan – Elevations, grades, dimensions and location of detention basins, piping – diameters, inverts, materials and slopes, inlet boxes and grates, arrow indicators of storm water run-off flow directions, special details, other.
- Site Utility Plan – Location of all utilities, i.e., culinary water piping and meters, grease sediment vault and sampling sanitary sewer manhole for the commercial properties, electrical service lines, natural gas piping, communications lines, location of other piping and conduits, details as required. Location and details of all site lighting and business signs need to be shown on the drawings.

The City's sanitary sewer pipeline planned to be relocated must be placed within a 20' dedicated easement, prepared by the developer's engineer and submitted to the City for recordation.

- Site Landscaping Plan – A minimum of 10% landscaping must be designed and then installed on-site. All landscaping types must be called out on the plans, and the plans need to show all areas to be irrigated, backflow device location and details as it relates to the location with the City culinary water lines and connection details. The park strip area between the curb & gutter and the sidewalk should also be landscaped.
 - Public Utility Easements around the perimeter of the site will need to be developed and submitted to the City for recordation along with all other necessary on-site easements.
4. All repairs to University Park Boulevard's existing asphalt paving following construction of all utilities and the connection to the Layton City storm water piping, will need to be approved by Layton City.

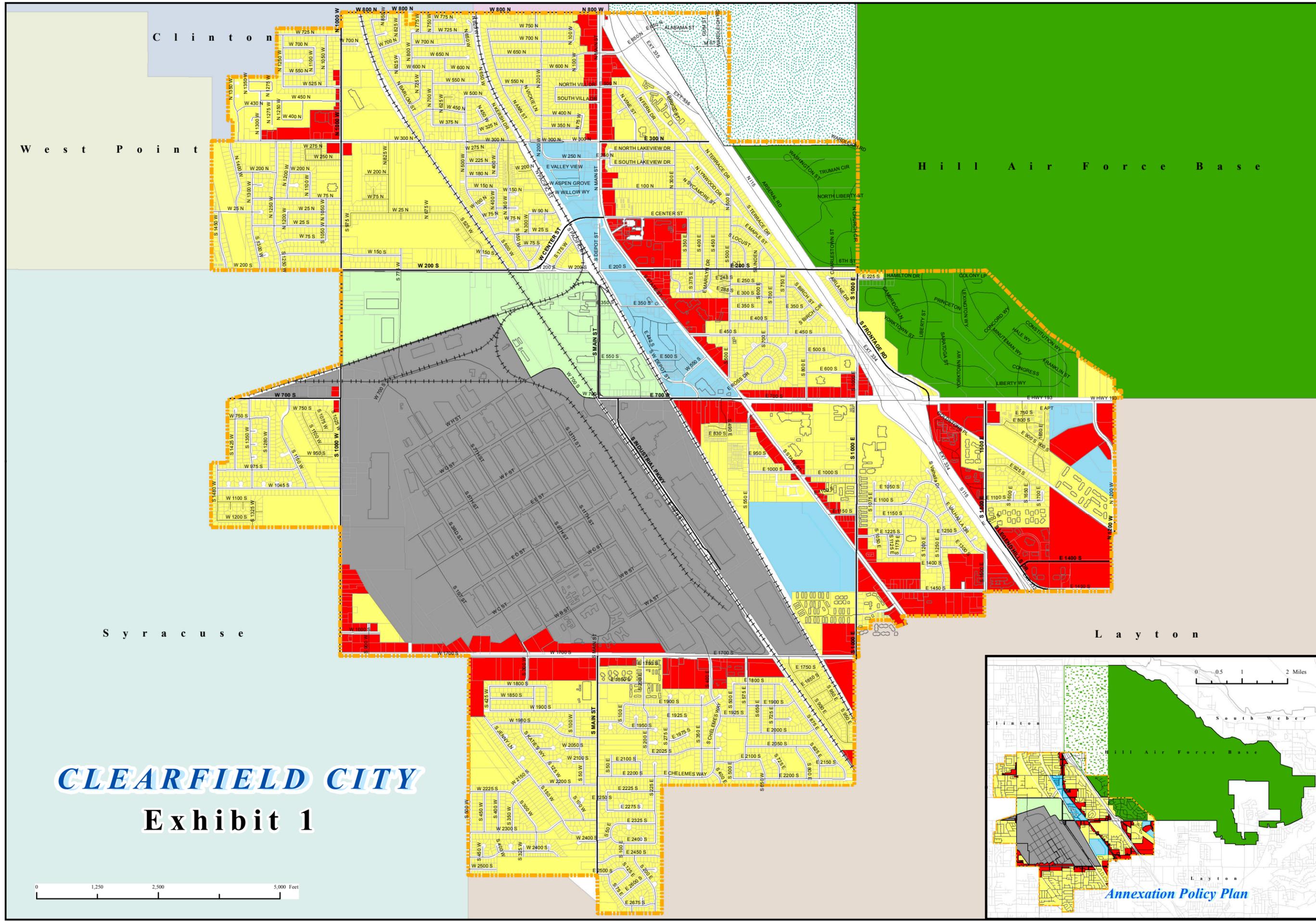
We would be happy to meet with the Developer and/or his Engineer to review the above items should they have any questions.

Sincerely,
CEC, Civil Engineering Consultants, PLLC.



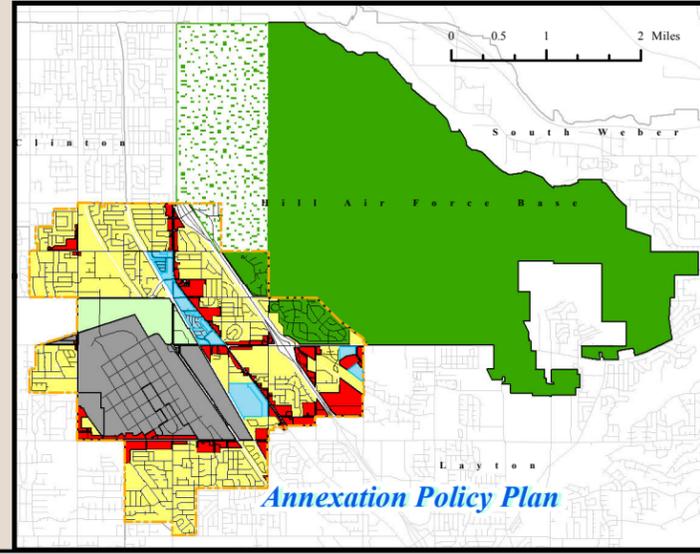
N. Scott Nelson, PE.
City Engineer

Cc. Scott Hodge, Public Works Director
 Dan Schuler, Public Works Inspector and Storm Water Manager
 Michael McDonald, Building Official



CLEARFIELD CITY

Exhibit 1



Future Land Use Map of the General Plan 2010 (b)

Legend

- Parcels
- Buildings
- City Boundary
- Railroad
- Streets**
 - Private
 - Major
 - Minor
- Proposed Land Use**
 - Residential Area
 - Commercial Area
 - Mixed Use
 - Business Park
 - Manufacturing Area
 - Falcon Hill
 - Hill AFB



Data published
05 October 2010





Planning Commission

STAFF REPORT

AGENDA ITEM
#5

TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **FSP 1407-0001, SP 1407-0001**: a request by Marvin Murri and John Ryan, on behalf of Hamblin Investment group, for a Preliminary/Final Subdivision Plat and Site Plan review of a multi-family housing subdivision located at approximately 880 South 550 East (TIN: 12-067-0109, 12-067-0145, 12-067-0144). The property is approximately 1.64 acres and lies in the Residential (R-2) and (R-3) zoning districts.

RECOMMENDATIONS

1. Hold public hearing as noticed. Continue to September 3, 2014 Meeting
2. Consider information provided by the applicant
3. Provide feedback on **FSP 1407-0001 and SP 1407-0001**, a request by Marvin Murri and John Ryan, on behalf of Hamblin Investment group, for a Final Subdivision Plat and Site Plan review of a multi-family housing subdivision located at approximately 880 South 550 East (TIN: 12-067-0109, 12-067-0145, 12-067-0144).

PROJECT SUMMARY

Project Information	
Project Name	Kensington Place Phase 2
Site Location	Approx. 880 South 550 East
Tax ID Number	12-067-0109, 12-067-0145, 12-067-0144
Applicant and Property Owner	Marvin Murri and John Ryan
Property Owner	Marvin Murri and John Ryan
Proposed Actions	Discussion – Site Plan Review
Current Zoning	R-3 and R-2 Multi-Family Residential
Master Plan Land Use	Residential
Gross Site Area	1.64 Acres

Development Standards:	Proposed	Required
Lot Size	1.64 acres	6,500 square feet
Lot Width	>65 feet	65 feet
Setbacks		
Front	Approx. 5 feet	25 feet
Side	Approx. 6 and 10 feet	10 feet
Rear	Approx. 20 feet	30 feet
Landscaping	21.8%	25%
Parking Spaces	55 spaces, 20 covered	2.125 spaces per unit, 1 covered

Vicinity Map



Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Brookshire Townhomes	R-3 (Multi-Family Res Zone)	Residential
East	Single Family Homes 550 East Street	R-2 (Multi-Family Res Zone)	Residential
South	Kensington Place	R-3 (Multi-Family Res Zone)	Residential
West	Meadow Condominiums	R-3 (Multi-Family Res Zone)	Residential

ANALYSIS

The area west of 550 East Street has been developing with townhomes and condominiums for approximately the last 10 years. Developer Marvin Murri has completed multiple projects in this area, and the project being proposed as Kensington Place Phase 2 would connect two existing townhome developments, and conclude the original vision for Mr. Murri's developments in the area.

The request for the Planning Commission's consideration is the addition of a new multi-family residential development as an in-fill project connecting two existing developments. The applicant has met with the City and is in the process of improving their Site Plan and Improvement Plans to meet City Standards. The applicant is requesting that the Planning Commission provide feedback on the proposal, and is planning to bring forward more comprehensive plans for the September Planning Commission meeting.

Comprehensive Plan and Zoning

This project is subject to Site Plan and Subdivision Plat approval due to the request to add additional units of residential. The property is currently zoned R-3 and R-2 which lists multi-family dwellings as a permitted use. The General Plan essentially prohibits new R-2/R-3 rezones, but since the zoning for this project is already in place, there are no provisions of the General Plan that conflict with the proposed project.

Development on this site would need to be pursuant to a Development Agreement. In 2009 the Clearfield City Code for R-3 was amended. The currently developed Kensington Place and Brookshire Townhomes projects both have features about their design that do not comply with the current R-3 Zoning. The majority of the non-compliance is in the setbacks and garage size. In order to create a consistent look and feel in this area, it is Staff's opinion that the Developer creates a Development Agreement in order to allow this development to be constructed to the same standard as those units surrounding this project. Development Agreements are regulated through City Code 11-1-16, and may be entered into to "resolve issues regarding unique features or challenges confronting development", and may alter the following: minimum lot frontage and minimum yard requirements among other items.

DEVELOPMENT AGREEMENT ITEMS

The project as it is proposed has a 20 foot rear yard setback instead of the currently required 30 foot, and has a 5 foot front setback on the southern building instead of a 25 foot. The setbacks within the development and from private streets are items that the development agreements should weigh in on.

The current R-3 code states that “each single-family and two-family dwelling unit shall have an attached two car garage”. The code is silent on units that are larger than “two-family”. The development proposes two 6-unit buildings and one 7-unit building. Each unit is proposed to have a single-car garage. This is an item that Staff feels the development agreement should be specific on.

The road network for this property is proposed to be private. Staff would recommend that the development agreement specify this, and indicate how the roadways will be maintained in perpetuity.

Site Plan Review

DESIGN STANDARDS

Chapter 18 *Design Standards* of the Land Use Ordinance regulates new construction, and construction that requires a building permit. The chapter focuses on the use of quality materials for new and renovated structures. Staff would recommend that the applicant review Chapter 18, and make sure that selected exterior materials meet the intent of the City Code. Conformance with Chapter 18 will be confirmed with Building Permits.

Conformance with Chapter 18 would be required for the newly proposed structures. The applicant has indicated that their desire is to match the exterior of the new buildings with those that are existing in the surrounding developments.

Conformance with Chapter 18 Design Guidelines is included as a condition of approval.

SITE CIRCULATION and PARKING

City Code 11-14-3 requires that multi-family residential uses provide 2.125 spaces per unit with at least one unit covered. The Site Plan as it is proposed shows a total of 55 parking spaces with 20 covered as single car garages, for a total of 20 new residential units. The plan as proposed has an adequate number of spaces.

This item is included as a condition of approval.

LANDSCAPING

Minimum landscaping that needs to be provided is 25% of the total development. The current proposal is 21.8%. The landscaping plan may include storm water detention areas if they are improved with turf grass and useable as open space. This item should be addressed in the Development Agreement. The applicant is working with their engineer to provide on-site detention within the proposed landscaping areas, and will provide the calculation of total open space with the final Site Plan drawings.

This item is included as a condition of approval.

GARBAGE DUMPSTER

There is no a garbage dumpster shown on the site plan drawing. Staff would encourage that the location of the dumpster not be visible from the 550 East right-of-way. At a minimum per City Code any on-site dumpster must be screened from view within an approved enclosure.

This item is included as a condition of approval.

FENCING PLAN

Per City Code, walls and fences may be required around all multi-family projects. Staff would recommend fencing to be installed which matches the existing perimeter fencing for Kensington Phase 1 and Brookshire.

This is included as a condition of approval.

SIGN PACKAGE

Signage is not included as part of this Site Plan approval.

ENGINEERING REVIEW

Due to the preliminary nature of the Site Plan, there has not been an Engineering review of this site. Once the applicant has submitted revised drawings, staff will ask the City Engineer to review the plans. Potential items for Engineering review include addressing the on-site storm drainage, providing adequate landscaping, and indicating on the plans that deteriorated, damaged or missing surface improvements will be replaced or installed.

Engineering review and approval is included as a condition of approval.

OTHER AGENCY REVIEW

Fire Review

North Davis Fire District sat in on a sketch plan meeting for this site. They encouraged connecting the road networks and making sure that fire infrastructure was properly installed. The revised plans will be reviewed during the Plat approval and Building Permit phase to assure conformance.

Public Comment

No public comment has been received to date.

REVIEW CONSIDERATIONS

Site Plan Review

Clearfield Land Use Ordinance Section 11-5-3 establishes the review considerations the Planning Commission shall make to approve Site Plans. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	<i>Traffic:</i> The effect of the site development plan on traffic conditions on abutting streets.	This site has adequate access from 550 East. Staff does not foresee any negative traffic impacts from this site.
2)	<i>Vehicle; Pedestrian:</i> The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.	The driveway to the site is proposed to be located between two single family homes which will stay in their current location. There are no public sidewalks within the development, and streets are held privately within this proposed development and the surrounding townhome projects.

3)	<i>Off-Street Parking:</i> Compliance of off-street parking facilities with Chapter 14 of this Title.	It is estimated that approximately 55 parking stalls will be provided. There are 15 parking stalls proposed that are not part of any single townhome. These spaces would be for guests of the residents. Parking must meet minimums for the zone. The size of the stalls will need to meet code standards of 9 feet wide by 20 feet long and provide an adequate number of ADA compliant spaces. There should be a minimum of 20 covered stalls.
4)	<i>Loading and Unloading Facilities:</i> The location, arrangement and dimensions of truck loading and unloading facilities.	The new building on the site is not subject to an off-street loading space requirement.
5)	<i>Surfacing and Lighting; Parking:</i> The surfacing and lighting of off-street parking.	The proposal does not show any additional lighting; although the construction documents may include new lighting for both the parking areas and exterior on the buildings that must meet city code.
6)	<i>Screen Planting:</i> The location, height and materials, of walls, fences, hedges and screen planting.	This site is not subject to screen plantings.
7)	<i>Landscaping:</i> The layout and appropriateness of landscaping.	A minimum of 25 percent landscaping is a requirement in the R-3 zoning district. The construction drawings will need to demonstrate this standard is met and the provisions of 11-13-23 for the minimum number of trees and shrubs. The appropriate number of trees and shrubs will be indicated at the time of the construction documents (the building permit submittal). Landscaping areas may be used jointly as storm detention facilities, but must be improved with landscaping and a viable irrigation system.
8)	<i>Drainage:</i> The effect of the site development plan on City storm water drainage systems.	The applicant will demonstrate in the revised site plan submittal compliance with current City standards and mitigate the impact on the storm drain system.
9)	<i>Utility:</i> The effect of the site development plan on City utility systems.	The applicant will demonstrate in the revised site plan submittal compliance with current City standards and mitigate impact on the utilities system.
10)	<i>Building Locations:</i> Consideration of building locations on the site, elevations and relation to surrounding areas (Ord. 84-06B, 9-11-1984)	The site layout is three buildings located along private streets containing 6 and 7 units each respectively. Parking is proposed to be a single car garage and a driveway space for each unit. The proposed building locations and setbacks will require a development

		agreement in order to accept the current configuration.
11)	<i>Exterior Design:</i> Consideration of exterior design in relation to adjoining structures and area character to assure compatibility with other structures in the neighborhood, existing or intended. (Ord. 84-08, 10-23-1984)	The project is subject to the Chapter 18 Design Standards should the Commission determine further improvements are required, these should be included as Conditions of Approval.
12)	<i>Signs:</i> Compliance of signs with Chapter 15 of this Title and particular consideration to the location of signs upon the site, their effect upon parking, ingress and egress, the effects upon neighboring properties and the general harmony of signs with the character of the neighborhood, existing or intended.	A sign package review will be under separate review and approval.

CONDITIONS OF APPROVAL

- 1) Approval of this development is contingent upon the review and acceptance of a Development Agreement specifying building locations, setbacks, open space, road network, and parking requirements at minimum.
- 2) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1407-0001; however, they will also include and address the following:
 - a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
 - b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
 - c. The final building plans shall meet the minimum standards for building materials as established in R-3 Zone 11-9E-13(F). The final building plans should be in substantial conformance with Chapter 18 Design Guidelines.
 - d. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. A minimum of 20 stalls must be covered. An adequate number of stalls must meet ADA standards.
 - e. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.
 - f. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
 - g. A minimum of 25 percent landscaping shall be provided and meet the minimum standards set forth in 11-13-23.

- h. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.
- 3) Garbage dumpsters for this site must be screened.
- 4) Site Plan approval is subject to North Davis County Fire District review and approval.
- 5) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

ATTACHMENTS

- 1. Site Plan dated July 8, 2014

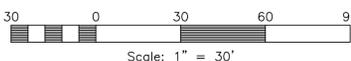
KENSINGTON PLACE PHASE 2 SUBDIVISION

PART OF THE NORTHEAST QUARTER OF SECTION 12, T.4N., R.2W., S.L.B.&M., U.S. SURVEY
 CLEARFIELD CITY, DAVIS COUNTY, UTAH
 JULY, 2014



VICINITY MAP
 SCALE: NONE

- = SECTION CORNER
- = SET STREET MONUMENT
- = SET 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- = BOUNDARY LINE
- - - = LOT LINE
- - - = ADJOINING PROPERTY
- - - = EASEMENTS
- - - = SECTION TIE LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- [Hatched Box] = EXISTING BUILDING TO BE REMOVED
- [Dotted Box] = BUILDING PAD
- [Solid Box] = EXISTING BUILDING TO REMAIN



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE FOUND DAVIS COUNTY MONUMENT AT THE NORTHEAST CORNER AND A FOUND DAVIS COUNTY MONUMENT AT THE NORTH QUARTER CORNER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS: N89°47'01"W

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO DIVIDE THIS PROPERTY INTO LOTS AND STREETS. ALL BOUNDARY CORNERS AND REAR LOT CORNERS WERE SET WITH A 3/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

BOUNDARY DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY BEGINNING AT A POINT, SAID POINT LIES 2646.77 FEET, N89°47'01"W AND 730.39 FEET S00°09'18"W FROM A FOUND DAVIS COUNTY MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 12 AND RUNNING: THENCE S89°50'42"E 404.58 FEET; THENCE S00°09'18"W 182.30 FEET; THENCE N89°50'42"W 404.58 FEET; THENCE N00°09'18"E 182.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 73,755 SQUARE FEET OR 1.693 ACRES

CLEARFIELD CITY PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____ BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CLEARFIELD CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

CLEARFIELD CITY ENGINEER DATE

CLEARFIELD CITY COUNCIL

PRESENTED TO THE CLEARFIELD CITY COUNCIL THIS THE _____ DAY OF _____, 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

CLEARFIELD CITY MAYOR ATTEST: CITY RECORDER

CLEARFIELD CITY ATTORNEY

APPROVED BY THE CLEARFIELD CITY ATTORNEY THIS THE _____ DAY OF _____, 20____.

CLEARFIELD CITY ATTORNEY

DESIGN CRITERIA

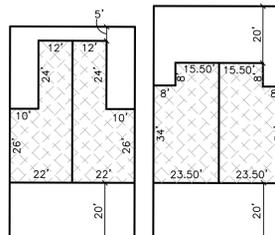
TOTAL AREA1.69 ACRES
 AREA OF TOWNHOMES.....1.33 ACRES
 OPEN SPACE/COMMON AREA.....0.29 ACRES (21.8%)
 AREA OF HARDSCAPE.....0.63 ACRES (47.4%)
 AREA OF UNITS.....0.41 ACRES (30.8%)
 DENSITY 15.1 UNITS/ACRE

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°11'21"W	5.01'
L2	N00°11'21"E	5.00'
L3	N00°11'21"E	4.89'
L4	S89°50'42"E	12.50'
L5	EAST	12.50'
L6	S00°09'18"W	12.50'
L7	S00°09'18"W	12.50'

CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	112.50'	14.90'	14.89'	7.46'	N03°36'18"W	7°35'18"
C2	125.00'	16.56'	16.54'	8.29'	N03°36'18"W	7°35'18"
C3	137.50'	18.21'	18.20'	9.12'	N03°36'18"W	7°35'18"
C4	112.50'	14.83'	14.82'	7.43'	S03°37'19"E	7°33'15"
C5	125.00'	16.48'	16.47'	8.25'	S03°37'19"E	7°33'15"
C6	137.50'	18.13'	18.12'	9.08'	S03°37'19"E	7°33'15"
C7	10.00'	15.71'	14.14'	10.00'	N45°09'18"E	90°00'00"
C8	137.50'	6.17'	6.17'	3.08'	N88°52'11"E	2°34'14"
C9	137.50'	3.47'	3.47'	1.73'	S86°51'42"W	1°26'45"
C10	112.50'	7.89'	7.88'	3.94'	N88°08'49"E	4°00'58"
C11	125.00'	8.76'	8.76'	4.38'	N88°08'49"E	4°00'58"
C12	137.50'	9.64'	9.64'	4.82'	N88°08'49"E	4°00'58"
C13	112.50'	1.56'	1.56'	0.78'	N86°32'07"E	0°47'33"
C14	112.50'	6.33'	6.33'	3.17'	S88°32'36"W	3°13'25"
C15	10.00'	15.71'	14.14'	10.00'	S44°50'42"E	90°00'00"
C16	125.00'	8.76'	8.76'	4.38'	N88°08'49"E	4°00'58"



TYPICAL BUILDING DETAIL
 NOT TO SCALE

DEVELOPER:

HAMBUN INVESTMENT GROUP
 JOHN RYAN
 1027 W. 350 S.
 LAYTON, UT 84041
 (801) 509-0616

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUNZ, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTIONS 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF KENSINGTON PLACE PHASE 2 SUBDIVISION IN CLEARFIELD CITY, DAVIS COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE DAVIS COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND; I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF CLEARFIELD CITY, DAVIS COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____.

150228

UTAH LICENSE NUMBER

ROBERT D. KUNZ



OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT KENSINGTON PLACE PHASE 2 SUBDIVISION, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 20____.

ACKNOWLEDGMENT

STATE OF UTAH)ss.
 COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) _____ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)ss.
 COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) _____ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE _____ AND _____ OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

PROJECT INFORMATION

Surveyor: _____ Project Name: KENSINGTON PLACE PHASE 2
 Designer: E. ROCHE Number: 6388-01
 Begin Date: 07-29-14 Scale: 1"=30'
 Checked: _____ Revision: _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
 FILED FOR RECORD _____
 AND RECORDED, _____ AT _____
 IN BOOK _____ OF _____
 THE OFFICIAL RECORDS, PAGE _____

RECORDED FOR:

DAVIS COUNTY RECORDER

DEPUTY,



Reeve & Associates, Inc.
 4105 S. HARRISON BLVD., SUITE 310, OGDEN, UTAH 84403
 TEL: (801) 621-3100 FAX: (801) 621-3968 WWW.REEVE-ASSOCIATES.COM
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS



Planning Commission

STAFF REPORT

AGENDA ITEM
#6

TO: The Clearfield City Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **CUP 1407-0005**: a request by Jose Criollo, on behalf of El Chamo Auto Repair, for a Conditional Use Permit for an emission and inspections business, located at 325 W. 1700 S. Unit #7 (TIN: 12-243-0011). The property is approximately 1.77 acres and lies in the Commercial (C-2) zoning district.

RECOMMENDATIONS

Move to **approve as conditioned**, **CUP 1407-0005**: a request by Jose Criollo, on behalf of El Chamo Auto Repair, for a Conditional Use Permit for an emission and inspections business, located at 325 W. 1700 S. Unit #7 (TIN: 12-243-0011), based on the discussion and findings in the staff report.

PROJECT SUMMARY

Project Information	
Project Name	El Chamo
Site Location	325 W. 1700 S.
Tax ID Number	12-243-0011
Applicant	Jose Criollo
Property Owner	RCC Development Inc.
Proposed Actions	Conditional Use Permit
Current Zoning	C-2 (Commercial)
Master Plan Land Use	Commercial
Gross Site Area	1.77 acres
El Chamo	Bay #7 of the multi-bay building

Development Standards:	Proposed	Required
Lot Size	1.77 acres	No minimum
Lot Width	262 feet	35 feet
Setbacks		
Front	>5 feet	5 feet
Side	>0 feet	0 feet
Rear	>0 feet	0 feet
Landscaping	600 square feet	10%
Parking Spaces (El Chamo)	2 spaces	2 spaces
Parking Spaces (Total)	Varies Per Use	Approx. 20

Vicinity Map



Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Vacant Property – Freeport West	M-1 (Manufacturing)	Commercial
East	Transtech Business Plaza – Various Commercial Uses	C-2 (Commercial Zone)	Commercial
South	Tender Years LLC	C-2 (Commercial Zone)	Commercial
West	AA Access Storage	C-2 (Commercial Zone)	Commercial

BACKGROUND

El Chamo Emission and Inspection was formerly collocated with Jim’s Tires and A&B Glass on State Street. The applicant requested a change of location through a business license application. That request brought forward the need for a new Conditional Use Permit for this applicant at the new proposed location on Antelope Drive.

ANALYSIS

The purpose of the CUP is to allow a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, *may* be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

AUTOMOTIVE REPAIR

“Automotive repair,” as defined by the City’s land use ordinance, on this site has not been a use that has obtained previous approvals through the Conditional Use Permit process, though the building appears to have been constructed for this type of use. Chapter 3 of the Land Use Ordinance defines Automobile Repair as “*Any activity that involves the repair of any passenger auto, pickup truck, trailer, semitrailer, recreational vehicle or other vehicle where the repair includes, but is not limited to, bodywork and collision repair; the rebuilding of engines, transmissions, or differentials; electrostatic or air gun spray painting of vehicles; inspections; tune ups; oil changes; glass, tire, or brake work; or similar repairs.*” Emissions testing and safety inspections, the business of El Chamo, falls under this definition, and requires a Conditional Use Permit.

One type of impact of automotive repair that could warrant conditions is environmental. For example, the testing equipment will require proper ventilation. Any hazardous material should be stored and disposed of properly. To prevent contamination of the storm drainage system, fluids should not be allowed to leak onto the ground, and automotive parts/scrap should be disposed of in enclosed containers.

OUTDOOR STORAGE

El Chamo does not require any outdoor storage for its business.

PARKING

The site currently has 20 spaces along 300 West for customers of the multi-suite building. The west side of the building has bay doors and an asphalt parking area that is designed more as a loading and receiving area, and not necessarily as a customer parking area. The current uses within the building are an Automotive Repair use that received CUP approval in 2011.

There is currently a surplus of parking available for customer cars for the businesses within the existing building. As new uses come into the vacant portions of the building, there may be a need to address parking. The conditions of today do not necessitate any additional parking for this use or the building as a whole. Staff would recommend that El Chamo receive at least two dedicated parking stalls within the development. This is consistent with their former approval, and would establish set parking for this use that would not be affected by future uses that may come into the vacant portions of the building.

The Commission may or may not agree with the finding, and may choose to alter the condition of approval.

DESIGN STANDARDS

Since no exterior changes are being proposed to the building, the design standards requirements of Title 11, Chapter 18 do not come into play.

LANDSCAPING

The site currently has a landscaped corner at 1700 South and 300 West as well as a landscaped park strip. The addition of the El Chamo use to this site does not necessitate additional landscaping or screening to be installed.

GENERAL STANDARDS

Clearfield Land Use Ordinance Section 11-4-3 establishes the general standards and determination the Planning Commission shall make to approve Conditional Use Permits. The findings and staff's evaluation are outlined below:

General Standard		Staff Analysis
<p>DETERMINATION: A Conditional Use Permit shall be approved if conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards set forth [in the Land Use Code]. If the reasonably anticipated detrimental impacts or effects of the proposed conditional use cannot be substantially mitigated or eliminated by the proposal or the imposition of conditions to achieve compliance with the standards set forth [in the Land Use Code], the Conditional Use Permit may be denied.</p>		
1)	<p><i>Equivalent to Permitted Use:</i> Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:</p> <p style="margin-left: 20px;">a. The health, safety, and welfare of</p>	<p>As conditioned, the emissions and inspection use is anticipated to be equivalent to other permitted uses in the C-2 zoning district.</p>

	<p>the City and its present and future inhabitants and businesses;</p> <p>b. The prosperity of the City and its present and future inhabitants and businesses;</p> <p>c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;</p> <p>d. The tax base;</p> <p>e. Economy in governmental expenditures;</p> <p>f. The State's agricultural and other industries;</p> <p>g. The urban and nonurban development;</p> <p>h. Access to sunlight for solar energy devices; or</p> <p>i. Property values.</p>	
2)	<p><i>Impact Burden:</i> Any cost of mitigating or eliminating detrimental impacts or effects in excess of those which could be reasonably expected to arise from a permitted use shall become a charge against the development so as not to constitute a burden on the municipality, surrounding neighbors, or adjacent land uses.</p>	<p>The mitigation of impact or effects on adjacent and neighboring properties for an automotive emissions and safety inspection business is anticipated to be addressed by the conditions of approval placed on the use in regards to adequate parking, no outdoor storage is permitted, and inspections are to occur in the service bay.</p>
3)	<p><i>Conform to the Objectives of the General Plan:</i> The proposed conditional use shall not limit the effectiveness of land use controls, imperil the success of the General Plan for the community, promote blight or injure property values.</p>	<p>The effectiveness of land use controls and purposes of the General Plan can still be met with this proposal.</p>

PROPOSED CONDITIONS OF APPROVAL

- 1) This Conditional Use Permit pertains solely to El Chamo, and is for emissions and inspections purposes only, in bay #7, identified as "El Chamo."
- 2) Absolutely no automotive repair services beyond emissions testing and safety inspections shall be conducted. There shall be an approved floor drain connected to an approved oil separator. These improvements shall be cleaned out and maintained in good working order, to the satisfaction of the Public Works Department.
- 3) No outdoor storage is permitted. This includes, but is not limited to, such items as materials, automobiles, automobile parts, or the like.
- 4) A minimum of two stalls shall be marked as parking for El Chamo. Parking stalls shall meet the minimum dimensions of City Code. The stalls shall be paved and signed, as appropriate.
- 5) The site shall be maintained in a neat and orderly manner and have no abandoned or leaking automotive parts except in a closed container for disposal.

- 6) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.
- 7) There shall be no overflow parking offsite (on the lots to the south or east, on the street, or otherwise).
- 8) For this Conditional Use Permit 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.

ATTACHMENTS

None included with this request.



Planning Commission

STAFF REPORT

AGENDA ITEM
#7

TO: The Clearfield City Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **RZN 1407-0006**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Residential (R-3) and Commercial (C-2) to Public Facilities (P-F), located west of 888 South 2000 East (TIN: 09-302-0006, 09-021-0055). The property is approximately 5.2 acres and lies in the Commercial (C-2) and Residential (R-3) zoning districts.

RECOMMENDATION

Move to **Recommend to the City Council Approval as conditioned, RZN 1407-0006**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Residential (R-3) and Commercial (C-2) to Public Facilities (PF), located west of 888 South 2000 East (TIN: 09-302-0006, 09-021-0055), based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	City Property Rezone
Site Location	Approx. 888 South 2000 East
Tax ID Number	09-302-0006, 09-021-0055
Applicant	Clearfield City Community Development
Owner	Clearfield City, Community Development and Renewal Agency
Proposed Actions	Rezone Request – Zoning Map Amendment
Current Zoning	C-2 (Commercial), R-2 (Multi-Family Residential)
Proposed Zoning	P-F (Public Facilities)
Current Master Plan	Residential
Gross Site Area	7.09 Acres

Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	888 South 2000 East Commercial Building	C-2 (Commercial)	Commercial
East	Pinnacle Apartments	R-3 (Multi-Family Residential)	Residential
South	Open Ground – Legend Hills Development Area	C-2 (Commercial)	Commercial
West	Summer Place PUD	R-3 (Multi-Family Residential)	Residential

ANALYSIS

The PF public facilities zone is established to provide areas for the location and establishment of facilities which are maintained in public and quasi-public ownership and use. This zone is intended to provide immediate recognition of such properties upon the official zoning map of the city. Clearfield City and Clearfield City Community and Redevelopment Agency own property that is currently zoned R-3 and C-2. In order to create consistency with city-owned properties, the Community Development Department along with the Executive Department are requesting that the Planning Commission consider rezoning these parcels owned by Clearfield City to P-F (Public Facilities)

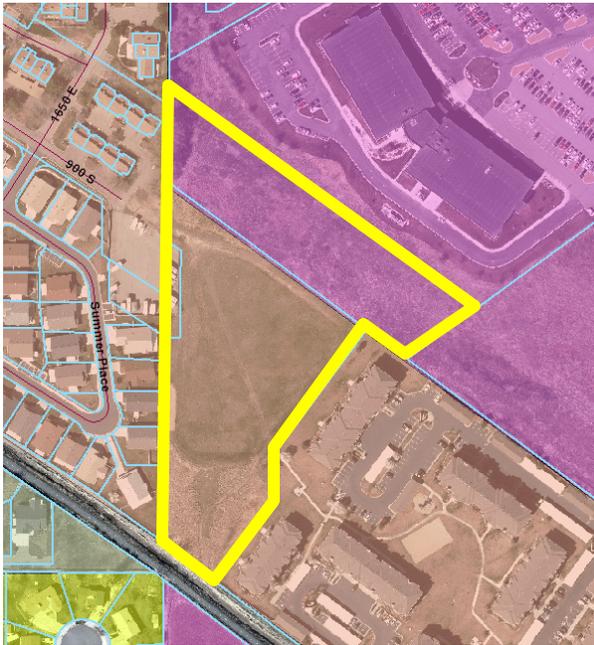
Master Plan and Zoning

The Clearfield City General Plan states that the Public facilities zone is appropriate for uses such as churches, schools, public buildings, open space, parks, public utilities and other related uses.

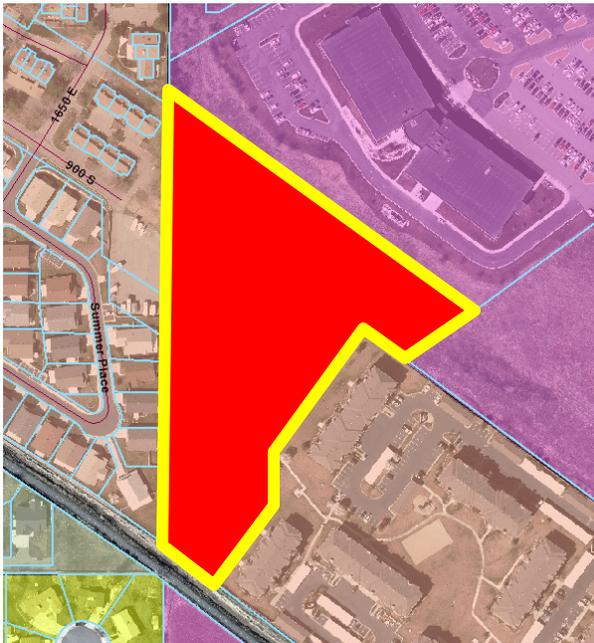
The request for rezone of this property as proposed meets the intent and requirements of the current Clearfield City Master Plan.

Zoning Map Amendment Information:

Current Clearfield City Zoning Map: Parcels in question have been outlined in yellow. The purple color is C-2 (Commercial) zoning, and the orange is R-3 (Multi-Family Residential).



Clearfield City Zoning Map Amendment Requested: Parcels in question have been filled in red to indicate the change from C-2/R-3 to P-F (Public Facilities).



Public Comment

No public comment has been received to date.

FINDINGS

Zoning Map Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Map Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	Clearfield City General Plan states that the P-F Public Facilities zone is appropriate for uses such as churches, schools, public buildings, open space, parks, public utilities and other related uses. This request is in conformance with the General Plan.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	In order to maintain consistency with Clearfield City owned and operated properties Staff is requesting a rezone of city-owned property to P-F (Public Facilities).

ATTACHMENTS

None included with this request.



Planning Commission

STAFF REPORT

AGENDA ITEM
#8

TO: The Clearfield City Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **RZN 1407-0007**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Manufacturing (M-1) and Residential (R-2) to Public Facilities (PF), located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197). The property is approximately 7.9 acres and lies in the Manufacturing (M-1) and Residential (R-2) zoning districts.

RECOMMENDATION

Move to **Recommend to the City Council Approval as conditioned, RZN 1407-0007**: a request by Clearfield City and Clearfield City Redevelopment Agency, for Rezone of property from Manufacturing (M-1) and Residential (R-2) to Public Facilities (PF), located at 497 South Main Street (TIN: 12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197), based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Public Works Property Rezone
Site Location	497 South Main Street
Tax ID Number	12-003-0094, 12-003-0168, 12-003-0169, 12-003-0097, 12-003-0198, 12-003-0197
Applicant	Clearfield City Community Development
Owner	Clearfield City, Community Development and Renewal Agency
Proposed Actions	Rezone Request – Zoning Map Amendment
Current Zoning	M-1 (Manufacturing), R-2 (Multi-Family Residential)
Proposed Zoning	P-F (Public Facilities)
Current Master Plan	Business Park

Gross Site Area	7.09 Acres
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Surrounding Properties and Uses:	Current Zoning District	Comprehensive Plan Land Use Classification
North Pioneer Adult Rehabilitation Center	P-F (Public Facilities)	Business Park
East Union Pacific Railroad Corridor	N/A	N/A
South Morgan Pavement	M-1 (Manufacturing)	Business Park
West H Street Extension	N/A	N/A

ANALYSIS

The PF public facilities zone is established to provide areas for the location and establishment of facilities which are maintained in public and quasi-public ownership and use. This zone is intended to provide immediate recognition of such properties upon the official zoning map of the city. Clearfield City and Clearfield City Community and Redevelopment Agency own property that is currently zoned M-1 and R-2 and is used for the Public Works and Recreation Shop and Yard. In order to create consistency with city-owned properties, the Community Development Department along with the Executive Department are requesting that the Planning Commission consider rezoning these parcels owned by Clearfield City to P-F (Public Facilities)

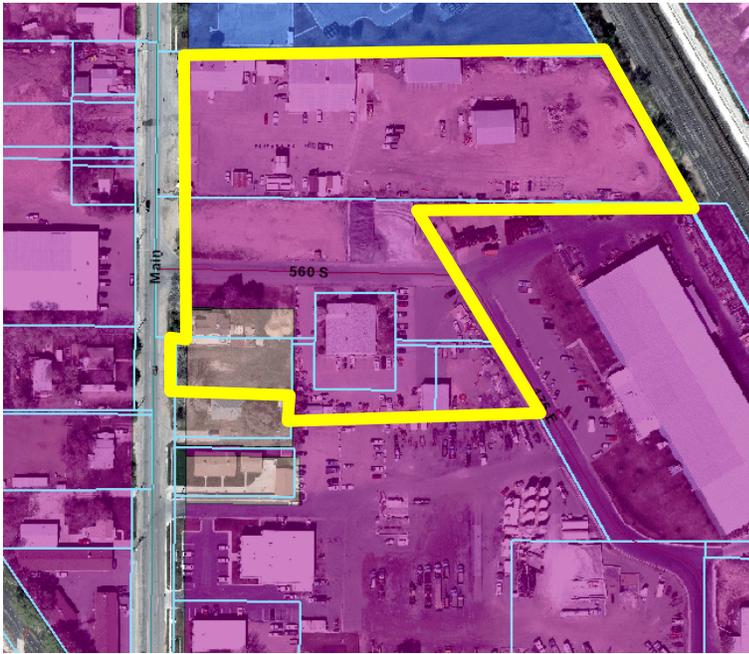
Master Plan and Zoning

The Clearfield City General Plan states that the Public facilities zone is appropriate for uses such as churches, schools, public buildings, open space, parks, public utilities and other related uses.

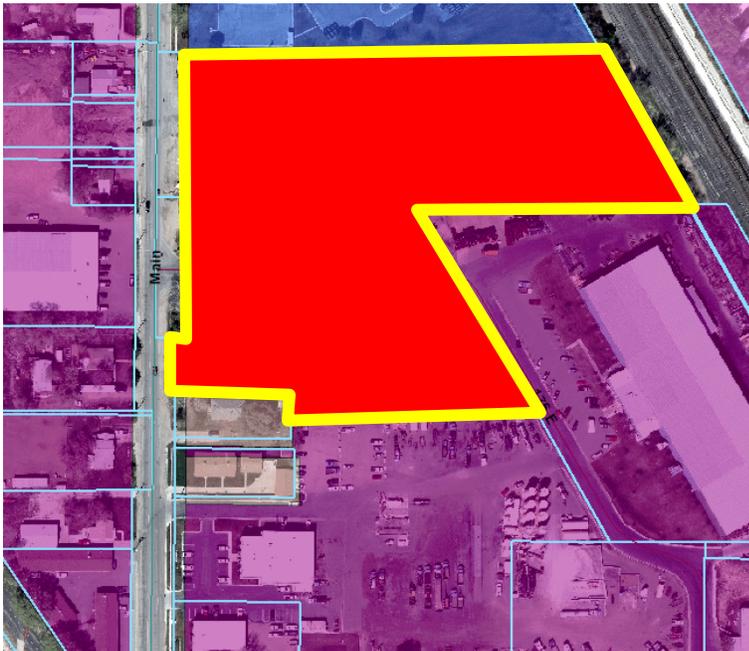
The request for rezone of this property as proposed meets the intent and requirements of the current Clearfield City Master Plan.

Zoning Map Amendment Information:

Current Clearfield City Zoning Map: Parcels in question have been outlined in yellow. The dark purple color is M-1 (Manufacturing) zoning, and the light orange is R-2 (Multi-Family Residential).



Clearfield City Zoning Map Amendment Requested: Parcels in question have been filled in red to indicate the change from M-1/R-2 to P-F (Public Facilities).



Public Comment

No public comment has been received to date.

FINDINGS

Zoning Map Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Map Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	Clearfield City General Plan states that the P-F Public Facilities zone is appropriate for uses such as churches, schools, public buildings, open space, parks, public utilities and other related uses. This request is in conformance with the General Plan.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	In order to maintain consistency with Clearfield City owned and operated properties Staff is requesting a rezone of city-owned property to P-F (Public Facilities).

ATTACHMENTS

None included with this request.