



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, March 5, 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. February 5, 2014
4. ELECTION FOR A VICE-CHAIR FOR THE 2014 YEAR

PUBLIC HEARINGS:

5. Public Hearing, Discussion and Possible Action on **CUP 1204-0002**, a request by Robert Goupios, for a Conditional Use Permit for Beehive Daycare, a commercial daycare facility in the B-1 (Buffer Zone) zoning district located at 573 N 1000 West (TIN: 14-262-0001).
6. Public Hearing, Discussion and Possible Action on **CUP-SP 1402-0002**: A request by Lon Stalsberg, with Ace Disposal, for a Conditional Use Permit and Site Plan Review for a commercial disposal storage, shop, and yard facility in the M-1 (Industrial Manufacturing Zone) zoning district located at the corner of 3rd Street and B Street Freeport Center (TIN: 12-787-0004, 12-787-0005, 12-787-0006).

SCHEDULED ITEMS:

7. Continued: Discussion about standards regulating all non-depository institutions within Clearfield City, and potential amendments to City Code 11-13-29 Payday Lending Establishments. This zoning text amendment would be effective across all Commercial Zones in Clearfield City.

COMMUNICATION ITEMS:

- 11. Staff Communications
- 12. Planning Commissioners' Minute

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

Dated this 27th day of February, 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

February 5, 2014

7:00 P.M. - Regular Session

PRESIDING: Nike Peterson Chair

PRESENT: Becky Brooks Commissioner
Joel Gaerte Commissioner
Timothy Roper Alternate Commissioner
Michael LeBaron Council Liaison

ABSENT: Norah Baron Commissioner
Randy Butcher Commissioner

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

VISITORS: Koral Vasquez, Anthony Vasquez, Robin Metcalf, Randell P. Metcalf,
Kathryn Murray, Ron Jones, Elaine Hill Thomas,

Pledge of Allegiance was led by Chair Peterson

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES FROM JANUARY 8, 2014 PLANNING COMMISSION MEETING

Commissioner Gaerte moved to approve the minutes of the January 8, 2014 meeting as written. Seconded by Commissioner Brooks. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON GPA 1401-0001: A REQUEST BY ROBIN METCALF FOR A GENERAL PLAN AMENDMENT TO CHANGE PROPOSED LAND USE DESIGNATION FROM COMMERCIAL TO RESIDENTIAL, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Scott Hess said the three agenda items were for the same properties. He said the property owner requested a single family home on the site. Mr. Hess said that required a General Plan Amendment, a re-zone, and a plat vacation of two lots. He said all three were a recommendation

to City Council because Planning Commission was not the land use authority in each case. Scott Hess noted the General Plan amendment was only a map amendment. He said the property was currently master planned for commercial and the request was for a change to residential. Mr. Hess said the property was zoned commercial but had residential uses on three sides. He said in order for the property to become viable commercial property it would need to be combined with other commercial properties to the west. Mr. Hess said staff recommended approval of changing the land use designation from commercial to residential.

PUBLIC HEARING

Chair Peterson declared the public hearing open at 7:08 p.m.

PUBLIC COMMENT:

Elaine Thomas, Roy, said she owned adjacent property that was zoned commercial and was originally zoned residential. She wanted her property rezoned residential and desired to be part of the petition. She said the parcel she owned was vacant and she stated the property had no use or value for her and she would like her property zoned residential also.

Chair Peterson explained there were only two parcels that were being considered for rezone. She said there were other properties in the area that were zoned commercial but had a residential use. Those property owners were noticed because they were potentially impacted and were being given the opportunity to voice concerns. Chair Peterson said any other property owners would need to complete the application process.

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

PUBLIC HEARING AND DISCUSSION ON RZN 1312-0003: A REQUEST BY ROBIN METCALF FOR A REZONE TO CHANGE EXISTING LAND USE FROM C-2 (COMMERCIAL) TO R-1-8 (RESIDENTIAL) ON TWO LOTS, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

PUBLIC HEARING

Chair Peterson declared the public hearing open at 7:18 p.m.

PUBLIC COMMENT:

None

Commissioner Brooks moved to close the public hearing at 7:19 p.m. Seconded by Commissioner Gaerte. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON VAC 1312-0004: A REQUEST BY ROBIN METCALF TO AMEND THE MANUEL SUBDIVISION TO COMBINE LOT 1 AND LOT 2, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

PUBLIC HEARING

Chair Peterson declared the public hearing open at 7:20 p.m.

PUBLIC COMMENT:

None

Commissioner Gaerte moved to close the public hearing at 7:21 p.m. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

Chair Peterson asked the commissioners for recommendation on the three items. Commissioner Gaerte said it didn't make sense to keep it as commercial. He said it didn't face any major corridor; it appeared to be part of a residential subdivision. Commissioner Brooks said she was surprised the property was zoned commercial as it was surrounded by homes. Commissioner Roper said he agreed. Chair Peterson said residential seemed the best and highest use for the property.

RECOMMENDATION FOR GPA 1401-0001: A REQUEST BY ROBIN METCALF FOR A GENERAL PLAN AMENDMENT TO CHANGE PROPOSED LAND USE DESIGNATION FROM COMMERCIAL TO RESIDENTIAL, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Gaerte moved to recommend to the City Council approval of GPA 1401-0001, a request by Robin Metcalf for a General Plan Amendment to change proposed land use designation from Commercial to Residential, located at 252 South and 256 South Marilyn Drive (TIN: 12-393-0001, 12-393-0002), based on the discussion and findings in the staff report. Seconded by Commissioner Brooks. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

Brian Brower, City Attorney, recommended an addition to the motion for the item number five, "subject to approval of GPA 1401-0001" and item number six, "subject to approval of RZN 1312-0003."

RECOMMENDATION FOR RZN 1312-0003: A REQUEST BY ROBIN METCALF FOR A REZONE TO CHANGE EXISTING LAND USE FROM C-2 (COMMERCIAL) TO R-1-8 (RESIDENTIAL) ON TWO LOTS, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Roper moved to recommend to the City Council approval of RZN 1312-0003, subject to approval of GPA 1401-0001 by the City Council, a request by Robin Metcalf for a rezone to change existing land use from C-2 (Commercial) to R-1-8 (Residential) on two lots located at 252 South and 256 South Marilyn Drive (TIN 12-393-0001, 12-393-0002), based on discussion and finding in the staff report. Seconded by Commissioner Brooks. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

Chair Peterson told Robin Metcalf a letter from the City Engineer stated some requirements about recordation and improvements that needed to be made. Scott Hess said the Fire District sent a letter stating the fire flow and fire supply in the area were adequate. He said an engineer would provide an improvement drawing prior to the City Council meeting that showed storm water, sewer, culinary water, sidewalk, curb, gutter and any existing utilities on the property.

Chair Peterson said there were two conditions of approval for the plat vacation. Mr. Hess wanted the Planning Commission to consider the improvements and placement of a sidewalk on the property. He said there was a power pole that might require a creative sidewalk and if the sidewalk were installed at this point it would be the only sidewalk on the street. He said the developer/owner would have the option to put in the sidewalk or sign an improvement agreement with the City that allowed the sidewalk to be installed at a later date. Mr. Hess stated the agreement would typically be signed prior to occupancy. Robin Metcalf stated she preferred an improvement agreement. Mr. Hess said an escrow agreement and account would be established for curb and road cuts to install laterals to the site. Chair Peterson asked to have condition of approval number two amended by striking "or installation of sidewalk, curb, and gutter improvements . . . at time of building permit" from the last sentence. The last sentence would then state, "A signed and executed improvement agreement will be required."

PUBLIC HEARING AND DISCUSSION ON VAC 1312-0004: A REQUEST BY ROBIN METCALF TO AMEND THE MANUEL SUBDIVISION TO COMBINE LOT 1 AND LOT 2, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE (TIN: 12-393-0001, 12-393-0002), A COMBINED 0.47 ACRES WHICH IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Gaerte moved to recommend to the City Council approval of VAC 1312-0004, subject to approval by the City Council of RZN 1312-0003, a request by Robin Metcalf to amend the Manuel Subdivision No. 1 to combine Lot 1 and Lot 2, located at 252 South and 256 South Marilyn Drive (TIN: 12-393-0001, 12-393-0002), based on the discussion and findings in the staff report with conditions of approval 1) The final engineering design (Improvement Plans) shall meet City standards and be to the

satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated January 23, 2014 and 2) Pursuant to the subdivision ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to recordation of the Final Plat. A signed and executed Improvement Agreement will be required. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Peterson, Brooks, Gaerte and Roper. Voting NO: None.

DISCUSSION ABOUT STANDARDS REGULATING ALL NON-DEPOSITORY INSTITUTIONS WITHIN CLEARFIELD CITY, AND POTENTIAL AMENDMENTS TO CITY CODE 11-13-29 PAYDAY LENDING ESTABLISHMENTS

Scott Hess asked for information and direction from the Planning Commission to bring forth a zoning text amendment specific to non-depository institutions. He asked for opinions on non-depository institutions which included payday lending, title lending, and any other financial business that was not FDIC insured. He said pawn shops were regulated separately. Mr. Hess said support was needed to state why one type of business would be regulated.

Commissioner Brooks said on State Street and between SR193 and 650 North there were seven separate locations of payday lending, title lending, or a pawn shop. She said some title and payday lending businesses were combined into one location. Commissioner Brooks stated there were also three other businesses located further south. She said there were ten payday lending, title lending or pawn shop businesses within about two miles. She said it was too many and she didn't want more. Chair Peterson asked her to state why. Commissioner Brooks said title lending businesses were predatory and were often established near military bases and in locations where there were low income residents. She said the loans were designed to not be repaid and income was not verified to see if the applicant could afford the loan. Commissioner Brooks said the interest rate could be 300 to 400 percent and over 60 percent of those with title loans lost the vehicle.

Commissioner Roper said he agreed with Commissioner Brooks. He said others associate Clearfield City with that type of business. He said title loan businesses needed to be regulated and the number capped. He said it didn't help the residents.

Commissioner Gaerte noted there were many similarities of the practices and outcome of both payday lending and title lending. He said the predatory nature of the businesses only difference was the collateral with the title loan. He said the title lending businesses should not be treated different from a payday lending.

Chair Peterson said there was not as much documented information for why additional regulation should be given to title lending. She said the information she read said a title lending business was similar to a credit union or bank, but the credit union had a fixed term and end date; however a loan from a title lending business seemed to go on indefinitely and was an interest only

payment. Chair Peterson said there had been issues with the clustering affect and thought the seven Commissioner Brooks mentioned qualified for clustering. She said institutions that preyed on lower income residents made it more difficult for them to become homeowners. Chair Peterson asked staff to have a recommendation of text for the next meeting.

STAFF REPORTS

Scott Hess said the interviews for new Planning Commission members were held by the City Council February 4, 2014. He said there was a full agenda for March and the agenda might include revisions to portions of the General Plan. Chair Peterson was impressed with those that were interviewed for the Planning Commission vacancies.

PLANNING COMMISSIONERS' MINUTE

Chair Peterson – stated Clearfield City Planning Commission held the world record for the shortest vice-chair position. She said election of a new vice-chair would be on the March meeting agenda. She thanked Commissioner Jones for his work on the Planning Commission.

Commissioner Roper –congratulated Councilmember Jones and said it was great serving with him. He said he liked the new SR193 and said it was a great improvement to the City.

Commissioner Gaerte – thanked Councilmember Jones for his service and congratulated him on his new appointment to the City Council.

Brian Brower – said he echoed the comments regarding Commission Jones and looked forward to working with him in his new assignment.

Councilmember LeBaron – apologized to Councilmember Jones on a long first week as a member of the City Council. He said the completion of SR193 opened up a lot of economic development opportunities. He said once Clearfield Station was approved the Planning Commission would be busy.

Commissioner Brooks – said the street lights were all on along SR193. She said she read about a shuttle from the Fronrunner station to Hill Air Force Base twice a day starting in April. She said the article stated that Northrup-Grumman was moving from Falcon Hill.

There being no further business to come before the Planning Commission, **Commissioner Gaerte moved to adjourn 7:59 at P.M. Seconded by Commissioner Roper.**



PLANNING COMMISSION STAFF REPORT

AGENDA
ITEM
5

TO: Planning Commission

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

MEETING DATE: March 5, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **CUP 1402-0001 and continuation of a former application 1204-0002**, a request by Robert Goupios, for a Conditional Use Permit for Beehive Daycare, a commercial daycare facility in the B-1 (Buffer Zone) zoning district located at 573 N 1000 West (TIN: 14-262-0001).

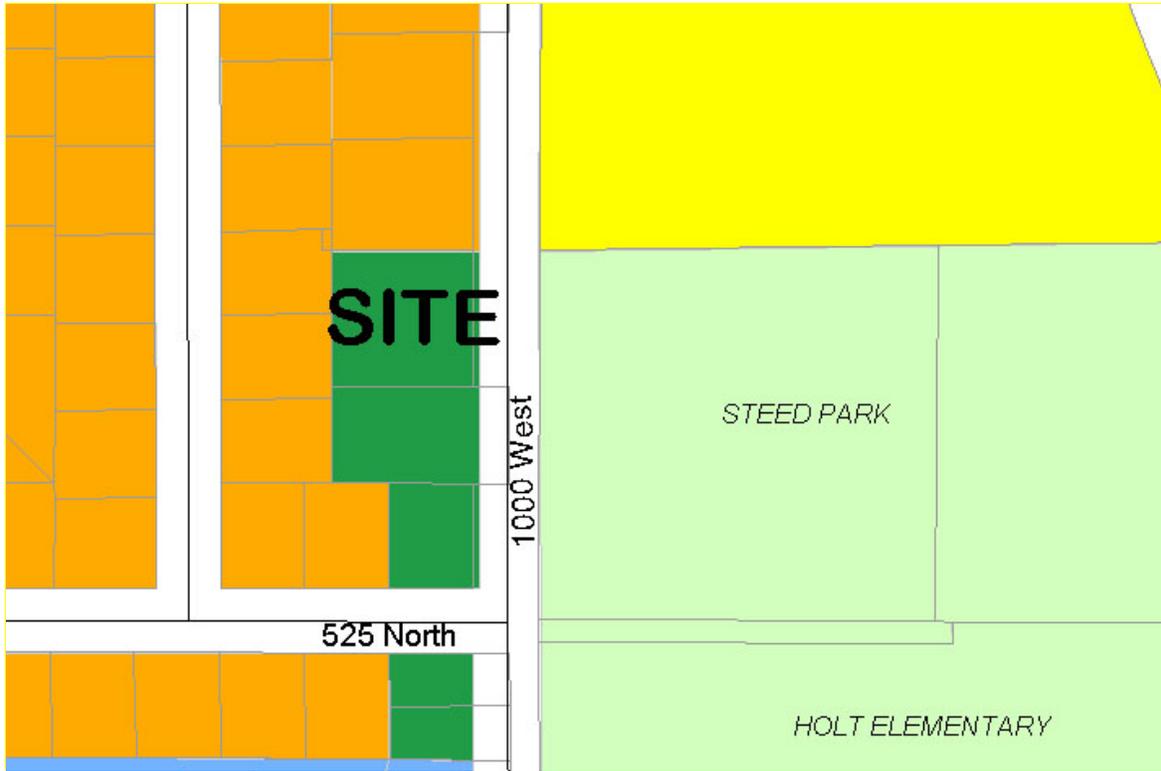
RECOMMENDATION

Move to **approve as conditioned**, CUP 1402-0001, a Conditional Use Permit for Beehive Daycare, a commercial daycare facility in the B-1 (Buffer Zone) zoning district located at 573 N 1000 West, based on the findings and discussion in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Beehive Daycare
Site Location	573 N 1000 W
Tax ID Number	14-262-0001 14-126-0130 14-126-0131 14-126-0010
Applicant	Robert Goupios
Property Owner	Robert Goupios
Proposed Actions	Conditional Use Permit
Current Zoning	B-1 (Buffer Zone)/R1-8 (Single-Family Residential)
Master Plan Land Use	Commercial
Gross Site Area	0.98 acres (42,750 SF)
Office Building	9,000 SF (4,500 SF lower and upper each)

Vicinity and Zoning Map



Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Existing Residential Single-Family Home	R1-8 (Single-Family Residential)	Residential
East	1000 West, then Steed Park	PF (Public Facility)	Residential
South	Existing Residential Single-Family Home	B-1 (Buffer Zone)	Commercial
West	Country Village No. 1 Subdivision	R-1-8 (Single-Family Residential)	Residential

HISTORY

December 1999	Site Plan approved by Planning Commission
February 16, 2005	Neighborhood Park and Parking Lot (located at 596 North 1050 West) Site Plan approved by Planning Commission.
September 2010	Original CUP request for a Daycare approved by Planning Commission. (Item scheduled for September 1, 2010 and September 11, 2010)
September 2011	Expiration of CUP approvals ¹
May 2, 2012	Request for a Daycare approved by Planning Commission.
May 2013	Expiration of CUP approvals

ANALYSIS

Comprehensive Plan and Zoning

The property is a combined total of approximately 0.63 acres located off of 1000 West, north of 525 North. It is currently zoned B-1² (Buffer Zone) and Master Planned Commercial. Steed Park is directly across the street to the east and zoned PF (Public Facility). Existing single-family residences are located on parcels to the north and south. The parcel to the north is zoned R1-8 and Master Planned Residential. The parcel to the south is zoned B-1 and Master Planned Commercial. Single-family homes of the Country Village No. 1 subdivision are to the west and are Master Planned and zoned Residential.

The site currently consists of three parcels. (Two of the original four parcels were previously consolidated.) It is Staff's recommendation that the parcels, at a minimum, be consolidated into a single parcel.³ This is included as a condition of approval to occur prior to Certificate of Occupancy.

The Site Plan was approved in December of 1999. The site is currently developed with an office building and associated parking lot and site improvements (*See Attachment 1: Site Plan*). The building consists of 4,500 square feet on both the upper and lower levels. The top floor of the building is a dental office; the daycare facility will be occupying the lower level. As illustrated on

¹ Pursuant to the Land Use Ordinance 11-4-5, a land use authorized by a conditional use permit must commence within one year of the time the permit is issued. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit.

² As policy adopted by the 2010 General Plan B-1 (Buffer Zone) no new parcels will be rezoned to this designation, but existing B-1 properties will continue with this designation "until such time as it is removed or changes in accordance with applicable law."

³ While the lot consolidation is recognized by both the City and the County, it does not modify the existing plats or underlying lot lines, so this process does not exempt the properties from completing an amended plat, in the future, should that need arise or the property becomes subject to requiring that process to occur.

the floor plan, access to the business will be along the south side of building (*See Attachment 2: Floor Plan*).

Conditional Use Permit Review

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.

The request for a Conditional Use Permit (CUP) for a commercial daycare facility is consistent with the City's Land Use Ordinance as this use is permitted with an approved CUP in the B-1⁴ zoning district. The use is primarily operated during normal daytime business hours and does not generate objectionable noise, odors, dust or fumes that would make it incompatible with the adjacent residential uses. The plans indicate that the facility is anticipated to care up to one hundred and five children. The specific impact that will need review is site circulation for an additional use on this property.

Parking, Circulation, and Access

A revised and approved Site Plan addressed the Planning Commission and Staff's concerns about site circulation and parking (*See Attachment 2: Revised Site Plan*). The revised site plan shows a new configuration proposed for site circulation and provides for 45 parking spaces for both the dental office and day care use. Two parking spaces are partially included in the 60' radius turn around on the west side of the lot. Staff would recommend working with the property owner to remove these spaces. The current configuration exceeds the minimum required parking spaces, which even under the most liberal application prescribing a much more intense use for the parking ratio would require at most 32 parking spaces⁵.

Currently, there is only one two-way driveway that provides access to 1000 West. It is approximately 32 feet wide. There is another 21 foot wide driveway along the western property line that accesses 1050 West, but it is closed off with a chain and is used only for emergency purposes. City Code requires a minimum of 16 feet for one-way traffic and 30 feet for two-way traffic. The revised site plan was administratively approved on 5-11-2012, and addresses the Planning Commission's and Staff's original concerns with site circulation, and is recommended to be formally approved along with the CUP. This plan represents the current parking lot configuration as it has been painted on the site.

Outdoor Play Area and Proposed Fencing

A new outdoor play area (approximately 8,775 square feet) is being proposed, with the majority of it located to the northwest side of the building. It will consist of play equipment, a shaded area, and the existing grass. Six foot high solid white vinyl fencing has been installed, located

⁴ Title 11 Chapter 10 Section 1 states, "The B-1 buffer zone is established to provide areas which allow for low intensity, density and impact, nonresidential uses to serve as a buffer area between existing or master planned residential areas and high traffic volume corridors, railroad track corridors, industrially zoned areas and general commercially zoned areas within the city. The conditional uses contained in this buffer zone are intended to be those uses which are acceptable within the buffer zone, but may not be generally acceptable as an immediately adjacent neighboring property to single-family residence and, therefore, must be considered on a site specific basis."

⁵ Offices and personal services (daycares being considered akin to the intensity of this use) require two spaces per 1,000 square feet. Even if the ratio for intensive retail was to be used, that requires 3.5 spaces per 1,000 square feet, which still calculates to requiring less spaces than what has been provided for the site.

along the play area perimeter. A security gate will be located in the northeast corner of the building, fencing in the entire grassy area along the north side of the building.

Co-location with Dental Office

The daycare facility will be located on the lower floor, beneath an existing dental office. The architect has included additional notes on the plans that indicate specifications for materials of additional separation between the two uses.

Public Comment

No public comment has been received to date.

GENERAL STANDARDS

Conditional Use Permit Review

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>	
<p>1) <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> <ul style="list-style-type: none"> a. The health, safety, and welfare of the City and its present and future inhabitants and businesses; b. The prosperity of the City and its present and future inhabitants and businesses; c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses; d. The tax base; e. Economy in governmental expenditures; f. The State's agricultural and other industries; g. The urban and nonurban development; 	<p>The requested daycare facility is proposed to be in an existing office building, a use that is compatible with adjacent residential properties, once the impacts are properly mitigated.</p>

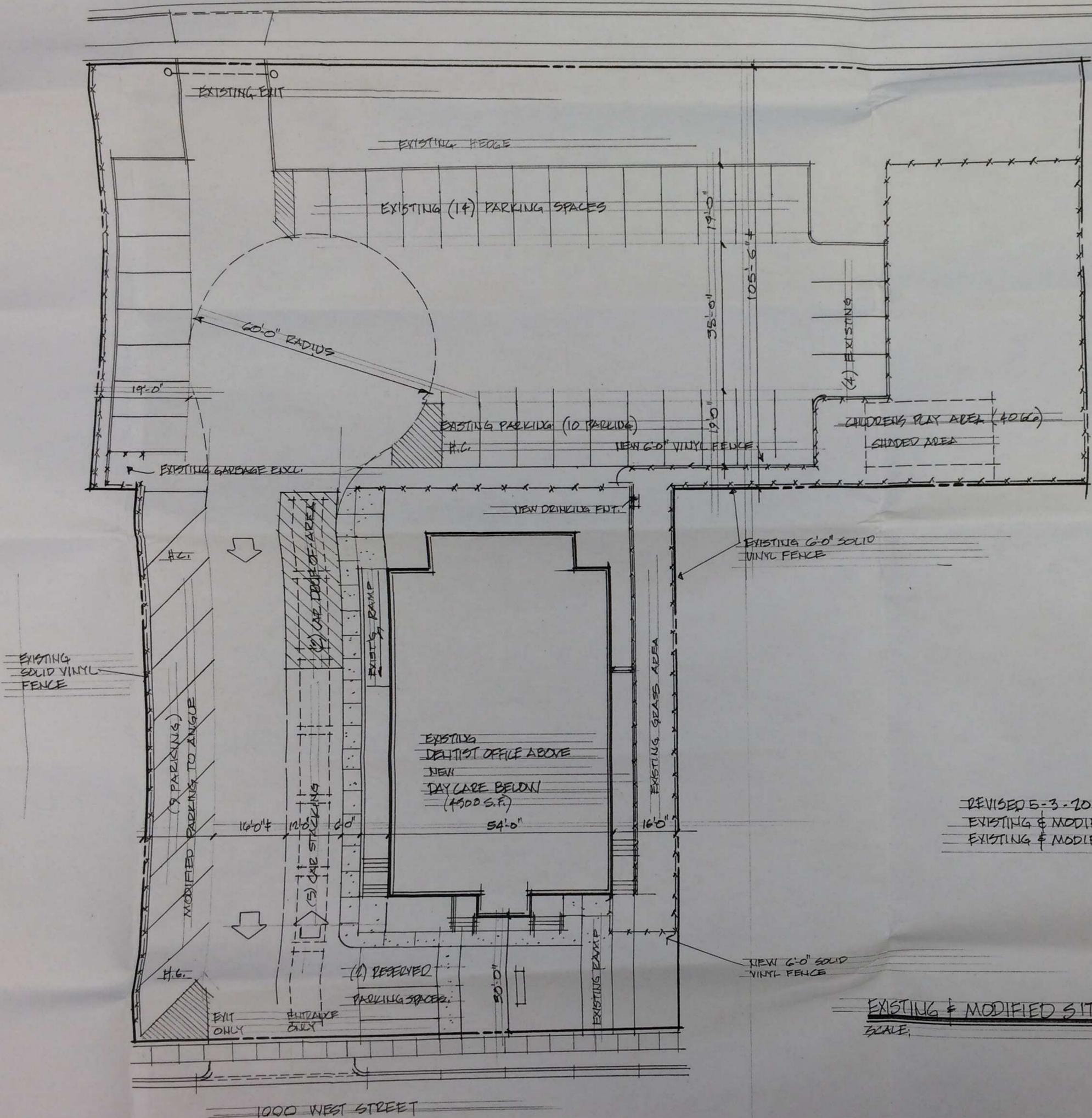
	<p>h. Access to sunlight for solar energy devices; or i. Property values.</p>	
2)	<p><i>Impact Burden:</i> Any cost of mitigating or eliminating detrimental impacts or effects in excess of those which could be reasonably expected to arise from a permitted use shall become a charge against the development so as not to constitute a burden on the municipality, surrounding neighbors, or adjacent land uses.</p>	<p>Daycare centers have a unique traffic and circulation impact, as there is a tendency for peak uses in the morning and the evening during rush hour times where the roads are also in much heavier use. The site circulation plan has been revised and approved with a solution to mitigate the impact on adjacent properties and roads.</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 proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values. It is a daycare facility in the B-1 zoning district. Conditions of approval are proposed to mitigate impact to the surrounding properties.</p>

CONDITIONS OF APPROVAL

- 1) This Conditional Use Permit is for a daycare center located at 573 N 1000 West. Submitted Construction Documents shall be in conformance with the plans submitted for CUP 1204-0002, including the revised and approved site circulation plan.
- 2) The lots shall be consolidated through Davis County prior to Certificate of Occupancy.
- 3) 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

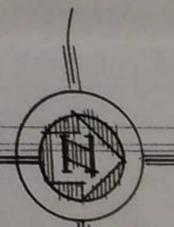
1. Site Plan
2. Revised Site Plan Parking and Circulation
3. Floor Plan



See letter dated 5/11/2012
 Approved 5/11/2012
 as Conditioned

REVISED 5-3-2012
 EXISTING & MODIFIED 47 PARKING SPACES
 EXISTING & MODIFIED 4066 S.F. CHILDRENS PLAY AREA

EXISTING & MODIFIED SITE PLAN
 SCALE: 1" = 20'-0"





PLANNING COMMISSION

STAFF REPORT

AGENDA
ITEM
#6

TO: Planning Commission

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

MEETING DATE: March 5, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **CUP-SP 1402-0002**: A request by Lon Stalsberg, with Ace Disposal, for a Conditional Use Permit and Site Plan Review for a commercial disposal storage, shop, and yard facility in the M-1 (Industrial Manufacturing Zone) zoning district located at the corner of 3rd Street and B Street Freeport Center (TIN: 12-787-0004, 12-787-0005, 12-787-0006).

RECOMMENDATIONS

- A.) Move to approve as conditioned**, CUP 1402-0002, a Conditional Use Permit for Ace Disposal for a commercial disposal outdoor storage, shop, and yard facility in the M-1 (Industrial Manufacturing Zone) zoning district located at the corner of 3rd Street and B Street Freeport Center, based on the findings and discussion in the Staff Report.
- B.) Move to approve as conditioned**, SP 1402-0002, Site Plan approval for Ace Disposal for a new structure and land improvements in the M-1 (Industrial Manufacturing Zone) zoning district located at the corner of 3rd Street and B Street Freeport Center, based on the findings and discussion in the Staff Report.

PROJECT SUMMARY

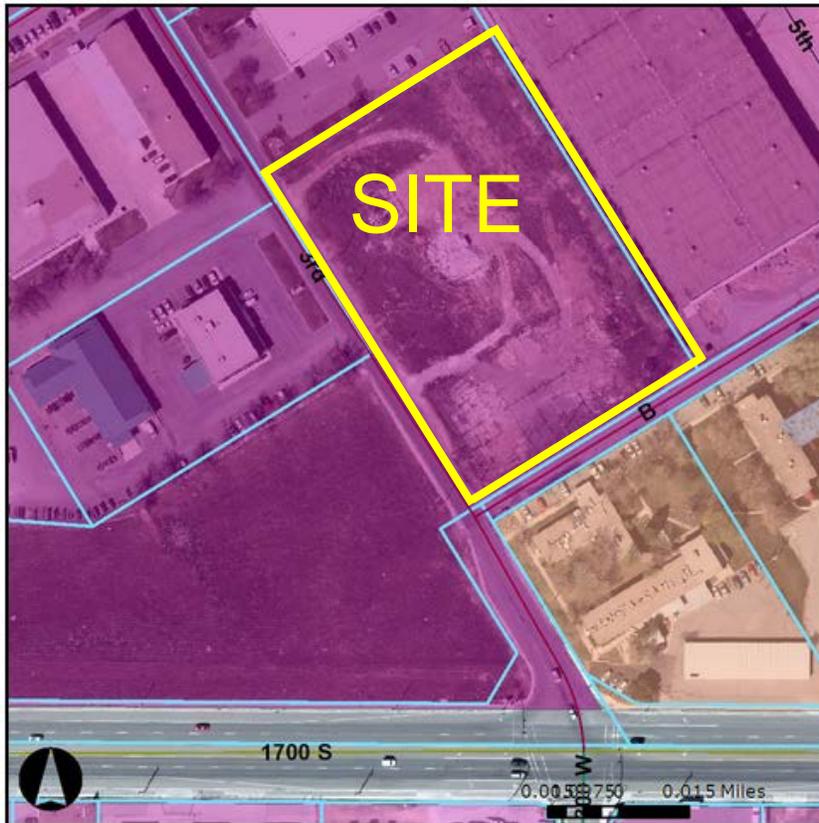
Project Information	
Project Name	Ace Disposal
Site Location	3 rd Street and B Street, Freeport Center
Tax ID Number	12-787-0004, 12-787-0005, 12-787-0006
Applicant and Property Owner	Lon Stalsberg,
Proposed Actions	Conditional Use Permit Site Plan Approval
Current Zoning	M-1 (Manufacturing)
Master Plan Land Use	Manufacturing
Gross Site Area	3.08 acres

Proposed Building	4,050
Accessory Outdoor Storage	49,988 Total Pavement Area

Development Standards:	Proposed	Required
Lot Size	3.08 acres	7,000 sq.ft.
Lot Width	Approx. 245 feet	50 feet
Setbacks		
Front	16.5 feet	10 feet
Side	72 feet and 0 feet	0 feet
Rear	0 feet	0 feet
Landscaping	10%	10%
Parking Spaces	8 spaces	2 per 1,000 sq.ft.

Vicinity and Zoning Map

Zoning Data



Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	K & M Two LLC	M-1 (Manufacturing)	Manufacturing
East	Davis School District Owned building	M-1 (Manufacturing)	Manufacturing
South	Garden Apartments and Storage	R-3 (Multi-family Residential)	Commercial
West	North Davis Cabinets	M-1 (Manufacturing)	Manufacturing

BACKGROUND

The applicant has been considering various sites within Clearfield City for an Ace Disposal office and storage yard. After considering multiple sites, the property owner has submitted the following application for a Conditional Use Permit and Site Plan review.

The application has received approval from the North Davis Fire District. The proposal is currently undergoing Engineering Review to confirm completeness of the Site Plan drawing. The Site Plan approval has been conditioned to meet the Engineer's requirements.

ANALYSIS

Comprehensive Plan and Zoning

The project site is a 3.08 acre parcel, located on the north side of Antelope on 3rd Street in Freeport Center. The property is Master Planned Manufacturing with corresponding M-1 zoning.

The site has been vacant for a number of years, and currently sits unutilized and unimproved. The project is subject to Site Plan approval as the use is changing and there is a proposal of exterior changes to the site with the addition of an outdoor storage area, an accessory use to the business. Therefore both a Conditional Use Permit and Site Plan approval are being sought.

Conditional Use Permit Review

Chapter 3 of the Land Use Ordinance defines Outdoor Storage as "*The commercial storage or keeping of building materials, equipment, fuels, vehicles, goods, commodities or raw materials outside of a building or structure. Outdoor storage shall be subject to the regulations set forth in section [11-13-12](#) of this title.*" The Conditional Use Permit (CUP) requested is for outdoor storage of Ace Disposal Trucks, Ace Disposal Dumpsters both commercial and construction size, and Port-a-Potties. Outdoor Storage is permitted with an approved CUP in the M-1 zoning District.

The proposal for outdoor storage is consistent and appears compatible with most of the surrounding properties in Freeport Center. The property is surrounded on three sides by other manufacturing and business office uses, and is technically surrounded by a manufacturing parcel on the south by a parcel that separates the formal use of this property from the area improved on the site plan. South of B Street resides the Garden Apartment complex which is currently zoned R-3 but is Master Planned Commercial. Impact to the adjacent residentially zoned property has been attempted to be mitigated with a minimum six foot high fence with slats.

Chapter 18 Design Guidelines ordinance 11-18-4C(5) states that chain link fencing shall not be permitted adjacent to a public right of way or in a required front yard. As such, staff would recommend that a fence of at least six feet high in a different material be proposed along B Street and 3rd Street. Also, design guidelines require that fences and blank walls longer than 20 feet be intermittently broken up by landscaping in order to add visual interest. The proposed building is located to the north and is abutted by the proposed parking lot and the continuation of a six foot tall fence that surrounds the entire property.

Site Plan Review

Review considerations for Site Plan approval are discussed in detail in the Site Plan review table below.

The proposed structure is approximately 4,050 square feet. The application includes a conditional use permit application for the use of outdoor storage of Ace Disposal Trucks, and Ace Disposal Dumpsters both commercial and construction size, and Port-a-Potties. The proposed outdoor storage space will take up the majority of the paved area shown on the site plan with the exception of the parking stalls, driveway, and circulation areas for vehicles.

DESIGN STANDARDS

The requests are subject to Chapter 18 *Design Standards* of the Land Use Ordinance as the use is changing requiring a building permit and there is a request for outside storage (11-18-2). Construction materials, colors, and placement of the building are subject to Chapter 18 as well. The structure is currently placed 134 feet from the right-of-way on 3rd Street. City Code 11-18-4 of the Site Design Standards recommend that buildings be placed with the main façade facing the principal street with frontage and that the building be placed as close as possible to the property line considering site, use, and other constraints. Surrounding structures are between 75-100 feet from the property line, and staff would recommend that the new Ace Disposal building be placed in line with the structure to the north of this property at approximately 75 feet from the right-of-way.

LANDSCAPING

The M-1 zoning district requires 10% landscaping of the lot and the proposed construction documents reflect the inclusion of 13% total landscaping.

GARBAGE DUMPSTER

There is not a shown proposed commercial dumpster on the property, but if one is desired it will need to be in an approved enclosure.

FENCING PLAN

One measure of mitigation of the use and the related storage needs is the requirement of fencing. Pursuant to the Land Use Ordinance 11-11B-12(C) *Walls or fences may be required*

along all property lines which are adjacent to a residential zone or use or public right of way. The exact location, height and type of materials of the wall or fence shall be approved by the planning commission as part of the site plan approval process.

The proposed fencing plan is a six foot tall slatted chain link along the property lines surrounding the property with the exception of withholding the proposed detention basin outside of the fenced area. As per City Code Chain link fencing shall not be permitted adjacent to a public right of way or in a required front yard (11-18-4(C)(5)). Fencing along both B Street and 3rd Street must be of a different kind than slatted chain link. This could be a masonry wall, or other commercial screening fence that is permanent and provides screening. In addition to the fencing material, Chapter 18 states: Screening Walls, Fences, And Other Visual Barriers: Walls, fences, and barriers that create a continuous surface greater than twenty feet (20') in length shall be softened visually with acceptable landscaping. All walls and fences shall conform to the major architectural style of the site plan. (Ord. 2010-04, 1-26-2010) This requirement may be met by utilizing plantings along B Street and 3rd Street to soften the long continuous stretch of screening fencing. Slatted chain link fencing may be used on the north and east sides of the site so long as they are not in the required front yard. **Should the Commission decide to alter the fencing plan they should clarify the expectations of changes in a Condition of Approval.**

ENGINEERING REVIEW

Engineering completed a review of an initially submitted Site Plan and has provided a letter with comments. The Applicant has since provided a more detailed Site Plan that staff is waiting for a follow-up letter from Engineering. Items include addressing on-site road improvements to 3rd Street and B Street with curb and gutter, on-site storm drainage, site grading and drainage plan, utility plan, and landscaping and fencing plan.

OTHER AGENCY REVIEW

Fire Review

North Davis Fire District completed a review of the request and has submitted a letter of approval for the issuance of the Conditional Use Permit.

SIGN PACKAGE

This Site Plan request does not include proposal for new signage. Since it is a single tenant building a sign package is not required. New signage will be submitted under a separate permit application and is anticipated to be reviewed and approved at the administrative level; unless the proposal consists of items requiring Planning Commission approval.

Public Comment

No public comment has been received to date.

GENERAL STANDARDS

Conditional Use Permit Review

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> <ul style="list-style-type: none"> a. The health, safety, and welfare of the City and its present and future inhabitants and businesses; b. The prosperity of the City and its present and future inhabitants and businesses; c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses; d. The tax base; e. Economy in governmental expenditures; f. The State's agricultural and other industries; g. The urban and nonurban development; h. Access to sunlight for solar energy devices; or i. Property values. 	<p>The request for outdoor storage is slightly different and more intense of a land use than some of the surrounding buildings where the majority of the processing and work done on the sites exists within enclosed structures. The impacts however, can be mitigated through appropriate screening of outdoor portions of the business, adequate parking and circulation, and the site improvements to current standards.</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 development of the property should assist in addressing and mitigating future detrimental impacts. The roads surrounding the use have capacity and are designed to accommodate the use. The necessary improvements to existing infrastructure and utilities to meet current standards will be required, including at minimum curb and gutter along B Street and 3rd Street.</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 proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values, but has the potential to improve the area with new investment on a vacant piece of ground.</p>

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
4)	<i>Traffic:</i> The effect of the site development plan on traffic conditions on abutting streets.	The site is located with direct access to Antelope Drive off of 3 rd Street. There is not anticipated to be further impact to the traffic than what existed previously.
5)	<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 driveways to the site are proposed in an acceptable location. There are not currently sidewalks along 3 rd Street and B Street. Planning Commission should consider whether sidewalks would be necessary and beneficial within this area of Manufacturing in Clearfield.
6)	<i>Off-Street Parking:</i> Compliance of off-street parking facilities with Chapter 14 of this Title.	The site requires 8 parking spaces and the plan currently provides 8 spaces. The size of the stalls will need to meet code standards of 9 feet wide by 20 feet long and provide at least 1 ADA compliant space. The parking also meets paving improvement standards with the use of asphalt.
7)	<i>Loading and Unloading Facilities:</i> The location, arrangement and dimensions of truck loading and unloading facilities.	The site is not subject to an off-street loading space requirement.
8)	<i>Surfacing and Lighting; Parking:</i> The surfacing and lighting of off-street parking.	The proposal does not include any additional lighting. If security lighting is desired for the site, it should not pose any negative impact to the residential use south of the site. Care should be taken to reduce glare and limit negative impacts from excessive night time light outside of the property boundaries.
9)	Screen Planting: The location, height and materials, of walls, fences, hedges and screen planting.	The proposed fencing plan is a six foot tall slatted chain link fence along the property perimeter. Staff's recommendation is to require the property owner to use a fence that is not chain link along B Street and 3 rd Street and utilize landscaping plantings to break up the monotonous wall as required by Chapter 18. It is the Planning Commission's discretion to determine whether or not the proposed fencing plan meets the intent of the Code and adequately

		<p>mitigates the impacts of the proposed use.</p> <p>Should the Commission decide to alter the fencing plan they should clarify the expectations of changes in a Condition of Approval.</p>
10)	<i>Landscaping:</i> The layout and appropriateness of landscaping.	Landscaping has been proposed at 13% of the total site. The site is not subject to providing landscaped parking lot planters because there are less than 12 spaces required.
11)	<i>Drainage:</i> The effect of the site development plan on City storm water drainage systems.	The applicant has provided storm water detention calculations and a design for a detention area. City Engineering is reviewing the design, and will confirm whether or not it meets City Standards. Storm Water detention meeting City Standards is proposed as a condition of approval along with meeting other requirements noted in the City Engineer's letter.
12)	<i>Utility:</i> The effect of the site development plan on City utility systems.	The applicant has provided the known utilities on the Site Plan. City Engineering is reviewing the Site Plan, and will confirm whether or not it meets City Standards. Utility plans meeting City Standards is proposed as a condition of approval along with meeting other requirements noted in the City Engineer's letter.
13)	Building Locations: Consideration of building locations on the site, elevations and relation to surrounding areas (Ord. 84-06B, 9-11-1984)	<p>The site layout is a single structure located 134 feet back from the 3rd Street right-of way with parking in the front on the west side of the structure. The surrounding properties are similar in nature with setbacks ranging from 75-100 feet, with the exception of the residential multi-family that is located to the south.</p> <p>The request for outdoor storage is being authorized with this approval, subject to maintaining adequate screening from public view.</p>
14)	<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.
15)	<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	A sign package was not included in this request. The sign review will be under separate application and approval.

	neighboring properties and the general harmony of signs with the character of the neighborhood, existing or intended.	
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CONDITIONS OF APPROVAL

Conditional Use Permit

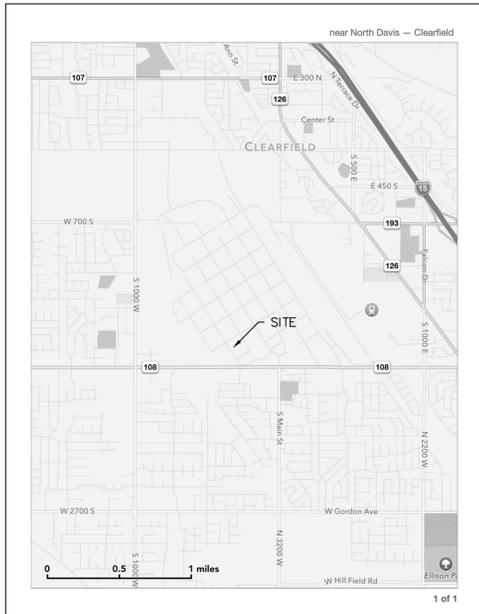
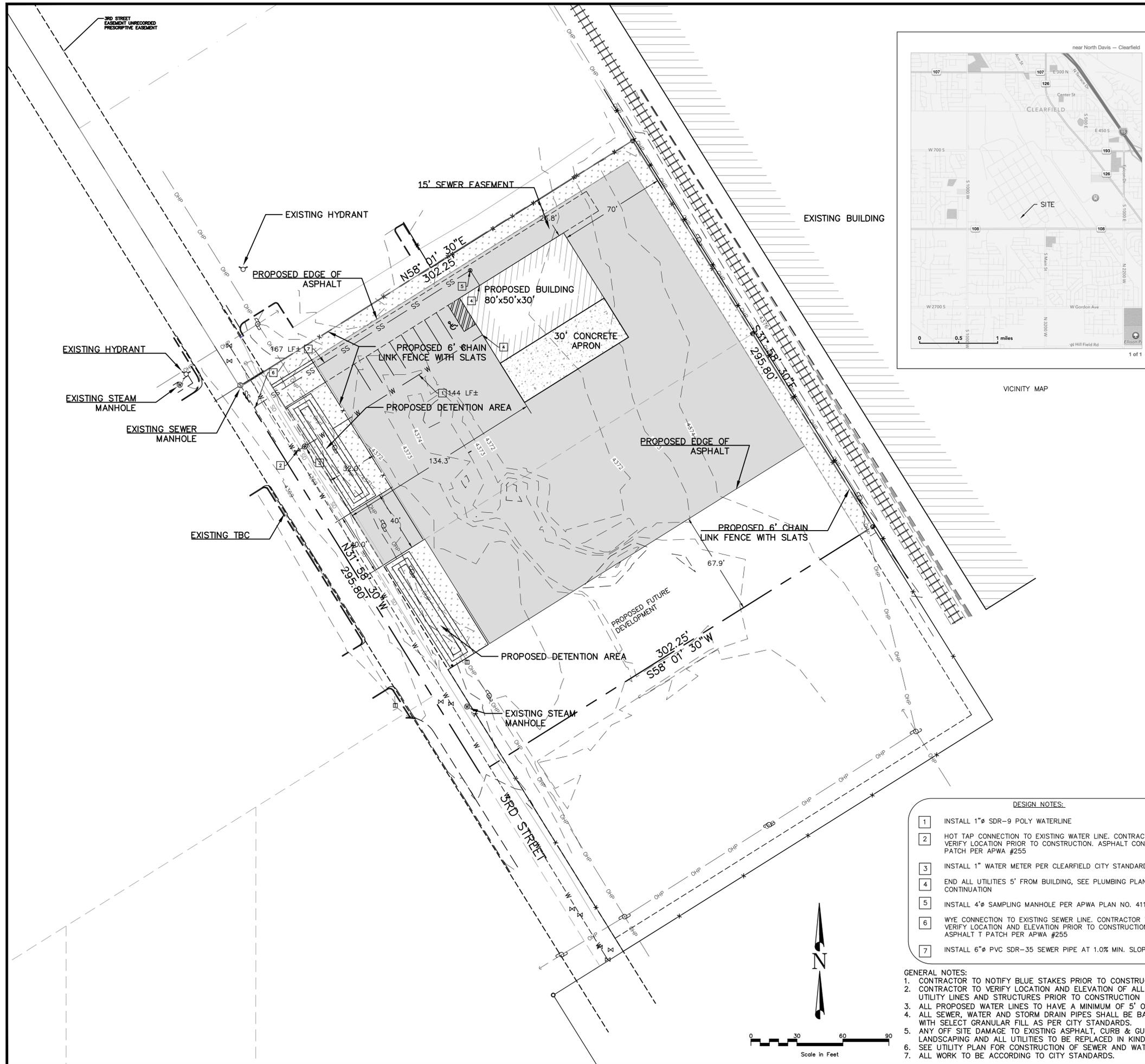
- 1) This Conditional Use Permit is for outdoor storage of Ace Disposal Trucks, Ace Disposal Dumpsters both commercial and construction size, and Port-a-Potties.
- 2) The fencing plan should consist of a minimum of 6 foot high screening fence that may not be chain link along 3rd Street and B Street, but may chain link along the north and east property lines outside of the required front yard setback. Fencing shall be kept in good maintenance and repair.
- 3) The outdoor storage must be kept orderly and clean of debris and items not permitted by this permit approval.
 - a. No visibility or stacking of materials that exceed six feet high or the height of the lowest portion of the fence shall be permitted. If this standard is documented to be violated, the revocation process for the CUP and Business License will be initiated. Please note, that disposal trucks are taller than 6 feet, but are not “stacked items” so they are not subject to the same requirement.
- 4) 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.

Site Plan

- 1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, CUP-SP 1402-0002.
- 2) Site Plan approval is subject to North Davis County Fire District review and approval. The final plans for storage shall meet Fire Code and be to the satisfaction of the North Davis Fire District Fire Chief.
- 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.

ATTACHMENTS

1. Site Plan
2. Engineering Approval Letter, dated February 24, 2014
3. North Davis Fire District Correspondence, dated February 18, 2014



LEGEND

LOT LINES (PROPERTY)	---
EXISTING CURB AND GUTTER	---
PROPOSED CURB AND GUTTER	---
PROPOSED STORM DRAIN LINE	SD
EXISTING STORM DRAIN LINE	SD
EXISTING POWER	P
EXISTING FENCE	---
EXISTING WATER	W
PROPOSED WATER	W
EXISTING GAS	C
EXISTING SANITARY SEWER	SS
PROPOSED SANITARY SEWER	SS
EXISTING STORM DRAIN	SD
GRADE BREAK	GRADE BREAK
FINISH GRADE CONTOUR LINES	4960
EXISTING GRADE CONTOUR LINES	4960
FINISH GRADE SLOPE	SLOPE
GRADE BREAK	GB
INVERT ELEVATION	IE
TOP OF GRATE	TOG
TOP OF ASPHALT	TA
TOP BACK OF CURB	TBC
PROPOSED	PROP
EXISTING	EX
FINISHED GRADE	FG
FINISHED FLOOR ELEVATION	FFE
BACK OF SIDEWALK	BOW

SITE DATA

LOT AREA:	89,405 SF (2.05 ACRES)
BUILDING AREA:	4,050 SF ± 4%
PAVEMENT AREA:	49,988 SF ± 56%
FUTURE DEVELOPEMENT	24,192 SF ± 27%
LANDSCAPE AREA:	11,175 SF ± 13%

PARKING TABULATION
 PARKING REQUIRED = 2 STALLS/1000 SF FLOOR AREA (8)
 PARKING PROVIDED = 8 STALLS (1 HANDICAP)

ACE DISPOSAL

DRAINAGE CALCS FOR ACE DISPOSAL

Restriction Rate: **0.20 cfs/acre** **25 Year flood design**

Runoff Coefficient

Roof Area	4050 ft ²	C _{roof}	0.88
Paved Area	49988 ft ²	C _{paved}	0.86
Landscaped	11175 ft ²	C _{landscaped}	0.15
Gravel Area	24192 ft ²	C _{gravel}	0.15
Total Area	89405 ft ²	Weighted C	0.58
	2.05 acres	CA	51859 ft ²

Lapsed Time (min)	Accum Rainfall (in)	"CA" (ft ²)	Accum Flow (ft ³)	Allow Discharge (ft ³)	Required Storage (ft ³)
15	0.71	51859	3068	369	2699
30	0.96	51859	4149	739	3410
60	1.19	51859	5143	1478	3665
120	1.35	51859	5834	2956	2879
180	1.41	51859	6093	4433	1660
360	1.69	51859	7303	8867	-1563
720	2.12	51859	9162	17733	0
1440	2.48	51859	10717	35466	0

Summary

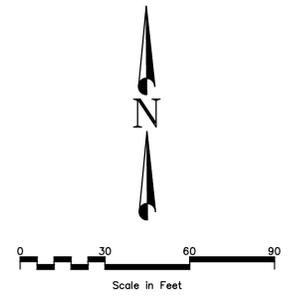
Required detention storage = **3665 ft³**
 Unit storage per acre = **1785.61 ft³/acre**
 Allowable release rate = **0.41 ft³/sec**

Detention Provided within Detention Pond

Elevation	Area (ft ²)	Volume (ft ³)	Acc. Volume (ft ³)
66.11	0	0	0
67.11	800	400	400
68.11	1744	1272	1672
69.11	2833	2289	3961

- #### DESIGN NOTES:
- INSTALL 1" SDR-9 POLY WATERLINE
 - HOT TAP CONNECTION TO EXISTING WATER LINE. CONTRACTOR TO VERIFY LOCATION PRIOR TO CONSTRUCTION. ASPHALT CONCRETE T PATCH PER APWA #255
 - INSTALL 1" WATER METER PER CLEARFIELD CITY STANDARDS
 - END ALL UTILITIES 5' FROM BUILDING, SEE PLUMBING PLANS FOR CONTINUATION
 - INSTALL 4" SAMPLING MANHOLE PER APWA PLAN NO. 411.
 - WYE CONNECTION TO EXISTING SEWER LINE. CONTRACTOR TO VERIFY LOCATION AND ELEVATION PRIOR TO CONSTRUCTION. ASPHALT T PATCH PER APWA #255
 - INSTALL 6" PVC SDR-35 SEWER PIPE AT 1.0% MIN. SLOPE

- #### GENERAL NOTES:
- CONTRACTOR TO NOTIFY BLUE STAKES PRIOR TO CONSTRUCTION
 - CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION
 - ALL PROPOSED WATER LINES TO HAVE A MINIMUM OF 5' OF COVER
 - ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
 - ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES TO BE REPLACED IN KIND.
 - SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
 - ALL WORK TO BE ACCORDING TO CITY STANDARDS.



LEGEND ENGINEERING 52 WEST 100 NORTH HEBER CITY, UT 84032 PHONE: 435-654-4828 www.legendengineering.com	LEGEND ENGINEERING
ACE DISPOSAL SITE PLAN 1640 SOUTH 3RD ST., CLEARFIELD, UT	
SHEET: C-1 DATE: Feb 25, 2014	REVISIONS: _____ NO. _____ BY _____ DATE _____ CM _____ LB _____

24 February 2014

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

Attn: Scott Hess, Development Services Manager
Proj: **Ace Disposal**
Subj: Preliminary - Site Plan Review

Dear Scott,

I have reviewed the above referenced project preliminary site plan and submit the following comments for consideration.

General Note:

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

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 will be replaced or installed, i.e., asphalt patching, bicycle safe storm water grates, curb and gutter, other improvements, etc.
2. Site Storm Water Issues:
 - A storm water detention facility will need to be constructed on-site.
 - Calculations will need to be submitted for the detention basin volume sizing with detail drawings for the construction of the outlet control orifice and diversion box, over flow spillway system, the on-site storm water collection piping system and facilities, grades and inverts, etc.
3. The following items need to be placed on the project drawings and details need to be submitted for review:

- Site Plan – A pavement design will need to be submitted and the roadbase and asphalt depths shown on the drawings. All new curbs and walls on the site with elevations and details, grades across the hard surfacing, parking stall widths, lengths and stall striping, directional arrows, site dimensions, on-site traffic flow, dimensions for fencing and gates, concrete flatwork and sidewalks, dumpster location, etc.
 - Site Grading and Drainage Plan – The existing and finish contours lines and spot finish elevations over the site, location of the proposed detention basin and finish grading of the basin, all storm water piping into and exiting the basin with pipe diameters and with the slope of all pipes, inlet and junction storm water boxes, piping from building roofs to the detention basin, arrows indicators of storm water run-off flow directions and slopes across all hard surfacing, special details, other. Consideration to tie the existing and future undeveloped property to the underground collection system and to the detention basin should be considered.
 - Site Utility Plan – Location and pipe size of all utilities, i.e., culinary water supply piping, meter size, sanitary sewer piping and facilities, grease sediment vault, electrical service, natural gas service, communications, location of piping and conduits, details, other items pertaining to the site.
 - Site Landscaping and Fencing Plan – Show all areas to be landscaped and the type of landscaping and irrigation plans and the location of the water supply and backflow device location. Show fencing and gate locations and all fencing details along with other improvement details pertaining to the site.
4. The office dumpster location needs to be shown and it needs to be fenced with the construction details shown on the plans.
 5. Location, type and size of all site lighting facilities must to be shown on the drawings.
 6. Indicate and show location and details of all storm water pollution and control devices.

Should you have any questions, feel free to contact our office.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.



N. Scott Nelson, PE.
City Engineer

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



*From the Desk of
Deputy Chief Taylor*
NORTH DAVIS FIRE DISTRICT
381 NORTH 3150 WEST
WEST POINT, UTAH 84015
OFFICE: (801) 525-2850
FAX: (801) 525-6935
CELL: (801) 510-1895
EMAIL: JTAYLOR@NOFIRES.ORG

February 18, 2014

Scott Hess
Clearfield City Corp
55 South State
Clearfield, Utah 84015

Scott,

I have reviewed the proposed site plans for the Ace Disposal project and I have also completed a drive by of the proposed site. There are 2 hydrants on the same side of the street within 500 feet so our concerns at this point are met. The North Davis Fire District is okay with the approval of a CUP and I look forward to receiving final drawings for the proposed complete project including an on site structure. If you have any further questions, I can be reached at the above given phone numbers or via email.

Best Regards

John C Taylor
Deputy Fire Chief / Fire Marshall
North Davis Fire District



Planning Commission

STAFF REPORT

AGENDA ITEM
#7

TO: Clearfield City Planning Commission

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

MEETING DATE: March 5, 2014

SUBJECT: Discussion and Recommendation for Action on Zoning Text Amendments related to Non-Depository Institutions

RECOMMENDATIONS

Consider staff provided zoning text amendment language. Advise on changes or recommendations, and bring forward for Public Hearing and adoption in April.

BACKGROUND

In January 2012, Clearfield City adopted 11-13-29 regulating Payday Lending Establishments. Payday Lending Establishments are specifically defined by the State of Utah, and Clearfield Code identifies only Utah Code Annotated title 7, chapter 23 in its regulations.

In an attempt to provide a fair business environment while limiting uses that may have detrimental effects to the community, the Planning Commission asked staff to consider regulations for all types of non-depository institutions.

The simple changes to City Code 11-13-29 will be easy to make, but will have sweeping effects on limiting multiple types of businesses within Clearfield City. Please consider whether or not one of these types of businesses per 10,000 residents is a fair number.

ANALYSIS

*The Planning Commission had a discussion with staff on this item in the February meeting, and was directed to bring forward potential Zoning Text Amendment language. Staff intends to do the following in the March 5, 2014 meeting: **Take Comment and Direction from Planning Commission** follow up by **Posting a Public Hearing Notice for April Planning Commission Meeting** in order to **Consider Draft Ordinance Language in April 2, 2014 P.C. Meeting, to be followed by City Council consideration in April.***

Below is the recommended amended zoning text amendment language to City Code 11-13-29.

11-13-29: ~~PAYDAY~~NON-DEPOSITORY LENDING ESTABLISHMENTS:

A. Payday Non-Depository Lending Establishments:

1. No payday non-depository lending establishment shall be located within one mile (5,280 feet) of any other payday non-depository lending establishment. The distance shall be measured in a straight line between the closest property lines of the lots on which they are located.

2. The number of payday non-depository lending establishments may not exceed one per ten thousand (10,000) of the Clearfield City population. The total population figures shall be based on the U.S. census bureau's annual estimates.

B. Establishments With Active License Before ~~April 2~~February 1, 2012~~4~~: The following shall only apply to payday non-depository lending establishments that had an active business license before April 2~~February 1, 2012~~4, in Clearfield City:

1. Termination Of Business License: If any of the above listed businesses fails to renew its Clearfield City business license or vacates the premises, then the business and use is deemed terminated. Businesses that do not meet zoning and separation requirements shall be considered nonconforming and will be subject to the provisions of chapter 17 of this title.

2. Relocation Of Existing Business: Any of the above listed businesses existing before April 2~~February 1, 2012~~4, shall only be allowed to relocate to a new site that meets the zoning and separation requirements outlined in this section. The nonconforming status of the prior site is deemed to have been terminated. (Ord. 2012-01, 1-24-2012)

Added Definition:

Non-Depository Institution: Financial institutions subject to the jurisdiction of the State of Utah Department of Financial Institutions, which do not take deposits. These include title lenders, check cashers, and deferred deposit loan lenders.

ATTACHMENTS

None provided with this item.