

**CLINTON CITY PLANNING COMMISSION MINUTES**

**Commissioner Tony Thompson**  
**Commissioner Sam DeLong**  
**Commissioner Allen Labrecque**  
**Commissioner Dave Coombs**  
**Commissioner Jolene Cressall**  
**Commissioner Jeff Ritchie**  
**Commissioner Bob Buckles**

**Mayor L. Mitch Adams, City Council Representative**

<b>Planning Commission Meeting</b>	<b>May 6, 2014</b>	<b>Call to Order: 7:00 P.M.</b>	<b>2267 N 1500 W Clinton UT 84015</b>
<b>Staff Present</b>	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
<b>Public Present</b>	Gilbert Lopez, Darla Beers, David Stone, Chia Chen, Art & Karen Ballif, Kent Draayer, Kellie and Jory Farr, Bruce Nilson, Pete Gillwald, Jeffrey Kuhn, Saun Bair		
<b>Pledge of Allegiance</b>	Commissioner Cressall		
<b>Invocation or Thought</b>	Commissioner Coombs		
<b>Roll Call &amp; Attendance</b>	Commissioner DeLong was excused.		
<b>Declarations of Conflict</b>	There were none.		
<b>City Council Report</b>	Mayor Adams reported on the April 22, 2014 City Council Meeting as recorded in the minutes.		
<b>Approval of Minutes</b>	<b>Commissioner Buckles moved to approve the minutes of the April 15, 2014 Planning Commission Meeting as written. Commissioner Cressall seconded the motion. All those present voted in favor of the motion.</b>		
<b>7:10 PM PUBLIC HEARING REQUEST FROM BRUCE L. NILSON, REPRESENTING JON KENT DRAAYER AND KAREN BALLIF (OWNERS), FOR A RECOMMENDATION TO THE COUNCIL CONCERNING THE REZONE OF THE PROPERTY LOCATED AT APPROXIMATELY 2501 WEST 1725 NORTH, MORE ACCURATELY DESCRIBED BELOW, FROM RESIDENTIAL (R-1-8) TO PATIO HOME (INFILL) (PH):</b>			
<b>Discussion</b>	<p>Bruce L. Nilson, representing Jon Kent Draayer and Karen Ballif (owners) was present to address this issue with the Planning Commission. He said he feels the proposed development will meet the in fill requirements and fit the community.</p> <p>Commissioner Buckles asked what the prior plan was for this piece of property was. He clarified the intent of the ordinance is not to allow owners of larger parcels of property to break off chunks to develop as patio homes.</p> <p>Kent Draayer said his mother divided the property between him and his sister; in order to get title to his portion of the property, the City required him to do a mini five acre subdivision. Originally there was no intent to develop the property.</p> <p>Mr. Vinzant reviewed the following requirements identified in the recent change to Chapter 22, Infill Site Development Characteristics:</p> <ul style="list-style-type: none"> <li>• Only permitted in the R-1-6, R-1-8, and R-1-9 Zones: This property is currently zoned R-1-8</li> <li>• Maximum parcel size of 5 acres: this parcel is 3.755 acres.</li> <li>• Property can not have been divided in last 10 years “to meet the requirements of this zone”: Property last divided December 17, 2009, however this zone did not exist then.</li> <li>• Property surrounding the parcel being developed must be fully developed: surrounding parcels are developed.</li> <li>• Development requirements shall comply with § 28-22-4</li> <li>• Infrastructure in the area will support the development.</li> </ul> <p>He reviewed the proposed ordinance with the Planning Commission and stated his recommendation is to forward a recommendation of approval on to the City Council.</p>		
<b>Public Comment</b>	Commissioner Thompson re-opened the public hearing at 7:21 p.m.		

	<p>He read a petition provided by Ms. Ballif and Mr. Draayer from neighbors of the proposed development from October of 2012 as it was written at the time. He clarified, all the home owners may not still live there.</p> <p><i>Proposed Patio Home Development to be developed on the Ballif/Draayer property:</i></p> <p><i>We are property owners abutting the land that is proposed to be a Patio Home community of between 13 and 15 homes.</i></p> <p><i>We understand the homes will be completely landscaped prior to occupancy and that the entire development will have solid vinyl fencing surrounding it.</i></p> <p><i>We also understand that a Home Owners Association will be established and that all landscaping, maintenance and repair and snow removal will be provided by the HOA.</i></p> <p><i>We feel like this would be an asset to our community and would add value to it and e would support the rezoning to facilitate the development.</i></p> <p>The petition included 24 signatures of surrounding homeowners who are in support of the subdivision.</p> <p>Commissioner Thompson asked for public comment; there was none, therefore he closed the public hearing at 7:25 p.m.</p> <p>Mr. Thompson clarified the property meets the ordinance size requirements and qualifications identified in the General Plan. The petitioners have been involved in the process of the rewrite of the General Plan.</p>
<p><b>CONCLUSION</b></p>	<p><b>Commissioner Buckles moved to forward a recommendation of approval of Ordinance 14-03Z, a rezone request for property located at approximately 2501 West 1725 North, from Residential (R-1-8) to Patio Home (PH) (Infill) on to the City Council. Commissioner Labrecque seconded the motion. Voting by roll is as follows: Commissioner Buckles, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Thompson, aye.</b></p>
<p><b>PUBLIC HEARING – TABLED FROM APRIL 1, 2014; REQUEST FROM DAVID STONE FOR A RECOMMENDATION TO THE COUNCIL CONCERNING THE REZONE OF PROPERTY LOCATED AT 3420 WEST 2300 NORTH, MORE ACCURATELY DESCRIBED IN THE ORDINANCE, FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-1-15):</b></p>	
	<p>Jeffery Kuhn was present to provide a report on the findings from the Open House that the petitioners had on April 23 to the Planning Commission.</p> <p>He explained at this time, the Stone Family is not ready to present a new package as was hoped for. They did however receive valuable input and information at the Open House that they intend to take under consideration.</p> <p>He identified there was a good turn out and discussion at the Open House. He reviewed with the Planning Commission notes from the meeting which are included in the staff report.</p> <p>Mr. Vinzant identified in the staff report that he has recommended the public hearing be re-advertise once they are ready for a decision and recommendation to the Council.</p> <p>Mike Staten gave a powerpoint presentation included in the staff report which addressed the following about the potential Stone Creek Development 3400 W 2300 N:</p> <ol style="list-style-type: none"> <li>1. A brief history;</li> <li>2. Proposed solution, the intent is for a livable community;</li> <li>3. Planning ideas</li> </ol> <p>Pete Gillwald addressed the landscaping and design in the proposed plan.</p> <p>Mr. Vinzant commented that the design and proposed park will take time to complete.</p>

	<p>Mr. Staten identified that a rezone from A1 to R-1-15 will improve the development options for the area.</p> <p>Commissioner Labrecque asked if traffic congestion will be an issue.</p> <p>Mr. Kuhn responded there may be some congestion; there is a second access planned on the north east corner.</p> <p>Commissioner Ritchie commented he is concerned for the narrow streets. He feels that snow removal will be an issue.</p> <p>Mr. Kuhn responded the design is based on livability factors. The plan is flexible. They will listen to the will of the community. They are trying to present a plan that will go along with the new General Plan and benefit the community.</p> <p>Mr. Vinzant explained there is a process that would need to be followed to go against the General Plan and Master Land Use Map. In order to go forward with this rezone, A Development Agreement would need to be created using the Zoning Ordinance as a guide. The Preliminary Plat would be a part of the Development Agreement. The City can be involved in the Development Agreement process. CC&amp;R's will be involved as well. The Development Agreement would be recorded against the property.</p> <p>Mr. Vinzant cautioned the Planning Commission to consider cost to the City and the Developer while considering if this process will continue.</p> <p>Commissioner Buckles said he does not want to encourage the process if the City is not willing to rezone the property.</p> <p>He said his own opinion is that the development sounds appealing but the General Plan needs to be taken into consideration before the process goes further.</p> <p>Mayor Adams commented that deviation from the General Plan will be unlikely.</p>
<p><b>Public Comment</b></p>	<p>Commissioner Thompson opened the public hearing at 8:34 p.m.</p> <p>Kelly Farr said she owns the property to the east. She has lived there for 22 years. She expressed appreciation for the community meeting the Stone Family held for the residents to address their concerns.</p> <p>She said the Master Plan designates this property as one acre lots.</p> <p>She has a concern with CCR's because they don't last. She feels that people like one acre lots. She said the park that Cranefield promised has not turned out as promised. The development is not filled and has not lived up to what was promised. She likes open space. She is also concerned about water drainage.</p> <p>She does not want to lose more openness to growth and development.</p> <p>Gilbert Lopez said the proposed vinyl fence will be kicked down by the current residences horses. He said he brought his property to have animals.</p> <p>Jody Farr said the General Plan is only six months old. Why is it even being considered to change it? He wants one acre lots. Cul d sacs are difficult to plow snow and drainage is an issue.</p> <p>Mr. Vinzant clarified Clinton City is not proposing the rezone, they have received a rezone request and they are required to process it.</p> <p>Kelly Farr said she doesn't agree that the zoning should be changed.</p> <p>Gilbert Lopez commented he feels that developers always win out.</p>

	<p>Jody Farr asked how these lots will be watered.</p> <p>Mr. Vinzant responded secondary water.</p> <p>Commissioner Thompson asked for additional public comment, there was none therefore he closed the public hearing at 8:54 p.m.</p> <p>Commissioner Cressall said she feels there is a need for larger pieces of property and she is in favor of following the General Plan.</p> <p>Mr. Kuhn said he appreciates the process; the Stone Family is seeking density and use. He does not feel they have had an opportunity to present a final plan. They have invested time and money into this and would like to ask for it to be tabled for another two weeks to evaluate and present a plan for development. This would allow them to address concerns.</p> <p>Commissioner Thompson clarified this is a rezone request. With recent public input and a recently updated General Plan, the Planning Commission must make a decision to go against the General Plan to change the zone.</p>
<p><b>CONCLUSION</b></p>	<p><b>Commissioner Cressall moved to make a recommendation to the City Council to reject Ordinance 14-02Z, denying the petition for a rezone of property located at approximately 3420 W 2300 N from A-1 to R-1-15.</b></p> <p><b>Commissioner Labrecque said that the City has grown significantly in the past 22 years. There are more people to accommodate. He disagrees with requiring one acre lots; more homes are needed.</b></p> <p><b>Commissioner Buckles clarified his principle reason to vote to reject the Ordinance is that it does not comply with the General Plan. He said the Developer has presented a good proposal. He is concerned about sprawl. Population growth is a concern and needs to be accommodated. Traffic and road wear and tear will become an issue.</b></p> <p><b>Commissioner Coombs seconded the motion.</b></p> <p><b>Voting by roll call is as follows: Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Labrecque, no; he feels this is a good proposal that should move forward; Commissioners Buckles, aye; Commissioner Ritchie, aye; Commissioner Thompson, aye.</b></p> <p><b>Mr. Vinzant identified this will be added to the June 10, 2014 City Council Agenda.</b></p> <p><b>The Planning Commission took a break at 9:14 p.m. and reconvened at 9:27 p.m.</b></p>
<p><b>WORK SESSION:</b></p>	
<p><b>DISCUSSION ON ORDINANCE RELATED TO APIARIES, (BEE KEEPING)</b></p>	
	<p>Commissioner Coombs commented he feels that bees are acceptable.</p> <p>Saun Bair addressed the Planning Commission. He said he wants to make sure he is in compliance. He has bees. He is trying to maintain his property. He understands the fear of being stung by bees. He also feels it is important to take care of the environment, pollination is important.</p> <p>He said he hopes the City will follow the state requirements.</p> <p>Mr. Vinzant stated he will research state requirements.</p>
<p><b>COMMISSIONER'S ISSUES &amp; CONCERNS</b></p>	<p><b>There were none.</b></p>
<p><b>ADJOURNMENT</b></p>	<p><b>Commissioner Coombs moved to adjourn the meeting. Commissioner Cressall seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 10:00 p.m.</b></p>