



Community Development

PLANNING, ENGINEERING, BUILDING INSPECTIONS,
CUSTOMER SERVICE, CODE COMPLIANCE,
AND CDBG ADMINISTRATION

MEETING AGENDA 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 7th, 2019**, on the **3rd floor** in the City Council Chambers of the Clearfield City Municipal Building, located at 55 S. State Street, Clearfield, UT 84015.

WORK SESSION – 6:30 PM – Executive Conference Room

Review agenda items to address questions.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: March 20, 2019

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Non-Public Hearings

1. Discussion and Possible Action on **CUP 1906-0013**, a conditional use permit request by Stanley M. Gil for an auto repair business at the subject property. **Location:** 325 W. Antelope Drive #7 & #8 (TIN: 12-937-0002). **Parcel Area:** 0.70 Acres. **Zone:** C-2 (Commercial). **Planner:** Brad McIlrath (**Administrative Action**).
2. Discussion and Possible Action on **CUP 1907-0001**, a conditional use permit request by Chase J. Holbrook for a motorcycle sales business at the subject property. **Location:** 22 West 650 North (TIN: 14-071-0036). **Parcel Area:** 0.48 Acres. **Zone:** C-2 (Commercial). **Planner:** Brad McIlrath (**Administrative Action**).

DISCUSSION ITEMS

3. Staff Discussion
4. Planning Commissioners' Minute
5. Staff Communications
 - a) Fall APA Utah Chapter Conference Information – October 3-4

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

Dated this 28th day of July, 2019

/s/Brad McIlrath, Senior Planner

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 the Customer Service Center at 801-525-2701, giving the City a 48 hour notice.

The Work Session meeting is a public meeting; however, public comments are only received in the formal Planning Commission meeting. The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 March 20, 2019

3 6:30 – Work Session

4
5 PRESIDING: Brady Jugler Chair

6
7 PRESENT: Robert Browning Commissioner
8 Chris Uccardi Commissioner
9 Ruth Jones Commissioner
10 Eden Bush Youth Ambassador

11
12 ABSENT: Kathryn Murray Commissioner
13 Nicole Bigelor Commissioner
14 Levi Lloyd Commissioner

15
16 STAFF PRESENT: Brie Brass City Attorney
17 Brad McIlrath Senior Planner
18 Bettina Griffeth Customer Service Rep

19
20 VISITORS:

21
22 Chair Jugler called the meeting to order.

23
24 DISCUSSION AND POSSIBLE ACTION ON ZTA 1902-0002, A ZOING TEXT
25 AMENDMENT REQUEST BY MARVIN MURRI TO AMEND SECTION 5.4 FOOTNOTE 3
26 OF THE FORM-BASED CODE TO REQUIRE THE SIX FOOT (6') STEP BACK TO 29
27 BUILDINGS TALLER THAN FOUR (4) STORIED RATHER THAN THREE (3) STORIES 30
28 AS THE CODE CURRENTLY READS.

29
30 Commissioner Jones asked if the City was amending the Form Based Code (FBC) formally or
31 making an exception for Mr. Murri's project. Brad McIlrath, Senior Planner, stated the request
32 was to formally amend the FBC. Commission Jugler commented the Commission was aware of
33 the City's efforts to update the FBC and wondered why the applicant submitted the request prior
34 to the conclusion of the City's efforts. Mr. McIlrath explained that Mr. Murri needed the
35 amendment for his project and staff felt that the recommendation was a good one and would
36 likely be addressed with the City's comprehensive amendments to the FBC. He continued the
37 comprehensive updates were expected by the end of June so the Planning Commission could
38 choose to table or deny the request until the results of the City's process were reviewed. He
39 informed the Commission that the applicant wanted to move forward with the request because
40 staff did not believe a development agreement allowing the exception was appropriate.

41
42 Commissioner Jones expressed her concerns about changing something that might not match the
43 recommendation of the City's consultant for the FBC revisions. Mr. McIlrath stated the applicant
44 would be held to the requirements of FBC at the time his project was approved. Chair Jugler
45 expressed a desire to make sure the consultant made a recommendation specific to the step back
46 requirement during the revision process.

1 Mr. McIlrath informed the Commission that the development currently needed to comply with
2 the step back requirement or receive a recommendation from the Planning Commission for the
3 negotiation of a development agreement prior to site plan approval if the applicant's request was
4 not granted.

5
6 Commissioner Uccardi asked why the City wanted to amend the current Form Based Code. Mr.
7 McIlrath responded the City identified a need for better graphics and designs as well as a fine-
8 tuning of the design guidelines.

9
10 Chair Jugler expressed his concern about proceeding with consideration of the request with only a
11 small number of commissioners present. Mr. McIlrath explained the request could be tabled until
12 the first meeting in April if the commissioners attending were uneasy making the decision
13 without additional input from the larger body or a recommendation could be made to the City
14 Council.

15
16 DISCUSSION AND POSSIBLE ACTION ON FSP 1901-0007, AN AMENDED
17 SUBDIVISION PLATE REQUEST BY BRYCE THURGOOD AND JERRY PRESTON TO
18 AMEND LOT 102 OF THE MIDTOWN VILLAGE AT LEGNED HILLS SUBDIVISION TO
19 CREATE AN ADDITIONAL LOT. LOCATION; 788 SOUTH 2000 E (TIN: 09-419-0102),
20 PARCEL AREA: 8.079 ACRES, ZONING: D-R (DOWNTOWN REDEVELOPMENT).

21
22 The Planning Commission had no questions on the request.

23
24 DISCUSSION AND POSSIBLE ACTION ON CUP 1901-0008, A CONDITIONAL USE
25 PERMIT REQUEST BY BRUCE THURGOOD AND JERRY PRESTON TO CONSTRUCT A
26 328 MULTI-FAMILY DEVELOPMENT TO BE KNOWN AS BRAVADA 193 AT THE
27 SUBJECT PROPERTY. LOCATION: 788 SOUTH 2000 EAST (TIN: 09-419-0102). PARCEL
28 AREA: 8.079 ACRES. ZONING: D-R (DOWNTOWN REDEVELOPMENT).

29
30 Commissioner Browning had a question regarding the exits on the property. Brad McIlrath,
31 Senior Planner, explained the ingress and egress for the property.

32
33 DISCUSSION AND POSSIBLE ACTION ON FSP 1902-0005, A FINAL SUBDIVISION
34 REQUEST BY RICK SCADDEN FOR A 16-UNIT TOWNHOME SUBDIVISION
35 (LANDSON'S CORNER TOWNHOMES) AT THE SUBJECT PROPERTIES. LOCATION:
36 357 AND 343 WEST 300 NORTH (TIN: 12-020-0087 & 12-020-0155). AGGREGATE
37 PARCEL AREA: 1.03 ACRES. ZONING: R-3 (RESIDENTIAL).

38
39 Brad McIlrath, Senior Planner, advised the Planning Commission it was appropriate to ask the
40 applicant questions during its consideration of the request about the planned design for the final
41 product in the development.

42
43
44 The meeting adjourned at 6:58 p.m.

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 March 20, 2019

3 7:00 P.M. – Regular Session

4
5 PRESIDING: Brady Jugler Chair

6
7 PRESENT: Robert Browning Commissioner
8 Chris Uccardi Commissioner
9 Ruth Jones Commissioner
10 Eden Bush Youth Ambassador

11
12 ABSENT: Kathryn Murray Commissioner
13 Levi Lloyd Commissioner
14 Nichole Bigelow Commissioner

15
16 STAFF PRESENT: Brie Brass Assistant City Attorney
17 Spencer Brimley Community Development Director
18 Brad McIlrath Senior Planner
19 Bettina Griffeth Customer Service Rep

20
21 VISITORS:
22 Rick Scadden, Marvin Murri, Trenton Saxton, Bryce Thurgood, Jerry
23 Preston.

24
25 The Pledge of Allegiance was led by Chair Brady Jugler.

26
27 APPROVAL OF MINUTES FROM MARCH 6, 2019 PLANNING COMMISSION MEETING

28
29 **Commissioner Uccardi moved to approve the minutes from the March 6, 2019 Planning**
30 **Commission Meeting and Work Session as written. Seconded by Commissioner Jones. The**
31 **motion carried on the following vote: Voting AYE: Commissioner Browning, Uccardi,**
32 **Jones and Jugler. Voting NO: None.**
33

34 Chair Jugler read the Planning Commission Chair Statement.

35
36 DISCUSSION AND ACTION ON ZTA 1902-0002, A ZONING TEXT AMENDMENT
37 REQUEST BY MARVIN MURRI, TO AMEND SECTION 5.4 FOOTNOTE 3 OF THE FORM
38 BASED CODE (FBC) TO REQUIRE THE SIX FOOT (6') STEP BACK FOR RESIDENTIAL
39 BUILDINGS TALLER THAN FOUR (4) STORIES RATHER THAN THREE (3) STORIES AS
40 THE CODE CURRENTLY READS

41
42 Brad McIlrath, Senior Planner, presented the following background information;

- 43
- 44 • Form Based Code (FBC) currently required buildings that were three (3) stories or
45 higher to have a six-foot (6') step back between the first floor and the top of the
46 building.
 - The applicant wanted to construct a multi-family development with two buildings,

four stories each without a step back as required.

- FBC did not allow for that except through a development agreement.
- There were other structures being developed along the downtown Clearfield corridor that did not include building step backs.

Mr. McIlrath presented pictures of different types of buildings from Sugar House, Salt Lake City and Ogden with and without step backs. He commented buildings built along the Wasatch Front with step backs were generally five (5) stories or higher.

Staff recommended the Planning Commission forward a recommendation of approval for the zoning text amendment based upon the following:

1. Buildings along the Wasatch Front that included the step back were generally five (5) stories or greater.
2. Construction type changed from a four (4) story building to a five (5) story to better meet the needs of the step backs.
3. The amendment would provide better clarity and allow for better design and development in the administration of the Form Based Code.
4. The City had hired a consultant to review and update the FBC and the update was expected to be completed by the end of June 2019.

Chair Jugler opened the public hearing.

PUBLIC COMMENT

In Favor

Trenton Saxton, CRSA-architect for the project, stated the step back requirement was not common with buildings four (4) stories or less, especially when the use was strictly multi-family residential. He stated the requirement was more common for mixed-use buildings. He offered his professional opinion that typically step backs were required for taller buildings and those that were mixed-use.

Opposed

None.

Chair Jugler closed the public hearing.

Commissioner Jones stated she was opposed to the amendment. She expressed her opinion that the City needed to finish its review of FBC prior to making any further changes to it. She clarified it was not the project that she was opposed to rather asking for amendments to FBC when it was already under review by the City. She expressed her desire to see the development of the downtown be uniform with the same standard applying to all projects. She felt making changes for individual projects would be premature.

1 Commissioner Browning also expressed a concern with amending the code for individual
2 projects.

3
4 Commissioner Uccardi commented he could support staff's recommendation because it was
5 likely the City would end up with something similar to the recommendation at the conclusion of
6 the FBC review. He acknowledged the developer could attempt to negotiate a development
7 agreement for the exception. He expressed concern that the City should not start the practice of
8 managing multiple development agreements rather than applying the standards already adopted in
9 the FBC.

10
11 There was a discussion about tabling the decision on the amendment until a later date. Mr.
12 McIlrath commented if the Commission wanted to table the decision it would need to identify its
13 desire to receive additional information from the developer before considering the amendment.
14 He acknowledged the requirement was on the list of items for the consultant to review. Chair
15 Jugler asked if it could be moved to the top of the priority list so a decision could be rendered
16 more quickly. Mr. McIlrath expressed his desire to complete the entire review rather than making
17 changes periodically throughout the process. He emphasized the City wanted to get the
18 downtown redevelopment right.

19
20 Marvin Murri, developer, clarified that he was only seeking an amendment for buildings that
21 were residential use only. He expressed his opinion that the FBC did not include a picture of a
22 residential four-story building with a step back because none existed along the Wasatch Front for
23 strictly residential buildings.

24
25 Commissioner Uccardi asked if the development was in the Town Residential (TR) zone. Mr.
26 McIlrath responded it was and that zone left mixed use buildings optional to the developer.

27
28 Marvin Murri, developer, provided clarification that the amendment he was seeking would only
29 apply to buildings with strictly residential use. He suggested step backs were more commonly
30 used for mixed-use developments where retail was on the first floor and residential use was on
31 the other floors. There was a discussion about the possibility of tabling consideration of the
32 amendment as proposed. Mr. McIlrath explained the action of tabling an item was generally used
33 to allow more time to gather additional information. Chair Jugler asked if staff could ask the
34 City's consultant to prioritize its review of the step back requirement. Mr. McIlrath assured the
35 Commission and applicant the consultant would be asked to review the requirement along with
36 other priorities.

37
38 Commissioner Uccardi asked if the Town Residential (TR) zone was strictly residential use. Mr.
39 McIlrath explained the TR zone did not require mixed-use, but it was allowed. Chair Jugler asked
40 if there would be additional public interaction during the upcoming review of the FBC. He
41 suggested reaching out to the development community specifically. Mr. McIlrath explained the
42 consultant intended to reach out to the development community to get more feedback, but there
43 would be no more public open houses.

44
45 Commissioner Uccardi expressed his opinion that the developer's assertion that step backs were

1 meant for buildings with mixed-use rather than those with residential only use should be further
2 studied by the City. He continued the City needed to be able to defend whatever decision it made
3 on step backs should the conversation come up with developers in the future on even taller
4 buildings. Commissioner Jones agreed. There was a discussion about the implications and time
5 frames associated with tabling the decision until the consultant was finished with a review of the
6 FBC. Mr. McIlrath explained the options available to the Commission in making a
7 recommendation to the City Council.

8
9 Commissioner Jones expressed her desire to preserve the integrity of the Form Based Code.
10 Commissioner Uccardi agreed.

11
12 **Commissioner Jones moved to recommend denial of ZTA 1902-0002 to the City Council,**
13 **seconded by Commissioner Uccardi.** Commissioner Jugler asked what the procedures would
14 be should there be a tie vote on the action. Mr. McIlrath explained the motion would fail if the
15 vote were not unanimous since there were only four commissioners in attendance. **The motion**
16 **failed on the following vote: Voting AYE: Chair Jugler, Commissioners Jones and Uccardi.**
17 **Voting NO – Commissioner Browning.** Spencer Brimley, Community Development Director,
18 informed the Commission that it was important to articulate the reasons for a recommendation of
19 denial or tabling.

20
21 There was a discussion about the need for further study on the step back issue as it applied to the
22 entire FBC, including residential only buildings and/or mixed-use buildings. Staff reminded the
23 Commission that the applicant's request was specific to the step back requirements in Section 5.4
24 – Multi-family Residential Buildings, Footnote 3. Chair Jugler asked if the applicant could
25 submit the amendment again in the future if the Commission denied the request. Mr. McIlrath
26 explained the applicant would have a one-year waiting period to submit the same request again.
27 Mr. Brimley explained the Commission could recommend denial or approval to the City Council
28 or add additional language that it felt was appropriate to the request. He stated the City Council
29 was the designated land use authority on zoning text amendments.

30
31 Brie Brass, Deputy City Attorney, referred to the discussion during the work session earlier in the
32 evening wherein a development agreement was suggested as a way for the developer to be
33 granted an exception to the step back requirement. She explained the Commission needed to act
34 on the request for a zoning text amendment that was before them because the developer had not
35 requested a development agreement allowing for an exception to the FBC. She indicated if the
36 Commission chose to table the issue it would need to articulate what additional information was
37 needed from the developer before a decision could be made.

38
39 Commissioner Uccardi reiterated his concern about a complete analysis of the step back
40 requirement. He expressed his concern regarding the work done by the original consultants in
41 helping the City create its FBC. He commented that at some point the land use authority needed
42 to articulate what it wanted to see and then stick to those requirements. He suggested it was
43 important to communicate the need for the City to determine the specifics associated with the step
44 back requirement during its current review and update to the FBC if a recommendation of denial
45 was forwarded to the City Council. Commissioner Jones commented her motion to deny the

request was not because she did not like step backs but rather recognized there should be further study of the issue.

Commissioner Uccardi moved to recommend denial of ZTA 1902-0002 to the City Council based on the fact that the City hired a consultant to review and update the entire FBC, which should be completed by the end of June 2019, and asked for further study on the step back requirement and its impact to the entire FBC, seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Chair Jugler, Commissioners Browning, Jones, and Uccardi. Voting NO: None.

DISCUSSION AND ACTION ON FSP 1901-0007, AN AMENDED SUBDIVISION PLAT REQUEST BY BRYCE THURGOOD AND JERRY PRESTON, TO AMEND LOT 102 OF THE MIDTOWN VILLAGE AT LEGEND HILLS SUBDIVISION TO CREATE AN ADDITIONAL LOT. LOCATION: 788 SOUTH 2000 EAST (TIN: 09-419-0102). PARCEL AREA: 8.079 ACRES. ZONING: D-R (DOWNTOWN REDEVELOPMENT).

Brad McIlrath, Senior Planner, provided the following background information on the request:

- The request was to amend Lot 102 of the existing subdivision and create Lots 201 and 202.
- Lot 201 would be the location for the Bravada 193 Apartments.
- Lot 202 would be the location for an office/commercial building.
- There would be an ingress/egress easement on Lot 202 in favor of Lot 201.

Commissioner Uccardi moved to recommend approval of the request to amend the Midtown Village at Legend Hills Subdivision Plat with the following conditions:

- 1) The plat and plans shall be revised to address Clearfield City engineering requirements with revisions noted in a response letter to obtain final approval.
- 2) The plat shall be revised to locate the ingress/egress easement to match the civil drawings with the access off University Park Boulevard.
- 3) The applicant is responsible for the placement or repair of deteriorated, damaged, or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter; sidewalk; landscaping park strip improvements; driveways; etc.
- 4) An escrow agreement shall be established for improvements outlined in City Code § 12-4-6 and will be subject to approval by the City Engineer and City Attorney. The escrow account shall be established and executed prior to any permits being issued for the properties or the plat being recorded.
- 5) The applicants shall execute a development agreement with the City as required by the D-R (Downtown Redevelopment) zone. The final signed and executed agreement shall be recorded in conjunction with the final subdivision plat and prior to the issuance of any building permits.

Seconded by Commissioner Jones. The motion carried upon the following vote: Voting AYE – Chair Jugler, Commissioners, Browning, Jones, and Uccardi. Voting NO – None.

DISCUSSION AND ACTION ON CUP 1901-0008, A CONDITIONAL USE PERMIT

REQUEST BY BRUCE THURGOOD AND JERRY PRESTON, TO CONSTRUCT A 328-UNIT MULTI-FAMILY DEVELOPMENT TO BE KNOWN AS BRAVADA 193 AT THE SUBJECT PROPERTY. LOCATION: 788 SOUTH 2000 EAST (TIN: 09-419-0102). PARCEL AREA: 8.079 ACRES. ZONING: D-R (DOWNTOWN REDEVELOPMENT).

Brad McIlrath, Senior Planner, explained the applicants requested a Conditional Use Permit to construct a 328-unit apartment development at approximately 788 South 2000 East. He reviewed the following:

- The request was for the first phase of a two phase development.
- The second phase would include the construction of an office building to the east of the apartments.
- The plan was to construct four buildings, five stories each.
- The property was zoned D-R which complied with the General Plan land use designation of mixed-use.
- A development agreement was required to address site design, development timing, unit counts, parking and access, and other items deemed necessary by the City.

Commissioner Jones asked if residents would be driving through undeveloped property if the apartments were developed as the first phase. Mr. McIlrath responded the parking lot and ingress and egress were required to be developed. He also stated the timing of the development for both lots would be addressed in the development agreement. Commissioner Uccardi asked who owned University Park Boulevard. Mr. McIlrath explained the street was owned by Clearfield and Layton. He expressed a need to address the impact of the residential component for traffic and pedestrian safety on University Park Boulevard. He encouraged planning for pedestrian access in the area.

Commissioner Jones moved to approve the Conditional Use Permit (CUP) to construct a 328-unit multi-family development, to be known as Bravada 193, at approximately 788 South 2000 East based on the findings and discussions in the Staff Report with the following conditions:

- 1) A development agreement shall be approved that addresses the site design, development timing, unit counts, parking and access, and other items as deemed necessary by the City to ensure that the development contributes to the health, safety, and general welfare of the community.**
- 2) Site development signage shall be reviewed by the City and, if needed, addressed in the development agreement for the residential project.**
- 3) The landscaping and irrigation plans shall be submitted for review and final land use approval prior to the submittal of a building permit. The applicant shall post a cash bond or escrow account for 125 percent of a landscaping company's estimate for the landscaping improvements prior to the certificate of occupancy for any building.**
- 4) All site lighting shall comply with the standards outlined in Sections 11-13-17 and 11-18-4E of the Clearfield City Land Use Ordinance for design and shielding. Revised plans shall be submitted and approved that comply with those standards.**

- 5) The five foot (5') wide pedestrian accesses shall be constructed of a different material than the surrounding asphalt or concrete. Plans shall be revised to indicate the different material used.
- 6) There shall be complete conformity with the currently adopted building code, fire code, plumbing code, mechanical code, national electrical code, and Davis County and State health codes, and to all State and City ordinances.
- 7) The project shall comply with all North Davis Fire District requirements.
- 8) The project shall comply with all City Engineer requirements.
- 9) The project shall provide the necessary infrastructure improvements for water, sewer, and storm water management.
- 10) UDOT access approval shall be provided to the City prior to the issuance of final land use and engineering approval.
- 11) The project shall comply with all requirements of the D-R zone for timing unless otherwise authorized by the development agreement.

Seconded by Commissioner Browning. The motion carried upon the following vote: Voting AYE – Chair Jugler, Commissioners Browning, Jones, and Uccardi. Voting NO – None.

DISCUSSION AND ACTION ON FSP 1902-0005, A FINAL SUBDIVISION REQUEST BY RICK SCADDEN FOR A 16-UNIT TOWNHOME SUBDIVISION (LANDON'S CORNER TOWNHOMES) AT THE SUBJECT PROPERTIES. LOCATION: 357 AND 343 WEST 300 NORTH (TIN: 12-020-0087 & 12-020-0155). AGGREGATE PARCEL AREA: 1.03 ACRES. ZONING: R-3 (RESIDENTIAL).

Brad McIlrath, Senior Planner, explained Landon's Corner Townhome Subdivision was located south of the 300 North viaduct and west of the Union Pacific Railway corridor. He reviewed the following:

- The development would be a 16-unit townhome residential subdivision.
- There would be two (2) private access driveways to the individual garages of the units and visitor parking.
- Each building complied with the minimum setback standards of the R-3 zone with the exception of the building with units nine through twelve (9-12), which would be modified for compliance.

Chair Jugler moved to recommend approval of FSP 1902-0005, to the City Council for a final subdivision request by Rick Scadden for a 16-unit townhome subdivision (Landon's Corner Townhomes) located at approximately 357 and 343 West 300 North based on the findings and discussions in the Staff Report with the following conditions:

- 1) Plans shall be revised to address Clearfield City engineering requirements prior to approval of the final plat and improvement plans.
- 2) The Covenants, Conditions, and Restrictions (CC&Rs) for the future Home

Owners Association (HOA) shall be revised to address the comments in the staff report and those of the City Attorney's office.

3) The plat shall be modified to comply with all setback standards of the R-3 zone.

4) The applicant shall obtain site plan approval for the project and provide the needed pedestrian connections for the townhomes and comply with all other development standards of the R-3 zone.

5) The project shall comply with all applicable supplementary standards outlined in Chapters 13 and 18 of the Clearfield City Land Use Ordinance.

6) The applicant shall obtain North Davis Fire District approval for the project and comply with the requirements of the Deputy Fire Marshal as outlined in the attached review letter. Final approval shall be provided to the City prior to the issuance of any permit.

7) The applicant is responsible for the replacement or repair of deteriorated, damaged, or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter; sidewalk; landscaping park strip improvements; driveways; etc.

8) An escrow agreement shall be established for improvements outlined in City Code § 12-4-6 and will be subject to approval by the City Engineer and City Attorney. The escrow account shall be established and executed prior to any permits being issued of the properties or the plat being recorded.

Seconded by Commissioner Uccardi. The motion carried upon the following vote: Voting AYE – Chair Jugler, Commissioners Browning, Jones, and Uccardi. Voting NO – None.

STAFF DISCUSSION

No further discussion from staff.

PLANNING COMMISSIONERS' MINUTE

Commissioner Uccardi – Nothing

Commissioner Browning asked for a copy of the bylaws. Brad McIlrath, Senior Planner, said he could provide a copy. Commissioner Browning also asked for a map of the streets at the Clearfield Station Apartments.

Commissioner Jones announced she was under contract for her home and would soon own two homes in Clearfield.

Chair Jugler – Thanked the members of the Planning Commission and staff for their participation in the discussion during the meeting. He asked when the City Council would consider the zoning text amendment discussed during the meeting. Spencer Brimley, Community Development Director, informed the Commission that the item was scheduled for consideration by the City Council on April 9, 2019.

1 Youth Ambassador Bush – Nothing
2
3

4 There being no further business to come before the Planning Commission, **Commissioner Jones**
5 **moved to adjourn at 8:35 P.M. Seconded by Commissioner Uccardi. All voting AYE.**
6
7
8



Planning Commission

STAFF REPORT

AGENDA ITEM
#1

TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, August 7th, 2019

SUBJECT: Discussion and Possible Action on **CUP 1906-0013**, a conditional use permit request by Stanley M. Gil for an auto repair business at the subject property. **Location:** 325 W. Antelope Drive #7 & #8 (TIN: 12-937-0002). **Parcel Area:** 0.70 Acres. **Zone:** C-2 (Commercial). **Planner:** Brad McIlrath (**Administrative Action**).

RECOMMENDATION

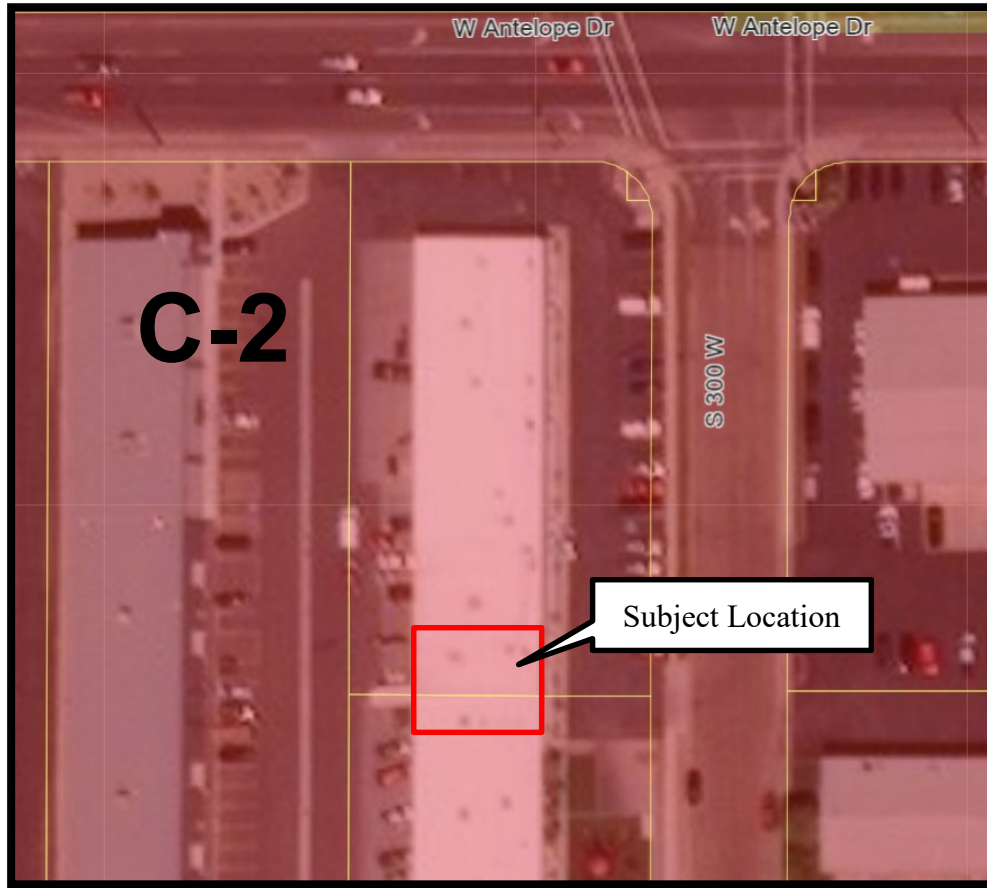
Staff recommends that the Planning Commission **approve as conditioned, CUP 1906-0013**, a conditional use permit request by Stanley M. Gil for an auto repair business to be located at the property addressed 325 W. Antelope Drive #7 & #8 (TIN: 12-937-0002). This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	El Chamo Auto Repair
Site Location	325 W. Antelope Drive #7 & #8
Tax ID Number	12-937-0002
Applicant	Stanley M. Gill
Owner	Blake M. Hart
Proposed Actions	Conditional Use Permit Approval
Current Zoning	C-2 (Commercial)
Land Use Classification	Commercial
Gross Site	0.70 Acres

Surrounding Properties and Uses:		Current Zoning District	General Plan Land Use Classification
North	Motorcycle Business	C-2 (Commercial)	Commercial
East	Pest Control	C-2 (Commercial)	Commercial
South	Child Care Facility	C-2 (Commercial)	Commercial
West	Pawn Shop	C-2 (Commercial)	Commercial

Aerial Image & Zoning



BACKGROUND

This business was previously granted approval for unit #7 as an emissions and inspections use in 2014. The owner is requesting approval to add unit #8 to the business and to include auto repairs in addition to the emissions and inspections.

Site Access and Parking (Chapters 11-14 & 11-18)

Chapter 11-14 “Off Street Parking and Loading” and 11-18 “Design Standards” outline the development standards for site access and parking for properties located in the C-2 Zone. Access is provided to this property from Antelope Drive and 300 West. Based upon the previous approval and the expansion to unit #8, a minimum of four (4) parking spaces will need to be marked for El Chamo and will need to meet the minimum dimensions of City Code. The parking spaces must be a minimum of nine feet (9') wide and twenty feet (20') deep.

Outdoor Storage and Appearance

Based upon the previous approval, no outdoor storage is permitted. This includes any materials, automobiles, or automobile parts. Automobiles that are on site for repair are not allowed to occupy the parking spaces for the business and must be stored inside. Additionally, the site is required to be maintained in a neat and orderly manner and have no abandoned or leaking automotive parts except in a closed container for disposal.

Dumpster Enclosures (Sections 11-11B-12B & 11-18-4C 2)

The proposed plans show a dumpster located inside of the building. If the dumpster for this business is located outside it will need to be screened so the dumpster cannot be seen by the public right-of-way. The enclosure must be constructed out of materials that match the building material or approved masonry enclosure.

PUBLIC COMMENT

A public notice was placed on the property on July 29th, 2019. No public comments have been received to date.

CITY DEPARTMENT / AGENCY REVIEW

The plans were sent to the North Davis Sewer District, North Davis Fire District, City Engineer, and related Public Works staff on July 16, 2019. Comments have been provided by the North Davis Fire District as outlined on the attached review letter. Comments from the Building Official have also been provided. Comments provided by these representatives are included as conditions of approval at the end of this report.

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
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.		
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: 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;	The applicant is responsible to address any detrimental impacts of the development. With conditions to address storage, display, and parking the proposed use will be equivalent to a permitted use.

	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.	
2)	<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.	The development will be required to comply with ordinance standards as outlined in this report and associated agency/department review letters/comments. The burden to meet all the conditions will be on the applicant.
3)	<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.	The proposed use does not limit the effectiveness of land use controls or the success of the General Plan. With conditions, the proposed use is not anticipated to promote blight or injure property values, but will contribute to the area. Conditions of approval are proposed to mitigate impacts of the proposed use and promote property investment and improvement.

CONDITIONS OF APPROVAL

The following conditions of approval shall be addressed by the applicant and shown on a set of revised plans prior to issuance of final land use approval unless otherwise noted.

- 1) The conditional use permit is for auto repair to be conducted in units #7 & #8 for the property at 325 W. Antelope Drive.
- 2) No outdoor storage is permitted. This includes, but is not limited to, such items as materials, automobiles, automobile parts or the like.
- 3) A minimum of four striped parking stalls shall be provided for the business and marked as parking for El Chamo. These spaces are to be used for customer and employee parking only and shall not be used for the storage of automobiles that are receiving work. The parking stalls shall have the minimum dimensions of nine feet (9') wide by twenty feet (20') deep.

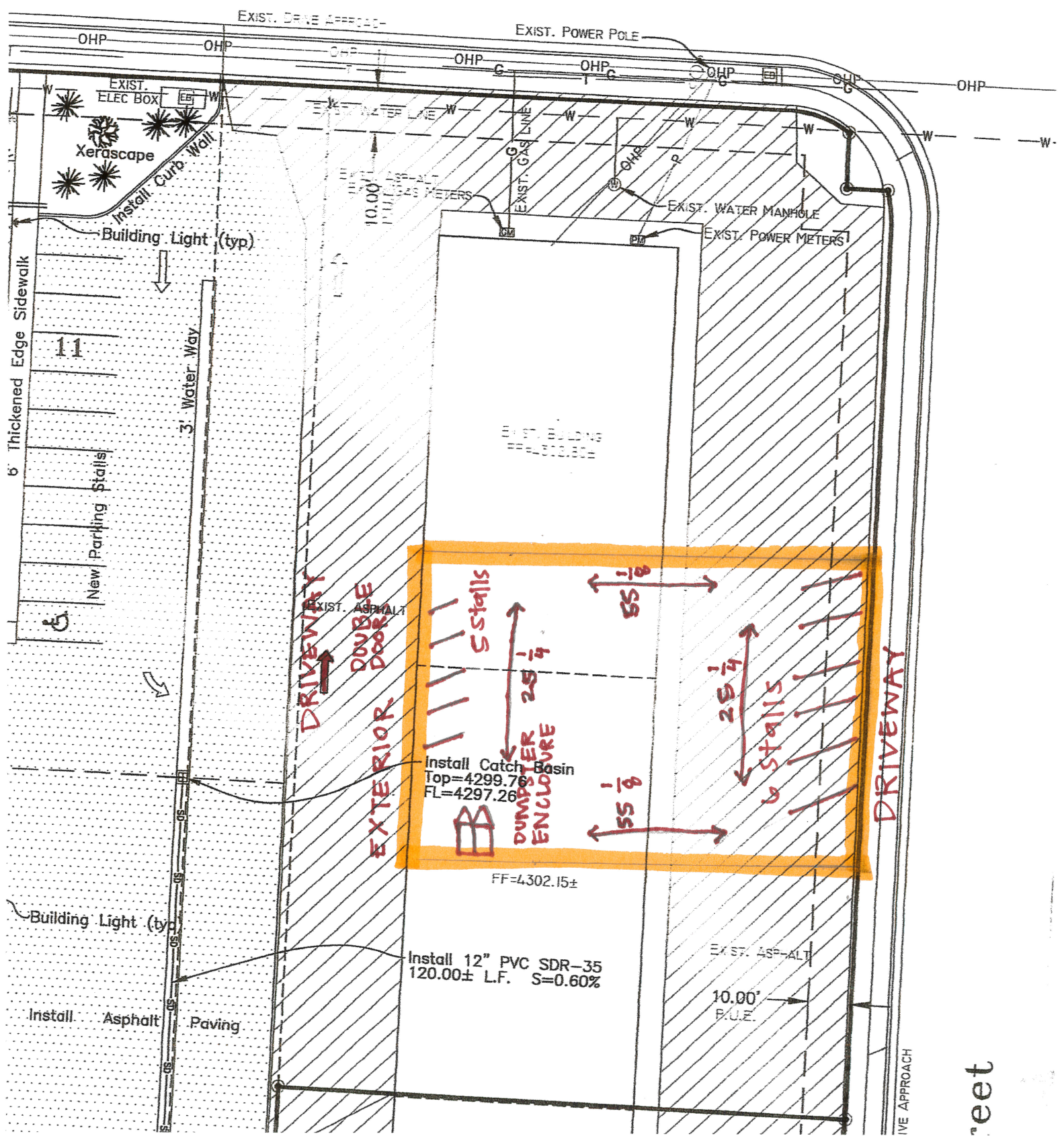
- 4) The site shall be maintained in a neat and orderly manner and have no abandoned or leaking automotive parts except in a closed container for disposal located inside the units.
- 5) There shall be no overflow parking offsite.
- 6) The business shall comply with all North Davis Fire District requirements as outlined in the attached review letter.
- 7) The project shall comply with all building code requirements which include but are not limited to:
 - a. The bathroom shall be ADA compliant.
 - b. Plans must be submitted for review there are any changes to the building. The changes shall be inspected for code compliance.
- 8) The applicant shall obtain a Clearfield City Business License and pay all applicable licensing fees.

ATTACHMENTS

1. Site Plan
2. Floor Plan
3. NDFD Review Letter dated 30 July 2019

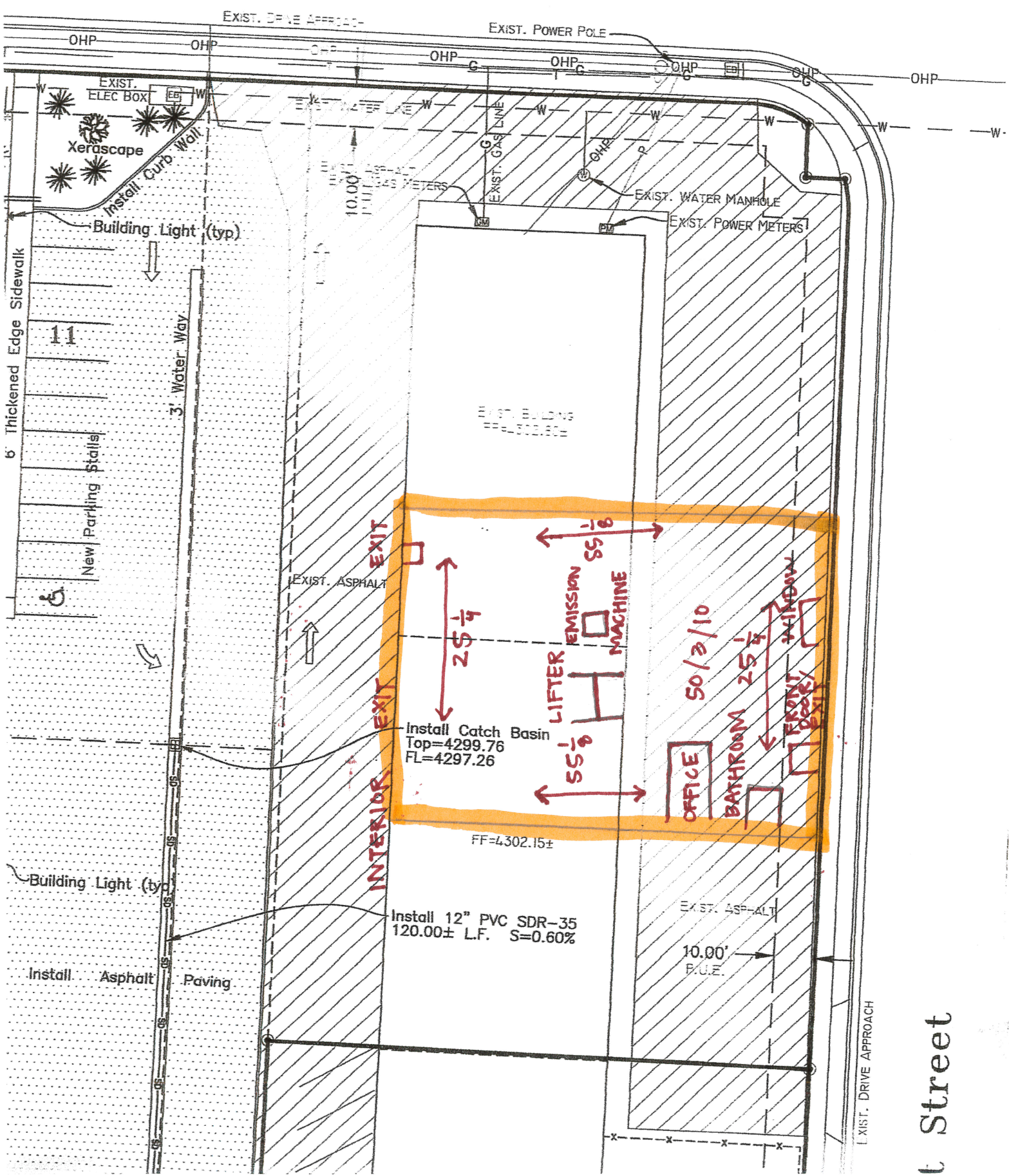
- SR108

POWER POLE



Sheet

T. POWER POLE





*From the Desk of
Deputy Chief John Taylor*
NORTH DAVIS FIRE DISTRICT
381 NORTH 3150 WEST
OFFICE: (801) 525-2850
FAX: (801) 525-6935
EMAIL: JTAYLOR@NOFIRES.ORG

TO: Brad McIlrath/ Clearfield City Planner
Stanley Gil/ Applicant

FROM: John Taylor / Fire Marshal

RE: El Chamo Auto Repair

DATE: July 30, 2019

I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns.

1. Section 313 of the International Fire Code allows for repairs of vehicles within a structure as long as the building or space meets the requirements of the International Building code. If the Clearfield City Building Official approves the space as meeting the IBC requirements then I have no concerns for this application approval.
2. While vehicles are within the building they may not be fueled or defueled, and the fuel tank openings must remain closed and sealed.
3. The auto shop area must have two, 5lb 2A:10BC fire extinguishers with current inspection tags.
4. A fire department inspection is required of the location for final approval.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.



Planning Commission

STAFF REPORT

AGENDA ITEM
#2

TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, August 7th, 2019

SUBJECT: Discussion and Possible Action on **CUP 1907-0001**, a conditional use permit request by Chase J. Holbrook for a motorcycle sales business at the subject property. **Location:** 22 West 650 North (TIN: 14-071-0036). **Parcel Area:** 0.48 Acres. **Zone:** C-2 (Commercial). **Planner:** Brad McIlrath (**Administrative Action**).

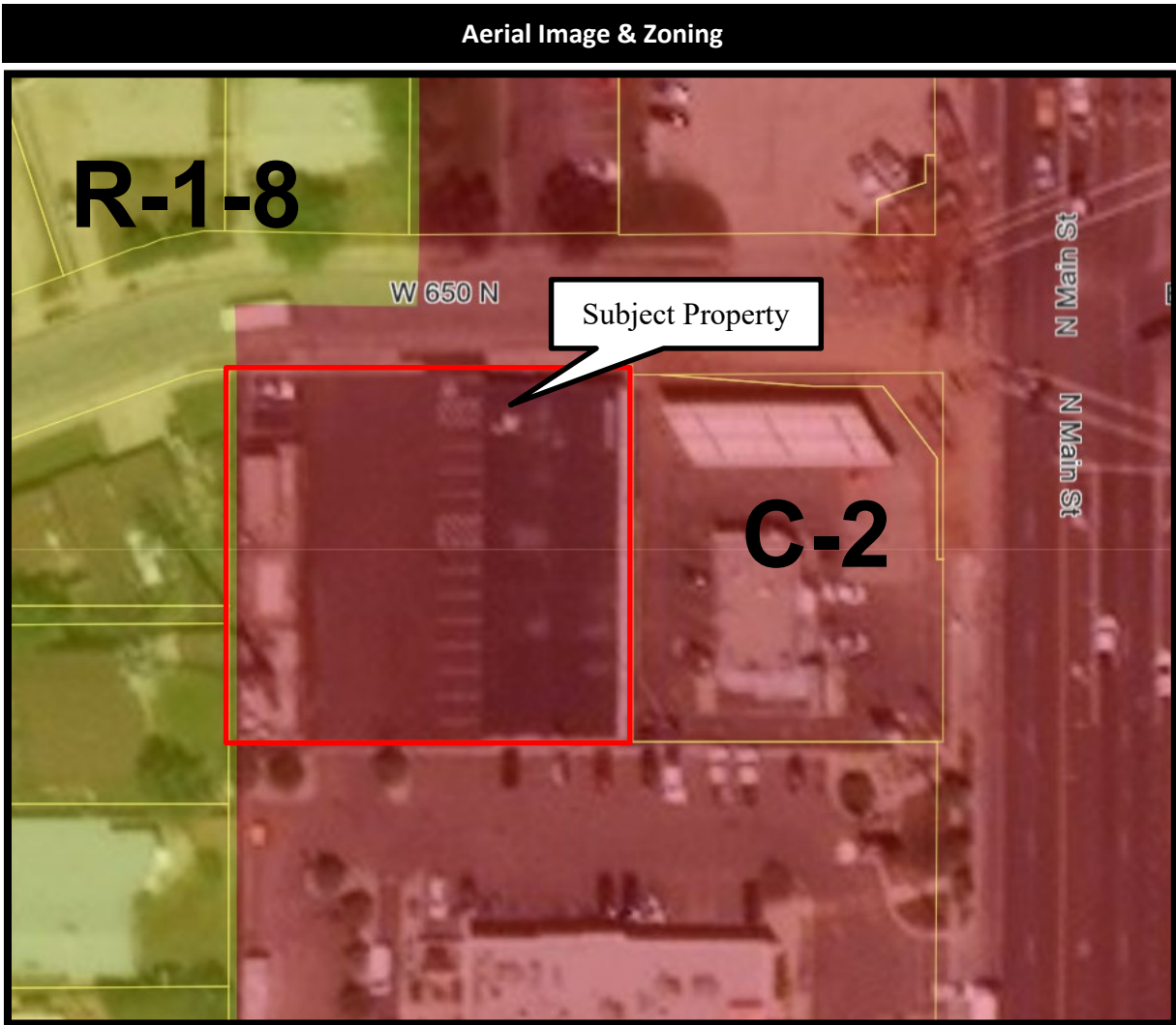
RECOMMENDATION

Staff recommends that the Planning Commission **approve as conditioned, CUP 1907-0001**, a conditional use permit request by Chase J. Holbrook for a motorcycle sales business to be located at the property addressed 22 West 650 North (TIN: 14-071-0036). This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Auto Realm Motorcycle Sales
Site Location	22 West 650 North
Tax ID Number	14-071-0036
Applicant	Chase J. Holbrook
Owner	Gordon L. Holbrook
Proposed Actions	Conditional Use Permit Approval
Current Zoning	C-2 (Commercial)
Land Use Classification	Commercial
Gross Site	0.48 Acres

Surrounding Properties and Uses:		Current Zoning District	General Plan Land Use Classification
North	Auto Glass Repair / Restaurant	C-2 (Commercial)	Commercial
East	Gas Station	C-2 (Commercial)	Commercial
South	Fast Food Restaurant	C-2 (Commercial)	Commercial
West	Residential Single-Family	R-1-8 (Residential)	Residential



BACKGROUND

Chase J. Holbrook is requesting conditional use permit approval to operate a motorcycle sales business in a portion of the building located on the property at 22 West 650 North. The principal use of the building is for Gordon's CopyPrint. The building includes available storage area and an office space that Mr. Holbrook can use for the motorcycle business. The proposed business would operate by appointment only and would not require nor allow the display of vehicles outside. To provide security for the motorcycle inventory, Mr. Holbrook plans to store all of the sales inventory inside the building and will only take out any bike for observation by prospective buyers. As shown on the proposed site plan the Auto Realm office has an area of 150 square feet and Mr. Holbrook intends to have a maximum of ten (10) motorcycles stored at this location.

Site Access and Parking (Chapters 11-14 & 11-18)

Chapter 11-14 "Off Street Parking and Loading" and 11-18 "Design Standards" outline the development standards for site access and parking for properties located in the C-2 Zone. Vehicle and pedestrian access is provided directly from 650 North. Based upon the nature of this type of use, very little parking spaces are needed for customers. Based upon the parking standard for "less intensive commercial businesses," 1.5 parking spaces are required for every 1,000 square feet of net floor area. Based on the nature of this

business and the existing business staff determines that sufficient parking will be provided for each use. The ADA parking space complies with applicable standards but will need to be provided with a sign at the head of the stall to meet full ADA compliance.

Site Landscaping and Open Space (Sections 11-11B-12A, 11-13-23, 11-14-5F, & 11-18-4D)

The property was developed under previous zoning and landscaping standards and is nonconforming to the current ordinance regulations. With review of federal case law for conditions that can be required, it is important that all conditions have an essential nexus and are roughly proportionate to the impact that is being imposed. With storage of all vehicles required to be inside and with limited customers based upon appointment, the proposed use is estimated to have a minimal impact to the site and area.

With that said, it is important to maintain existing landscaping in an appropriate manner. The property includes very little landscaping with weeds and groundcover along the west property line. As part of this conditional use permit approval, staff recommends that the west landscaping be improved to remove the weeds and provide landscaping that will contribute to the commercial property. There are areas along the 650 North frontage that have included asphalt and concrete that could be replaced with landscaping and would improve the visual and aesthetic appeal of this commercial property, but are likely beyond the rough proportionality outlined by case law.

Dumpster Enclosures (Sections 11-11B-12B & 11-18-4C 2)

The proposed site does not appear to include a dumpster. If one is to be used for either business, the dumpster will need to be located in an enclosure that is constructed of materials and designed to match the building.

PUBLIC COMMENT

A public notice was placed on the property on July 29th, 2019. No public comments have been received to date.

CITY DEPARTMENT / AGENCY REVIEW

The plans were sent to the North Davis Sewer District, North Davis Fire District, City Engineer, and related Public Works staff on July 16, 2019. Comments have been provided by the North Davis Fire District as outlined on the attached review letter. Comments from the Building official have also been provided. Comments provided by these representatives are included as conditions of approval at the end of this report.

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2)	<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.	The development will be required to comply with ordinance standards as outlined in this report and associated agency/department review letters/comments. The burden to meet all the conditions will be on the applicant.
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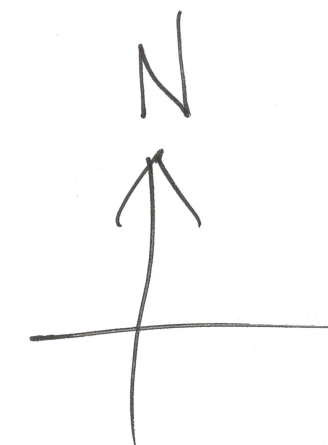
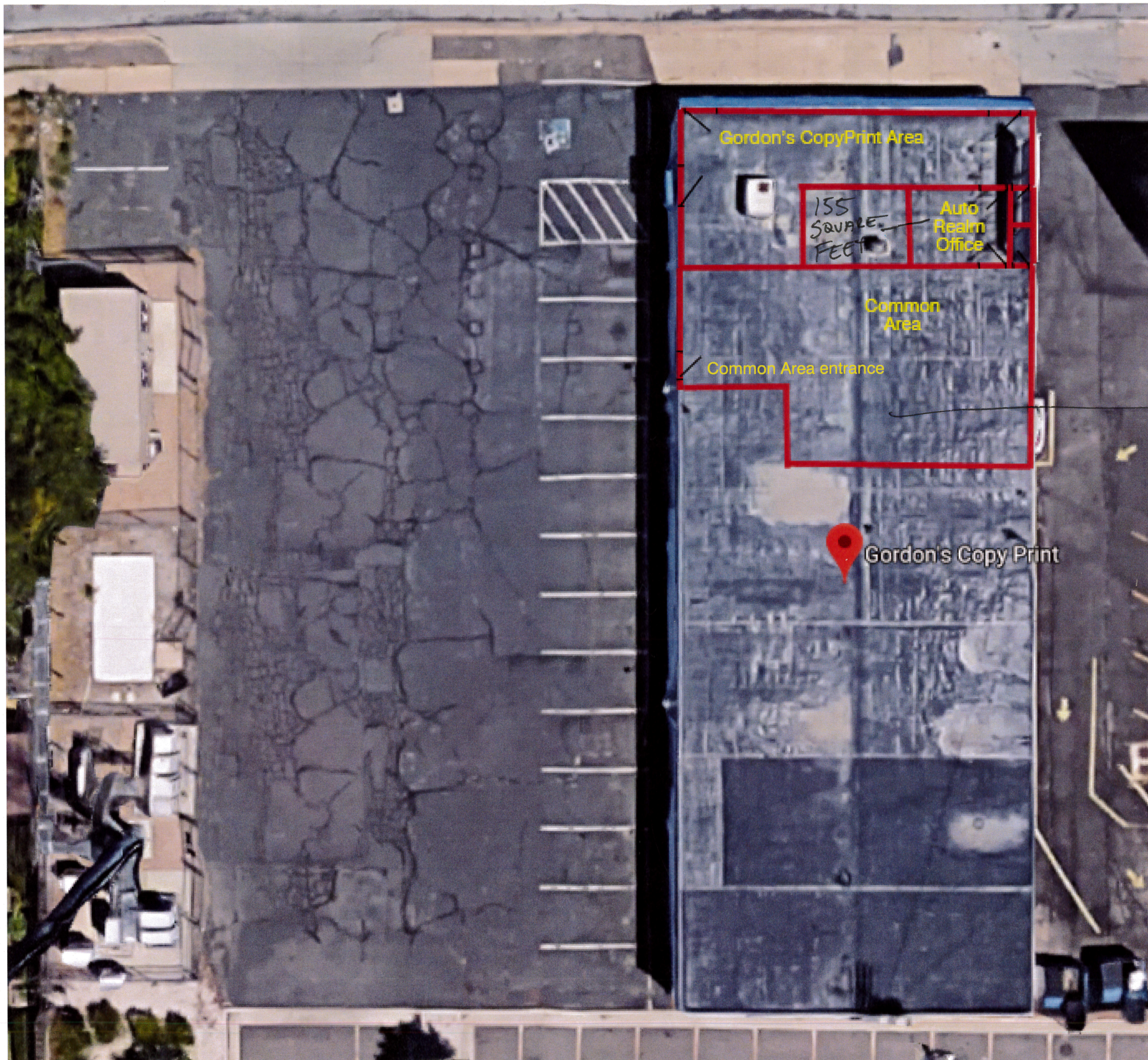
CONDITIONS OF APPROVAL

The following conditions of approval shall be addressed by the applicant and shown on a set of revised plans prior to issuance of final land use approval unless otherwise noted.

- 1) The business shall be limited to a maximum of ten (10) motorcycles for sale at this location.
- 2) All vehicles for sale shall be stored inside the building and not displayed outside or occupy any parking spaces.
- 3) The ADA parking space shall be provided with a sign at the head of the space to meet ADA standards.
- 4) The project shall comply with all applicable fire code standards and obtain North Davis Fire District approval prior to the issuance of final Land Use Approval.
- 5) The business shall comply with all building code standards for this type of use.
- 6) The applicant shall obtain a Clearfield City Business License prior to the commencement of business operations at this site.

ATTACHMENTS

1. Site Plan / Floor Plan
2. NDFD Review Letter dated 30 July 2019



MOTORCYCLE
STORAGE
AREA

MAX
10



*From the Desk of
Deputy Chief John Taylor*
NORTH DAVIS FIRE DISTRICT
381 NORTH 3150 WEST
OFFICE: (801) 525-2850
FAX: (801) 525-6935
EMAIL: JTAYLOR@NOFIRES.ORG

TO: Brad McIlrath / Clearfield City Planner
Chase Holbrook / Applicant

FROM: John Taylor / Fire Marshal

RE: Auto Realm Motorcycle Sales

DATE: July 30, 2019

I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns.

1. The 2018 International Fire Code allows for indoor displays of motorized vehicles for the intent of sales as long as the fuel tanks do not exceed one quarter tank; tank and tank fill openings are closed and sealed; batteries are disconnected; and vehicles are not fueled or defueled within the building.
2. A fire inspection of the building is required before final approval of conditional use permit.
3. A 5lb 2A:10BC extinguisher is required in the area of vehicle storage and display.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.



APA-UT FALL 2019 CONFERENCE | OCT 3 - 4 | VIRIDIAN EVENT CENTER - WEST JORDAN, UTAH

2019 REGISTRATION FEES

CONFERENCE REGISTRATION		EARLY before July 29, 2019	STANDARD until Sept. 27, 2019
FULL	Professional Planner (Member, Utah Chapter APA)	☐ \$260.00	☐ \$285.00
	Professional Planner (Non-Member, Utah Chapter APA)	☐ \$285.00	☐ \$295.00
	Citizen Planner / Full-Time Student / FAICP / Retired / Elected / Support Staff	☐ \$115.00	☐ \$115.00
ONE-DAY	Member and Non-Member, Utah Chapter APA	☐ \$175.00	☐ \$175.00
	Citizen Planner / Full-Time Student / FAICP / Retired / Elected / Support Staff	☐ \$95.00	☐ \$95.00
GROUP	Full conference registration for three or more from one local government organization: Citizen Planner / Full-Time Student / FAICP / Retired / Elected / Support Staff ONLY	☐ \$250.00 (group)	☐ \$250.00 (group)

Name Tag Info

Name _____

Organization _____

Title _____

AICP

☐

FAICP

☐

Register Online:

www.apautah.org

To pay your registration fee by check, please mail your payment and completed registration form to:

UT APA Chapter, P.O. Box 1264, American Fork, UT 84003

*Registration will not be accepted without payments. Refund requests must be made in writing at least 2 weeks prior to the conference.

A \$10.00 processing fee will be deducted from all refunds. Questions may be sent to admin@apautah.org or call 801-450-2659.

Receipts are available upon request.

THURSDAY, OCT 3, 2019

BETTER COM- MUNITIES		PROFESSION- AL DEV.		BIG PICTURE		NATURAL HAZARDS		MOBILE WORKSHOPS			
REGISTRATION											
WELCOME KEYNOTE BY WEST JORDAN AND CHAPTER PRESIDENT											
KEYNOTE: SITE DESIGN STUDIO											
BREAK											
Site Design Studio Training		What's in a Name? The Power of the Spoken Word		Westside Story		Landslides		DayBreak			
BREAK											
Challenges Facing Gateway Communities		Equity in Planning & Policy Panel		Planning for Growth - How do Utilities, School Districts, Services Plan		Living with Wildlife					
LUNCH SESSION: AWARDS											
Awards in Depth		Persuasion Through Evidence-Based Discussions		The Water and Land Use Connection		Floods, Flood Mapping, and the NFIP		Exploring the Jordan River			
BREAK											
Improving Written Communications		Conflict Resolution Skills Training Part 1		Inland Port Envision Utah		Buiding Resiliency through Hazard Mitigation					
BREAK											
Census 2020		Conflict Resolution Skills Training Part 2		Air Quality		Disaster Recovery in a Planners World					

FRIDAY, OCT 4, 2019

TRANSPOR- TATION		LEGAL / ETHICS		HOUSING		CITIZEN PLANNER		MOBILE WORKSHOPS	
REGISTRATION									
WELCOME KEYNOTE: RETROFITTING SUBURBIA									
NETWORKING + BREAK									
Bridging the Gap: UDOT's Corridor Planning Process		Bonding for Public Improvements		Retrofitting Suburbia - Keynote Q & A		Engineering 101		Vernacular Architecture Tour	
BREAK									
Provo Orem TRIP (BRT)/ UVX Keys to Success		SB 34 - Affordable Housing		Housing - The Developer's Perspective		Referendum			
LUNCH: 90 MILES MOVIE / AICP EXAM PREP									
Transportation Issues		Legal Catch All: Development Agreements Gravel Pits		Wasatch Choice 2050		Economic Development			
BREAK									
Planning and Airports		Ethics (3:05 - 4:35)		Aging in Place - Life Cycle Housing		ADUs		Walking Through History @ Gardner Village	
BREAK									
Retired Planners - Where are They Now?				Incremental Development		Yurts, Storage Containers, Small Lots, & Tiny Homes			

APA-UT FALL 2019: PLANNING YOUR VISIT

CONFERENCE HOST HOTELS (Ask for APAUT Conference Rate*)

HAMPTON INN & SUITES

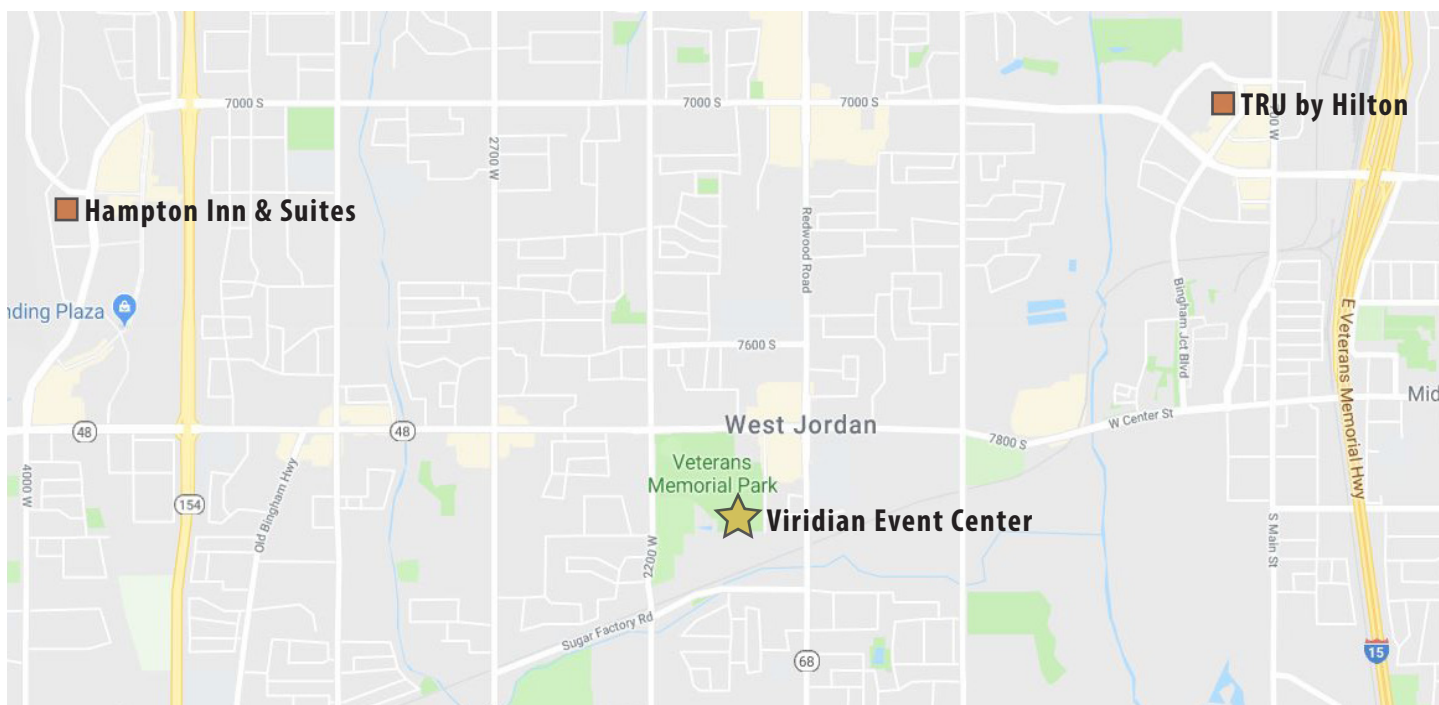
3293 W Center Park Dr,
West Jordan, UT 84084
(801) 280-7300

TRU BY HILTON

7148 Bingham Junction Blvd,
Midvale, UT 84047
(385) 557-5880 - \$89/night Conference Rate

* Call and book your rooms early. Rates are guaranteed until September 1st. Note that the “government rate” might be better than the conference rate.

DIRECTIONS



Viridian Event Center - 8030 S 1825 W, West Jordan, UT 84088

FROM THE NORTH

- From I-215 southbound
- Take exit 13 for Redwood Rd/UT-68
- Continue south on Redwood Rd and turn right onto 8020 S/Rosa Parks Dr
- Continue straight through the traffic circle, turn left onto 1825 W, and then right on Viridian Rd

FROM THE SOUTH

- From I-15 northbound
- Take exit 295 for UT-209/9000 S
- Turn slightly left onto UT-209 W/9000 S
- Turn right onto Redwood Rd and left onto 8020 S/ Rosa Parks Dr
- Continue straight through the traffic circle, turn left onto 1825 W, and then right on Viridian Rd