



2267 N 1500 W
Clinton UT 84015

Planning Commission Members

Chair – Dan Evans
Vice Chair – Dereck Bauer
Mark Gregersen
Dan Evans
Jolene Cressall
Ed Olson
Tony Thompson

Date of Meeting	September 19, 2023	Call to Order	7:02 p.m.
Staff Present	Community Development Director Peter Matson and Keaton Jones		
Attendees	Matt McWhirter, Colten & Eryn Harris, Ronald Perry, Arverd Taylor, Brad Deveraux, Marie Dougherty, Jeramie Humphries		
Prayer or Thought	Commissioner Cressall		
Pledge	Commissioner Gregersen		
Roll Call/Attendance	Present were: Dereck Bauer, Jolene Cressall, Mark Gregersen, Tony Thompson and Dan Evans Ed Olson was excused		
Declaration of Conflicts	There were none.		
Public Comment	Arverd Taylor expressed an opinion regarding allowing the development of town homes in Clinton; one that the City should require one parking space for each bedroom per unit plus for visitors in addition to considering the percentage of open space vs. asphalt coverage.		
1. PUBLIC HEARING: REVIEW AND ACTION ON A REZONING REQUEST BY COLTEN HARRIS OF APPROXIMATELY 0.42 ACRES LOCATED AT 2936 WEST 1800 NORTH (PARCEL NO. 14-018-0027) FROM THE R-1-10 (SINGLE FAMILY RESIDENTIAL) ZONE TO THE R-1-9 (SINGLE FAMILY RESIDENTIAL) ZONE			
Petitioner	Colten and Eryn Harris, Property Owners Submitted by: Keaton Jones, Community Development		
Discussion	<p>Mr. Matson reviewed the following information included in the staff report:</p> <p>The rezoning request consists of one parcel on approximately 0.42 acres located at 2936 West 1800 North (Parcel No. 14-018-0027). The subject property includes a single-family home situated on the eastern side of the property that fronts on 1800 North.</p> <p>The rezoning from the R-1-10 zone to the R-1-9 zone will accommodate future development of a minor subdivision that will include two lots – the eastern portion with the existing single-family home and a new building lot also fronting on 1800 North on the western portion of the property. The western portion includes +/-60 feet of frontage, which is the minimum required in the proposed R-1-9 zone. R-1-9 minimum lot size and setback standards for both proposed lots can be accommodated given the overall lot area of the subject property.</p> <p>The rezone request is consistent with the General Plan Land Use Map (see map attached to the staff report) recommendation for R-1-9 zoning and single-family subdivisions in the area have developed in the same</p>		

	<p>manner. A similar rezone request was approved in November 2022 on a property just a few doors east of the subject property.</p> <p>Mr. Matson added that there is an existing circular drive that can be modified to allow both lots to enter on to 1800 N in a forward movement to alleviate the concern of backing on to 1800 N.</p> <p>Commissioner Gregersen asked for clarification that this meets code requirements.</p> <p>Mr. Matson confirmed it does meet the requirements.</p> <p>Commissioner Evans asked if UDOT would have any issues with entrance on to 1800 N.</p> <p>Mr. Matson responded the City Engineer has reviewed it and does not see an issue. There is already an existing access. State law will dictate how it will be recorded with the County. It will most likely be required to be recorded as a plat.</p> <p>Colten Harris stated 1800 N is the only access. He has consulted with UDOT and he will be able to modify the further west driveway. The intent is to build the same size home as the existing one.</p> <p>Commissioner Evans opened the public hearing at 7:17 p.m. and with no public comment, closed the public hearing.</p> <p>Commissioner Thompson suggested that an easement be placed between the connecting driveways to allow access onto 1800 N as a forward movement.</p>
<p>CONCLUSION</p>	<p><i>Commissioner Cressall moved to forward a recommendation on to the City Council to approve Ordinance 23-09Z the request from Colten and Eryn Harris for a rezoning of approximately 0.42 acres from the R-1-10 zone to the R-1-9 (single-family residential) zone located at 2936 West 1800 North (Parcel No. 14-018-0027). Commissioner Gregersen seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Thompson, aye and Commissioner Evans, aye.</i></p>
<p>2. REVIEW AND ACTION ON SITE PLAN APPROVAL FOR A SHERWIN WILLIAMS PAINT STORE AND OFFICE BUILDING ON APPROXIMATELY 0.96 ACRES LOCATED AT APPROXIMATELY 2118 NORTH 2000 WEST IN THE PZ (PERFORMANCE ZONE) ZONING DISTRICT (PARCEL NO. 14-001-0094).</p>	
<p>Petitioner</p>	<p>Matt McWhirter, McWhirter Realty Partners, LLC Submitted by: Peter Matson, Community Development</p>
<p>Discussion</p>	<ol style="list-style-type: none"> 1) The request consists of site plan approval for a 4,500 square foot Sherwin Williams Paint Store and a 3,000 square foot office building on 0.96 acres located on the east side of 2000 West at 2118 North. The development site is situated just north of the new medical office building under construction. The property is zoned PZ with retail sales and general office listed as permitted uses requiring site plan and design review and approval by the planning commission. 2) The Sherwin Williams store is situated on Lot 1, and the office building is on Lot 2, of the proposed two-lot 2000 West subdivision plat (see attached plat). Reciprocal easements between the two lots for vehicular, pedestrian and utility access have been submitted for review. This easement document is required with the plat and will be recorded once the plat is approved and before construction can begin. 3) The proposal is consistent with the development standards of the zoning ordinance. More specifically, the site plan meets the requirements of the PZ zone including adequate parking, site circulation, landscaping and architecture. 4) The 32 total parking stalls (including two ADA and one motorcycle stall) meet the minimum standards of the zone for the two buildings. The ordinance requires one parking space for each two hundred square feet of retail floor space (+/-2,200 sf) for the paint store and one space for

each two hundred square feet of floor area for the 3,000 square foot office building.

- 5) The applicant is still waiting for the photometric (lighting) plan to be completed for the Sherwin Williams portion of the site. The site plan can be approved subject to the lighting plan approval by staff prior to a pre-construction meeting for each building. Staff will ensure attached and pole lighting is contained on site. Particular attention will focus on attached and pole lighting associated with the office building given the close proximity of the neighborhood to the east.
- 6) Design review and approval is for the Sherwin Williams store only. Separate design review is required for the office building. The architecture and color scheme of the Sherwin Williams store is in keeping with the CBD design guidelines in Chapter 20 of the zoning code. The main building entrance is on the south elevation (see Site Plan Exhibit pages 4-5). The street side elevation is all brick (almond color) with windows matching those at the south elevation entrance. The top portions of both sets of windows are accented with aluminum awnings. The north and east elevations include a darker brick (ironstone) with dark and light tan textured panels. The longer north and south elevations are broken up with appropriate shifts in the roofline and the inclusion of window with matching awning. Staff's architectural review scoring is attached to the staff report for reference and can be used as a guide for the commission's evaluation. Scores greater than zero (0) are recommended for approval. Staff's initial review recommends a score of 0.86.
- 7) The landscape plan is consistent with the guidelines of the recently adopted water efficient landscape standards for new commercial developments. No turf grass is proposed and the tree and plant selections are appropriate for our climate. The landscape plan represents a 47% live plant coverage maintained by a drip irrigation system. Increased tree and large shrub plantings are provided along the rear (east) property line as required by ordinance.
- 8) Based on the information provided above, the conditions of approval and the supporting attachments included with the staff report, the Planning Commission can make the finding that the site plan meets the general purpose and spirit of the Performance Standard Zone standards.

CONDITIONS OF APPROVAL

- 1) Construction drawings shall be in substantial conformance with the documents submitted in this Site Plan and Design Review approval for Sherwin Williams, plans dated August 28, 2023.
 - a. Construction drawings shall be to the satisfaction of the City Engineer and Public Works department prior to building permits being issued. Comments generated in the memo dated September 7, 2023 shall be fully addressed.
- 2) Site Plan approval is subject to final permit approval by Davis-Weber Counties Canal Company (DWCCC) prior to building permit being issued.
- 3) The 15-foot rear buffer is subject to the placement of a solid vinyl fence and increased plantings along the property line based on the Zoning Ordinance Table 19.18.2, Bufferyard "F".
- 4) Monument and/or wall signage will be reviewed and approved under separate permit.
- 5) Site plan approval is subject to the previously approved Utah Department of Transportation (UDOT) combined access located at the common property line with the medical office parcel to the south.
- 6) Pursuant to Section 28-3-10(v) (A), landscaping shall be installed prior to occupancy of any building. In cases of inclement of weather, a financial guarantee shall be required.

	<p>Matt McWhirter stated there will only be down lights installed on the back of the buildings. There is nothing that should blare onto surrounding property lines. The east side is residential with .0, .1 or .2 and a 6’ vinyl fence; it will also be heavily landscaped. There will be parking lot lights.</p> <p>Commissioner Bauer asked if the light design has been decided on.</p> <p>Mr. McWhirter responded the electrical engineer used the city code to draft this proposal. They will continue the street lights.</p> <p>Commissioner Thompson referred to the staff report and identified where they are located on the plan that was submitted.</p> <p>Commissioner Cressall questioned if the parking will be sufficient.</p> <p>Mr. McWhirter responded the plan has been designed to accommodate the ordinance.</p> <p>Commissioner Gregersen asked about the future cross access agreement and if both parties are in agreement.</p> <p>Mr. McWhirter responded UDOT required the easement agreement which has been accommodated. Once the plat is recorded, the declaration of easement will immediately follow.</p> <p>Commissioner Gregersen than asked regarding the survey what is being used as the basis of bearing.</p> <p>Mr. McWhirter responded he would need to get an answer for that.</p> <p>Mr. Matson added the comments on the plat from the City Engineer should address any issues.</p> <p>He went on to clarify to meet staff’s concerns; the landscape plan has been beefed up on the east property line along with a solid vinyl fence. The amount of the large bushes and trees has been increased to meet code specifications on plant intensity at mature growth. The architectural design has also been modified to meet city standards. He recommends approval of the site plan. The lighting plan will be reviewed carefully before any pre-construction meetings take place.</p> <p>Commissioner Thompson asked if any bonus concessions were being sought.</p> <p>Mr. Matson responded there are no concessions.</p> <p>Commissioner Thompson and Bauer questioned the depth and determined the awnings are providing for the depth requirement for the façade length variation based on a positive score.</p>
<p>CONCLUSION</p>	<p><i>Commissioner Cressall moved to approve the Sherwin Williams Paint Store and Office Building site plan with the conditions identified above with the lighting plan being approved by staff. Commissioner Thompson seconded the motion. Voting is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Olson, aye; Commissioner Thompson, aye and Commissioner Evans, aye.</i></p> <p><i>Councilmember Bauer moved to approve the architectural review of the Sherwin Williams Paint Store and Office Building located at approximately 2118 north 2000 west in the pz (performance zone) zoning district (parcel no. 14-001-0094 . Councilmember Cressall seconded the motion. Voting is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Olson, aye; Commissioner Thompson, aye and Commissioner Evans, aye.</i></p>

	<ul style="list-style-type: none"> • Approval of September 5, 2023 Planning Commission Meeting Minutes. <i>Commissioner Bauer moved to approve the minutes of the September 5, 2023 Planning Commission Meeting. Commissioner Gregersen seconded the motion. Commissioners Bauer, Cressall, Gregersen, Thompson and Evans voted in favor.</i> • Directors Report: Reminded the Planning Commission of the upcoming training opportunity. • Commission Comments: they would like to see a railing installed on the stairs at the cemetery.
OTHER ISSUES	<ul style="list-style-type: none"> • There were none.
ADJOURNMENT	<p><i>Commissioner Bauer moved to adjourn. Commissioner Cressall seconded the motion. Commissioners Bauer, Cressall, Gregersen, Thompson and Evans voted in favor. The meeting adjourned at 8:11 pm.</i></p>