



2267 N 1500 W  
Clinton UT 84015

**Planning Commission Members**

**Chair – Dan Evans**

**Vice Chair – Dereck Bauer**

**Mark Gregersen**

**Jolene Cressall**

**Ed Olson**

**Tony Thompson**

<b>Date of Meeting</b>	<b>August 15, 2023</b>	<b>Call to Order</b>	<b>7:00 p.m.</b>
<b>Staff Present</b>	Community Development Director Peter Matson and Lisa Titensor recorded the minutes.		
<b>Attendees</b>	Preston Anderson, Kelly Vigil, Tom Quintana, Cory Swallow, Larry Solien, Torris Brand, M. Williams, William Hutchins, Joanne Daniels, Dean Terry, Marv Brummett, Darla Barry, J. Adair, M. Diamond, Jana Summers Moore, Sharon Summers Bingham, Steven, Andres Arrecla, Judy Frandson, Brian Johnson, Danica Smith, Chris Smith, Kirk Humphreys, Michael Millard, Bobby Buckles, Mary Frederickson, Marie Dougherty		
<b>Prayer or Thought</b>	Commissioner Gregersen		
<b>Pledge</b>	Commissioner Cressall		
<b>Roll Call/Attendance</b>	Present were: Dereck Bauer, Jolene Cressall, Mark Gregersen, Tony Thompson Excused were: Ed Olson and Dan Evans		
<b>Declaration of Conflicts</b>	There were none.		
<b>1. PUBLIC HEARING: REVIEW AND ACTION ON A REZONING REQUEST FROM MIKE HARDIN OF APPROXIMATELY 1.00 ACRES LOCATED AT 652 NORTH 1500 WEST (PARCEL NO. 14-065-0017) FROM THE A-1 (AGRICULTURAL) ZONE TO THE R-1-6 (SINGLE FAMILY RESIDENTIAL) ZONE.</b>			
<b>Petitioner</b>	Petitioners: Mike Hardin on behalf of Marvin and Debra Brummett Submitted by: Peter Matson, Community Development		
<b>Discussion</b>	<p>The rezoning request consists of one parcel totaling approximately 1.00 acres located at approximately 652 North 1500 West (Parcel No. 14-065-0017). The subject property includes a single family home situated on the 1500 West frontage with vacant ground on the rear portion of the site.</p> <p>The rezone request is consistent with the General Plan Land Use Map (see map attached to the staff report) recommendation for R-1-6 zoning in this area of the city. Additionally, single family subdivisions in this area have developed in this same zoning district. The R-1-6 zone is present in only a few areas of the city. This zone is an important component in the overall land use scheme of the city contributing to the variety of lot sizes. Smaller single family lots increase the availability of houses in our residential market accessible to a wide group of residents.</p> <p>The rezoning from the A-1 to R-1-6 zone is directly south of the R-1-6 rezone recently approved. The applicant is looking at adding the rear portion of this parcel to the property to the north for a potential future minor subdivision with a handful of lots on the rear portion. The existing home will likely stay and be incorporated into a new subdivision plat in the future. Future development of this property will be subject to city standards for access, lot size and utilities. This R-1-6 rezone represents a reasonable zoning request based on consistency with the land use recommendation of the General Plan.</p> <p>Commissioner Bauer opened the public hearing at 7:06 PM.</p>		

	<p>Preston Anderson stated he is not in favor of more multi-housing.</p> <p>With no further public comment, the public hearing was closed at 7:09 PM.</p> <p>Mike Hardin explained this property is adjacent to another piece of property that was recently rezoned to R-1-6.</p>
<p><b>CONCLUSION</b></p>	<p><i>Commissioner Thompson moved to forward a recommendation of approval of Ordinance 23-06Z on to the City Council for approval of the rezoning request from Mike Hardin of approximately 1.00 acres located at 652 North 1500 West (Parcel No. 14-065-0017) from the A-1 (Agricultural) Zone to the R-1-6 (Single Family Residential) Zone. Commissioner Gregersen seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Thompson, aye.</i></p>
<p><b>2. PUBLIC HEARING: REVIEW AND ACTION ON A REZONE REQUEST BY DEREK TERRY OF 3.69 ACRES FROM A-1 (AGRICULTURAL) TO PZ (PERFORMANCE) ZONE AND 19.17 ACRES FROM A-1 TO R-M (SINGLE AND MULTI-FAMILY RESIDENTIAL). THE R-M REZONE IS ACCOMPANIED BY A REQUEST TO AMEND THE GENERAL PLAN FROM PZ AND R-1-15 (SINGLE-FAMILY) TO R-M. THE PROPERTY IS LOCATED AT APPROXIMATELY 2600 NORTH 2000 WEST (PARCELS 13-490-0028, 13-049-0009, 13-049-0013, 13-049-0014, AND 13-049-0015).</b></p>	
<p><b>Petitioner</b></p>	<p>Petitioners: Charles G. Summers Family Trust, Sharon S. Bingham and Doug F. Summers Trustees, Judy Frandsen Trustee, and Ellis F. and Emma Jane Bouwhuis Summers Trustees represented by Garrett Seely and Derek Terry Submitted by: Peter Matson, Community Development</p>
<p><b>Discussion</b></p>	<p><b>DESCRIPTION OF GENERAL PLAN AMENDMENT AND REZONE AREA:</b> The rezoning request consists of five parcels totaling approximately 23.38 acres located at approximately 2600 North on the west side of 2000 West. The subject property includes a single family home situated on the southern portion of the 2000 West frontage. The General Plan future land use map presently recommends the front (east) portion of the site (500' depth from 2000 West) for PZ zoning and the remaining western portion for R-1-15 zoning (see attached zoning and future land use maps). The proposed 3.69 acres of PZ zoning is consistent with the current General Plan recommendation, the proposed R-M zoning is not, thus the request to amend the General Plan.</p> <p><b>BACKGROUND INFORMATION:</b> The applicant provided a letter of explanation that provides, among other things, a historical perspective from the property owners regarding some of the challenges they've experienced marketing the land to developers over the years. The isolated section of homes along the north portion of the 2000 West frontage leaves a narrow section of planned PZ zoning to the rear that is proposed for R-M zoning (townhomes) with this application. The proposed General Plan amendment shifts approximately 3.80 acres to the R-M designation from the 10.50 acre area planned for PZ, leaving approximately 6.70 acres for future PZ of which approximately 3.00 acres are occupied by the existing single family homes.</p> <p>The residential portion shown on the proposed concept plan (see applicant's packet and development agreement exhibit attached to the staff report) represents a transition of density from east to west. This is accomplished by situating the townhome portion adjacent to the planned PZ zone, and placing detached single family homes on the western portion of the site next to existing single family neighborhoods.</p> <p>The applicant provided a packet with the application that includes a zoning map, legal descriptions, a concept plan, a letter of explanation/justification for the Plan amendment and rezone request, and proposed development standards and design guidelines.</p> <p><b>DEVELOPMENT AGREEMENT:</b> Given the complexity of this request and the fact that the R-M zoning district standards lack sufficient detail for such a project, a development agreement is proposed. The draft development agreement is attached to the staff report which includes sections describing what the City agrees to provide (City's Undertakings), what the owner/developer agrees to complete (Owner's Undertakings and Rights). The draft agreement includes additional sections common in most municipal development agreement templates. Article VII of the draft agreement specifies that the terms of the agreement are binding upon the owners and successors and assignees (future owners and developers). Several details from the applicant's proposed development and design standards letter are included in the</p>

draft development agreement.

The more substantive language of the development agreement is found in Article IV, which describes what the Owner, and subsequent developer, agree to should the City approve the General Plan amendment and rezone. This Article provides guidelines and standards for the following:

- Density
- Amenities
- Residential design standards
- Site development standards
- Landscaping
- Fencing
- HOA requirements
- Public utilities

A General Plan amendment and rezone request of this nature should rely a great deal on a development agreement to set standards for the proposed development. A development agreement is particularly important in this case because the City's R-M zoning regulations are not sufficient with regards to basic development standards, design guidelines and private drive standards. The proposed General Plan amendment and rezone requests should only be considered with the stipulation that a development agreement is approved and recorded against all parcels that make up the Subject Area.

Mr. Matson referred to a table regarding vacant commercial land analysis for the Summers property r-m and pz rezone. The table is included below as Attachment A.

He also informed the Commission he received the following public input prior to the meeting.

Sharon Summers Bingham wrote a letter in support of the proposed rezones and general plan amendment. The property has been farmed by the Summers family for generations. Clinton has changed and is no longer rural. The farm is surrounded by residential.

John Diamond wrote an email in support of the rezones and general plan amendment. The property has been owned by the Summers family for more than 100 years. With all the changes in the surrounding area, it is difficult to access and utilize this property. They would like the land to provide housing for other families as well as the children and grandchildren of the family.

Commissioner Gregersen expressed concern that the proposed development would increase traffic on 2100 W. as it goes to 2300 N. to reach 2000 W. Therefore, he inquired about putting in access directly to 2000 W.

Mr. Matson responded the City Engineer is aware of the traffic issue. His initial response is that he would not be in favor of mixing commercial traffic with residential traffic. The culinary water could be accomplished through an easement. There is still a lot of detail that needs to be addressed for development. He clarified what is being presented tonight is a concept plan. The main guiding principles are outlined in the owner's undertakings in the development agreement.

Commissioner Thompson clarified that the amendment to the General Plan should be considered first before action is taken on the other items.

Commissioner Bauer opened the public hearing for modification of the General Plan at 7:59 PM.

Preston Anderson expressed concern for the safety of the children in the neighborhood. Traffic already cuts through this neighborhood to get to Roy to avoid the traffic on 2000 W. Adding this type of subdivision would endanger the children in the area even more. The schools are already overcrowded. Higher density will only make this situation worse. He is also concerned about the water. He would be in favor of leaving the zoning as it is. He wants to keep the small town appeal. He recommends that the zoning stay as is or be rezoned as R-1-15.

Kirk Humphrey's echoes the traffic concerns. He stated the infrastructure is also a concern and has been built to support what the current zoning is.

Corey Swallow lives near one of the entrances into this property. The property is landlocked. Having a multi family development is not appropriate for this area. Private lanes are not good for emergency vehicles. He would be in favor of single family homes but not high density. The development needs to be designed for efficiency around the only two entrances.

Danica and Chris Smith live on 2650 N. They love the location. Their kids love playing in the area. Another through street would be a nightmare in this development. Stop signs are already being run on a regular basis. The schools are over burdened. They have a special needs child who is not able to get the services from the School District that he needs. They also asked if the public notices could be made more visible for the neighborhood to see.

Commissioner Bauer clarified that the Planning Commission only makes recommendations to the City Council; they will address the issue at the August 22, 2023 City Council meeting.

Jace commented that the development is too close and doesn't have requirements to protect other home owners.

Commissioner Thompson added that a new elementary and jr. high is currently under construction.

Bob Buckles stated he is concerned about the negative attitude of high density; however he feels this plan as submitted does not appear to be reasonable. Changing the General Plan is not a good idea. It will allow little control over what is approved. The 2000 W. expansion should take place before this development is allowed. It will create a 50% increase in population in this area. All the traffic will be pouring onto two streets. He said the existing PZ Zones should be looked at to develop higher density housing in the community. He feels that an access to 2000 W would be necessary with a traffic light.

Kelly Vigil lives on 2650 N. She agrees with the many points already brought up and that this is not a good location for this type of development.

Bill Hutchins lives on 2100 W. Clinton is a great place to live. His concern is the extra traffic on 2100 W. Cars in this area already speed; traffic goes 35 to 40 miles an hour. He is not in favor of this plan.

Michael Millard agrees with the comments presented. He is not in favor of changing the General Plan.

Rachel Fernandez agrees with the comments already presented as well. Approving this development would significantly increase the traffic and the homes in this area. The appeal of the current neighborhood is the spaciousness. She is not in favor of changing the zone. The PZ Zone is a more logical place for high density.

Steven Gatz stated he moved to Madison Acres in Clinton in 2008. The area already has trailers and cars parked on the road. There is already too much traffic cutting through this neighborhood to get to other neighborhoods in the area. The access is the biggest problem with this development. The roads cannot handle any more traffic.

Michael Kennison stated he is in favor of R-1-15. He moved to Clinton for open space. He anticipated the land would be developed but not for high density.

Louise Fernandez has the voice of experience; he has lived in Arizona, LA and New Jersey on small lots. There are many issues with this plan. He came to Clinton for the peace. He feels that having a multi family development will cause more traffic that the neighborhood cannot handle. He would like to keep it as the R-1-15 Zone. A park would be wonderful in this area.

Larry Solien stated cars in this area speed and do not stop at the stop signs.

	<p>Commissioner Bauer closed the public hearing at 8:41 PM</p> <p>Garrett Seely representing the Summers family said he understands the concerns of the neighborhood. Public safety is one of the main concerns. He has met with a traffic engineer, the roads are designed to handle the flow of traffic, 2000 W is the main problem. He understands the residents' concerns but the engineering works. Kids and grandkids of residents cannot afford to purchase homes in Clinton. Affordable/attainable housing is required by the State. This development will help the City do it responsibly before it is mandated. A road to 2000 W is not out of the question; however a traffic signal is not an option. The 3000 W corridor will cause additional issues going west. Regarding water, residential uses less water than commercial; agricultural uses more water than both. The development agreement is recorded with the land; there is a process to change it. These roads are not private lanes or private streets; they are private driveways that meet city code requirements. The streets are public so additional parking is a non issue. Also, the School District is in the process of building new schools in the area. He stated as a developer, his intent is to provide a benefit to the City by developing attainable housing.</p> <p>Commissioner Cressall stated she cannot make a recommendation to the City Council to approve this.</p> <p>Commissioner Gregersen asked if a lesser density development could meet the requirements of the State for affordable housing.</p> <p>Mr. Seely responded there are different levels between the state, county and cities. The median income for Clinton City is approximately \$90,000.00. The housing cost is approximately 30% of that. There is nothing currently in the area to accommodate this income level. To provide attainable housing, higher density is necessary to increase affordability.</p> <p>Commissioner Bauer clarified the Planning Commission has three options:</p> <ul style="list-style-type: none"> <li>• Recommend approval</li> <li>• Recommend disapproval</li> <li>• Table to the next meeting</li> </ul> <p>Commissioner Cressall stated her main concerns are the traffic and the safety based on only having two access roads. She would be surprised if UDOT would allow another access.</p> <p>Commissioner Bauer opened the public hearing at 9:07 pm regarding the rezone request of 3.69 acres from a-1 (agricultural) to pz (performance) zone.</p> <p>Michael Milner asked that the rezone not be approved.</p> <p>Commissioner Bauer closed the public hearing.</p> <p>Commissioner Bauer opened the public hearing at 9:20 PM regarding a rezone request for 19.17 acres from a-1 to r-m (single and multi-family residential) located at approximately 2600 N 2000 W.</p> <p>Kirk Humphreys stated he does not feel this should be approved because it does not fit with the General Plan.</p> <p>With no further public comment, the public hearing was closed at 9:23 pm.</p>
<p><b>CONCLUSION</b></p>	<p><b><i>Commissioner Cressall moved not to recommend to the City Council approval of Resolution 19-23 to amend the General Plan based on concern for traffic and safety. Commissioner Thompson seconded the motion based on the RM Zone creating four times the impact on infrastructure of what is master planned. The PZ zone that would be lost for commercial development. The PRUD should be put back into the code; he is not in favor of a development agreement based on difficulty of future monitoring and managing. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Thompson, aye.</i></b></p>

	<p><i>rezone request from Garrett Seely and Derek Terry representing the Summers Family</i></p> <p><i>Commissioner Thompson moved to forward a recommendation for disapproval of Ordinances 23-07Z and 23-08Z onto the City Council for rezone requests for 3.69 acres from A-1 to PZ and 19.17 acres from A-1 to R-M located at approximately 2600 North 2000 West (Parcels 13-490-0028, 13-049-0009, 13-049-0013, 13-049-0014, and 13-049-0015). Commissioner Gregersen seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Gregersen, aye; Commissioner Thompson, aye.</i></p>
	<p><b>1. ZONING ORDINANCE AMENDMENTS – DISCUSSION ONLY:</b></p> <p><b>a. REVIEW OF R-M (MULTI-FAMILY RESIDENTIAL) ZONE FOR POSSIBLE UPDATES INCLUDING:</b></p> <p><b>i. SITE DEVELOPMENT AND DESIGN GUIDELINES</b></p> <p><b>ii. PRIVATE STREET STANDARDS</b></p>
<b>Petitioner</b>	Peter Matson, Community Development
<b>Discussion</b>	<p>The Clinton City Moderate Income Housing Plan describes five strategies and associated implementation actions that address affordable housing in the community. More specifically, Strategy 1 identifies actions related to rezoning for densities necessary to facilitate the production of moderate income housing. This strategy specifically indicates that the city is to review and update the R-M zone to improve site and development standards and add design guidelines.</p> <p><b>PROPOSED CHANGES FOR CONSIDERATION:</b></p> <ol style="list-style-type: none"> <li>(1) Existing standards in the R-M zone address development of attached units between two and six units attached. The associated density range is 7-12 units per acre. The zone does not address development of stacked units typical of an apartment complex.</li> <li>(2) The current building setbacks are larger than what is typically found in a multi-family/townhome development. Setbacks need to be examined and updated accordingly.</li> <li>(3) The R-M zone does not include design standards typically found in such a code. Design guidelines can be added to this chapter or a PRUD or Condo/Townhouse zone could be considered.</li> <li>(4) While larger townhome projects can accommodate public streets through the majority of the site, there is often still a need for private drives to accommodate portions of a site not easily accessible to a public street. This could be a drive or alley in front or to the rear of a row of townhomes. Private street standards should be vetted by the city engineer and fire marshal for consistency with their specific industry standards.</li> </ol> <p>Mr. Matson reviewed examples of developments in other cities with the Commission.</p>
	<p><b>a. Approval of July 18, 2023 Planning Commission Meeting Minutes.</b> <i>Commissioner Cressall moved to approve the minutes of the July 18, 2023 Planning Commission Meeting. Commissioner Gregersen seconded the motion. Commissioners Bauer, Cressall, Gregersen and Thompson voted in favor.</i></p> <p><b>b. City Council Report</b></p> <p><b>c. Commission Comments: Commissioner Thompson commented that development agreements should add to an ordinance, not take away from it.</b></p>
<b>OTHER ISSUES</b>	<ul style="list-style-type: none"> <li>• There were none.</li> </ul>
<b>ADJOURNMENT</b>	<i>Commissioner Cressall moved to adjourn. Commissioner Gregersen seconded the motion. Commissioners Bauer, Cressall, Gregersen and Thompson voted in favor. The meeting adjourned 9:51 pm.</i>

**ATTACHMENT A**

**VACANT COMMERCIAL LAND ANALYSIS FOR  
SUMMERS PROPERTY R-M and PZ REZONE**

PLANNED PZ ZONING ON 2000 WEST CORRIDOR	
Vacant Land – Planned PZ*	140 Acres
Redevelopment Land – Planned PZ**	35 Acres

SUMMERS PROPERTY	
Planned PZ Land – Summers Property (500’ depth from 2000 West)	10.50 Acres
Vacant Planned PZ Land – Summers Property	7.50 Acres
Planned PZ Land (Res. Use) – Summers Property	3.00 Acres
Proposed PZ Rezone Portion of 10.50 Acres	4.20 Acres
Planned PZ Land Proposed for R-M Zoning	3.30 Acres

\*Vacant Land = No primary or accessory structures

\*\*Redevelopment Land = Parcels include residential or agricultural structures typically with vacant land on rear portion of parcel

COMMERCIAL CONTEXT	
Clinton Wal-Mart Center	37 Acres
Clinton Lowes/Kohl’s Center	36 Acres

Costco - Ogden	
· Main Building, Parking & Gas	14 Acres
· Main Building, Parking, Gas & Outparcels	17 Acres
Costco - Bountiful	
· Main Building, Parking & Gas	12 Acres
· Main Building, Parking, Gas and Outparcels	16 Acres
Costco – West Valley	
· Main Building, Parking & Gas	14 Acres
· Main Building, Parking, Gas and Outparcels	15.70 Acres