



**CLINTON CITY PLANNING COMMISSION  
CITY HALL  
2267 North 1500 W Clinton UT 84015**

***Planning Commission Members***

***Chair – Jacob Briggs  
Vice Chair – Gary Tyler  
Tony Thompson  
Jolene Cressall  
Andy Hale  
Dereck Bauer  
Dan Evans***

<b>Date of Meeting</b>	<b>April 17, 2018</b>	<b>Call to Order</b>	<b>7:02 p.m.</b>
<b>Staff Present</b>	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
<b>Citizens Present</b>	Jim Flint, Hansen and Associates		
<b>Pledge of Allegiance</b>	Commissioner Bauer		
<b>Prayer or Thought</b>	Commissioner Tyler		
<b>Roll Call &amp; Attendance</b>	Present were: Commissioner's Dereck Bauer, Jolene Cressall, Gary Tyler, Tony Thompson, Dan Evans and Jacob Briggs  Excused was Commissioner Hale		
<b>City Council Report</b>	Mr. Wright reported on the April 10, 2018 City Council Meeting as recorded in the minutes.		
<b>Declaration of Conflicts</b>	There were none.		
<b>Approval of Minutes</b>	<b>Commissioner Cressall moved to approve the April 3, 2018 Planning Commission minutes. Commissioner Thompson seconded the motion. Commissioners' Thompson, Tyler, Cressall, Bauer, Evans and Briggs voted in favor.</b>		
<b>7:05 P.M. – TABLED FROM APRIL 3, 2018 COMMISSION MEETING. REVIEW AND ACTION UPON A REQUEST FROM PAUL MACKLEY TO APPROVE A SITE PLAN FOR A PARKING LOT ON AN ADJACENT PARCEL FOR COMFORT DENTAL AT APPROXIMATELY 1800 N 2225 W.</b>			
<b>Petitioner</b>	Paul Mackley, owner/agent for Comfort Dental Office at 2207 West 1800 North.		
<b>Discussion</b>	<p>Jim Flint of Hansen and Associates representing Paul Mackley clarified that as discussed in the previous meeting; a Davis and Weber Counties Canal Company secondary water connection has been located on the south east corner of the property.</p> <p>He explained he is having difficulty with the interpretation of the performance zone code. He and Mr. Mackley decided it might be a good idea to ask the Planning Commission to consider subdividing the lot into two lots. Lot 1 would be fully landscaped per the performance zone requirements and lot 2 landscaping would be deferred until the lot is developed.</p> <p>The petitioner provided the following information:</p> <p style="text-align: center;"><b><u>CLINTON DENTAL PARKING LOT</u></b></p> <p style="text-align: center;">2225 West 1800 North Clinton, Utah</p> <p><b><u>Introduction:</u></b> The existing Comfort Dental professional building is on the southeast corner of the 1800 North/ 2225 West intersection in Clinton, Utah. The desire is to more fully expand the existing building services - such precipitates a need for additional parking which cannot be achieved on-site. The owner is advancing installing the additional parking on a vacant lot immediately to the west.</p> <p><b><u>Purpose</u></b> The purpose of the Site Plan is for additional parking as explained above. Any future development is</p>		

not germane - this application is strictly for parking addition purposes. There is no reason to develop the 1800 North frontage as such would be eliminated/removed upon any development utilizing the north portion of the lot. The new parking lot entrance is located as far southerly as possible for two purposes: (1) UDOT encourages entrance locations as far away from highway (1800 North) as possible (2) The southerly location seems the least obtrusive location to not hamper any future development plans should they arise. The 1800 North frontage would be the most appealing for development purposes rather than for a parking lot.

As mentioned previously, parking on the vacant lot is a stand-alone project. Three parking spaces could perhaps be removed in the future to provide access for a possible northerly building. Such is not anticipated nor contemplated at this time.

### **Performance Zone**

The site is within the 'PZ' (Performance Zone) zone per the Clinton City Zoning Map. The applicable standards are found in Chapter 19 of the Clinton City Zoning Ordinances. Despite good intentions, a ready interpretation of the code is challenged.

Chapter 19 interestingly has '28' prefixes. The first code section is 28-19-1.

28-19-1: General Intent - chapter is to balance adjoining interests.

28-19-2: N/A (meaning not specifically applicable to parking lot addition.

28-19-3: Project would be a low-volume traffic generator.

28-19-4: The professional building consists of dentists and salon personnel. The pertaining category from Table 19.4 is section 3.110. The use is a 'Permitted' use; the general use category is 'Office.'

28-19-5: Non-residential uses require site plan review by Planning Commission - this seems at odds with a typical 'Permitted' use that is typically administratively handled by staff.

28-19-6: Sections 19.6 and 19.7 actually means 28-19-6 and 29-19-7. This is actually a circular reference. There are no mathematical references provided per this section.

28-19-7: Again, this is a circular reference with no mathematical criteria.

28-19-8: 'Sight Capacity' - believed to be 'Site Capacity' - this is believed to be what is commonly called 'Lot Coverage' - typically applies to 'buildable area' and 'floor area,' not parking lot area. Table 19.7 seems to pertain to 'subdivisions.' The 'Other' category appears to offer a very wide range from 5% to 100%.

28-19-9: This project is a parking lot addition, not a building (or existing Building) project. The purpose of this section is supposedly for 'Bufferyard' purposes. We are not dealing with an existing building buffering requirement, only with a new parking lot. Section A: Parking lot addition is 6,000 SF (0.138 acre). Section B is 0.00 acre (no public roads on lot). Section C is existing office parcel on east side of 2225 West - the area is -0.558 acre (minus sign for 'subtract land'). Section D is 0.000 acre. Section E: A minus B, C & D = -0.42 acre. Guestimating a 10-foot strip along south and west sides of proposed parking lot is 0.043 acre. The total is -0.463 acre. Due to the resulting negative value this section is deemed N/A.

28-19-10: With Base Site area being a negative value, Permitted impervious area is N/A. The project involves no floor area.

28-19-11: There is no perceivable, applicable open space requirement.

28-19-12: Informational.

28-19-13: Range of intensity class wording enumerated but no specifics provided.

28-19-14: The 'project' is actually not 'Office' but just a parking lot. 'Office' shows up under Class V, VI, VIII, VIII, IX. Maximum density is n/a. ISR is not really applicable (parking lot is less than 50% of lot). Floor area is not applicable. Site Design standards - indeterminate from table. Maximum building height shows office allowance from 60 to 75 feet - not an applicable parameter. Hours of operation - only category is V with any listed hours. The closest category based on ISR and hours of operation is V.

28-19-15: Bufferyard purposes stated.

28-19-16: Bufferyard location: Section 1: Land use category from 19-4 is 'Office' (though a parking lot is not an office). Adjacent uses are residential. 2225 West Street is clearly a street that serves residential homes. Section 2: Refers to 29-19-18. Section 3: Again, refers to 19-18. Section 4: The parking lot will be post-residential development. Section 5: parking lot screening seems not applicable - all residential homes have backyard fences and parking lot

- isn't obtrusive. Section 5c alludes to a 10-foot buffer. Sections 5e & 5f confirm that only developed area (i.e. parking lot) needs to have landscape buffer. Conclusion - Table 19.16.1: Provide streetscape landscaping, 10 feet in width along east side of parking lot along 2225 West using a 'Residential' classification. Note - this section applies to 'streetscape' - the areas south and west of proposed parking lot, if landscaped, would provide no meaningful buffer to residential neighbors with existing backyard fences.
- 28-19-17: As mentioned previously, the parking lot really isn't 'Office' (Class V). However using Table 19.17 as if it were, left classification as V, upper classification as Class III subdivision, yields a 'D' classification.
- 28-19-18: Section 1: Table refers to number of plants per 100 LF. 2225 West streetside landscaping is approximately 72 LF. Section 2: Note - south and west sides already have 6-foot backyard fences. Table 19.18.2 - My understanding per 28-19-17 is that Bufferyard D is applicable - 2 Canopy trees, 4 understory trees and 6 shrubs would be required - these could be factored down by a factor of 72 LF/100 LF (72%).
- 28-19-19: N/A.
- 28-19-20: Lot owner to own bufferyard.
- 28-19-21: Perhaps south and west sides of parking lot 'buffer' could be reduced by 50%, say to 5 feet. Such is advanced as an appropriate buffer.
- 28-19-22: N/A - vacant land is single parcel on-site land.
- 28-19-23: Site is within 500 feet of major roadway (1800 North) - this does not mandate frontage landscaping beyond parking lot addition.
- 28-19-24: Land use intensity weakly defined as 'D' per 28-19-17.
- 28-19-25: If of any practical applicability to south and west sides of parking lot (187 LF) - table is per 300 LF. Ratio of  $187/300 = 62\%$ . 'D' yields 1 Canopy, 1 Understory, 3 shrubs.
- 28-19-26: Off-Street parking landscaping: East, south and west sides evaluated above.
- 28-19-27: It is unclear whether a parking lot is mandated to have a light. If so, apply lighting standards. No light is advanced as parking lot will not be utilized at night - any specific appointments outside standard hours will park next to office building.
- 28-19-28: Signage will be to City standards.
- 28-19-29: N/A - applies to permitting residential within PZ zone.
- 28-19-30: Provides valuable, defining plant material information.
- 28-19-31: N/A.

Staff included the following information in the staff report:

On December 5, 2017, the Planning Commission recommended the City Council amend Section 28-4-7 **Location of Parking Facilities** of the Zoning Ordinance, which would allow an overflow parking lot to be placed on an adjacent parcel under certain conditions. The design of this parking lot is to meet requirements to insure desired aesthetics (fencing and landscaping) and sound engineering (drainage and safe driveway for parcel/street access), as well as provide for necessary public safety measures by requiring a legal crosswalk(s).

The Site Plan for the Comfort Dental Office was approved by the Planning Commission on October 7, 2008. There were subsequent issues and approval surrounding the City's landscaping requirements which were ultimately approved on December 3, 2008. The parking for this 6,303 sf building required 19 parking spaces. It appears that originally the building was designated for medical clinics, which currently all have the same parking requirement of six (6) spaces per 1,000 sf of building. This would mean that 37 parking spaces would be needed.

However, apparently, about 1,175 sf of this building is available for uses other than a medical clinic, which has created issues with parking since different uses have separate and distinct parking requirements. For example, staff understands that a chiropractor utilized this office space for some time, which had the same parking requirement as a dental office. However, there is now a beauty salon in this portion of the building that requires three (3) parking spaces per chair.

The existing parking lot at Comfort Dental has 19 spaces and the amended regulations that allow an overflow parking lot on an adjacent parcel must provide "... no more than fifty (50%) of the required off-street parking for the existing building ...." Since Comfort Dental is amending their site plan by providing additional parking then they are required to meet current parking requirements. The current building of 6,303 sf contains the Comfort Dental Office of about 5,128 sf, which according to Section 28-

	<p>4-5 <b>Parking Space for Commercial, Industrial, and Institutional Uses</b> subsection (18) Medical Clinics require six spaces per 1,000 square feet so the dental clinic requires 31 spaces, while the remaining 1,175 sf of space is currently being used as a beauty salon, which subsection (5) Barber Shop/Beautician Shop indicates ‘three (3) spaces per chair’. The parking regulations limited this salon to two chairs or six more spaces for a total of 37 parking spaces for the current uses of this building. The proposed 19 parking spaces in the overflow parking is 50% of the existing parking needs for this building.</p> <p>The site plan shows the configuration of the proposed parking lot, which generally conforms to the City’s development standards. However, the City continues to need grading and drainage information to insure the proper operation of the proposed drainage facility as well as an adequate landscaping plan for various areas. Further, staff continues to have a question of what the applicant plans for the front portion of this parcel and what condition this unused part of the lot will have, especially since it fronts onto a main arterial street (1800 N).</p> <p>The Planning Commission had a lengthy discussion with Mr. Wright and Mr. Flint, regarding the possibility and potential requirements for subdividing the lot. They agreed this would be difficult due to so many variables.</p> <p>Commissioner Thompson explained that when Comfort Dental was originally developed, he was on the Planning Commission; it was originally presented strictly as a dentist office.</p> <p>Mr. Flint stated the new space would be salon specific.</p> <p>Mr. Wright clarified a change of use requires a building permit which would determine parking requirements.</p> <p>Commissioner Thompson and Bauer agreed they do not feel the lot will be big enough to subdivide especially when 1800 N gets widened and for concerns over maintenance of the vacant lot.</p> <p>Commissioner Tyler questioned if the ADA handicapped parking requirements have been taken into consideration.</p> <p>Commissioner Briggs summarized the discussion of the Planning Commission which identified concerns regarding dividing the property into a two lot subdivision. He said it would be necessary to very carefully scrutinize the plan to make sure it is in compliance including the buildable area and the bufferyard. UDOT would need to be contacted regarding the access. Pertaining to the parking, the size of the stalls and ADA compliance will need to be considered as well as the traffic flow. The Planning Commission felt there may need to be a hammerhead on the west side of the parking lot.</p> <p>He clarified this was just a discussion and not an actual site plan approval.</p> <p>Mr. Flint then asked in the PZ Zone regarding usage if there is latitude where grass could be acceptable instead of subdividing the lot.</p> <p>Commissioner Thompson clarified that 28-3-20 required commercial landscaping may provide appropriate direction.</p> <p>Commissioner Tyler added 28-3-20(3) (i) identifies the overall landscape design.</p> <p>Commissioner Thompson also identified 28-4-9 - 12 identifies parking requirements.</p> <p>Commissioner Briggs opened the floor for the public hearing at 8:21 p.m. There was no comment. He declared the public hearing will remain open to the May 15, 2018 Planning Commission meeting.</p>
<b>CONCLUSION</b>	<p><b>Commissioner Tyler moved to table the Site Plan Review to place an overflow parking lot on an adjacent parcel located on the corner of 2225 W 1800 N to the May 15, 2018 Planning Commission meeting. Commissioner Bauer seconded the motion. Commissioners’ Tyler, Thompson, Bauer, Cressall, Evans and Briggs voted in favor.</b></p>
<p><b>CONTINUE REVIEW AND UPDATE EFFORT OF THE CITY’S SUBDIVISION ORDINANCE WITH A REVIEW OF SECTION 26-2 DEFINITIONS AND OTHER AREAS OF THE ORDINANCE AS TIME PERMITS.</b></p>	
<b>Petitioner</b>	Community Development
<b>Discussion</b>	The Planning Commission delayed their discussion to a later date.
<b>OTHER ISSUES</b>	There were none.
<b>ADJOURNMENT</b>	<p><b>Commissioner Bauer moved to adjourn. Commissioner Cressall seconded the motion. Commissioners’ Tyler, Thompson, Bauer, Evans and Briggs voted in favor. The meeting</b></p>

**adjourned at 8:45 p.m.**