

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
April 28, 2015 – POLICY SESSION

Executive Conference Room  
55 South State Street  
Third Floor  
Clearfield, Utah

**6:00 P.M. WORK SESSION**

Discussion on the Request for Proposal (RFP) for Residential Solid Waste Services  
and Recyclables Collection Services

Discussion on the Award of Bid for Asbestos Abatement at 310 South 500 East and 559 South Main Street  
Discussion on the Award of Bid for Demolition of Buildings at 310 South 500 East and 559 South Main Street  
Discussion on the Award of Bid for the Clearfield City Monument Sign Project  
Discussion on the 2015/2016 Fiscal Year Budget

**\*\*ADJOURN AS THE CITY COUNCIL AND IMMEDIATELY RECONVENE  
AS THE CDRA IN A WORK SESSION \*\***

**CDRA WORK SESSION**

Discussion on the 2015/2016 Fiscal Year Budget

*(Any items not fully addressed prior to the Policy Session will be addressed in a Work Session  
immediately following the Policy Session)*

City Council Chambers  
55 South State Street  
Third Floor  
Clearfield, Utah

**7:00 P.M. POLICY SESSION**

CALL TO ORDER:

OPENING CEREMONY:

APPROVAL OF MINUTES:

Mayor Shepherd

Councilmember Young

March 3, 2015 – Work Session

March 10, 2015 – Work Session

March 24, 2015 – Work Session

April 7, 2015 – Work Session

April 14, 2015 – Policy Session

April 21, 2015 – Work Session

**PUBLIC HEARING:**

1. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED  
REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1365 WEST  
25 NORTH FROM R-1-8 (RESIDENTIAL) TO A-1 (AGRICULTURAL)**

**BACKGROUND:** The property is located directly adjacent to the Rocky Mountain Power corridor and abuts a Clearfield City storm water detention basin and is currently zoned R-1-8, Residential. It was formerly part of a single lot with a single family home. In February 2007, the property was subdivided through an amended plat. The agricultural use of this property is a nonconforming use. The property owner would like to continue to use the property as permitted

in the City's (A-1) Agricultural Zone, and has requested to construct an accessory building on it. Pursuant to Title 11, Chapter 17 of the City Code, in order to allow additional agricultural development of the property (adding accessory buildings, etc.), rezoning the property to (A-1) Agricultural would be necessary to allow the construction. The rezone would make an existing nonconforming agricultural use conform to the zoning for the parcel. The Planning Commission heard this item on Wednesday, April 1, 2015 and recommended approval.

RECOMMENDATION: Open the public hearing, receive public comment, and close the public hearing.

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED AMENDMENT TO THE GENERAL PLAN'S FUTURE LAND USE MAP TO CHANGE THE DESIGNATION FROM COMMERCIAL TO RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 880 SOUTH STATE STREET

BACKGROUND: The property is a redevelopment site and is the former location of three single family homes which had been converted to office space for Davis Behavioral Health. In 2014, Clearfield City partnered with Davis Behavioral Health to remove the old, dilapidated structures on the site. A subdivision plat combining the lots was approved in December 2014. The applicant has proposed a townhome project consisting of approximately 47 units designed to have street presence along State Street. The General Plan's Future Land Use Map currently designates this area of the City as a "Commercial" land use category which permits only C-1 or C-2 zoning. The Commercial Land Use Category within the General Plan does not allow any Residential Zones. In order to develop any residential projects on the property, the General Plan's Future Land Use Map would need to be amended. The applicant has requested a change to the General Plan's Future Land Use Map to have this property designated as a "Residential" land use category. The Planning Commission recommended approval during its meeting on Wednesday, April 1, 2015.

RECOMMENDATION: Open the public hearing, receive public comment, and close the public hearing.

3. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 880 SOUTH STATE STREET FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL)

BACKGROUND: The proposed rezone of the property would be contingent upon and only subsequent to approval of the General Plan Amendment of the previous agenda item. The applicant is requesting a rezone of the property from C-2 (Commercial) to R-3 (high density Residential).

RECOMMENDATION: Open the public hearing, receive public comment, and close the public hearing.

4. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED FINAL SUBDIVISION PLAT FOR PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH 2000 EAST

BACKGROUND: The applicant has been working with City staff to identify development specifics such as drainage, retention and parking within this proposed project. Based on a request

from Mr. Hansen, the item was tabled at the Planning Commission meeting held on March 4, 2015 and continued to its April 1, 2015 meeting. A more complete set of plans has come in for review which consists of 32 lots designed for twin home development (there is one single home and one tri-plex), two commercial pad sites along 2000 East (University Park Boulevard), and the remainder of the property held as 'Common Area' which will be required to be maintained through a Homeowners Association (HOA). The plat should reflect the creation of a Homeowners Association with a note that Common Areas will be maintained by the HOA in perpetuity. The site is served by a single public road which will be designed to City standards with curb, gutter and sidewalk. The road is planned to be dedicated to the City. The project has been designed in such a way that a future east/west access route can be accommodated on the west end of the road. This right-of-way would connect to a future parking lot on land to the west and could eventually connect to 900 South Street which is currently a private road. While there are no plans at this time to connect this road, it is important to note that the developer is meeting the intent of the City's General Plan by accommodating for the possible future east/west connection.

RECOMMENDATION: Open the public hearing, receive public comment, and close the public hearing.

5. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED FINAL SUBDIVISION PLAT FOR CLEARFIELD STATION PHASE I

BACKGROUND: Clearfield Station TOD was approved via the Master Development Plan and Master Development Agreement in a City Council meeting on March 11, 2014. The first version of the Preliminary Plat for the entire 70 acre site was approved on May 7, 2014 by the Planning Commission. A final subdivision plat for Phase 1 was approved by the City Council on July 22, 2014. The approved Final Plat was never recorded with Davis County. As the developers considered the project, there were a few small changes which they believed would better serve the site. The current request is for the revised Final Plat approval for Phase 1 of the development. The plans submitted are in substantial conformance with the Mixed-Use Zone requirements. The revised Final Plat represents a change in the phasing plan of the Master Development Plan and the Master Development Agreement. There is a separate request to amend those documents. The change represents an increase in total residential units in Phase 1B. Those changes will be discussed in the Master Development Plan's and Master Development Agreement's staff reports in separate items on this agenda. The Planning Commission approved the Preliminary Plat and recommended approval for the Final Plat as conditioned in the staff report during its meeting on April 1, 2015.

RECOMMENDATION: Open the public hearing, receive public comment, and close the public hearing.

***SCHEDULED ITEMS:***

6. CITIZEN COMMENTS

7. CONSIDER ACTION ON ORDINANCE 2015-06 AUTHORIZING THE PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1365 WEST 25 NORTH FROM R-1-8 (RESIDENTIAL) TO A-1 (AGRICULTURAL)

RECOMMENDATION: Options to the City Council are:

- Approve Ordinance 2015-06 as proposed authorizing the rezoning of property located at approximately 1365 West 25 North from R-1-8 (Residential) to A-1 (Agriculture) as

conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or

- Approve Ordinance 2015-06 with some modifications authorizing the rezoning of property located at approximately 1365 West 25 North from R-1-8 (Residential) to A-1 (Agriculture) as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or
- Deny Ordinance 2015-06 authorizing the rezoning of property located at approximately 1365 West 25 North from R-1-8 (Residential) to A-1 (Agriculture).

8. CONSIDER ACTION ON ORDINANCE 2015-09 AUTHORIZING A PROPOSED AMENDMENT TO THE GENERAL PLAN'S FUTURE LAND USE MAP TO CHANGE THE DESIGNATED LAND USE CATEGORY FOR PROPERTY LOCATED AT APPROXIMATELY 880 SOUTH STATE STREET FROM COMMERCIAL TO RESIDENTIAL

RECOMMENDATION: Options to the City Council are:

- Approve Ordinance 2015-09 as proposed amending the General Plan's Future Land Use Map to change the designated land use category for property located at approximately 880 South State Street from Commercial to Residential as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or
- Approve Ordinance 2015-09 with modifications amending the General Plan's Future Land Use Map to change the designated land use category for property located at approximately 880 South State Street from Commercial to Residential as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or
- Deny Ordinance 2015-09 amending the General Plan's Future Land Use Map to change the designated land use category for property located at approximately 880 South State Street from Commercial to Residential.

9. CONSIDER ACTION ON ORDINANCE 2015-07 AUTHORIZING THE PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 880 SOUTH STATE STREET FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL)

RECOMMENDATION: Options to the City Council are:

- Approve Ordinance 2015-07 as proposed authorizing the rezoning of property located at approximately 880 South State Street from C-2 (Commercial) to R-3 (Residential) as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or
- Approve Ordinance 2015-07 with modifications authorizing the rezoning of property located at approximately 880 South State Street from C-2 (Commercial) to R-3 (Residential) as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report; or
- Deny approval of Ordinance 2015-07 authorizing the rezoning of property located at approximately 880 South State Street from C-2 (Commercial) to R-3 (Residential).

10. CONSIDER APPROVAL OF A PROPOSED FINAL SUBDIVISION PLAT FOR PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH 2000 EAST

RECOMMENDATION: Approve the Final Subdivision Plat for property located at approximately 938 South 2000 East as conditioned by the Planning Commission and based on the

discussion and findings in the Staff Report and authorize the Mayor's signature to any necessary documents.

11. CONSIDER APPROVAL OF ORDINANCE 2015-08 AMENDING THE MASTER DEVELOPMENT PLAN (MDP) FOR CLEARFIELD STATION, A MIXED USE DEVELOPMENT ON 70 ACRES, LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TINs: 12-066-0071, 12-067-0139)

BACKGROUND: The City Council approved the Master Development Plan (MDP) for the Clearfield Station Project on March 11, 2014. It has become apparent that some clarification may be required as to the intent of the MDP regarding the amount of stucco which will be allowed on the exterior façade of residential buildings. Additionally, some minor modifications are necessary to the phasing plan to accommodate the development of the property. The Planning Commission reviewed the proposed modifications on April 1, 2015 and found they did not constitute a material change to the MDP and recommended approval to the City Council.

RECOMMENDATION: Approve Ordinance 2015-08 amending the Master Development Plan (MDP) for Clearfield Station, a mixed use development on 70 acres, located at approximately 1250 South State Street (TINs: 12-066-0074, 12-067-0139) and authorize the Mayor's signature to any necessary documents.

12. CONSIDER APPROVAL OF RESOLUTION 2015R-11 APPROVING THE REVISED MASTER DEVELOPMENT AGREEMENT (MDA) BETWEEN THE CITY, THE PROPERTY OWNER AND THE DEVELOPER FOR THE CLEARFIELD STATION PROJECT

BACKGROUND: Clearfield Station is a proposed mixed-use development on the 70 acres adjacent to the FrontRunner station at 1250 South State Street. The Master Development Agreement (MDA) for this project was originally approved on March 11, 2014. The rezone to MU (Mixed Use) and the Master Development Plan were also approved at the same meeting. However, that version of the MDA has not been executed by any of the parties, and is therefore not in effect. The current version of the MDA incorporates the following changes: 1) Phase 1A to begin construction no later than 2015 (was 2014) and completed by December 31, 2018 (was 2017); 2) Phase 1B to include 216 units in nine buildings (was 168 units in seven buildings); 3) Vertical construction on Phase 1B not allowed until both flex buildings from Phase 1A have "gone vertical;" 4) Phase 2B to have 48 units in one building (was 96 units in three buildings); 5) Vertical construction on Phase 2B not allowed until both flex buildings in Phase 2A have "gone vertical;" 6) Makes accommodation for the possibility of Depot Street improvements being installed by another party, in which case Clearfield Station, LLC, would reimburse that party for its share; and 7) Incorporates the updated/amended MDP as an exhibit to the MDA.

As a result of the changes in phasing, Exhibit E (Impact Fee Credits) also needed to be updated and there was a minor change to Exhibit C, moving the timing up for installation of a sewer pump station.

RECOMMENDATION: Approve Resolution 2015R-11 Authorizing the revised Master Development Agreement (MDA) between the City, the property owner and the developer for the Clearfield Station project and authorize the Mayor's signature to any necessary documents.

13. CONSIDER APPROVAL OF A PROPOSED FINAL SUBDIVISION PLAT FOR CLEARFIELD STATION PHASE I

RECOMMENDATION: Approve the updated Final Subdivision Plat for Clearfield Station Phase I as conditioned by the Planning Commission and based on the discussion and findings in the Staff Report and authorize the Mayor's signature to any necessary documents.

14. CONSIDER APPROVAL OF THE AWARD OF PROPOSAL FOR RESIDENTIAL SOLID WASTE SERVICES AND RECYCLABLES COLLECTION TO WASTE MANAGEMENT

BACKGROUND: The City recently requested proposals to perform residential solid waste and recyclables collection services. Three proposals were received by qualified companies. Staff reviewed and rated the proposals and is recommending the proposal be awarded to Waste Management to provide the services.

RECOMMENDATION: Approve the award of proposal for solid waste services and recyclables collection services to Waste Management and authorize the Mayor's signature to any necessary documents.

15. CONSIDER APPROVAL OF THE AWARD OF BID TO A-1 ABATEMENT TO PERFORM ASBESTOS ABATEMENT FOR STRUCTURES LOCATED AT 310 SOUTH 500 EAST AND 497 SOUTH MAIN STREET

BACKGROUND: Staff has solicited bids for the abatement of existing asbestos at the listed locations prior to demolition this spring. Five vendors submitted qualified bids and each bid was reviewed and raked by staff based on the guidelines included in the request for proposals (RFP). Based on the review, the lowest responsible bid was received from A-1 Abatement with the bid amount of \$7,917.24.

RECOMMENDATION: Approve the Award of Bid to A-1 Abatement to perform asbestos abatement for structures located at 310 South 500 East and 497 South Main Street for the bid amount of \$7,917.24 and authorize the Mayor's signature to any necessary documents.

16. CONSIDER APPROVAL OF THE AWARD OF BID TO GRANT MACKAY COMPANY INC. FOR THE DEMOLITION OF BUILDINGS LOCATED AT 310 SOUTH 500 EAST AND 559 SOUTH MAIN

BACKGROUND: Staff has solicited bids for the demolition of buildings at the listed locations. Two vendors submitted qualified bids and each bid was reviewed and ranked by staff based upon the guidelines included in the request for proposals (RFP). Based upon this review, the lowest responsible bid was received from Grant Mackay Company Inc. with the bid amount of \$38,000.

RECOMMENDATION: Approve the award of bid to Grant Mackay Company Inc. for the demolition of buildings located at 310 South 500 East and 559 South Main for the bid amount of \$38,000 and authorize the Mayor's signature to any necessary documents.

**COMMUNICATION ITEMS:**

Mayor's Report  
City Councils' Reports  
City Manager's Report  
Staffs' Reports

**\*\*ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE CDRA\*\***

1. APPROVAL OF THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) MINUTES FROM THE APRIL 14, 2015 POLICY SESSION

**SCHEDULED ITEM:**

2. CONSIDER APPROVAL OF RESOLUTION 2015R-02 AUTHORIZING THE REVISED PARTICIPATION AGREEMENT WITH CLEARFIELD STATION, LLC, PROVIDING FOR THE USE OF TAX INCREMENT FINANCING FOR THE REIMBURSEMENT OF CONSTRUCTION COSTS FOR CERTAIN PROJECT INFRASTRUCTURE IMPROVEMENTS

BACKGROUND: The Clearfield Station Community Development Area (CDA) was created for the primary purpose of capturing tax increment to help pay for the cost of public infrastructure connected with the development of the UTA property. This participation Agreement sets forth the provisions under which the CDRA would reimburse the developer for those costs. It was previously approved by the CDRA on May 27, 2014. However, that version of the agreement has not been executed by any parties and is not in effect. Since then revisions to the phasing of the project have made it necessary to revise the Participation Agreement. The current version of the agreement incorporates the same phasing and timing changes reflected in the updated Master Development Agreement, considered earlier this evening by the City Council.

RECOMMENDATION: Approve Resolution 2015R-02 authorizing the revised Participation Agreement with Clearfield Station, LLC, providing for the use of tax increment financing for the reimbursement of construction costs for certain project infrastructure improvements and authorize the Chair's signature to any necessary documents.

**\*\*ADJOURN AS THE CDRA\*\***

Dated this 24<sup>th</sup> day of April, 2015.

/s/Kimberly S. Read, Deputy City Recorder

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 these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.