

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
February 24, 2015 – POLICY SESSION

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

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

Discussion on a Proposed Zoning Text Amendment to Title 11, Chapters 3, 11B, and 13 – Limited Distribution and Light Manufacturing

Discussion on a Proposed General Plan Amendment for a Portion of the Property located at 938 South 2000 East from Mixed-Use to Residential

Discussion on a Proposed Rezone for a Portion of the Property located at 938 South 2000 East from C-2, Commercial to R-2, Multi-Family Residential

Discussion on Amendments to the Fiscal Year 2015 Budget

Discussion on CDBG Amendments to the One Year Action Plans for 2013/2014 and 2014/2015

Discussion on the Clearfield Foundation for Arts, Parks and Recreation (non-profit corporation)

**(TENTATIVE)** The Council will consider a motion to enter into a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation (Utah Code Ann. §52-4-205)

*(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. REGULAR SESSION**

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Bush

APPROVAL OF MINUTES:

January 13, 2015 – Work Session

February 10, 2015 – Work Session

February 10, 2015 – Policy Session

**PRESENTATION:**

1. PRESENTATION BY WEBER BASIN WATER REGARDING CURRENT WATER CONDITIONS

**PUBLIC HEARING:**

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED ZONING TEXT AMENDMENT TO TITLE 11, CHAPTERS 3, 11B AND 13 – LIMITED DISTRIBUTION AND LIGHT MANUFACTURING

**BACKGROUND:** The City’s Planning Department reviewed land uses that do not necessarily fit within the permitted or conditional uses of the C-2, Commercial Zone, but that might be compatible with appropriate supplemental regulations. During the Planning Commission’s special session in October 2014, it recommended approval of a rezone of property from C-2 to M-1, Manufacturing, with the inclusion of the recordation of a “Limitation of Uses” document which removed specific permitted and conditional uses in the M-1 zone from being allowed within the

area rezoned from C-2 to M-1. The City Council subsequently approved the Planning Commission's recommendation and conditionally approved the rezone application. Both the Planning Commission and the City Council directed staff to draft land use regulations which would allow some forms of light manufacturing uses for properties zoned C-2, Commercial, under appropriate conditions. Staff has drafted those regulations and they have presented to the City Council for consideration.

RECOMMENDATION: Open the public hearing and receive any public comment.

3. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A GENERAL PLAN AMENDMENT OF THE FUTURE LAND USE DESIGNATION FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM MIXED-USE TO RESIDENTIAL

BACKGROUND: The request, by John Hansen, on behalf of Thomas Rosenberg, is to amend the General Plan map to change the future land use designation for the western 5.517 acres of the property located at 938 South 2000 East (TIN: 09-302-0008) from Mixed Use to Residential. The entire parcel is approximately 7.09 acres and is currently zoned C-2, Commercial.

RECOMMENDATION: Open the public hearing and receive public comment.

4. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED REZONE FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM C-2, COMMERCIAL, TO R-2, MULTI-FAMILY RESIDENTIAL

BACKGROUND: The applicant had a pending rezone application for Commercial Residential C-R on the property, which he asked to have held from final consideration in order to submit this alternative request. That original proposal included a request for approximately 7.09 acres to be rezoned from C-2, Commercial to C-R, Commercial Residential, with the intent to construct Commercial buildings fronting University Park Boulevard, and twin homes on the west side (rear) of the parcel. A minimum requirement of the C-R zone is that 20% of the total finished floor area of the buildings must be Commercial. In addition to the square footage requirement, the C-R zone further requires that the commercial portions of each phase be developed prior to the development of residential phases. The applicant believes the current market conditions in this area do not support the construction of the commercial property prior to the construction of the residential portions. For this reason, as an alternative they have chosen to make an application to amend the General Plan future land use designation on the property, and apply for a rezone for the western 5.517 acres of the property to R-2, Residential, in order to facilitate the proposed development without the requirement that the commercial development be completed prior to the residential.

RECOMMENDATION: Open the public hearing and receive public comment.

5. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FISCAL YEAR 2015 BUDGET

BACKGROUND: Staff has identified expenditures necessary for City operations which were not included in its current budget. State Code allows the City to make adjustments to the budget and a public hearing is part of that process.

RECOMMENDATION: Open the public hearing and receive public comment.

***SCHEDULED ITEMS:***

6. CITIZEN COMMENTS

7. CONSIDER APPROVAL OF ORDINANCE 2015-01 APPROVING A ZONING TEXT AMENDMENT TO TITLE 11, CHAPTERS 3, 11B AND 13 – LIMITED DISTRIBUTION AND LIGHT MANUFACTURING

RECOMMENDATION: Approve Ordinance 2015-01 approving the Zoning Text Amendment to Title 11, Chapters 3, 11B and 13 – Limited Distribution and Light Manufacturing, as conditioned by the Planning Commission, creating standards for limited distribution and light manufacturing uses in areas zoned C-2 which are not located directly on or within view from a major transportation corridor in the City and authorize the Mayor’s signature to any necessary documents.

8. CONSIDER APPROVAL OF ORDINANCE 2015-02 AUTHORIZING A GENERAL PLAN AMENDMENT TO THE FUTURE LAND USE DESIGNATION FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: (09-302-0008) FROM MIXED-USE TO RESIDENTIAL

RECOMMENDATION: Approve Ordinance 2015-02 approving a General Plan Amendment to the future land use designation for the western 5.517 acres of property located at 938 South 2000 East (TIN: 09-302-0008) from Mixed-Use to Residential as recommended and conditioned by the Planning Commission including but not limited to the following: 1) the site plan shall be in substantial conformance with the submitted site plan, and 2) a development agreement with the City shall be approved, fully executed, and recorded against the entire parcel as currently configured (governing both the commercial and residential development) as a condition precedent to the General Plan Amendment taking effect; and authorize the Mayor’s signature to any necessary documents.

9. CONSIDER APPROVAL OF ORDINANCE 2015-03 AUTHORIZING A REZONE OF A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM C-2, COMMERCIAL, TO R-2, MULTI-FAMILY RESIDENTIAL

RECOMMENDATION: Approve Ordinance 2015-03 authorizing a rezone of the western 5.517 acres of property located at 938 South 2000 East (TIN: 09-302-0008) from C-2, Commercial to R-2, Multi-Family Residential, as recommended and conditioned by the Planning Commission including, but not limited to, the following: 1) the site plan shall be in substantial conformance with the submitted site plan, with parking on the commercial structures to be placed behind the buildings, with the commercial buildings fronting 2000 East/University Park Boulevard, and 2) a development agreement with the City shall be approved, fully executed and recorded against the entire parcel as currently configured (governing both the commercial and residential development) as a condition precedent to the rezone taking effect; and authorize the Mayor’s signature to any necessary documents.

10. CONSIDER APPROVAL OF RESOLUTION 2015R-04 ADOPTING AMENDMENTS TO THE FISCAL YEAR 2015 BUDGET

RECOMMENDATION: Approve Resolution 2015R-04 adopting amendments to the Fiscal Year 2015 budget and authorize the Mayor’s signature to any necessary documents.

11. CONSIDER APPROVAL OF THE AWARD OF BID TO BRINKERHOFF EXCAVATION TO PERFORM THE CONSTRUCTION OF THE 550 EAST ROADWAY IMPROVEMENT PROJECT

BACKGROUND: Bids were received from five construction companies to construct the infrastructure improvements on 550 East Street from State Street to 1000 South. The work consists of the installation of new culinary water and sanitary sewer lines, making some adjustments to an existing irrigation pipeline to allow for installing curb, gutter and sidewalk on both sides of the road and to install new asphalt paving. The lowest responsible bid was received from Brinkerhoff Excavation with the bid amount of \$511,261.25.

RECOMMENDATION: Approve the award of bid to Brinkerhoff Excavation to perform the work for the 550 East Roadway Improvement Project for the bid amount of \$511,261.25; and approve funding of the project for the bid amount of \$511,261.25 with contingency and engineering costs of \$128,738.75 for a total project cost of \$640,000; and authorize the Mayor's signature to any necessary documents.

12. CONSIDER APPROVAL OF THE AWARD OF BID TO KAPP CONSTRUCTION AND DEVELOPMENT COMPANY INC. TO PERFORM THE CONSTRUCTION OF THE FREEPORT 5<sup>th</sup> STREET WATERLINE REPLACEMENT PROJECT

BACKGROUND: Bids were received from 13 construction companies to construct a 10-inch waterline in 5<sup>th</sup> Street between buildings J-5 and J-6 in the Freeport Center. The lowest responsible bid was received from Kapp Construction and Development Company Inc. with a bid amount of \$84,575.

RECOMMENDATION: Approve the award of bid to Kapp Construction and Development Company Inc. to construct a 10-inch waterline in the Freeport Center between Buildings J-5 and J-6 for the bid amount of \$84,575; and approve funding of the project for the bid amount of \$84,575 with contingency and engineering costs of \$38,925 for a total project cost of \$123,500; and authorize the Mayor's signature to any necessary documents.

**COMMUNICATION ITEMS:**

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

**\*\*COUNCIL MEETING ADJOURN\*\***

Dated this 20<sup>th</sup> day of February, 2015.

/s/Nancy R. Dean, 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.