

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
May 26, 2015 – POLICY SESSION

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

6:30 P.M. WORK SESSION

Discussion on the Development Agreement for the Rosenberg Subdivision
located at approximately 938 South 2000 East
Discussion on the Proposed Rezone for Property located at approximately
850 West 1600 South from (C-2) Commercial to (R-3) Residential

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

7:00 P.M. POLICY SESSION

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Benson

APPROVAL OF MINUTES:

February 6, 2015 – Work Session

May 12, 2015 – Policy Session

May 13, 2015 – Work Session

PRESENTATION:

1. **PRESENTATION TO BRENT ALLRED FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT**

BACKGROUND: Brent Allred has completed the requirements to receive the rank of Eagle Scout. Mayor Shepherd and the City Council desire to recognize Brent and acknowledge his achievement.

PUBLIC HEARING:

2. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED STREET VACATION OF 550 SOUTH AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY AND THE FINAL SUBDIVISION PLAT LOCATED AT 497 SOUTH MAIN**

BACKGROUND: The City Council generally doesn't hold a public hearing for Final Subdivision Plats, but in this case a Public Hearing is required for the Street Vacation of 550 South which is necessary for reorganizing the City's Public Works and Parks facilities. This plat will also be the mechanism by which 550 South Street is vacated and moved to the south. The purpose for moving the road is to allow City operations to take place on a single parcel rather than being split down the center by a public right-of-way. The new road will be called 575 South and will provide

a more direct route to the businesses located east of the City Shops while avoiding the high level of cross traffic that the City operations create.

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 850 WEST 1600 SOUTH FROM (C-2) COMMERCIAL TO (R-3) RESIDENTIAL

BACKGROUND: The request for approximately 2.28 acres to be rezoned from (C-2) Commercial to the (R-3) Residential zone with the intent to construct 30 dwelling units, specifically designed as two 12-plexes and one 6-plex. This property is part of an overall plan for the corner of Antelope Drive and 1000 West that includes 26 businesses developed over multiple phases. The remaining property is tucked back off of Antelope Drive with no frontage on a major commercial transportation corridor. The property owner indicates that the property has been marketed as commercial for over 17 years. The property owner believes the parcel has limited commercial viability and that multi-family residential represents the highest and best use for the property at this time. The Planning Commission recommended denial of the rezone.

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

4. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 837 WEST 300 NORTH FROM (A-1) AGRICULTURAL TO (R-1-8) RESIDENTIAL

BACKGROUND: This request is for approximately 0.51 acres to be rezoned from (A-1) Agricultural to (R-1-8) Residential with the intent to construct one additional single-family dwelling unit on the rear portion of the property with frontage facing 825 West. The property is currently a single parcel with an existing home fronting 300 North. The request for the rezone is combined with a subdivision plat request to create two lots that conform to the R-1-8 (Residential) standards. The request is consistent with the General Plan land use classification for residential. The Planning Commission considered the item at its meeting on Wednesday, May 6, 2015 and recommended approval.

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

SCHEDULED ITEMS:

5. CITIZEN COMMENTS

6. CONSIDER ACTION ON ORDINANCE 2015-11 AUTHORIZING THE PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 850 WEST 1600 SOUTH FROM (C-2) COMMERCIAL TO (R-3) RESIDENTIAL

RECOMMENDATION: Options to the City Council are:

- Approve Ordinance 2015-11 authorizing the rezoning of property located at approximately 850 West 1600 South from (C-2) Commercial to (R-3) Residential as conditioned by staff based on the discussion and findings in the Staff Report; or
- Approve Ordinance 2015-11 with modifications authorizing the rezoning of property located at approximately 850 West 1600 South from (C-2) Commercial to (R-3) Residential as conditioned by staff and based on the discussion and findings in the Staff Report; or
- Deny Ordinance 2015-11 authorizing the rezoning of property located at approximately 850 West 1600 South from (C-2) Commercial to (R-3) Residential.

7. CONSIDER APPROVAL OF ORDINANCE 2015-10 AUTHORIZING THE PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 837 WEST 300 NORTH FROM (A-1) AGRICULTURAL TO (R-1-8) RESIDENTIAL

RECOMMENDATION: Approve Ordinance 2015-10 authorizing the proposed rezone for property located at approximately 837 West 300 North from (A-1) Agricultural to (R-1-8) Residential and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF THE FINAL SUBDIVISION PLAT FOR PROPERTY LOCATED AT 837 WEST 300 NORTH

BACKGROUND: This item is a request by Leesa Socci on behalf of Cherry LLC for Final Plat approval to create two building lots from a single lot located at 837 West 300 North (TIN: 12-019-0110) which is an old agriculturally zoned parcel of property which has slowly been surrounded by smaller lot single-family development. The properties to the west of this lot are part of a subdivision in the R-1-9 zoning classification. The current property owner has met with staff a number of times to discuss the potential for subdividing the rear portion of the property to create a single family lot. In this rare case the property is large enough and the original home is sited in such a way that it has been proven possible to create a legal two lot subdivision. The property is approximately 0.51 acres. The—sidewalk, curb, gutter, asphalt, sewer, storm water, and culinary water—have all been installed and exist adjacent to the lots. The improvement plans reflect simple connections to the existing utilities in 825 West to serve the new Lot 2 created by this subdivision. The Planning Commission approved the Preliminary Subdivision Plan, and recommended approval of the Final Subdivision Plat as conditioned in the staff report during its meeting on Wednesday, May 6, 2015.

RECOMMENDATION: Approve the Final Subdivision Plat for property located at 837 West 300 North as presented by staff and conditioned in the staff report and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF THE PROPOSED STREET VACATION OF 550 SOUTH AND RELOCATION OF THE 550 SOUTH RIGHT-OF-WAY AND THE FINAL SUBDIVISION PLAT LOCATED AT 497 SOUTH MAIN

BACKGROUND: Clearfield City Public Works staff and North Davis Fire District have reviewed the plat and expressed no comments or concerns. The plat was prepared by the City Engineer, who has approved the design of all utility changes, streets, and City infrastructure.

RECOMMENDATION: Approve the street vacation of 550 South and Relocation of the 550 South Right-Of-Way and the Final Subdivision Plat located at 497 South Main and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE ROSENBERG SUBDIVISION LOCATED AT APPROXIMATELY 938 SOUTH 2000 EAST

BACKGROUND: The Final Subdivision Plat for the Rosenberg Subdivision located at approximately 938 South 2000 East was approved during the April 28, 2015 City Council meeting. A Development Agreement generally provides the Developer's Undertakings and the City's Undertakings and represents a contract between the two parties outlining specifics of the development. The submitted Development Agreement meets the requirements of the Planning Commission and City Council and staff recommends approval as drafted.

RECOMMENDATION: Approve the Development Agreement for the Rosenberg Subdivision located at approximately 938 South 2000 East and authorize the Mayor's signature to any necessary documents.

11. CONSIDER APPROVAL OF AN AMENDMENT TO THE LICENSE AGREEMENT WITH THE US AIR FORCE FOR MONITORING WELLS

BACKGROUND: The US Air Force has monitoring wells throughout the City to conduct groundwater and soil testing in connection with the groundwater monitoring project. This agreement allows the Air Force to locate and maintain the groundwater monitoring wells.

RECOMMENDATION: Approve an Amendment to the License Agreement with the US Air Force for monitoring wells 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 MAY 12, 2015 POLICY SESSION

SCHEDULED ITEM:

2. CONSIDER APPROVAL OF THE REAL ESTATE PURCHASE AGREEMENT FOR THE SALE OF PROPERTY LOCATED AT 50 SOUTH DEPOT STREET (TIN: 12-001-0193), 70 SOUTH DEPOT STREET (TIN: 12-001-0103), AND APPROXIMATELY 100 SOUTH STATE STREET (TIN: 12-001-0175) TO BAHIANO HOLDINGS FOR THE PURPOSE OF REDEVELOPMENT.

BACKGROUND: The Clearfield CDRA has acquired these three parcels over recent years in order to facilitate redevelopment in downtown Clearfield. Bahiano Holdings has offered to purchase the property at the price of \$450,000 (for all three parcels combined), and has proposed a mixed-use project consisting of a 4-story building with approximately 120 residential units, an underground parking garage, and approximately 4,500 square feet of retail space. The land use approval process for the proposed project will be progressing over the next few months.

RECOMMENDATION: Approve the Real Estate Purchase Contract (together with its five addenda) with Bahiano Holdings for the sale of property located at 50 South Depot Street (TIN: 12-001-0193), 70 South Depot Street (TIN: 12-001-0103), and approximately 100 South State Street (TIN: 12-001-0175), and authorize the Chair's signature to any necessary documents.

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

Dated this 21st day of May, 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.