



Community Development

PLANNING & ZONING, BUILDING INSPECTIONS,
BUSINESS LICENSING, AND CDBG ADMINISTRATION

MEETING NOTICE OF THE CLEARFIELD CITY PLANNING COMMISSION

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting *at 7:00 P.M., Wednesday, June 7, 2017*, on the 3rd floor **in the City Council Chambers** of the Clearfield City Municipal Building, 55 S. State, Clearfield, Utah.

7:00 PM CALL TO ORDER-- PLEDGE OF ALLEGIANCE

1. APPROVAL OF MINUTES
 - A. May 3, 2017

PUBLIC HEARINGS:

2. Public Hearing, for **RZN 1703-0001**, a request by Silver Peak Engineering for a Rezone of Property from M-1 (Manufacturing) to M-1-SP (Manufacturing with a Special Purpose Overlay) on approximately 29.085 acres of property located at or near 1250 S. State Street (TIN: 12-066-0137).
3. Public Hearing, **RZN 1704-0011**, a request by John Ryan, on behalf of Hamblin Investment group, for a Rezone of property located at approximately 852 & 880 South 550 East (TIN: 12-815-0001 & 12-815-0002) from Residential (R-2) zoning district to Residential (R-3) zoning district.

SCHEDULED ITEMS:

4. Discussion and Possible Action on **RZN 1703-0001**, a request by Silver Peak Engineering for a Rezone of Property from M-1 (Manufacturing) to M-1-SP (Manufacturing with a Special Purpose Overlay) on approximately 29.085 acres of property located at or near 1250 S. State Street (TIN: 12-066-0137).
5. Discussion and Possible Action on **RZN 1704-0011**, a request by John Ryan, on behalf of Hamblin Investment group, for a Rezone of property located at approximately 852 & 880 South 550 East (TIN: 12-815-0001 & 12-815-0002) from Residential (R-2) zoning district to Residential (R-3) zoning district.

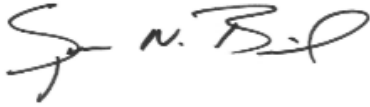
DISCUSSION ITEMS:

6. Consider changes to the sign code to allow for the display of signage on City property located along the fields at Fisher Park and Steed Park.
7. Discussion on timeline for Conditional uses in the Clearfield Code

COMMUNICATION AND TRAINING:

8. Staff Communications
 - A. Training – [How to make informed decisions on land use issues](#)
9. Planning Commissioners' Minute

****PLANNING COMMISSION MEETING ADJOURNED****



Dated this 5th day of June, 2017
/s/Spencer W. Brimley, Development Services Manager

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 accommodations for City sponsored public meetings, service programs, or events, should call Christine Horrocks at 525-2780, giving her 48 hours notice.



Planning Commission

STAFF REPORT

AGENDA ITEM
#2, #4

TO: Clearfield City Planning Commission

FROM: Spencer W. Brimley, MRED
Development Services Manager, 801-525-2785
Spencer.Brimley@clearfieldcity.org

MEETING DATE: Wednesday, June 7, 2017

SUBJECT: Public Hearing, Discussion and Possible Action on **RZN 1703-0001**, a request by Silver Peak Engineering for a Rezone of Property from M-1 (Manufacturing) to M-1-SP (Manufacturing with a Special Purpose Overlay) on approximately 24 acres of property located at or near 1250 S. State Street (TIN: 12-066-0137).

RECOMMENDATION

Move to **recommend approval to the City Council as conditioned, of RZN 1703-0001**, a request by Silver Peak Engineering for a Rezone of Property from M-1 (Manufacturing) to M-1-SP (Manufacturing with a Special Purpose Overlay) on approximately 24 acres of property (the anticipated “Lot 4” to be created) located at or near 1250 S. State Street (TIN: 12-066-0137), based on discussion and findings in the Staff Report.

PROJECT SUMMARY

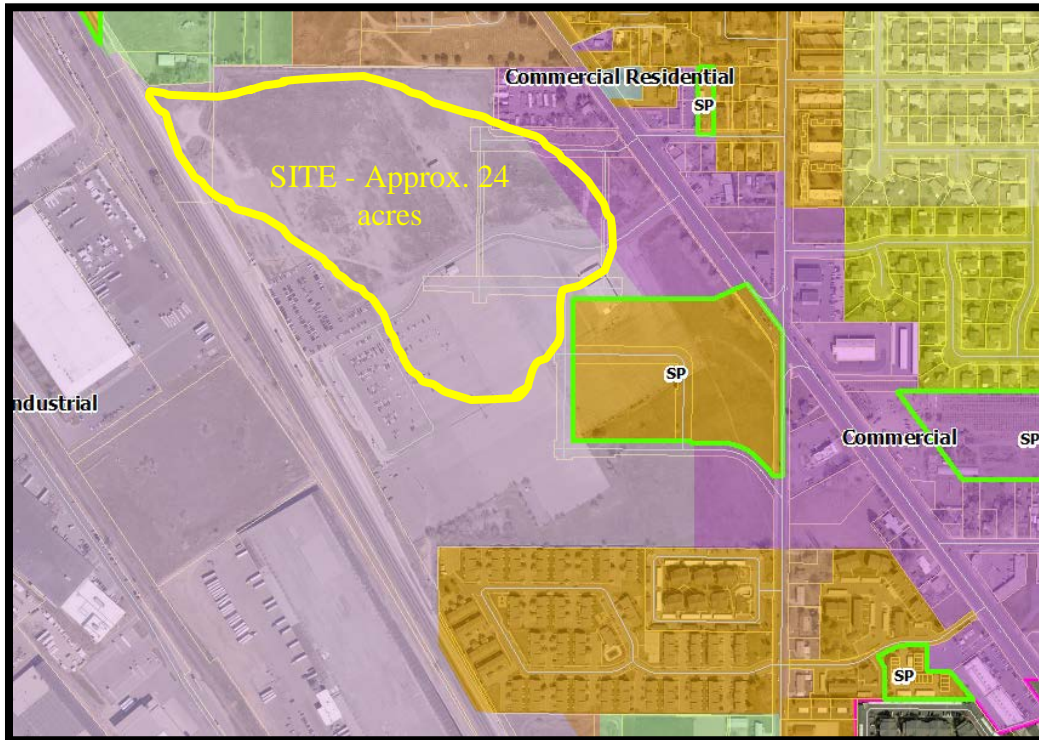
Project Information	
Project Name	Stadler Rail Rezone
Site Location	1250 S. State
Tax ID Number	12-066-0137
Applicant	Silver Peak Engineering – Logan Hammer/Josh Jensen
Owner	Utah Transit Authority (UTA)
Proposed Actions	Zoning Map Amendment (Re-zoning)
Current Zoning	M-1 (Manufacturing)
Proposed Zoning	M-1-SP (Manufacturing with Special Purpose Overlay)
Land Use Classification	Mixed Use
Gross Site Area	Approx. 24 Acres

BACKGROUND

The approximately 24 acres of property—as a portion of the entire 70-acre property—located at or near 1250 S. State Street was previously granted conditional approval of a rezone from M-1 Manufacturing to MU Mixed-Use by the Clearfield City Council on March 11, 2014 as part of a larger approximate 70 acre project, known as “Clearfield Station.” The conditions of the 2014 approval included the approval of a Master Development Plan (MDP) and the approval and execution of a Master Development Agreement

(MDA). However, the MDA was not executed, causing the zoning specific to the approximate 24 acres to revert to its original M-1 Manufacturing zone.

Vicinity and Zoning Map



In order to facilitate development on the approximate 24 acres located within a portion of the “Clearfield Station” site, the applicant is requesting a rezone from M-1 Manufacturing to M-1-SP Manufacturing, with a Special Purpose Overlay for the approximate 24 acres.

ANALYSIS

Approval of the rezone to M-1-SP will allow the intended user, Stadler Rail, to develop the proposed 24 acres as needed to accommodate their specific and unique operations. The review procedure of the requested rezone is outlined in City Code Sections 11-6-3 and 11-12C-3.

Clearfield City Code Section 11-6-3

“The planning commission may recommend adoption of the proposed zoning map amendment when it finds that the proposed amendment is in accordance with the general plan and map, or that changed conditions make the proposed amendment necessary to fulfill the purposes of this title.”

After careful review, Staff has determined that the rezone request for the proposed development of the 24 acres is necessary to fulfill the purpose of Title 11. In addition, Staff has determined that the rezone request is in accordance with the general plan and future land use map. The Findings section of this staff report includes a more in-depth discussion in this regard.

It is worth noting that although the City's General Plan is an advisory document, and as such the City Council has discretion to make land use decisions that meet the intent of the General Plan without following it as obligatory, the General Plan does not eliminate Special Purpose Overlay zone changes. Rather, the City's General Plan suggests that zone changes for a Special Purpose Overlay be identified as "non-standard" or "in-active," thus, allowing the City to grant such a request for Special Purpose Overlay zone change, when exigent circumstances so warrant.

Clearfield City Code Section 11-12C-3

"Application for a Special Purposes Zone designation shall be reviewed and approved according to the provisions of Chapter 4."

The provisions of Title 11, Chapter 4, Conditional Use Permits, has been followed.

DEVELOPMENT AGREEMENT

In addition to complying with the above, the rezone request for a Special Purposes Overlay zone further requires a "Contract" (development agreement) between the City and Developer pursuant to City Code Section 11-4-3C(1). The development agreement will establish an acceptable variation for the proposed manufacturing project, 'equivalent to a permitted use,' within the standard M-1 zone and does not include impacts from the project that would not otherwise exist under a similar conforming project developed under the M-1 standards.

The development agreement will address those items of the M-1 zone that warrant special consideration for the applicant. The items that have been requested as a part of the Special Purposes Overlay are provided by the applicant and detailed in the attachment to this Staff Report and will be specifically addressed in the development agreement. In summary:

1. **Building Height:**
 - a. Required by ordinance: Max Building Height up to 45' (§11-11D-5)
 - b. Requested Change: Max Building Height up to 65'
2. **Fencing:**
 - a. Required by ordinance: "Walls or fences may be required along all property lines which are adjacent to a residential zone or use or public right of way. The exact location, height and type of materials of the wall or fence shall be approved by the planning commission as part of the site plan approval process." (§11-11D-11(C))
 - b. Requested Change: Allow the use of black vinyl coated chain link security fence on North side of building, and along test track as shown on the proposed site plan.
3. **Exterior Building Materials:**
 - a. Required by ordinance: "Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding. Exposed tilt-up finished concrete and metal may also be used as a primary material on buildings located in the M-1 manufacturing zone, provided there is incorporation of and significant variation in materials along the base and near the entrances of the building. Any building elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock." (§11-11D-11(F))
 - b. Requested Change: North, West, and East Portions of the building have proposed future additions. Due to these additions, the owner requests that a stone wainscot not be required in those areas. The proposed Wainscot on the office addition is a pre-cast concrete veneer.
4. **Driveway Width:**

- a. Required by ordinance: The placement of ingress and egress to commercial and industrial lots shall be subject to review and approval by the planning commission. Driveway approaches shall not be more than forty five feet (45') in width or less than sixteen feet (16') in width for one-way traffic and thirty feet (30') in width for two-way traffic..." (§11-14-4)
 - b. Requested Change: Lowboy trucks that deliver train cars have a very large turning radius, which will require a larger drive approach width than as specified in the zoning ordinance. The maximum drive approach on the north end of the site is 120' wide.
5. **Flags:**
- a. Required by ordinance: "The flags, emblems, or insignia of any nation or political subdivision. Corporation flags may not exceed twelve (12) square feet and may be flown in tandem with the state or national flag. Large flags flown in high wind may cause a noise nuisance and are subject to removal upon investigation." (§11-15-7(A)(7))
 - b. Requested Change: This site will be the United States Corporate Headquarters for Stadler US. As such they are requesting some large flags near the entrance to the office building. These flags exceed the maximum size of 12 square feet shown in the zoning ordinance. A rendering, and details of the flags is shown in the application packet.
6. **Parking:**
- a. Required by ordinance: "2 spaces for each 1,000 square feet of gross floor area or fraction thereof. This shall not apply to floor areas used exclusively for storage." (§11-14-3)(B))
 - b. Requested Change: Much of this facility will be used exclusively for storage. Other areas, such as the assembly area, commissioning area, paint booths, welding and sand blasting areas will not be used exclusively for storage, but because they will be building train cars, there will not be a representative number of people in those spaces to justify the amount of parking required by the zoning ordinance. We propose that Stadler install 90 parking stalls near the office area for the phase I of the project. If additional parking is required, Stadler will negotiate an agreement with UTA for use of their adjacent lot until additional spaces are built through the addition of phases II and III.
7. **Off Street Loading:**
- a. Required by Ordinance: "For every building or part thereof having a gross floor area of ten thousand (10,000) square feet or more which is to be occupied by a commercial or industrial use or from which deliveries of materials or merchandise are made by motor vehicles, there shall be provided and maintained on the same lot with the building at least one off street loading space, plus one for each additional twenty thousand (20,000) square feet or major fraction thereof." (§11-14-6)
 - b. Requested change: Stadler would like to provide only the off street loading areas deemed necessary for their operational needs.

Each item has been carefully identified to facilitate the successful development of the Stadler facility. None of the items listed above are cause for concern as it relates to the request.

PUBLIC COMMENT

Koral Vasquez, a resident whose son lives adjacent to Clearfield Station, attended the Planning Commission and City Council meetings in May. She voiced concerns related to Stadler and what impacts could come to her family's property. Staff was able to meet with Ms. Vasquez and believes that the concerns that were voiced in each meeting have been resolved.

FINDINGS

Zoning Map Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Map Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	RZN 1703-0001 is consistent with Land Use Guidelines of the General Plan as follows: #11 development near high capacity transit reduces travel distances and provides options for residents to make daily trips via transit. Also, the site will be developed as mixed use with light manufacturing, residential as well as anticipated commercial development. Horizontal mixed use across the site is consistent with the General Plan and associated maps.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	The expiration of the 2014 MDP and MDA that resulted in the reverting of the 24 acres within the "Clearfield Station" project from MU back to M-1 makes the applicant's request for a rezone necessary for the City, developer, and the Utah Transit Authority to develop this 24 acres of land in a manner consistent with the best interests of all parties.

CONDITIONS OF APPROVAL

1. The M-1-SP rezone will apply only to the yet-to-be-created parcel, approximately 24 acres in size, which will become the site for Stadler Rail.
2. The rezone is contingent upon:
 - o Utah Transit Authority (UTA) approval of the sale of the property to Clearfield,
 - o The consummation of that transaction, and
 - o The sale of the property by Clearfield to Stadler Rail.
3. The rezone shall not take effect without the approval and execution of a development agreement, as well as the approval of amended interlocal agreements between the Clearfield CDRA and the taxing entities (for the Clearfield Station CDA).

ATTACHMENTS

1. Conceptual Site Plan
2. Applicant's requests for the Special Purpose Overlay