

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 P.M. WORK SESSION
May 26, 2015

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Scott Hess	Development Services Manager
	Curtis Dickson	Community Services Deputy Dir.
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy Recorder
EXCUSED:	Eric Howes	Community Services Director

VISITORS: Kathryn Murray, Con L. Wilcox, Rick Scadden, Brad Lasater

Mayor Shepherd called the meeting to order at 6:31 p.m.

DISCUSSION ON THE DEVELOPMENT AGREEMENT FOR THE ROSENBERG
SUBDIVISION LOCATED AT APPROXIMATELY 938 SOUTH 2000 EAST

Scott Hess, Development Services Manager, shared an illustration of the Rosenberg Subdivision site plan and reviewed it with the Council noting the following minor changes:

- Road would be designed in the configuration as now illustrated with a direct connection to the parking lot as opposed to the turn-around cul-de-sac at the end. He added there could be a gate at the end per standards identified by the North Davis Fire District and stated the City didn't have a position one way or the other at this time; however, once the future park was developed the gate would need to be removed.
- Paragraph F, Exhibit "D" reflects a date of October 30, 2013 and stated the date needed to be changed to reflect May 8, 2015.
- Paragraph G, adding an Exhibit "E" which would be a landscaping plan, holding the developer to a landscaping plan to be submitted with the project.

Mr. Hess requested the Council approve the submitted development agreement with the identified changes during the policy session.

Mr. Hess also directed the Council to the elevations reflecting the single family tri-plex building.

Mr. Hess reviewed other specifics called out in the Development Agreement:

- Twenty-five percent (25%) landscaping.
- All exterior finishes would be brick, stucco, rock, masonry or a combination thereof; none of the units would have vinyl siding.
- 1500 square foot units, with a total of 32 units.
- An HOA (Homeowner Association) would be established prior to the issuance of any building permits.
- The landscaping would be completed prior to final occupancy for any of the units.
- Prior to receiving any residential building permits, pad sites for parcels A and B must be ready for development; cleared, graded and covered with road base and must be kept free of weeds and debris with a deed restriction as described in Exhibit "E".

Councilmember Bush inquired if the developer was aware of the recommended changes reported to the Council by Mr. Hess. Mr. Hess responded John Hansen, developer, had been involved with the changes as of Thursday, May 7, 2015.

DISCUSSION ON THE PROPOSED REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 850 WEST 1600 SOUTH FROM (C-2) COMMERCIAL TO (R-3) RESIDENTIAL

Scott Hess, Development Services Manager, shared an illustration which had been included in the Council's agenda packet regarding a proposal to rezone a portion of property (approximately 2.5 acres) known as Wilcox Farms from (C-2) Commercial to (R-3) Residential which would leave the remaining portion zoned commercial. Mr. Hess explained the proposed multi-family development would consist of 30 residential units in two 12-plex buildings and one 6-plex building and shared an illustration reflecting the location of the proposed development. He stated the proposed development met the requirements of the R-3 zone and the use was in compliance with the General Plan. He mentioned staff had recommended approval but the Planning Commission recommended denial during its meeting on Wednesday, May 6, 2015 for the following reasons:

- A lot of units on a small parcel of property.
- Some members of the Planning Commission believed (R-2) Residential development was a better product.
- The Planning Commission was uncomfortable approving the rezone which could allow everything and anything that was permissive in the R-3 zone.

Mr. Hess reported the rezone was denied by the Planning Commission with the recommendation the developer bring the project back with the consideration of R-2 zoning request and with additional documentation. He pointed out the current General Plan reflected 1600 South Street connecting east/west into a future road identified as 725 West. He pointed out the City would be amending its General Plan later in the year and believed an additional east/west connection from 1000 West across the power corridor to the ten acres might be necessary. He added the 2.5 acres was a small pocket of property.

Councilmember Bush stated he had visited the location and was familiar with the property and pointed out the General Plan called for residential and believed single family wasn't the best option. He expressed concern that an R-2 zoning was basically two single family homes connected to each other creating a little bit higher density so he didn't think R-2 was the best option either. He added the businesses in that area needed more rooftops. He indicated he did not have a problem with an R-3 zoning but other multi-family projects recently approved by the Council all had development agreements negotiated and something showing what the project would look like. He didn't believe the project was the best use for the location because of the agriculture property to the north, even though it was reflected in the General Plan as residential. He expressed his opinion the rezone and change to the General Plan for that small parcel didn't make sense and pointed out future development might not work with the rezone. He emphasized if the rezone request was approved it would be in conflict with the City's General Street Plan because it reflected 1600 South as a through street.

He stated he wasn't opposed to the R-3 rezone because he didn't believe R-1 or R-2 was suitable for that location, but given the vacant property to the north and the street designation combined with not seeing any kind of a development agreement, he recommended tabling the item until those issues could be addressed. He pointed out if the Council denied the rezone request the applicant would need to begin the rezone application process all over again.

Councilmember Benson inquired when the General Plan would be updated. Mr. Hess responded he was in the middle of that process and had prepared draft language for the Planning Commission's review.

Adam Lenhard, City Manager, pointed out Councilmember Bush was correct regarding the Master Street Plan and the connection continuing east on 1600 South. He reviewed the residential zones and what was allowed with each pointing out three or more living units was considered a multi-family dwelling. He added the R-2 zone also allowed multi-family dwellings such as a 6-plex, townhomes or side by side but the density or overall units per acre would determine the zone. Councilmember Bush commented the R-3 proposal was for a 30-unit development but R-2 would only allow 18 units. He liked the idea of housing on that parcel of property. Councilmember Jones agreed. He liked the idea of tabling the decision to protect the owner from beginning the process a second time. He liked the developer's concept and suggested it was close to what the Council wanted to see.

Councilmember Young reminded the Council that it had held rezones of multi-family projects to the R-3 zone at a high level requesting development agreements as the projects were presented and suggested that policy continue.

Councilmember LeBaron pointed out the Council had also denied some perfectly good R-3 projects for the sole fact that the City was moving in that direction too quickly. He acknowledged this particular development already had its retail component in place. He also stated the City had previously subsidized the development of Lots 1 through 6 so that the retail could be developed. He stated R-3 zoning may or may not work in the area. He liked the idea of

opening up the General Plan and planning based on regional tracks. He stated the Planning Commission was fairly comfortable with an R-2 zoning for the parcel. He expressed concern with other types of development around the designated acreage and whether the area was right for the type of development being proposed. He stated he was currently uncomfortable with the R-3 rezone for the property.

Councilmember Young believed the Council needed more information specific to the proposed development and suggested the Council wait until the General Plan was updated to determine if R-3 was the best use for the property.

Brian Brower, City Attorney, reminded the Council the public hearing had been noticed so if the decision were to table the item's consideration it would be necessary to be date specific for readdressing it. He also explained the Council could also waive any future application fees for the developer to bring the project back if it so desired.

Con Wilcox, property owner, addressed the funds the City had used toward the commercial development in the area. He emphasized it was actually the CDRA that invested funding in that area. He also explained UDOT had reimbursed the City approximately \$400,000 of that investment for the widening of Antelope Drive and the traffic signal improvements at 1700 South and 1000 West. Councilmember LeBaron responded he was interested to know how much funding Wilcox Farms received that was disbursed for the commercial component of the project. Councilmember LeBaron stated he was not comfortable with the rezone to R-3 on 2.5 acres and believed R-2 would be more suitable.

Councilmember Young believed the Council would need more information regarding the development to make a final decision on the zone. He expressed his opinion the commercial component existed but the City should review how much it had invested in the development of that location. He stated it was important to look at the development of the area from a larger scope accompanied by additional information on the proposed development to determine the best use for the property.

Mr. Brower clarified the Council could open and close the public hearing and then table the agenda item for the rezone. He added staff would then re-notice a new public hearing date when the developer had met the Council's request for additional information. Councilmember Bush asked if a new public hearing would be necessary. Mr. Brower suggested there was the possibility that the request might change when it was revisited so it would be necessary to hold a new public hearing under that circumstance. Councilmember Young suggested there might be significant enough changes to the development proposal to warrant a second look by the Planning Commission as well. Mr. Brower commented that tabling the issue was best done at the request of applicants because generally applicants were entitled to decisions on their applications. He counseled the best option might be to take action and if the Council wanted to see changes it had the option to waive application fees for the developer after additional information was supplied to the City. He also agreed the Planning Commission should consider the request if there were significant enough changes to the proposal.

The meeting adjourned at 7:00 p.m.

APPROVED AND ADOPTED
This 28th day of July, 2015

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, May 26, 2015.

/s/Nancy R. Dean, City Recorder