

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. SPECIAL SESSION  
March 7, 2017

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Dan Schuler	Storm Water Manager
	Spencer Brimley	Development Services Manager
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Amber Hansen-Thackeray Garn, Dean Smith-Thackeray Garn

Mayor Shepherd called the meeting to order at 7:01p.m.

Mayor Shepherd informed the citizens present that if they would like to comment during the Public Hearing there were forms to fill out by the door.

**PUBLIC HEARING TO CONSIDER A REZONE OF A PORTION OF THE PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TIN: 12-066-0137) FROM COMMERCIAL (C-2) AND MANUFACTURING (M-1) TO RESIDENTIAL MULTI-FAMILY, WITH A SPECIAL PURPOSE OVERLAY (R-3-SP) - CONTINUED**

The Thackeray Garn Company (TGC) Clearfield Station Apartments, LLC, was developing a portion of the Clearfield Station property located at approximately 1250 South State. The project required a zone change for 9.76 acres of the property from Commercial (C-2) and Manufacturing (M-1) to Residential Multi-Family, with a Special Purpose Overlay (R-3-SP) to facilitate the development of the project. This public hearing was continued from a previous special session held on Tuesday, February 21, 2017. Mayor Shepherd asked if there were any public comments.

There were no public comments.

**Councilmember Peterson moved to close the public hearing at 7:03 p.m. seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF ORDINANCE 2017-03 REZONING A PORTION OF THE PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TIN: 12-066-0137) FROM COMMERCIAL (C-2) AND MANUFACTURING (M-1) TO RESIDENTIAL MULTI-FAMILY WITH A SPECIAL PURPOSE OVERLAY (R-3-SP), AUTHORIZING THE ASSOCIATED DEVELOPMENT AGREEMENT WITH CLEARFIELD STATION APARTMENTS, LLC, AND, AUTHORIZING THE INTERSECTION IMPROVEMENTS AGREEMENT WITH TGC CLEARFIELD STATION APARTMENTS, LLC (“TGC”)

The Clearfield Station Apartments project consisted of 216 apartments in nine buildings (24 units per building), plus a clubhouse. The development was previously considered Phase 1-B of the now invalid Clearfield Station Master Development Plan. Land use approvals for the project (plat, zoning, and site plan) were either already complete or in progress. Allowing the limited project to move forward freed up the remainder of the Clearfield Station property for other uses.

Also, the original Master Development Plan for Clearfield Station included the reconfiguration of 1000 East, creating two new intersections with State Street. Since those intersections would not be constructed at this point, the purpose of the Intersection Improvements Agreement was to establish The Thackeray Garn Company’s (“TGC’s”) responsibility for sharing in the cost of those future intersections. TGC’s proportionate share, based on its percentage of the total Clearfield Station acreage, is 13.96 percent. The agreement also included provisions for the possibility that other funding (State funds and/or tax increment) might cover some or all of the cost of the improvements, as well as the possibility that alternative improvements might be decided upon, eliminating the need for the two new intersections.

Mayor Shepherd stated the Council discussed the rezone at length during its work session prior to the policy session.

Councilmember Phipps stated the Council’s consideration of the project was significant and would be setting the stage for something the City would be dealing with for the next couple of decades. He expressed concern that the Council had a greater vision for some bold and innovative development on that site. He suggested the project being considered might be as good as the City could get at that location, but he believed the City was acquiescing. He expressed his concern that the project would now only bring apartments and heavy manufacturing to the City. He stated he was not convinced the project as proposed was in the best interest of the City. He didn’t believe that type of development would be what residents expected for that area.

Mayor Shepherd suggested the market was driving particular parts of the development. He pointed out the local area already had existing retail/commercial hubs and any commercial development outside of those hubs tended to be strip malls or developed in small pieces. He added neighboring cities had big box stores currently sitting vacant. He explained that for ten

years the City was unable to find a developer willing to develop the property the way the Council desired because it had no direct freeway access or visibility. He expressed his opinion that the development had the potential to bring a manufacturer to the site that was unique and a class act thereby generating other development in the City. He thanked Councilmember Phipps for expressing his point of view.

Councilmember Phipps commented the Council had talked a lot about doing bold and innovative things. He had hoped the City would have developers come who were willing to pursue developments with that vision. He hoped that in twenty years there would be a development that would make both him and the City proud. He indicated the proposed plan for the development had been a struggle for him.

Mayor Shepherd expressed his opinion the plan for the development was something that would bring pride to the City. He suggested the ripple effect from the development was a win. He expressed his opinion the City was a blue-collar, manufacturing community. He indicated the manufacturer planning to make a significant investment in the site would enhance the level of skill and pay throughout Davis County.

Councilmember Young stated he had talked to a lot of people that wanted more job opportunities closer to home. He added the proposed project would do that. He expressed his opinion the development would bring more high-end opportunities for employment throughout the area and increase the value of all employees in the area.

Councilmember Peterson expressed her opinion the apartment project, as a stand-alone project, was not something the Council would consider on its own merit, but was an expedient move to help something better happen on the entire parcel.

Councilmember Phipps expressed his appreciation for all the work staff had put into the project. He added his comments were not to degrade the amount of work put into moving the project forward.

**Councilmember Peterson moved to approve Ordinance 2017-03 rezoning a portion of the property located at approximately 1250 South State Street (TIN: 12-066-0137) from Commercial (C-2) and Manufacturing (M-1) to Residential Multi-family with a Special Purpose Overlay (R-3-SP), authorize the associated development agreement with Clearfield Station Apartments, LLC, authorize the Intersection Improvements Agreement with TGC Clearfield Station Apartments, LLC (“TGC”); and, authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Roper and Young. Voting NO – Councilmembers Phipps and Bush.**

APPROVAL OF THE REIMBURSEMENT AGREEMENT FOR PROJECT IMPROVEMENTS WITH CLEARFIELD STATION APARTMENTS, LLC, PROVIDING FOR A PARTIAL REIMBURSEMENT OF INFRASTRUCTURE COSTS THAT MAY BENEFIT FUTURE DEVELOPERS

Part of the Clearfield Station Apartments project was the construction of Boxcar Drive (on the west side) and Express Drive (on the south side), with certain water, sewer, and storm drain lines within those rights-of-way. Because those improvements might also benefit future developers on the other side of the street, the agreement provided the developer with the opportunity to be reimbursed for a portion of its costs when that future development occurred.

**Councilmember Young moved to approve the Reimbursement Agreement for Project Improvements with Clearfield Station Apartments, LLC, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF RESOLUTION 2017R-04 AFFIRMING THE CITY COUNCIL REVIEWED THE 2016 MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR CLEARFIELD CITY

The Utah Department of Environmental Quality asked the City Council to review and consider Clearfield's Municipal Wastewater Planning Program Report for 2016. This resolution affirms the Council reviewed and considered the report.

**Councilmember Roper moved to approve Resolution 2017R-04 affirming that the City Council reviewed and considered the Municipal Wastewater Planning Program Report for Clearfield City and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

There being no further business to come before the Council, **Councilmember Young moved to adjourn at 7:19 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

**APPROVED AND ADOPTED  
This 28<sup>th</sup> day of March, 2017**

**/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, March 7, 2017.

/s/Nancy R. Dean, City Recorder