Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

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

6:00 P.M. CITY COUNCIL WORK SESSION
Presentation from Safe Harbor about Its Programs

- Update on the Victim Services Program
- Discussion on a Request by Kim Keller to Amend the City’s General Plan from Residential to Commercial for Property Located at Approximately 755 East 200 South (TIN: 12-002-0015)
- Discussion on a Rezone Request by Kim Keller to Rezone Property Located at Approximately 755 East 200 South (TIN: 12-002-0015) from R-1-8 (Residential) to C-2 (Commercial)
- Discussion on a Rezone Request by Craig North to Rezone Property Located at Approximately 1295 West 300 North (TIN: 12-024-0014) from A-1 (Agricultural) to R-2 (Residential)
- Discussion on an Amendment of the Final Subdivision Plat Lot 2 of the Dollar Tree Subdivision Located at Approximately 585 North Main Street (TIN: 14-530-0002)
- Discussion on the Final Subdivision Plat for the Woodward Subdivision Located at Approximately 1350 East 700 South (TINs 09-020-0015 and 09-020-0036)
- Discussion on the Final Subdivision Plat for the 700 South Maverik Subdivision Located at Approximately 700 South and 1000 East (TINs 09-017-0001, 09-017-0002, 09-017-0007, 09-017-0008, 09-017-0009, 09-017-0010, and 09-017-0011)
- Discussion on the Street Vacation in the vicinity of 700 South and 1000 East
- Discussion on Allowing a Beer Garden at the 4th of July Events held at Fisher Park

Open Meeting Training

**ADJOURN AS THE CITY COUNCIL**

Dated this 28th day of November, 2018.

/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.
TO: Mayor Shepherd and City Council Members
FROM: Teresa Allen
MEETING DATE: December 4, 2018
SUBJECT: Victim Services Program

RECOMMENDED ACTION
N/A

DESCRIPTION / BACKGROUND
As part of my VOCA grant requirements I need to periodically give presentations to my governing board. I plan to present an overview on activity and services to date.

Goals of the current VOCA grant (Victims of Crime Act)
- Reduce trauma to victims of domestic violence and other violent crimes in Clearfield City
- Enhance victim services by assisting victims in locating resources and by providing services through the use of volunteers
- Provide support and advocate for victims of crime prosecuted in the Clearfield City Justice Court

IMPACT
FISCAL
Position is currently funded by a VOCA grant until June 2019; there is no fiscal impact at this time.

ALTERNATIVES

SCHEDULE / TIME CONSTRAINTS
The Program will apply for its next grant in April 2019 to fund July 2019 to June 2021.

LIST OF ATTACHMENTS
Handout on victim services for fiscal year 2017-2018
Clearfield City Victim Services Program
2017-2018 fiscal year overview

Victims Served

513

Accomplishments

890 criminal justice notifications
1209 information & referral
42 crisis interventions
coordinated trauma informed training for law enforcement and area agencies
3 officers sent to state training

Victim Types

Domestic Violence 61%

Males 28%

Females 72%

Additional Program Info

- We met our program goals for the fiscal year
  The volunteer objective of the grant is currently met and maintained
- The Program Coordinator worked with area advocates to create a 2nd District Advocate group
- The Program Coordinator mentored 7 victim advocates in new programs from, Syracuse, Roy, Bountiful, Kaysville PD, Ogden PD, Weber SO
- The Program Coordinator mentored at the UOVC Victim Assistance Academy
- The Program Coordinator is currently working on a subcommittee to create standard forms for victim impact statements for the state

Upcoming

Grant Application
In April we will submit our application for the VOCA 2019-2021 grant cycle

National Training
In April we will send 3 people to a domestic violence and sexual assault national training

State Training
In April & May we will send 3 officers to Victims of Crime and Children’s Justice trainings
TO: Clearfield City Planning Commission

FROM: Spencer W. Brimley, Community Development Director
Spencer.Brimley@clearfieldcity.org
(801) 525-2785

MEETING DATE: Wednesday, December 5, 2018


STAFF RECOMMENDATION
Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed general plan amendment, based upon the findings outlined in this report.

PLANNING COMMISSION
Planning Commission will consider this item at their meeting on Wednesday, December 5, 2018. Staff will provide the recommendation to the council during the policy meeting to be held on Tuesday, December 11, 2018.

COMMISSION RECOMMENDATION OPTIONS:
Following careful consideration of the information included in this report the commission may decide to vary from Staff’s recommendation and may choose to forward the following recommendations:

1. Move to recommend Approval of GPA 1811-0005, to the Clearfield City Council, a request by Kim Keller to change the general plan designation for the subject property from Residential to Commercial.
2. Move to recommend Denial of GPA 1811-0005, to the Clearfield City Council, a request by Kim Keller to change the general plan designation for the subject property from Residential to Commercial.
3. Move to table GPA 1811-0005 and request additional time to consider the request.

BACKGROUND
The property under consideration was developed as storage units in 1989. Terrace View Subdivision was built in 1959 and the Smith Village Subdivision, to the west was built in 2004. All parcels in this area are shown as residentially zoned and identified in the General Plan as residential. The current use of the property located at 755 E 200 S, as a storage facility, which is not a residential use and would be more appropriately identified as a commercial use in a residential area. The applicant is requesting an
amendment to the general plan from Residential to Commercial. Additionally, the applicant is requesting a rezone of the parcel from R-1-8 (Residential) to C-2 (Commercial), to make the zoning more consistent with the use of the property. Approval of zoning request would provide a buffer from the I-15 corridor for any future residential development and would prohibit the development of single family or any other residential uses adjacent to the Interstate. The amendment to the General Plan is the first step in the process and must be approved to allow for the rezone of the parcel as well. The General Plan request, along with the rezone will not intensify the non-conforming use on the property, but rather applies a more appropriate zoning designation to an existing use.

Prior to 2002 storage units were an allowed use within the Land Use Ordinance. The use was a conditional use within the C-2 (Commercial) zone. In January 2002 and in November 2009 the Land Use Code was amended to disallow the future construction of commercial storage units and facilities within the City. This would limit this use to those properties where it existed prior to adoption of ordinances that disallowed them. A General Plan amendment is a necessary step, in order to allow for the rezone of parcels.

**General Plan**

All properties included in this request are zoned R-1-8 (Residential). The future land use map of the Clearfield City General Plan designates these parcels as residential. As described on page 6 of the General Plan, the C-2 (Commercial) zone is for general commercial business activities and is the primary zone along the major transportation corridors of the City (I-15, SR-126 and SR 108). Commercial development along this area does not facilitate new development, but provides a buffer for existing residential development, and allows for future commercial uses along this stretch of I-15. Since this area is shown as residential in the general plan, it would need to be changed to commercial to facilitate the rezone associated with this request. A Commercial designation along I-15 is more consistent with the goals and objectives of the City’s General Plan.

**Public Comment**

A notice was posted on the property on November 16th. Notices to neighboring properties were mailed on November 21st.

### GENERAL PLAN ANALYSIS

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The requested amendment is consistent with the goals and objectives of the Clearfield City General Plan.</td>
</tr>
<tr>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>An amendment of the general plan along this corridor provides the proper buffer for future use of this corridor. The proposed general plan amendment does not undermined the effectiveness of the plan.</td>
</tr>
</tbody>
</table>
STAFF RECOMMENDATION/CONCLUSION

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed General Plan amendment, based upon the following findings:

1. The proposed General Plan amendment is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed General Plan amendment is supported by Chapter 2 – Land Use Element as Commercial is an appropriate designation for this location.
3. Commercial is the appropriate designation for properties along a major transportation corridor of the City.

ATTACHMENTS

GENERAL PLAN: FUTURE LAND USE MAP
ZONING MAP
Planning Commission
STAFF REPORT

TO: Clearfield City Planning Commission

FROM: Spencer W. Brimley, Community Development Director
Spencer.Brimley@clearfieldcity.org, (801) 525-2785

MEETING DATE: Wednesday, December 5, 2018


STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed zone change based upon the findings outlined in this report.

PLANNING COMMISSION

Planning Commission will consider this item at their meeting on Wednesday, December 5, 2018. Staff will provide the recommendation to the council during the policy meeting to be held on Tuesday, December 11, 2018.

COMMISSION RECOMMENDATION OPTIONS:

Following careful consideration of the information included in this report the Commission may decide to vary from Staff’s recommendation and may choose to forward the following recommendations:

1. **Move to recommend Approval of RZN 1811-0005**, to the Clearfield City Council, request by Kim Keller to rezone the subject property from R-1-8 (Residential) to C-2 (Commercial).
2. **Move to recommend Denial of RZN 1811-0005**, to the Clearfield City Council, a request by Kim Keller to rezone the subject property from R-1-8 (Residential) to C-2 (Commercial).
3. **Move to table RZN 1811-0005** and request additional time to consider the request.

BACKGROUND AND ANALYSIS

The property under consideration was developed as storage units in 1989. Terrace View Subdivision was built in 1959 and the Smith Village Subdivision to the west was built in 2004. All of the parcels in this area are shown as residentially zoned and identified in the General Plan as residential. The current use of the property located at 755 E 200 S, as a storage facility, is not residential and would be more appropriately identified as a commercial use in a residential area. The applicant has requested the rezone of the parcel from R-1-8 (Residential) to C-2 (Commercial). This provides a buffer from the I-15 corridor for any future development would prohibit the development of single family or any other residential development next to the Interstate. The rezone of the property does not further place the use out of conformance, but rather applies a more appropriate zoning designation to an existing use.
Prior to 2002 storage units were allowed in the Land Use Ordinance, within the C-2 (Commercial) Zone. This code was amended in January 2002 and in November 2009 to disallow the future construction of new commercial storage units and facilities within the City, allowing the use on only those properties that had such facilities on them previously. Thus allowing the rezone of the parcel would be consistent with previous zoning decision, but would not allow for further expansion of the facility.

General Plan
All properties included in this request are zoned R-1-8 (Residential). The future land use map of the Clearfield City General Plan designates these parcels as residential. As described on page 6 of the General Plan, the C-2 (Commercial) Zone is for general commercial business activities and is the primary zone along the major transportation corridors of the City (I-15, SR-126 and SR-108). Commercial development along this area does not facilitate new development, but provides a buffer for existing residential development, and allows for future commercial uses along this stretch of I-15.

Public Comment
A notice was posted on the property on November 16th. Notices to neighboring properties were mailed on November 21st.

GENERAL PLAN ANALYSIS

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The requested rezone is consistent with the goals and objectives of the Clearfield City General Plan.</td>
</tr>
<tr>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>A zone change in this area and along this corridor provides a future opportunity to separate and buffer residential uses, should demolition of the storage use happen. The proposed rezone is appropriate for this area.</td>
</tr>
</tbody>
</table>

CONCLUSION AND FINDINGS
Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the proposed zone change based upon the following findings:

1. The proposed zone change is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed zone change is supported by Chapter 2 – Land Use Element as the C-2 (Commercial) Zone is an appropriate designation for this location.
3. The C-2 Zone is the appropriate zone for properties along a major transportation corridor of the City.
4. Subject to conditional use permit approval, the C-2 Zone provides the flexibility, design standards, and process by which appropriate commercial uses can be constructed.

ATTACHMENTS
GENERAL PLAN: FUTURE LAND USE MAP
ZONING MAP
GENERAL PLAN: FUTURE LAND USE MAP

ZONING MAP

RESIDENTIAL

HAFB

Subject Properties

R-1-8

HAFB

Subject Properties

December 2018 PC Meeting
Planning Commission
STAFF REPORT

TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, December 5, 2018


STAFF RECOMMENDATION
Staff recommends that the Planning Commission forward a recommendation of **DENIAL** for RZN 1811-0003 to the City Council for the proposed rezone of the property addressed 1295 West 300 North, based on the findings and discussion in the Staff Report.

RECOMMENDATION OPTIONS

1. **Move to recommend Approval of RZN 1811-0003**, to the Clearfield City Council, a request by Craig North to rezone the subject properties from A-1 (Agricultural) to R-2 (Residential).
2. **Move to recommend Denial of RZN 1811-0003**, to the Clearfield City Council, a request by Craig North to rezone the subject properties from A-1 (Agricultural) to R-2 (Residential).
3. **Move to table RZN 1811-0003**, and request additional time to consider the request.

BACKGROUND
The applicant, Craig North is requesting to rezone this property from A-1 to R-2 to develop the property with townhomes or with a smaller lot single-family development. As currently constituted the A-1 Zone allows the development of single-family residential lots that have a minimum lot area of one third (1/3) an acre or 14,520 square feet. The following table provides information regarding the surrounding properties.

<table>
<thead>
<tr>
<th>Surrounding Properties and Uses</th>
<th>Current Zoning District</th>
<th>General Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Residential R-1-8 &amp; R-1-9 (Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>Single-Family Residential R-1-8 (Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Residential A-1 (Agricultural)</td>
<td>Residential</td>
</tr>
</tbody>
</table>
General Plan

Clearfield City’s General Plan designates this area along the south end of 300 North as residential. The residential designation is to be used primarily for residential activities and includes the agricultural land that allows for single-family residences and the keeping of certain animals. Consistent with Mr. North’s request, “The R-2 Zone is designated for multi-family dwelling units with a density up to eight (8) units per acre. Developments under this zone are typically arranged as duplexes, twin homes, or townhome-style units” (See page 5 of the General Plan). As stated on page 4 of the General Plan, the R-1-8 zone is Clearfield City’s default residential single-family zone, and is the preferred zone for future development of single family housing. The surrounding residential properties are zoned R-1-8 or R-1-9, which are both single-family zoning districts.

Clearfield City has recently placed an emphasis on high density housing being constructed along the downtown corridor with the intent to revitalize the downtown area, while encouraging single-family development for residential areas located outside of the downtown. The following Land Use Guidelines starting on page 8 of the General Plan support this development strategy.

- The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
- Transitions between differing land uses and intensities should be made gradually with compatible uses.
- Density increases should be considered only after adequate infrastructure and resource availability have been sufficiently demonstrated.
- Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding uses.

Public Comment

A property notice was posted on November 16, 2018. Mailed notices were sent to adjacent property owners and affected entities on November 16, 2018. No public comment has been received to date.

GENERAL PLAN ANALYSIS

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>Goal 1 of the Land Use Element states “Maintain consistency between the City’s Land Use Ordinance and the General Plan.” The General Plan currently shows “Residential” for this parcel. This rezone would increase the residential density and not be consistent with the adjacent single-family residential land uses in this area.</td>
</tr>
<tr>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>Clearfield City is focusing high density residential development within the downtown corridor and within centers along State Street or as part of mixed-use developments where viable. This proposed zone change would expand the scope of multi-family residential that would not be compatible with the adjacent single-family uses.</td>
</tr>
</tbody>
</table>
STAFF RECOMMENDATION/CONCLUSION

Staff recommends that the Planning Commission forward a recommendation of DENIAL to the City Council for the proposed rezone based upon the following findings:

1. Surrounding residential uses are single-family and share an existing single-family zoning classification.
2. This rezone would increase the residential density of the area without support from public transportation or additional pedestrian infrastructure and connections.
3. The General Plan supports the increase use of the R-1-8 Zone as the preferred zone for development of single-family residential neighborhoods.
4. Clearfield City is focused on multi-family development within the downtown and single-family development outside of the downtown corridor.

ATTACHMENTS

- General Plan: Future Land Use Map
- Zoning Map
TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, December 5th, 2018

SUBJECT: Discussion and Possible Action on FSP 1810-0006, an amended subdivision plat request by Joseph Earnest to amend Lot 2 of the Dollar Tree Subdivision to reduce the north property line easement from seven feet (7’) wide to three feet (3’) along a 114 foot portion of that property line. Location: 585 N. Main Street (TIN: 14-530-0002). Subdivision Size: 0.488 acres Zoning: C-2 (Commercial) Planner: Brad McIlrath (Administrative Matter).

RECOMMENDATION

Move to recommend APPROVAL of FSP 1810-0006, to the Clearfield City Council, a request by Joseph Earnest to amend Lot 2 of the Dollar Tree Subdivision to reduce the north property line easement from seven feet (7’) wide to three feet (3’) as proposed. This recommendation is based on the findings and discussion in the staff report and subject to the conditions outlined at the end of the staff report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Dollar Tree Subdivision Lot 2 Amended</td>
</tr>
<tr>
<td>Site Location</td>
<td>585 N. Main Street</td>
</tr>
<tr>
<td>Tax ID Number</td>
<td>14-530-0002</td>
</tr>
<tr>
<td>Applicant</td>
<td>Joseph Earnest</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Plambo LLC</td>
</tr>
<tr>
<td>Proposed Actions</td>
<td>Amendment to Final Plat</td>
</tr>
<tr>
<td>Current Zoning</td>
<td>C-2 Commercial</td>
</tr>
<tr>
<td>General Plan-Land Use</td>
<td>Commercial</td>
</tr>
<tr>
<td>Gross Site Area</td>
<td>0.488 Acres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>General Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial/Retail</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td>East</td>
<td>Commercial/Retail</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td>South</td>
<td>Commercial/Retail</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td>West</td>
<td>Residential Single-Family</td>
<td>R-1-8 (Residential)</td>
</tr>
</tbody>
</table>
BACKGROUND & ANALYSIS

The Dollar Tree Subdivision is a two (2) lot commercial subdivision which was recorded on May 31, 2017. Lot 1 of the subdivision is the Dollar Tree retail store, and Lot 2 has been left undeveloped with the exception of parking lot and street frontage improvements. The applicant is requesting to amend the existing public utility easement located along the north property line of Lot 2, from seven feet (7') wide to three feet (3’) wide for a 114’ length of the easement. The easement will also be increased from seven feet (7’) to ten feet (10’) for the other areas along the north property line. The purpose for the request to amend this public utility easement is to create enough buildable area to construct a Quick Quack Car Wash on Lot 2.

General Plan
The existing parcel is identified in the General Plan as commercial and is zoned C-2 (Commercial). This request to amended the plat does not contradict or impede the goals and objectives of the general plan. Each parcel will remain zoned C-2 (Commercial).

Plat Amendment Review
The City Engineer and Public Works staff were provided with the proposed plat for review of technical items on November 19, 2018. A copy of the Engineer’s review letter along with any other comments will be provided prior to the Planning Commission review on December 5, 2018 and can be addressed as conditions of approval at that time.
If recommended for approval by the Planning Commission, the final subdivision plat will be reviewed by the City Council on Tuesday, December 11, 2018.

Public Comment
Public notices were mailed to neighboring property owners on November 16, 2018. The review of an amended subdivision plat requires a public hearing by the City Council. No public comment has been received to date regarding this project.

CONDITIONS OF APPROVAL

1) Items noted by the City Engineer shall be addressed prior to the recording of the mylar for the amended subdivision.

2) The amended plat shall maintain existing utility and access easements as required by the City Engineer.

3) A minimum of 10% of the lot area for Lot 2 shall be provided with landscaping/open space, as outlined in Section 11-1B-12A, prior to the recording of the amended subdivision plat.

4) Development of Lot 2 shall comply with all other development standards outlined in the Clearfield City Land Use Ordinance.

ATTACHMENTS

1. Dollar Tree Subdivision Plat
2. Dollar Tree Subdivision Lot 2 Amended Plat
TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, September 5, 2018

SUBJECT: Public Hearing, Discussion and Possible Action on PSP 1811-0001, a preliminary subdivision plat request by Jacob Woodward to modify the existing property lines to create a two (2) lot commercial subdivision at the subject location. Location: 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). Subdivision Size: 1.204 acres Zoning: C-2 (Commercial) Planner: Brad McIlrath (Administrative Matter).

Discussion and Possible Action on FSP 1811-0001, a final subdivision plat request by Jacob Woodward to modify the existing property lines to create a two (2) lot commercial subdivision at the subject location. Location: 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). Subdivision Size: 1.204 acres Zoning: C-2 (Commercial) Planner: Brad McIlrath (Administrative Matter).

RECOMMENDATIONS

Move to approve the preliminary subdivision plat PSP 1811-0001, a request by Jacob Woodward for a two (2) lot commercial subdivision for the properties addressed 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). This recommendation is based on the discussion and findings in the Staff Report.

Move to forward a recommendation of approval of FSP 1811-0001 to the Clearfield City Council for the final subdivision plat request by Jacob Woodward for a two (2) lot commercial subdivision for the properties addressed 1350 East 700 South (TIN: 09-020-0015 & 09-020-0036). This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
<th>Project Name</th>
<th>Site Location</th>
<th>Tax ID Number</th>
<th>Applicant</th>
<th>Owner</th>
<th>Proposed Actions</th>
<th>Current Zoning</th>
</tr>
</thead>
</table>
BACKGROUND

This subdivision plat request includes two (2) existing commercial properties at the location of the existing Chevron Gas Station and JP’s Auto Repair site. The proposed subdivision realigns the shared property line to be located at the rear of the convenience store to provide a clear separation between the two uses. Lot 1 will be the location for the gas station and convenience store with Lot 2 being the location for the auto repair business. Lot 2 is a flag lot and includes a staff portion that provides access to 700 South (Highway 193). As shown on the proposed plat the staff portion of Lot 2 is twenty feet (20’) wide (as required by ordinance) and will include an access easement in favor of Lot 1. Lot 1
includes a ten foot (10’) public utility easement along the property frontage and each lot includes the required perimeter easements to accommodate the existing utilities in the area.

PRELIMINARY AND FINAL SUBDIVISION PLAT REVIEW
The City Engineer and Public Works staff was provided with the proposed plat for review of technical items on November 19, 2018. A copy of the Engineer’s review letter along with any other comments will be provided prior to the Planning Commission review on December 5, 2018 and can be addressed as conditions of approval at that time.

If recommended for approval by the Planning Commission, the final subdivision plat will be reviewed by the City Council on Tuesday, December 11, 2018.

Public Comment
Public notices were mailed to neighboring property owners on November 16, 2018 and a public hearing notice sign was placed on the property on November 19, 2018. No public comment has been received to date regarding this project.

CONDITIONS OF APPROVAL - PRELIMINARY SUBDIVISION PLAT, PSP 1811-0001

1) The plat shall be revised to meet requirements of the Clearfield City Engineer prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of these properties shall comply with the development standards outlined for the C-2 Zone and as also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

CONDITIONS OF APPROVAL - FINAL SUBDIVISION PLAT, FSP 1811-0001

1) The plat shall be revised to meet requirements of the Clearfield City Engineer prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of these properties shall comply with the development standards outlined for the C-2 Zone and as also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

ATTACHMENTS

1. Subdivision Plat
TO: Clearfield City Planning Commission
FROM: Brad McIlrath, Senior Planner
       brad.mcilrath@clearfieldcity.org
       (801) 525-2784
MEETING DATE: Wednesday, December 5, 2018
SUBJECT: Public Hearing, Discussion and Possible Action on PSP 1811-0002, a preliminary subdivision plat request by Leslie Mascaro on behalf of Maverik to create a two (2) lot commercial subdivision at the subject location. Location: Approximately 700 South and 1000 East (TIN: 09-017-0001, -0002, -0007, -0008, -0009, -0010, & -0011). Subdivision Size: Approximately 1.95 acres Zoning: C-2 (Commercial) Planner: Brad McIlrath (Administrative Matter).

Discussion and Possible Action on FSP 1811-0002, a final subdivision plat request by Leslie Mascaro on behalf of Maverik to create a two lot commercial subdivision at the subject location. Location: Approximately 700 South and 1000 East (TIN: 09-017-0001, -0002, -0007, -0008, -0009, -0010, & -0011). Subdivision Size: Approximately 1.95 acres Zoning: C-2 (Commercial) Planner: Brad McIlrath (Administrative Matter).

RECOMMENDATIONS
Move to approve the preliminary subdivision plat PSP 1811-0002, a request by Leslie Mascaro on behalf of Maverik to create a two (2) lot commercial subdivision at the subject location. This recommendation is based on the discussion and findings in the Staff Report.

Move to forward a recommendation of approval of FSP 1811-0002 to the Clearfield City Council for the final subdivision plat request by Leslie Mascaro on behalf of Maverik to create a two (2) lot commercial subdivision at the subject location. This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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<th>Project Information</th>
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<tr>
<td><strong>Project Name</strong></td>
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<td><strong>Site Location</strong></td>
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<tr>
<td><strong>Tax ID Number</strong></td>
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<td><strong>Applicant</strong></td>
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<tr>
<td><strong>Owners</strong></td>
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<td><strong>Proposed Actions</strong></td>
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<td><strong>Current Zoning</strong></td>
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BACKGROUND
This subdivision plat request is to combine the existing properties and create a two (2) lot commercial subdivision. Lot 1 of the proposed subdivision will be the future location of a new Maverik convenience store and Lot 2 will be provided for Dominion Energy to construct a new regulation facility. Lot 2 will be provided with a continual thirty foot (30') easement for access to the Dominion Energy regulation station. The proposed plat includes the vacation of a previous street right-of-way that was used for the homes that fronted 700 South. This right-of-way is also the location of existing water, sewer, and natural gas utility lines. With the request to vacate that right-of-way, the plat is providing a twenty foot (20') wide utility easement to access and maintenance of those existing utilities. Due to the increased

<table>
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<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>General Plan Land Use Classification</th>
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<tbody>
<tr>
<td>North</td>
<td>Residential Single Family</td>
<td>R-1-8 (Residential)</td>
</tr>
<tr>
<td>East</td>
<td>Interstate 15</td>
<td>N/A</td>
</tr>
<tr>
<td>South</td>
<td>Clearfield High School</td>
<td>R-1-9 (Residential)</td>
</tr>
<tr>
<td>West</td>
<td>Commercial/Retail</td>
<td>T-C (Town Commerce)</td>
</tr>
</tbody>
</table>

Arial Image & Zoning Map
traffic that the proposed convenient store will generate, there is right-of-way dedication provided for the corner of 700 South and 1000 East and along 1000 East to widen the turn radius and northbound travel lane. The street right-of-way vacation will be reviewed by the Clearfield City Council in a public hearing on December 11, 2018.

PRELIMINARY AND FINAL SUBDIVISION PLAT REVIEW
The City Engineer and Public Works staff was provided with the proposed plat for review of technical items on November 19, 2018. A copy of the Engineer’s review letter along with any other comments will be provided prior to the Planning Commission review on December 5, 2018 and can be addressed as conditions of approval at that time.

If recommended for approval by the Planning Commission, the final subdivision plat will be reviewed by the City Council on Tuesday, December 11, 2018.

Public Comment
Public notices were mailed to neighboring property owners on November 16, 2018 and a public hearing notice sign was placed on the property on November 19, 2018. No public comment has been received to date regarding this project.

CONDITIONS OF APPROVAL - PRELIMINARY SUBDIVISION PLAT, PSP 1811-0002

1) The proposed plat shall be simplified to include only new property lines, easements, and areas of dedication. Utilities are to be shown on a Utility Plan and the final plat shall not include topographic lines.

2) Sufficient right-of-way shall be dedicated along 1000 East for northbound travel as determined by the traffic study and Clearfield City staff.

3) The proposed plat shall comply with the City Engineer requirements prior to printing a mylar for signatures and recording.

4) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

5) Future development of these properties shall comply with the development standards outlined for the C-2 Zone and also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

6) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code 12-4-6.

CONDITIONS OF APPROVAL - FINAL SUBDIVISION PLAT, FSP 1811-0002

1) The proposed plat shall be simplified to include only new property lines, easements, and areas of dedication. Utilities are to be shown on a Utility Plan and the final plat shall not include topographic lines.
2) Sufficient right-of-way shall be dedicated along 1000 East for northbound travel as determined by the traffic study and Clearfield City staff.

3) The proposed plat shall comply with the City Engineer requirements prior to printing a mylar for signatures and recording.

4) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

5) Future development of these properties shall comply with the development standards outlined for the C-2 Zone and also found in Chapter 11-18 Design Standards of the Clearfield City Land Use ordinance.

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**ATTACHMENTS**

1. Preliminary Subdivision Plat
2. Preliminary Grading Plan
3. Preliminary Utility Plan
Copyright 2015 JZW Architects - The Purchaser is granted a single use license for construction only. These plans are copyrighted and are subject to copyright laws. for technical data, under the copyright laws. The printed portions can be used to the extent that they are for the design and construction of projects. Under such projects, unauthorized use of printed portions, graphics, or similar representations would be in violation of the copyright laws. JZW Architects.
Notice to Contractor:

The Contractor is specifically cautioned that the drawings and plans show the condition of the site at the date of the contract being executed and that the ultimate condition of the site when the Contractor begins work is not to be determined by the drawings and plans but by the physical condition of the site when work is actually commenced. No claims for extra work or additional compensation shall be allowed for any condition not shown on the drawings and plans. All underground utilities, public utilities, and public sidewalks shall be shown on the drawings. The Contractor shall be responsible for the accuracy and completeness of the measurements shown on the drawings.

Note:
Contractors to verify ALL Existing Utility Locations, Terminations and Inlet Develsions.
TO: Mayor Shepherd and City Council Members
FROM: Brad McIlrath, Senior Planner
MEETING DATE: Tuesday, December 4, 2018
SUBJECT: SV 1811-0002 - 700 South & 1000 East Street Right-of-Way Vacation

RECOMMENDED ACTION

Staff recommends that the Clearfield City Council approve the requested street right-of-way vacation located at approximately 700 South and 1000 East subject to the provision of a utility easement for the existing utilities located within that right-of-way.

DESCRIPTION / BACKGROUND

A street right-of-way vacation is when land used for and dedicated for public access is vacated and becomes part of the adjacent properties. The general practice in approving a street right-of-way vacation is to grant ownership of that land equally to the properties on either side of the right-of-way in a 50/50 split. Because the south end of this street right-of-way is the UDOT right-of-way for
700 South, Maverik is requesting that the full conveyance of land be provided to the properties they own on the north end of the vacation.

The proposed right-of-way being considered for vacation provided access for the three (3) single-family homes located north of 700 South and east of 1000 East. With the demolition of those structures the right-of-way continues to provide access to the water, sewer, and natural gas lines located within its boundary. If vacated the right-of-way can be transferred to the north proposed property for use in future development. Staff does not see a need to provide additional right-of-way to UDOT for 700 South and UDOT has not provided information requesting the additional right-of-way. As part of the future development of this site with a Maverik convenience store and the relocation of the Dominion Energy regulation station, Maverik is requesting the vacation of this right-of-way to develop the area as parking and access for fuel pumps. As shown on the attached preliminary utility plan, the existing utilities would be located under landscaping or under the parking lot area. Maverik is proposing a twenty foot (20’) public utility easement in place of the right-of-way to allow continual access to the utilities. No structures are allowed to be constructed over any utility easement to ensure access for maintenance and repair.

Public Works staff and the City Engineer were provided with these plans on November 19, 2018. Information regarding the acceptance of the proposed easement will be provided prior to the December 11, 2018 Policy Session meeting.

IMPACT

a. FISCAL – None.

b. OPERATIONS / SERVICE DELIVERY – With the provision of a public utility easement of sufficient size, impacts to operations, maintenance, and service delivery for these utilities should be minimal.

ALTERNATIVES

The Clearfield City Council could deny the request for the street right-of-way vacation to keep it as access to the utilities. The proposed utility easement to provide access for maintenance and repair accomplishes the same purpose as maintaining the right-of-way. Denial of the vacation would limit the development of the proposed subdivision lot and would be the responsibility of the City to maintain and beautify. Therefore, Staff does not recommend the denial of the vacation request.
SCHEDULE / TIME CONSTRAINTS

If approved, the applicant will be able to move forward with the proposed subdivision plat that includes the street right-of-way vacation. Approval will also allow the applicant to move forward with application of a conditional use permit for the new convenient store and relocation of the natural gas regulation station. The conditional use permit application could be reviewed by the Planning Commission as early as January 2019. It is the goal of Maverik to have this development completed within the next two years.

LIST OF ATTACHMENTS

- Preliminary Subdivision Plat
TO: Mayor Shepherd and City Council Members
FROM: Eric Howes, Community Services Director
MEETING DATE: December 4, 2018
SUBJECT: Discussion on Allowing a Beer Garden to the 4th of July Events held at Fisher Park

RECOMMENDED ACTION

Provide staff with guidance regarding the provision of a beer garden during the 4th of July celebration in 2019.

DESCRIPTION / BACKGROUND

It has been suggested that as we plan for the 4th of July celebration in 2019 that staff consider planning for a beer garden at the event in Fisher Park. Our current codes prohibit the sale or use of alcohol in parks or within close proximity to schools, churches, playgrounds, etc. In order to allow a beer garden at the 4th of July celebration, the Council would need to consider changing existing City Codes for this event. City Code 4-2-4.B.5 regulates the use of alcoholic beverages within the city and conditions for the issuance of a Class E special event license. That section of the code reads as follows:

5. A class E license shall allow the licensee to temporarily sell beer at a special event on the licensed premises for consumption on the premises.

a. A class E license shall authorize the storage, sale, service and consumption of beer at the temporary special event at which the storage, sale, service or consumption of beer is otherwise prohibited by this title. The exact length of a class E license shall be stated on the license. No class E license shall be valid for more than a period of thirty (30) consecutive days.

b. The sale of beer under a series of class E licenses issued to the same person, business, or organization may not exceed a total of ninety (90) days in any one calendar year.

c. A class E license may not be issued or obtained for the purpose of avoiding or attempting to avoid the licensing requirements for a class B, C, or D license.

d. A class E license may not be issued or obtained on premises owned or maintained by the city.

e. Attendees may not bring any alcoholic beverage other than that furnished by the licensee onto the premises of the temporary special event.
f. No class E license shall be issued within six hundred feet (600') of any public or private school, church, public library, public playground, or park, measured from the nearest entrance of the proposed licensee by following the shortest route of ordinary pedestrian travel to the property boundary of the public or private school, church, public library, public playground, school playground or park.

g. No class E license shall be issued within two hundred feet (200') of any public or private school, church, public library, public playground, or park, measured in a straight line from the nearest entrance of the proposed licensee to the nearest property boundary of the public or private school, church, public library, public playground, or park. (Ord. 2008-04, 7-22-2008)

The underlined sections of the code (d,f,g) would need to be modified to allow a Class E license to be issued for the 4th of July celebration.

• Section (d) would need to be amended to allow a Class E license to be issued for an event held on property owned and maintained for the city.
• Section (f) would need to be modified to allow a Class E license to be issued for an event held within 600' of a public playground and in a park. The shortest route of ordinary pedestrian travel from each of the nearby schools and churches exceeds 600' with the exception of the LDS seminary building located next to the skate park. This specific issue could be mitigated by closing off the sidewalk between the seminary building and the skate park during this event, requiring pedestrians to walk all the way around the skate park to the north. Modifications to the ordinance would be necessary in this section because the proposed location is in a park and is within 26’ of a public playground.
• Similarly, section (g) would need to be modified because the proposed location is within 26’ of a public playground and is located in a park.

Alternate locations within Fisher Park are potentially more problematic as there are multiple schools, and church buildings surrounding the park and two separate playgrounds within the park.

**IMPACT**

a. **FISCAL**

There would likely be some additional expenses for the setup and takedown of the beer garden. However, any expense would likely be exceeded by revenues associated with the beer garden.

b. **OPERATIONS / SERVICE DELIVERY**

N/A
ALTERNATIVES

1. A beer garden could be added in a privately owned location that is sufficiently far enough from the park to meet the current ordinance. An alternate location may also take away from the success of a beer garden due to its separation from the event.

2. Council could determine that a modification to City Code is not desired at this time.

SCHEDULE / TIME CONSTRAINTS

Should the Council decide to proceed with modifications to City Code allowing a beer garden to be located in Fisher Park during the 4th of July celebration, modifications to the City Code should begin as soon as possible to allow sufficient time to plan for this addition.

LIST OF ATTACHMENTS

N/A