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, May 4, 2016, 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. April 6, 2016

PUBLIC HEARINGS:

2. Public Hearing for CUP 1602-0005, a request by Sheikh Ahmed to amend a previously approved CUP for a car sales lot in a C-2 zone and allow for additional retail uses on the property, located at 245 North Main (TIN: 12-020-0012). The property is approximately 0.302 acres.

3. Public Hearing for GPA 1604-0001, a request by Wayne Belleau for an amendment to the Future Land Use Map of the General Plan to change the land use designation on a portion of property from commercial to residential. The proposal would include an approximate 7.5-acre portion of two parcels totaling 30.78 acres. This amendment would be effective within the General Plan, a document guiding the development of Clearfield City as a whole.

4. Public Hearing for PSP 1604-0002, a request by Clearfield City for Preliminary Subdivision Plat approval for the Street Dedication Plat of Depot Street, in the vicinity of 450 East 700 South.

SCHEDULED ITEMS:

5. Discussion and Possible Action on CUP 1602-0005, a request by Sheikh Ahmed to amend a previously approved CUP for a car sales lot in a C-2 zone and allow for additional retail uses on the property, located at 245 North Main (TIN: 12-020-0012). The property is approximately 0.302 acres.

6. Discussion and Possible Action on FSP 1601-0001, a request by Heather Oviatt, on behalf of Tom Stuart Construction, for a 3-lot subdivision to be known as the Tai Pan Subdivision. The site is located at approximately 1400 E. 700 S. (TIN: 09-020-0035). The property is in the C-2 (Commercial) zoning district and is approximately 8.847 acres in size.

7. Discussion and Possible Action on GPA 1604-0001, a request by Wayne Belleau for an amendment to the Future Land Use Map of the General Plan to change the land use designation on a portion of property from commercial to residential. The proposal would include an approximate 7.5-acre portion of two parcels totaling 30.78 acres. This amendment would be effective within the General Plan, a document guiding the development of Clearfield City as a whole.

8. Discussion and Possible Action on PSP 1604-0002, a request by Clearfield City for Preliminary
9. Discussion and Possible Action on FSP 1604-0002, a request by Clearfield City for Final Subdivision Plat approval for the Street Dedication Plat of Depot Street, in the vicinity of 450 East 700 South.

**DISCUSSION ITEMS:**
10. General Plan update and discussion

**COMMUNICATION ITEMS:**
11. Staff Communications:
   A. Work session with Planning Commission and City Council for Downtown Small Area Plan. This meeting is scheduled for Tuesday May 17th, 2016 at 6 PM.

12. Planning Commissioners’ Minute

   **PLANNING COMMISSION MEETING ADJOURNED**

Dated this 30th day of April, 2016
/s/Spencer W. Brimley, Development Services Manager
TO: Planning Commission

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

MEETING DATE: May 4, 2016

SUBJECT: Public Hearing, Discussion, and Possible Action on CUP 1602-0005, a request by Shiekh Ahmed to amend a previously approved CUP for a vehicle sales lot in a C-2 zone and allow for two additional retail uses on the property, located at 245 North Main (TIN: 12-020-0012). The property is approximately 0.302 acres.

RECOMMENDATIONS

Move to approve as conditioned CUP 1507-0003, a request by Shiekh Ahmed to amend a previously approved CUP for a vehicle sales lot in a C-2 zone and allow for the two additional retail uses of shoe sales and eyebrow threading on the property, located at 245 North Main (TIN: 12-020-0012), based on the findings and discussion in the Staff Report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
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</thead>
<tbody>
<tr>
<td>Project Name</td>
</tr>
<tr>
<td>Site Location</td>
</tr>
<tr>
<td>Tax ID Number</td>
</tr>
<tr>
<td>Applicant and Business Owner</td>
</tr>
<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
</tr>
<tr>
<td>Current Zoning</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
Surrounding Properties and Uses:

<table>
<thead>
<tr>
<th>North</th>
<th>Invision Computers/Musician Outlet</th>
<th>C-2 (Commercial)</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>JR’s Auto and Clearfield Upholstery and existing residential lot (Lakeview Subdivision)</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
<tr>
<td>South</td>
<td>Chiropractic and Dental Offices, Islamic Society of Layton</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
<tr>
<td>West</td>
<td>Appliance Clinic</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
</tbody>
</table>
BACKGROUND
Vehicles sales at this location were approved by the Planning Commission on August 5, 2015. The previous approval included a site plan that showed two (2) employee parking spaces and two (2) customer parking spaces with 15 stalls for sales inventory. A condition of that approval was that, “Any other businesses proposed to be located on the same site, prior to obtaining a business license, will require review and approval by the Planning Commission....”

Following the approval for a car lot on this site, the applicant applied for and was erroneously granted a business license on December 28, 2015 for retail shoe sales on the property. Staff granted the business license without reviewing the CUP approval from August of 2015. This was an oversight by staff which we are presenting to the Commission in order to appropriately allow for the other requested uses on the property.

In addition to the vehicle sales and shoe sales, the applicant is now requesting approval for a personal service, eyebrow threading, to be located on the property as well. Clearfield City does not typically require approval on a site that had previously approved permitted uses, but due the condition imposed by the Planning Commission at their August 2015 meeting the application is being presented for your consideration.

ANALYSIS
General Plan and Zoning
The parcel is approximately one-third (.302) of an acre located at 245 N Main. There is an existing commercial building and striped parking on the site. It is currently zoned and shown in the general plan as Commercial, and is surrounded by properties that are also zoned and intended for commercial uses. Adjacent properties are also developed and being used for commercial purposes. Clearfield City’s General Plan has this site listed as Commercial for the foreseeable future.

Conditional Use Permit Review
Staff reviewed the site plan provided by the applicant and determined that the majority of the building as proposed would be used for retail shoe sales (1,850 SF), with 100 SF space shown as office for the originally approved vehicle sales business, and about 200 SF shown for the proposed eyebrow threading business.

The site is accessed by a driveway on the east side of the property from Main Street. There is a second access on the north side (250 N) that allow access behind the building, providing access for employees, and as indicated, parking for the eyebrow threading business.

Motor vehicle sales can be one of the more intense uses permitted by CUP in the C-2 zoning district. This specific proposal is for a vehicle sales lot on less than a 1/3 of an acre, or 13,000 square feet, which by minimum acreage alone also intensifies the use. At this time the applicant has added shoe sales and is proposing to add another use to the site all of which further intensify the use of the property and the potential impacts to neighboring properties and uses. The Commission must look at the surrounding area and the development of the site to determine whether or not this requested amendment to the CUP is appropriate or will cause impacts that cannot be mitigated.

A condition of approval addressing the amount of inventory permitted and that it must be contained on-site (and prohibiting on-street parking) is appropriate and would mitigate the impact on adjacent property owners. The amount of inventory may need to be less than what was allowed in the original approval.
PARKING
The proposed plan shows six (6) customer spaces in the front of the building, two of which are handicap accessible. There are also 10 stalls shown in the rear of the property. All parking stalls must meet typical 9 x 20 parking stall requirements and limit the number of stalls to the ability of the applicant to meet that standard. Parking configuration shall not block or impede of any of the entrances to the site.

The minimum required parking stalls for vehicles sales, is a ratio of 1.5 spaces per 1,000 square feet or portion thereof. Any retail would be required to provide parking at a ratio of 3.5 spaces per 1,000 square feet. The building is approximately 2,400 square feet. Two (2) ADA stalls have been provided for the site, but one (1) should be sufficient. The approval provided by the Planning Commission in August of 2015 required any other businesses that wished to locate on the site be required to obtain Planning Commission review and approval. Specifically the ability of new uses to meet parking requirements for the site must be demonstrated.

Staff has provided a breakdown of the building uses below in a table, but will provide some explanation of the layout as well.

With 2,200 SF of retail space being provided the applicant is required to have no less than seven (8) stalls for the retail space. Additionally there would be one required for the vehicle sales lot, since they are only occupying 100 SF of office space. Given this fact, the applicant should still be able to meet the requirements, but parking must be reconfigured to meet standard parking stalls. Additionally parking stalls in the rear will be lost with the addition of a dumpster, as is required. See the tables below for explanation of previous parking approval and proposal for the site.

<table>
<thead>
<tr>
<th>Land use approval August 2015</th>
<th>Parking Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
<td>Ratio</td>
</tr>
<tr>
<td>Commercial</td>
<td>1.5/1000</td>
</tr>
<tr>
<td>Vehicle Sales</td>
<td>Determined by the Planning commission</td>
</tr>
<tr>
<td>Retail</td>
<td>3.5/1000</td>
</tr>
<tr>
<td>Storage/other</td>
<td>-</td>
</tr>
<tr>
<td>Total Parking</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed</th>
<th>Parking Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
<td>Ratio</td>
</tr>
<tr>
<td>Commercial</td>
<td>1.5/1000</td>
</tr>
<tr>
<td>Shoes Sales</td>
<td>3.5/1000</td>
</tr>
<tr>
<td>Other Retail</td>
<td>3.5/1000</td>
</tr>
<tr>
<td>Storage/other</td>
<td>-</td>
</tr>
<tr>
<td>Total Parking</td>
<td>-</td>
</tr>
</tbody>
</table>

Should the Planning Commission deem a higher ratio of parking is required, (intensive retail commercial), then the reasons should be articulated and included as a Condition of Approval.
ON-SITE INVENTORY
Previously, the applicant was approved for fifteen (15) spaces for vehicle sales. The rear area of the property has ten (10) stalls shown for employee and customer parking. The previous approval allowed for two (2) parking stalls in the rear. These two spaces have never been striped and were not included in the proposal or the two new retail uses on the property. Staff has not included them because there is not sufficient space on the west side of the building to accommodate those stalls. Therefore they have not been included in any parking considerations. Additionally, staff recommends removing all parking spaces from the north side of the building because there is not a drive approach in this area and using it as parking will only cause additional damage to city improvements. This parking also limits the circulation on the site. Baes on the parking analysis above and the removal of stalls from the site, staff recommends the number of vehicles for sale be limited to no more than five (5) vehicles for sale at a time on the property. Any more than this and the property may no longer function as intended.

BUILDING ELEVATIONS & LANDSCAPING
No changes to the exterior of the building are being proposed at this time. There are also no site improvements proposed. Landscaping is a design standard, which in this instance, is identified as being deficient. There is a planter on the northeast corner of the property which is overtaken with weeds. Staff would not require additional landscaping to be added, but would recommend appropriate landscaping for the planter and that it be maintained in a manner consistent with 11-13-23 of the Clearfield City Code. However, considering that no exterior changes are proposed to occur, such as outdoor storage or expansion to the footprint of the building, staff would not recommend or required any additional site improvements. However, should the Commission decide that there are additional items that must be addressed by the applicant; this would need to be articulated and included as a Condition of Approval. All existing site improvements should be brought up to current ordinance requirements and maintained accordingly.

Landscaping compliance for planters has been included as a condition of approval.

Public Comment
No public comment has been received to date.

REVIEW CONSIDERATIONS

Conditional Use Permit Review
Clearfield Land Use Ordinance Section 11-4-3 establishes the general standards and determination the Planning Commission shall make to approve Conditional Use Permits. The findings and staff's evaluation are outlined below:

<table>
<thead>
<tr>
<th>General Standard</th>
<th>Staff Analysis</th>
</tr>
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<tbody>
<tr>
<td><strong>DETERMINATION:</strong> A Conditional Use Permit shall be approved if conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards set forth [in the Land Use Code]. If the reasonably anticipated detrimental impacts or effects of the proposed conditional use cannot be substantially mitigated or eliminated by the proposal or the imposition of conditions to achieve compliance with the standards set forth [in the Land Use Code], the Conditional Use Permit may be denied.</td>
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</tbody>
</table>

1) **Equivalent to Permitted Use:** Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:

   a. The health, safety, and welfare of the City and its present and future inhabitants and businesses;
   b. The prosperity of the City and its present and future inhabitants and businesses;
   c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;
   d. The tax base;
   e. Economy in governmental expenditures;
   f. The State’s agricultural and other industries;
   g. The urban and nonurban development;
   h. Access to sunlight for solar energy devices; or
   i. Property values.

   As conditioned, the motor vehicle sales use can be compatible with adjacent properties and equivalent to permitted uses in the C-2 zoning district. However, with the addition of other uses on the property, it is important to consider the impact of these uses in relation to the size of the parcel, traffic and the overall aesthetics of the City. The applicant is requesting to increase the intensity of use on the property, therefore mitigation efforts must be applied to the additional uses.

2) **Impact Burden:** Any cost of mitigating or eliminating detrimental impacts or effects in excess of those which could be reasonably expected to arise from a permitted use shall become a charge against the development so as not to constitute a burden on the municipality, surrounding neighbors, or adjacent land uses.

   The uses have been appropriately conditioned so as to mitigate the impact of burden on adjacent properties. Mitigation measures include the amount of inventory, the location (parking) of inventory to be contained on-site.

3) **Conform to the Objectives of the General Plan:** The proposed conditional use shall not limit the effectiveness of land use controls, imperil the success of the General Plan for the community, promote blight or injure property values.

   The proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values.
FINDINGS

Deviations from Strict Compliance
Clearfield Land Use Ordinance Section 11-18-3 establishes the findings that the Planning Commission shall make to approve deviations from some of the Chapter 18 design standards. The findings and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th></th>
<th>Findings for Deviations</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1)</td>
<td>Is consistent with the purpose of [Chapter 18] and any applicable master plan or ordinance.</td>
<td>A building permit is not required for the request. Therefore, the proposal is consistent with the purposes of Chapter 18 and deviating on the building elevations and landscaping requirements is justifiable. However deviation does not grant relief from existing conditions. Staff recommends improving the site as it is developed, including landscaping in the on-site planter.</td>
</tr>
<tr>
<td>2)</td>
<td>Will not adversely affect neighboring property owners or residents; and</td>
<td>The subject property and all surrounding properties are already developed with established commercial uses that were constructed under older zoning ordinances. The proposed uses do not adversely affect the neighboring properties, as mitigated.</td>
</tr>
<tr>
<td>3)</td>
<td>Creates a consistent and compatible design in cases which involve redeveloped buildings or additions to existing buildings.</td>
<td>The existing developed lot is consistent with other commercially developed lots in the vicinity.</td>
</tr>
</tbody>
</table>

CONDITIONS OF APPROVAL

1) This Conditional Use Permit would amend the previously permitted CUP for motor vehicle sales, located at 245 North Main Street and add retail shoe sales and personal services (eyebrow threading) to the site.

2) No more than five (5) cars for sale shall be kept on site at any one time. The entire inventory must be able to be parked on site and cannot overflow onto adjacent roads. The site shall not have double parked vehicles and shall maintain adequate circulation flow at all times. Off-site parking for the purposes of inventory shall be prohibited.

3) No auto repair is to be conducted on site, nor may vehicles needing repair reside on the lot.

4) Parking on the north of the building shall be removed to allow site circulation and to avoid damage to the public curb, gutter and sidewalk. Applicant will provide appropriately scaled stalls for all vehicles for sale and customer parking as required in 11-14-2(B), as amended in July 2015.
5) Commercial waste services are required. A garbage dumpster must be provided and screened as required by Clearfield City Code 11-18-4C2.

6) CUP approval is subject to North Davis Fire District review and approval.

7) Any other businesses proposed to be located on the same site, prior to obtaining a business license, will require review and approval by the Planning Commission. Additional parking requirements necessary for additional businesses may require amending this Conditional Use Permit and any other conditions deemed appropriate to mitigate additional impacts on surrounding properties.

8) Applicant will provide landscaping in the existing planter as required in 11-13-23.

9) Signs are not included as part of this approval. Proposed signage must meet Title 11, Chapter 15 standards. Separate review and approval will be required for any and all signs.

10) Approval is subject to obtaining any necessary permits or approvals including but not limited to approvals of permits from UDOT (Utah Department of Transportation).

11) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

ATTACHMENTS

1. Site Plan
2. Floor Plan
MainStreet

- Sign pole and slope
- Pole
- Driveway

- Customer Parking
- Existing Covered Canopy
- Inside Display
- Motorcycle
- Office

- Employee Parking
- Employee Parking
A TO Z Natural Eyebrow Threading Studio
A TO Z Studio 3D
TO: Planning Commission

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

MEETING DATE: May 4, 2016

SUBJECT: Public Hearing, Discussion, and Possible Action on GPA 1604-0001, a request by Wayne Belleau for an amendment to the Future Land Use Map of the General Plan to change the land use designation on a portion of property from commercial to residential. The proposal would include an approximate 7.50-acre portion of two parcels totaling 30.78 acres. This amendment would be effective within the General Plan, a document guiding the development of Clearfield City as a whole.

RECOMMENDATION
Move to recommend to the City Council denial of GPA 1604-0001, a request by Wayne Belleau for an amendment to the Future Land Use Map of the General Plan to change the land use designation on a portion of property from commercial to residential, based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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<tr>
<th>Project Information</th>
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<tr>
<td>Project Name</td>
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<tr>
<td>Site Location</td>
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<tr>
<td>Tax ID Number</td>
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<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
</tr>
<tr>
<td>Current Zoning</td>
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<tr>
<td>Current Master Plan</td>
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<tr>
<td>Proposed change</td>
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<tr>
<td>Gross Site Area</td>
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</tbody>
</table>

BACKGROUND
This is a request for approximately 7.50 acres to be reclassified from Commercial to Residential with the intent to construct multi-family housing on the property. This would be between the Pinnacle Mountain View apartments to the north, Goldstone apartments/single family residential to the west and proposed retail to the south. The applicant believes that the current market conditions in this area do not support the commercial development on this 7.50-acre portion of the property, and that it is better suited for a residential use. For this reason, the applicant and owner of the property has made application to amend
the General Plan’s Future Land Use Map for this portion of property to accommodate residential development. If this request is approved, the applicant/owner will make application for a rezone for this portion of their property to the R-3 (multi-family residential) zoning district in order to facilitate future residential development.

The City’s General Plan allows the City to consider rezones to multi-family within the “Residential” designation. The General Plan Map indicates this area of the City as “Commercial,” which permits the following zoning classifications: MU, C-R, D-R, or C-2 zoning. The commercial land use classification within the General Plan text does not allow Residential Zones. For this reason, an application to amend the General Plan Map has been submitted.

ANALYSIS

<table>
<thead>
<tr>
<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>Comprehensive Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-3 (Residential)</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>(Residential)</td>
<td>N/A</td>
</tr>
<tr>
<td>South</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
<tr>
<td>West</td>
<td>R-3 (Multi-Family Residential)</td>
<td>Residential</td>
</tr>
</tbody>
</table>

General Plan Map Amendment Information:
CURRENT Clearfield City General Plan Map:
Parcels in question have been outlined in in black. The orange color is labeled “Mixed Use”, red is Commercial, and green is Residential.
REQUESTED Clearfield City General Plan Map:
The approximate location for a portion of property has been shown in yellow. This portion of the property has been requested to be reclassified as Residential in the General Plan.

General Plan Review
According to the City’s General Plan, commercial land use in the city makes up approximately 6% of the land use. With a limited amount of developable commercial properties remaining, Clearfield must carefully evaluate any requests for commercial-to-residential changes. The General Plan encourages the few remaining vacant properties in the city to develop at the highest and best use to maximize the value to the City and landowner. Additionally, Clearfield City has a lower than average home-ownership rate. Adding more residential units, specifically multi-family units, must be considered carefully given that Clearfield’s home-ownership rate is lower than average compared to the County, State, and in some cases the Nation.

The decision to rezone property is discretionary for the City, and applications are considered on a case-by-case basis. For this particular case, the applicant stated that the property has been marketed as commercial for more than 15 years with little interest. It is the applicant’s opinion that multi-family residential development on the highlighted portion of the property is the property’s highest and best use.

Zoning Review
The basic zoning and development standards can be met for this request regarding setbacks from commercial and residential properties. The applicant has prepared a conceptual site plan to clearly identify the development phases and intent for the area. A formal rezone, subdivision and site plan application will be forthcoming should the amendment to the General Plan be approved. The subdivision would separate the residential property from the rest the commercial property and allow for greater ease in development of the remaining parcel(s).

Staff has reviewed the conceptual site plan, and could support the General Plan Amendment if the proposed commercial development were entitled and under construction, and if there still appeared to be no commercial viability for the portion under consideration for the change to residential use. The applicant’s request for residential may be the highest and best use for the property, however, without any development having taken place, it is difficult to substantiate the claim prior to development of this or any other property.

Public Comment
No public comment has been received to date.
FINDINGS

General Plan Map Amendment
Clearfield Land Use Ordinance Section 11-6-4 establishes the procedure the Planning Commission shall use to review a Petition for Change to General Plan or General Plan Maps. The procedure and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Designation of the specific text or map amendment desired.</td>
<td>Staff has provided the current map along with the desired changes within the report above.</td>
</tr>
<tr>
<td>2) Reason and Justification for such change.</td>
<td>The property is currently master planned Commercial. The property is adjacent to multi-family on two sides, with commercial to the south and southwest. The remainder parcels have frontage directly on 1400 S and University Park Blvd. (2000 E). The applicant feels that the highest and best use of the property is Residential on the north with Commercial on the south that includes frontage on University Park Blvd. and 1400 S.</td>
</tr>
<tr>
<td>3) A draft of the proposed text or map amendment.</td>
<td>This applicant has provided an approximate location for the area requested for the land use change. This information has been included in the report. Should the change to the General Plan be approved by the Commission and Council, Clearfield City GIS maps will be changed accordingly to reflect the update, after the applicant has provided a legal description for the property in question.</td>
</tr>
<tr>
<td>4) An accurate property map showing all areas to be included in the amendment and all properties immediately adjacent to the proposed amendment area.</td>
<td>A property plat and site plan has been provided to indicate which property will lie in which land use designation should the request be approved.</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) 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 “Commercial” for these parcels, and staff’s opinion is that commercial development should be accomplished on portions of the vacant property in the area before concluding (possibly...</td>
</tr>
<tr>
<td>2)</td>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>The applicant has marketed this property for many years (15) as commercial with little to no interest. In order to develop the property the applicant is requesting this portion be allowed to be designated as residential, due to its proximity to other residential and difficulty for access and visibility as a commercial property. The applicant feels that this request best represents the true development potential of this parcel, and is the highest and best use of the property. However, no conclusive evidence has been provided to justify this approach. Staff’s opinion is that once commercial development begins in the area, there may indeed be commercial potential for the subject property, too.</td>
</tr>
</tbody>
</table>

**ATTACHMENTS**

1. Conceptual Site Plan
March ____, 2016

VIA ELECTRONIC MAIL HAND DELIVERY

Clearfield City Community Development
Clearfield City Planning Commission
Attn: Spencer W. Brimley, Community Development Director
Spencer.Brimley@clearfieldcity.org
Clearfield City, UT

Re: Request for Rezone of Property from Commercial (C-2) to Residential (R-3)

Mr. Brimley:

We own 30.78 acres of real property located on the corner of 1400 South and 2000 E in Clearfield City (the "Property"). Our many years of developing the adjacent Legend Hills project and courting retailers for the Property have demonstrated that the triangular portion (consisting of approximately 7.5 acres) of the Property abutting the Clearfield Canal Trail is not well suited for a commercial use (the "Triangle Parcel").

While our goal for the larger portion of the property remains the same – attract a large strong retailer to Clearfield City – the Triangle Parcel has little or no commercial value. The Property, including the Triangle Parcel, is currently zoned Commercial (C2). We are seeking to rezone the Triangle Parcel to Residential (R3).

In accordance with Clearfield Land Use Ordinance Section 11-6-3, the Planning Commission may make zoning amendments if: (i) the proposed amendment is in accordance with the General Plan and Map; or (ii) changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.

While the first condition is not currently met (i.e. the Triangle Parcel is designated as Commercial), we suggest and recommend that the designation be amended consistent with the surrounding uses and to provide for a better utilization of the Triangle Parcel. The foregoing notwithstanding, in accordance with the second condition, changed conditions make the change from C-2 to R-3 necessary to fulfill the purposes of the Land Use Ordinance. In addition, the 2014 changes to the General Plan permit multi-family rezone requests on a case-by-case basis.

The Triangle Parcel has been designated as commercial for nearly 15 years. It was originally contemplated that the entire Property would be used for large retail tenants. The Property is part of an overall development plan for the Legend Hills area which already includes 650 businesses developed over multiple phases. In working with likely retailers over the course of the past 15 years we have learned that the Triangle Parcel has little or no commercial value and multi-family residential represents the highest and best use of the Triangle Parcel at this time.

Enclosed with this letter is the most recent site plan for the Property. The enclosed site plan depicts the consistent desired layout for every major retailer. Based on the site plan the Triangle Parcel lacks any tangible commercial access, marketing window or useable commercial dimension.

According to the Master Plan, the C-2 Zone is for general commercial business activities and is the primary zone found along the major transportation corridors of the City. It has become evident that the
Triangle Parcel no longer fits that profile and is more remote and secluded than anticipated, with no access from major transportation corridors. Rather, the Triangle Parcel is an ideal transitional use parcel, bordered on two of its three sides by residential (R-1-8) and multifamily (R-3).

We understand that prior to the issuance of any building permits on the Triangle Parcel, the Triangle Parcel would require a legal subdivision and plat. We further understand that the basic density calculation and the open space and parking requirements must be met. Rather than leave the Triangle Parcel to the future imagination, we believe developing the Triangle Parcel as a multi-family project will actually enhance the commercial value of the remaining portion of the Property and the Legend Hills area generally by providing a modern, clean and updated transitional use.

We look forward to discussing this request with you, working toward a rezone of the Triangle Parcel and providing a great transition project from the surrounding areas and our remaining commercial property. Please let us know if you require additional information to process this request and to initiate Planning Commission review and discussion.

Kindest regards,

Wayne Belleau
TO: The Clearfield City Planning Commission

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

MEETING DATE: May 4, 2015

SUBJECT: Public Hearing, Discussion, and Possible Action on PSP 1604-0002, a request by Clearfield City for preliminary subdivision plat approval for the Depot Street Dedication Plat in the vicinity of 450 East 700 South.

Discussion and Possible Action on FSP 1604-0002, a request by Clearfield City for final plat approval for the Depot Street Dedication Plat in the vicinity of 450 East 700 South.

RECOMMENDATIONS

Move to approve the preliminary subdivision plat for PSP 1604-0002, a request by Clearfield City for the Depot Street Dedication Plat in the vicinity of 450 East 700 South, based on the discussion and findings provided in the Staff Report.

Move to recommend to the City Council approval of FSP 1604-0002, a request by Clearfield City for the Depot Street Dedication Plat in the vicinity of 450 East 700 South, based on the discussion and findings provided in the Staff Report.

PROJECT SUMMARY

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<td>Land Use Classification</td>
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**Surrounding Properties and Uses:**

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<tr>
<th>North</th>
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<th>Mixed Use</th>
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<tr>
<td>South</td>
<td>Orbital ATK Facility/Railroad</td>
<td>M-1 (Manufacturing)</td>
<td>Manufacturing</td>
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<tr>
<td>West</td>
<td>Gunderson Property</td>
<td>A-1 (Agricultural) &amp; R-3 (Multi-family Residential)</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

**HISTORY**

**Prior to 2013:** UDOT obtained funding and approvals for the 700 South/SR 193 Roadway Improvement Project. That project involved the acquisition of this property for the stubbing and future construction of Depot Street. Unfortunately, the parcels meant for Depot Street were never dedicated by UDOT to the City as right of way (ROW).
April 2016: The West Square plat was unable to be recorded due to lack of frontage on a public street. Davis County requested that a plat for ROW be recorded prior to the West Square plat being recorded.

ANALYSIS

Background
The request is for a street dedication plat for Depot Street south of 700 South. This remainder parcel was deeded to the City following the SR-193 project. Davis County is requiring that the parcel be dedicated as ROW to allow access to the West Square project and overall providing a connection to 700 S and Clearfield Station. This plat enables the road to be dedicated to the City for acceptance and maintenance.

The necessity of a public road in the immediate vicinity became apparent when Ironwood Development went to record their plat for the West Square project with the Davis County Recorder. The Recorders office informed the developer that the property that was deeded to the City was a parcel and not ROW. Davis County is requiring the parcel as well as the rest of the usable ROW be dedicated prior to the West Square plat being recorded. Dedicating and accepting Depot Street south of 700 South as a public street facilitates a future connection from the Clearfield Station project to 700 S.

General Plan and Zoning
As a street dedication plat this is consistent with the General Plan in that it provides critical access and circulation to the West Square project as well as creating the access as Clearfield Station is developed.

Street Dedication Plat Approval
The Public Works Director and City Engineer have completed reviews of this street dedication plat and recommend approval.

Public Comment
No public comment has been received to date.

CONDITIONS OF APPROVAL

1) No conditions are being requested or imposed with this project.

ATTACHMENTS

1. Street Dedication Plat
SURVEYOR CERTIFICATE
I, Dick Niles Mechem, do hereby certify that I am a Professional Land Surveyor, and
State of Utah
On the ______ day of ___________________ 2014, personally appeared before me, the
undersigned Notary Public, ___________________________, the signer of the Owners
Dedication, who duly acknowledged to me that he/she/they signed it freely and voluntarily
and for the purpose therein mentioned.

Clearfield City Mayor
____________________________
Signed this _____ day of ______________________ 2016.

Notary Public Stamp

SALT LAKE BASE & MERIDIAN
CLEARFIELD CITY,
DAVIS COUNTY, UTAH

March 2016

BOUNDARY DESCRIPTION
A part of the Northeast Quarter of Section 12, Township 4 North, Range 2 West,
Salt Lake Base & Meridian.

Beginning at a point which is on the South right-of-way line of 700 South Street/SR-193
Northwest Corner of Section 12, Township 4 North, Range 2 West
Found Monument

S0° 10' 51"W 648.94 feet; Thence 120.17 feet Southeasterly along a 252.00 foot radius curve to the left (long chord bears S13° 28' 42"E 119.03 feet); Thence S00° 11' 35"W 116.98 feet to a point on the UTA easterly boundary line; Thence along the easterly boundary line of said UTA property N30° 20' 37"W 173.38 feet; Thence N00° 10' 15"E 409.82 feet; Thence N07° 15' 45"W 347.40 feet to a point on the Southerly right-of-way line of 700 South Street/SR-193; Thence along said Southerly right-of-way line of 700 South Street/SR-193 N89° 45' 30"E 127.58 feet to the point of beginning.

Contains 59,877 sq. ft. or 1.37 acres

ON THE ______ day of ___________, 2016, I, Dick Niles Mechem, License No. 155649,
State of Utah
on behalf of Ironwood Development Group LC, in consideration of the sum of $1.00, as
consideration for the premises, convey and sell unto Clearfield City, Davis County,
Utah, all that certain portion of land known as West half of the West half of the
Northeast Quarter of Section 12, Township 4 North, Range 2 West, City of Clearfield,
County of Davis, State of Utah, being and representing a tract of land described as
follows:

Beginning at a point which is on the South right-of-way line of 700 South Street/SR-193
Northwest Corner of Section 12, Township 4 North, Range 2 West
Found Monument

S0° 10' 51"W 648.94 feet; Thence 120.17 feet Southeasterly along a 252.00 foot radius curve to the left (long chord bears S13° 28' 42"E 119.03 feet); Thence S00° 11' 35"W 116.98 feet to a point on the UTA easterly boundary line; Thence along the easterly boundary line of said UTA property N30° 20' 37"W 173.38 feet; Thence N00° 10' 15"E 409.82 feet; Thence N07° 15' 45"W 347.40 feet to a point on the Southerly right-of-way line of 700 South Street/SR-193; Thence along said Southerly right-of-way line of 700 South Street/SR-193 N89° 45' 30"E 127.58 feet to the point of beginning.

Contains 59,877 sq. ft. or 1.37 acres

OWNERS DEDICATION
We, the undersigned owners of the hereon described tract of land, hereby set apart the
herein described tract of land for the use and benefit of the public. Said tract of land
shall be used for the installation, maintenance, and operation of public service lines and
shall be dedicated as a public street or roadway.

Signed this _____ day of ___________, 2016.

Ironwood Development Group LC

Additional notes and comments:

DEPOT STREET ROADWAY
DEDICATION PLAT
CLEARFIELD CITY, UTAH
A PART OF THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 4 NORTH, RANGE 2 WEST,
SALT LAKE BASE & MERIDIAN
CLEARFIELD CITY,
DAVIS COUNTY, UTAH
March 2016
TO: Planning Commission

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

MEETING DATE: May 4, 2016

SUBJECT: Discussion and Possible Action on FSP 1601-0001, a request by Heather Oviatt, on behalf of Tom Stuart Construction, for a 3-lot subdivision to be known as the Tai Pan Subdivision. The site is located at approximately 1400 E. 700 S. (TIN: 09-020-0035). The property is in the C-2 (Commercial) zoning district, and is approximately 8.847 acres in size.

RECOMMENDATIONS

Move to recommend to the City Council approval as conditioned of FSP 1601-0001, a request by Heather Oviatt, on behalf of Tom Stuart Construction, for a 3-lot subdivision to be known as the Tai Pan Subdivision. The site is located at approximately 1400 E. 700 S. (TIN: 09-020-0035), based on the discussion and findings in the Staff Report.

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<td><strong>Land Use Classification</strong></td>
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<td><strong>Site Acreage</strong></td>
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<th>Comprehensive Plan Land Use Classification</th>
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<td>HAFB</td>
<td>Hill AFB</td>
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<tr>
<td>East</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
<tr>
<td>South</td>
<td>R-3 (commercial)</td>
<td>Residential/Commercial</td>
</tr>
<tr>
<td>West</td>
<td>C-2 (Commercial)</td>
<td>Commercial</td>
</tr>
</tbody>
</table>
BACKGROUND

Heather Oviatt has submitted a request for a 3-lot commercial subdivision located at 1400 E 700 S. (TIN: 09-020-0035). The parcel is the location of Tai Pan Trading, a home décor and crafts store. There is a commercial building located on the southern portion of the property which is approximately 101,000 SF. The structure is proposed to remain with two new parcels proposed on the northern portion of the property for future retail development.

This proposal is a commercial subdivision on an existing lot. Elements of the site development will be handled in the site plan process. At this point there is no proposed development on either of the new parcels. The applicant has worked with Public Works and Engineering to evaluate and correct all required items for the final plat. Public Works and Engineering have reviewed the proposed final plat and are comfortable with the subdivision as proposed. Following a decision by this body and the City Council, a final technical review will be conducted in order to receive approval of the final drawings.

As stated above, improvements to the new lots will be considered in the site plan review process for each lot, when development of such is proposed. The purpose of this plat is simply to create the retail pads. Landscaping, parking and other site improvements will be brought back to the Planning Commission for their consideration as a part of site plan review. Staff has informed the applicant that elements regarding compliance with parking, landscaping and other improvements will be reviewed at the time of the site plan application, but should be anticipated during the subdivision as well. The current site has an overabundance of parking and will comply with parking requirements. Staff has reviewed the
preliminary and final plats and found that landscaping, parking and other requirements on the property are consistent with Clearfield City Code within the C-2 zone.

General Plan and Zoning
The future land use map shows that the parcels are master planned commercial. The zoning is C-2 (Commercial). The property may be subdivided with its existing zoning, subject to meeting the commercial standards, which this proposal does. The large commercial building will remain on the property and the proposed lots will meet minimum lot requirements for the C-2 zone.

Subdivision Plat Approval
The City Engineer has reviewed the plat, and has requested detailed drawings for the future improvements and connections along SR 193 as well as estimates for said improvements. Planning has performed a review of the plat, and has determined that the lots contain the necessary square footage and meet all requirements listed in the C-2 Zone.

Public Comment
No public comment has been received to date.

CONDITIONS OF APPROVAL

1) The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited to necessary easements, addresses, and other call-outs as required and shall adequately address the comments of all reviewers (e.g. Planning, the City Engineer, Public Works, North Davis Fire District, etc.) to their satisfaction.

2) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits.

3) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

ATTACHMENTS

1. Final Subdivision Plat