



Community Development

PLANNING, ENGINEERING, BUILDING INSPECTIONS,
CUSTOMER SERVICE, CODE COMPLIANCE,
AND CDBG ADMINISTRATION

CLEARFIELD CITY PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at **7:00 P.M., Wednesday, February 17th, 2021** on the **3rd floor** in the City Council Chambers of the Clearfield City Municipal Building, located at 55 S. State Street, Clearfield, UT 84015.

Pursuant to the State of Utah Public Health Order 2020-17, dated October 14, 2020, and in conjunction with the State of Utah's ongoing declaration of a statewide public health emergency, Mayor Shepherd made a written and verbal declaration on January 5, 2021, that results in the following: (1) Clearfield City Council meetings, as well as other boards and commissions of the City will be held electronically through Zoom and/or Facebook Live without an anchor location where the public may participate; (2) the public may monitor the meetings through Zoom and/or Facebook Live; and (3) those in the public meetings wishing to provide comment during public meetings may do so by attending the Zoom meeting noticed on each agenda through the chat feature or by submitting comments on the Clearfield City webpage in advance at <http://www.clearfieldcity.org/notice>.

Join Zoom Meeting

<https://us02web.zoom.us/j/87894809466?pwd=cUlrThXZC9VR2Q4aVR1T2dmL1FVUT09>

Meeting ID: 878 9480 9466

Passcode: 369667

REGULAR SESSION – 6:30 PM - Council Chambers

CALL TO ORDER - PLEDGE OF ALLEGIANCE

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Non-Public Hearings

1. Discussion and Possible Action on a Development Agreement for The Hart @ City Center. **Location:** 311 East 200 South (TIN: 12-001-0186 & 12-007-0112). **Parcel Area:** 3.445 acres. **Zone:** U-C (Urban Core Commerce). **Staff:** Spencer W. Brimley (Administrative Action).

WORK SESSION – 7:00 PM at the conclusion of Regular Session – Council Chambers

GENERAL PLAN UPDATE – WORK SESSION

Presentation and Discussion Led by VODA Landscape + Planning

Topic: Transportation

1. Goals
2. Schedule
3. Recent planning efforts
4. Existing transportation conditions and ongoing work
5. Draft recommendations

DISCUSSION ITEMS

1. Staff Discussion
 - a. Discussion on Trainings – Q and A session with Staff and Commission.
2. Staff Communications

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

Dated this 12th day of February 2021.

/s/Brad McIlrath, Senior Planner

Meetings of the Planning Commission 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 in City Code § 1-6-4H for electronic meetings.

Clearfield City, in accordance with the 'Americans with Disabilities Act', provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call the Customer Service Center at 801-525-2701, giving the City a 48 hour notice.

The Work Session meeting is a public meeting; however, public comments are only received in the formal Planning Commission meeting. The Planning Commission Public Meeting is a public forum where the Planning Commission may receive comment from applicants, the public, applicable agencies and city staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.



Planning Commission

STAFF REPORT

AGENDA ITEM
#1

TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, February 17, 2021

SUBJECT: Discussion and Possible Action on a **Development Agreement** for The Hart @ City Center. **Location:** 311 East 200 South (TIN: 12-001-0186 & 12-007-0112). **Parcel Area:** 3.445 acres. **Zone:** U-C (Urban Core Commerce). **Staff:** Spencer W. Brimley (**Administrative Action**).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed Development Agreement for The Hart @ City Center located at 311 East 200 South (TIN: 12-001-0186 & 12-007-0112).

BACKGROUND & ANALYSIS

The background below is meant to provide the Commission with the rationale by which a Development Agreement is now being requested. The Development Agreement's elements are listed later in this report, but staff has provided the timeline to guide the discussion for the intended action on the Development Agreement.

Site Plan Approval – December 2, 2020

Site plan approval was granted on December 2, 2020 subject to the conditions for compliance with the Downtown Clearfield Form-Based Code to allow the applicant to obtain final land use approval. The site plan contemplated a private Access Road connecting the site to 200 S.

Preliminary and Final Subdivision Plat Review – January 6, 2021

The preliminary and final subdivision plat, including the civil drawings, were submitted for review by City Planning, Engineering, and Public Works staff and are subject to the conditions of the site plan approval granted in December 2020. The Planning Commission approved the preliminary plat and forwarded to the City Council a recommendation for approval on the final subdivision plat.

City Council Work Session Discussion – January 19, 2021

While discussing the proposed subdivision plat, the City Council disagreed with the staff interpretation allowing for the installation of an Access Road (Local). Instead, the City Council interprets the Form-Based Code as explicitly requiring a Neighborhood (Local) Street entering this project off 200 South. Moreover, that the Form-Based Code explicitly requires a Neighborhood (Local) Street (dedicated as a public street) to be the Secondary Street type required in the U-C (Urban Core Commerce) Zone. In fact, the Zoning District language specifically lists "Neighborhood" as the allowed secondary street style for the U-C Zone. Given that this was a Work Session discussion, the City Council made no official determination as

to the proposed subdivision plat on that date. However, the discussion provided the City Council members time to review the proposal prior to the policy session on January 26, 2021.

City Council Policy Session – January 26, 2021

During discussion of the proposed plat for The Hart @ City Center, the Council held approval of the final plat, pending the creation and approval of a Development Agreement that would address any variation from the full cross-section of a Neighborhood (Local) Street. Staff was directed to work with the applicant to craft the required agreement for the proposed roadway.

Since then, Staff reviewed the Form Based Code and discovered that a Development Agreement would need to be reviewed and recommended by the Planning Commission before it was to be considered by the Council. Staff discussed this requirement with the applicant and proposed to have the items be considered at the Planning Commission meeting on February 17, 2021 with a subsequent meeting with the City Council on February 23, 2021.

Development Agreement

The Development Agreement will apply specifically to the road that is required for this project, and outlines the following points:

1. The Neighborhood (Local) Street will be shown on the plat and built to the width shown on Exhibit C. The cross section will be forty-one and half feet (41.58') including five-foot (5') sidewalks, five-foot (5') park strips, two and half foot (2.5') curb and gutter, twenty-five-foot (25') drivable surface, two and half foot (2.5') curb and gutter and the required clearance of one and half feet (1.58') provided on the west side, as depicted in Exhibit C of this agreement.
2. Developer will provide signage and marking to prohibit on-street parking on the stem portion of the roadway.
3. Written determination by City Engineer to permit construction of a half road due to unusual circumstance and the road being deemed necessary.

City Council Consideration of Final Subdivision Plat

Approval of the final subdivision plat by the City Council is pending the review and approval of the Development Agreement. Resubmittal of the plat and civil plans to address comments and to obtain final land use approval will be required if the City Council approves the Development Agreement.

STAFF RECOMMENDATION/CONCLUSION

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed Development Agreement based upon the following findings:

1. The proposed Development Agreement is consistent with the intent of the Form Based Code.
2. The proposed Development Agreement will ensure timely construction of a public road to serve the proposed project in accordance with Form Based Code provisions.

ATTACHMENTS

1. Draft Development Agreement with exhibits

WHEN RECORDED, MAIL TO:

Liberation Development Investment, LLC

Attn: _____

Tax Parcel No. _____

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this “Agreement”) is entered into as of this ____ day of _____, 2021 (the “Effective Date”), by and between CLEARFIELD CITY, a municipal corporation of the State of Utah (the “City”), and LIBERATION DEVELOPMENT INVESTMENTS, LLC, a Utah limited liability company (“Developer”). The City and Developer are each referred to herein as a “Party,” and collectively as the “Parties.”

RECITALS

A. Developer is under contract to purchase certain property within the boundaries of the City, as more particularly described on Exhibit A and depicted on Exhibit B, which are attached hereto and incorporated by this reference (the “Property”).

B. Developer has submitted applications to the City, consistent with the existing zoning for the Property, for (i) site plan approval for its development of the Property for a multi-family residential facility (the “Site Plan Application”), and (ii) approval of the preliminary and final plat for the Property (the “Plat Application”, and together with the Site Plan Application, the “Applications”).

C. The Site Plan Application was granted unanimous approval by the City’s Planning Commission (the “Planning Commission”), who has final Site Plan approval authority pursuant to the Clearfield City Downtown Form Based Code (the “Form Based Code”), on December 2, 2020 (the “Site Plan Approval”). When the Planning Commission granted the Site Plan Approval, it allowed for the development of an Access Road (Private), as such term is described in section 5.8 of the Form Based Code, to serve as the primary means of access to the Property.

D. On January 6, 2021, the Planning Commission forwarded a recommendation to the City Council of Clearfield City (the “City Council”) recommending approval of the Final Plat Application to the City Council. The Plat Application provided for the development of an Access Road (Private) to serve as the primary means of access to the Property, consistent with the Site Plan Approval.

E. On January 26, 2020, the City Council met to consider the Final Plat Application. Notwithstanding the Planning Commission's unanimous approval of the Site Plan Application and the recommendation for approval of the Final Plat Application, the City Council disagreed that the development of an Access Road (Private) on the Property satisfied the requirements of the Form Based Code. Instead, the City Council determined that the Form Based Code required Developer to construct and develop a Neighborhood Street, as such term is described in Section 5.9 of the Form Based Code.

F. Developer disputes the City's interpretation of the Form Based Code that Developer is required to construct and develop a Neighborhood Street. However, Developer has conceded and agrees to build such Neighborhood Road, as more particularly described in this Agreement.

G. Section 4.3(2) of the Form Based Code allows for the construction of "half streets" if "approved by the Clearfield City Engineer in unusual circumstances where they are deemed essential and where satisfactory assurances are provided for dedication of the remaining half of the street."

H. The City and the Developer now desire to enter into this Agreement to define and describe the Neighborhood Street half street that will be constructed by the Developer on the Property, which Roadway will serve as the primary access for the Property. The Parties agree and acknowledge that all processes required by Section 11.2(6) of the Form Based Code regarding the approval of development agreements have been properly performed and complied with.

TERMS AND CONDITIONS

NOW THEREFORE, for good and valuable consideration, including the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. INCORPORATION OF RECITALS

The Parties agree that the above Recitals are hereby incorporated into this Agreement and are made a part hereof.

SECTION 2. FINDINGS OF THE CITY

Although disputed by the Parties, the City has determined that the Form Based Code requires that a Neighborhood Street be constructed on the Property. To facilitate the construction of the Neighborhood Street, the City has made the following findings:

- (a) The Access Strip providing access to the Property to 200 South is 41.58' wide, which makes it physically impossible to construct all of the improvements

associated with a Neighborhood Street, which has a required minimum width of 57', as required by Section 5.9 of the Form Based Code;

- (b) The real property to the east of the Access Strip, identified as tax parcel 12-001-0073, has been developed for and is operated as an auto body repair shop, which use prevents the expansion of the Neighborhood Street onto that parcel;
- (c) The real property to the west of the Access Strip, identified as tax parcel 12-001-0189 (the "West Parcel"), has been developed for and is operated as a religious meetinghouse, which makes the expansion of the Neighborhood Street onto that parcel difficult, if not impossible. Developer has approached the owner of the West Parcel in an attempt to obtain property rights that would allow for the development of the Neighborhood Street. Developer has not been successful in obtaining such property rights. Further, due to other practical considerations and the protections provided by the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the expansion of the Neighborhood Street to the West is currently impracticable;
- (d) The Property is located within the U-C Urban Core Commerce Zone of the Form Based Code; and
- (e) Pursuant to Section 4.3(2) of the Form Based Code, the City Engineer has deemed the construction of a Neighborhood Street half street essential based on the unusual circumstances of the Property, as well as the satisfactory assurances for dedication of the remaining half of the street. See Exhibit D.

Based on these findings, and consistent with Section 4.3(2)(2) of the Form Based Code, the City and the Clearfield City Engineer have determined that the only practicable way to allow for the construction of a Neighborhood Street on the Property is to allow for the approval and construction a half street. The City and the Clearfield City Engineer have concluded that the preceding findings constitute unusual circumstances that render the approval of a half street essential and satisfactory in the current circumstances.

SECTION 3. CONSTRUCTION OF THE NEIGHBORHOOD STREET

Based on the preceding findings, the City has authorized the Developer to construct a Neighborhood Street on the Property in the form of a half street (the "Roadway"). The Roadway shall be constructed in a manner and to the specifications provided in the plans attached hereto as Exhibit C, which plans are incorporated by this reference. The Roadway, along with the entire Neighborhood Street on the Property shall be dedicated to the City upon completion.

SECTION 4. MISCELLANEOUS.

4.1 Entire Agreement. This Agreement represents the entire agreement and understanding of the Parties with respect to the subject matter hereof, and supersede all prior agreements, promises, covenants, arrangements, communications, representations or warranties, whether oral or written, by any officer, representative, or agent of any Party hereto. No provision of this Agreement may be amended, modified or waived except by written agreement signed by all Parties.

4.2 Limited Scope of Agreement. The Parties acknowledge that this Agreement is intentionally limited to the construction of the Neighborhood Street half street on the Access Strip of the Property. Further, the Parties hereto acknowledge and agree that all other land use ordinances, regulations, and state and federal laws shall apply to the remaining Property and Development.

4.3 Representation of Authority to Execute. The individuals executing this Agreement represent and warrant that they have authority to execute this Agreement. The Parties hereto represent and warrant that they have full power and authority to enter into this Agreement, to carry out their obligations hereunder, and to consummate the transactions contemplated hereby.

4.4 Severability. Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

4.5 Governing Law, Jurisdiction and Venue. This Agreement shall be construed under and interpreted in accordance with the laws of the State of Utah. The Parties agree that jurisdiction and venue for any dispute arising out of, concerning, or relating to this Agreement are proper in, and only in, the state court sitting in Davis County, in and for the State of Utah, and said court shall be the sole and exclusive forum for resolution of any such dispute.

4.6 Attorneys' Fees. If any legal proceedings arising from or under this Agreement, the prevailing Party in such legal proceedings shall be entitled to reimbursement of reasonable attorneys' fees and costs from the non-prevailing Party. For purposes of this Agreement, the prevailing Party shall be the Party who receives the result closest to the result sought.

4.7 Waiver and Modification. This Agreement may not be amended, superseded, or cancelled, and none of the terms and conditions may be waived except by written

instrument executed by each Party hereto or, in the case of a waiver, by the Party waiving compliance.

4.8 Agreement Running with the Land. This Agreement is appurtenant to and shall run with the Property.

4.9 Headings. The headings contained in this Agreement are not a part of the Agreement and are included solely for ease of reference.

[Signatures and Exhibits Follow]

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the Effective Date.

CLEARFIELD CITY,
a municipal corporation of the State of Utah

By: _____

Name: _____

Its: Mayor

Attest and Countersign:

City Recorder

STATE OF UTAH)
 :SS
COUNTY OF _____)

On this ____ day of _____, 2021, personally appeared before me _____, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the Mayor of Clearfield, City, a municipal corporation of the State of Utah, and acknowledged to me that said company executed the same.

NOTARY PUBLIC

LIBERATION DEVELOPMENT INVESTMENTS, LLC,
a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
 :ss
COUNTY OF _____)

On this ____ day of _____, 2021, personally appeared before me _____, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the _____ of Liberation Development Investments, LLC, a Utah limited liability company, and acknowledged to me that said company executed the same.

NOTARY PUBLIC

EXHIBIT A

[See attached Description of the Property]

The Property is situated with the City of Clearfield, Davis County, Utah, and is more particularly described as follows:

EXHIBIT B

[See attached Depiction of the Property]

EXHIBIT C

[See attached Plans and Specifications of Roadway]

EXHIBIT D

Clearfield City Engineer Determination

(All terms used within this exhibit shall have the same definitions as set forth in the Agreement)

Pursuant to Section 4.3(2) of the Form Based Code, I, Braden Felix, Clearfield City Engineer, make the following determination:

1. The Property subject to this Agreement is located in the U-C Urban Core Commerce Zone of the Form Based Code;
2. The Access Strip providing access to the Property to 200 South is 41.58' wide, which makes it physically impossible to construct all of the improvements associated with a Neighborhood Street, which has a minimum width of 57', as required by Section 5.9 of the Form Based Code;
3. Based on the determination described in paragraph 2 above, coupled with the City's interpretation of the Form Based Code requiring the construction of a Neighborhood Street, the only practicable way to allow for the construction of a Neighborhood Street on the Property is to allow for the approval and construction a half street;
4. Exhibit C to this Agreement are Plan and Specifications for the construction of a Neighborhood Street half street that is consistent with the industry standards and necessary engineering requirements set forth in Section 5.9 of the Form Based Code; and
5. The lawful adoption of the Form Based Code provides the satisfactory assurance for the dedication of the remaining half of the street to be developed, if or when the property to the west of the Access Strip is redeveloped.

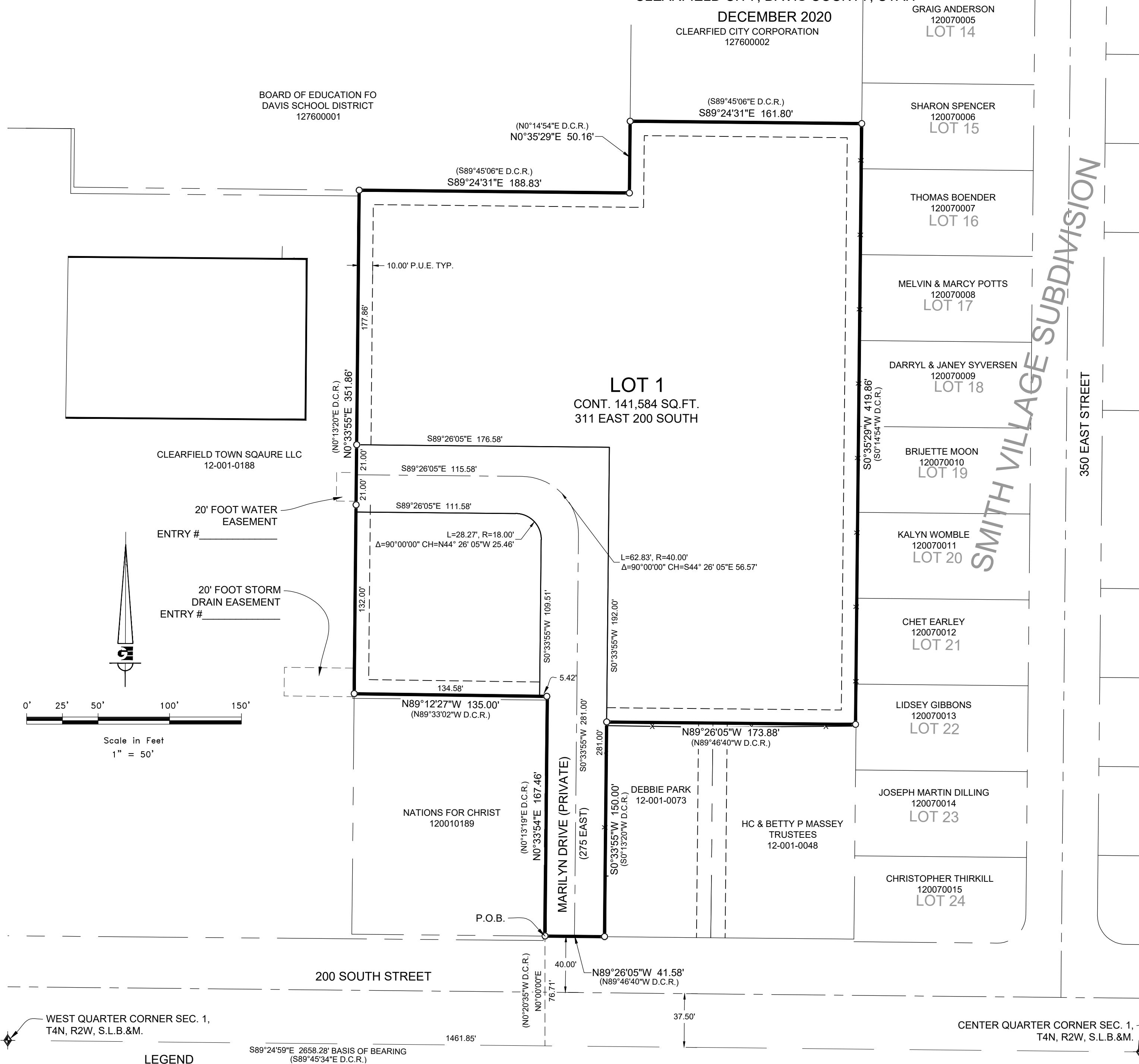
Based on the above determinations, and consistent with Section 4.3(2)(2) of the Form Based Code, I have determined that the only practicable way to allow for the construction of a Neighborhood Street on the Property is to allow for the approval and construction a half street. Further, I conclude that the preceding findings constitute unusual circumstances that render the approval of a half street essential and satisfactory in the current circumstances.

The above formal determination is made pursuant to 4.3(2) of the Form Based Code this 3rd day of February, 2021.

Braden Felix
Clearfield City Engineer

THE HART AT CITY CENTER
LOCATED IN THE NORTHWEST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
CLEARFIELD CITY, DAVIS COUNTY, UTAH

DECEMBER 2020
CLEARFIELD CITY CORPORATION
127600002



- LEGEND
- DAVIS COUNTY MONUMENT AS NOTED
 - SET 24" REBAR & CAP "GARDNER ENGINEERING"
 - SUBDIVISION BOUNDARY
 - LOT LINE
 - ADJACENT PARCEL
 - SECTION LINE
 - EASEMENT
 - EXISTING FENCE LINE

- NOTES
- CURRENT ZONING - CLEARFIELD CITY C2
 - SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO.49011C0210E WITH AN EFFECTIVE DATE OF JUNE 18, 2007.
 - (D.C.R.) = DAVIS COUNTY RECORD BEARING
 - CULINARY WATER FACILITIES: ALL FACILITIES I.E., PIPES, SERVICE LATERALS, VALVES, BENDS, THRUST BLOCKS, FIRE HYDRANTS, MISCELLANEOUS FITTINGS ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS TO MANAGE AND REPAIR TO THE CITY STANDARDS WHEN FAILURES OCCUR.
 - SANITARY SEWER FACILITIES: ALL FACILITIES I.E., PIPES, MANHOLES, LATERALS, PIPELINE CLEANING, SEWER BACKUPS ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS TO MANAGE AND REPAIR TO THE CITY STANDARDS WHEN FAILURES OCCUR.

- STORM WATER FACILITIES: ALL FACILITIES I.E., PIPES, MANHOLES, INLET CATCH BASINS, ORIFICE AND ORIFICE CONTROL STRUCTURES, DETENTION STORAGE BASINS, OVERFLOW SPILLWAYS ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS TO MANAGE AND REPAIR TO THE CITY STANDARDS WHEN FAILURES OCCUR.
- ROADWAYS AND SIDEWALKS FACILITIES: ALL HARD SURFACING FACILITIES I.E., ARE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS TO MANAGE AND REPAIR TO THE CITY STANDARDS WHEN FAILURE OCCUR.

BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN:
BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 200 SOUTH STREET BEING LOCATED SOUTH 89°24'59" EAST 2658.28 FEET (S89°45'34"E D.C.R.) ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND NORTH 00°00'00" EAST 76.71 FEET (N00°20'35"W D.C.R.) FROM THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE NORTH 00°33'54" EAST 167.46 FEET (N0°13'19"E D.C.R.); THENCE NORTH 89°12'27" EAST 135.00 FEET (N89°33'02"W D.C.R.); THENCE NORTH 00°33'55" EAST 351.86 FEET (N0°13'20"E D.C.R.); THENCE SOUTH 89°24'31" EAST 188.83 FEET (S89°45'06"E D.C.R.); THENCE NORTH 00°35'29" EAST 50.16 FEET (N0°14'45"E D.C.R.); THENCE SOUTH 89°24'31" EAST 161.80 FEET (S89°45'06"E D.C.R.); THENCE SOUTH 00°35'29" WEST 419.86 FEET (S0°14'54"W D.C.R.); THENCE NORTH 89°26'05" WEST 173.88 FEET (N89°46'40"W D.C.R.); THENCE SOUTH 00°33'55" WEST 150.00 FEET (S0°13'20"W D.C.R.) TO SAID NORTH RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89°26'05" WEST 41.58 FEET (N89°46'40"W D.C.R. TO THE POINT OF BEGINNING. CONTAINING 3.25 ACRES OR 141,584 SQUARE FEET.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS THE HART AT CITY CENTER IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS ____ DAY OF ____, 2020.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

THE HART AT CITY CENTER

AND HEREBY DEDICATE, GRANT AND CONVEY TO CLEARFIELD CITY, DAVIS COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY AND DRAINAGE EASEMENT (PUDE), THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY CLEARFIELD CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS, AND ALSO HEREBY DEDICATE GRANT AND CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PRIVATE ROADS AND THE WET UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF SEWER, WATER, AND STORM DRAIN LINES AND FACILITIES.

SIGNED THIS ____ DAY OF ____, 2020.

LIBERATION DEVELOPMENT INVESTMENTS, LLC

BY: PAUL POTEET

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF DAVIS)

On this ____ day of ____, 2020, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of _____, and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said Corporation executed the same.

STAMP

NOTARY PUBLIC

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A TWO LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY EXCEL CIVIL ENGINEERING. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING DAVIS COUNTY SURVEY MONUMENTATION AS SHOWN HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 89°24'19" EAST NAD 83 STATE PLAN GRID BEARING.

DEVELOPER/OWNER CONTACT INFORMATION

PAUL POTEET
LIBERATION DEVELOPMENT INVESTMENTS, LLC
79 WEST 900 NORTH SUITE B
SPRINGVILLE, UTAH, 84663



DAVIS COUNTY RECORDER

BOOK NUMBER _____
PAGE NUMBER _____
ENTRY NUMBER _____
TIME RECORDED _____
DATE RECORDED _____
FEE PAID _____

DAVIS COUNTY RECORDER

BY: _____
DEPUTY RECORDER

A map of the study area showing the location of the site. The map includes Center St, State St, Marilyn Dr, and 200 S. A shaded area labeled 'SITE' is located between Center St and Marilyn Dr, east of State St. A north arrow is shown on the left side of the map.

NOT TO SCALE

ALL DETERIORATED, DAMAGED OR MISSING SURFACE IMPROVEMENTS SURROUNDING THE PERIMETER OF THE DEVELOPMENT AND ON-SITE BE REPLACED OR INSTALLED; I.E., CURB & GUTTER, SIDEWALK, LANDSCAPING PARK STRIP IMPROVEMENTS, ASPHALT PATCHING, LANDSCAPING REPLACEMENT, SITE LIGHTING, DUMPSTER SCREENING, CONCRETE IMPROVEMENT, ETC.

TOTAL PROPERTY AREA:	141,584 S.F.
ROADWAY AREA:	21,326 S.F.
NORTHEAST LOT TOTAL AREA:	103,837 S.F.
SOUTHWEST LOT TOTAL AREA:	16,420 S.F.

REQUIRED:

1.15 STALLS PER (20) MICRO UNITS = 23 STALLS

1.15 STALLS PER (24) STUDIO UNITS = 28 STALLS

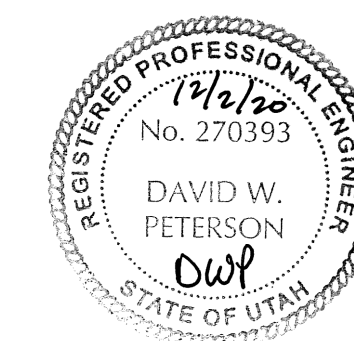
1.15 STALLS PER (40) 1-BED UNITS = 46 STALLS

1.725 STALLS PER (22) 2-BED UNITS = 38 STALLS

TOTAL REQUIRED = 133 STALLS

PROVIDED:
STALLS ON-SITE & IN PRIVATE PARKING LOT = 142 STALLS
ADA STALLS REQUIRED & PROVIDED = 6 STALLS

BIKE PARKING PROVIDED: 21 SPACES



LAND SURVEYOR:
GARDNER ENGINEERING, INC
OFFICE: 801-476-0202
5150 SOUTH 375 EAST, OGDEN, UT 84405



Know what's below.
Call before you dig.

1. CONTRACTOR TO FIELD VERIFY ALL EXISTING CURB & GUTTER, STORM DRAIN, & SEWER ELEVATIONS OR INVERTS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER WHEN ELEVATIONS OR INVERTS DO NOT MATCH PLANS.

2. THE LOCATION OF EXISTING UNDERGROUND UTILITIES IS SHOWN IN APPROXIMATE LOCATIONS. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ALL UNDERGROUND UTILITIES, WHETHER OR NOT SUCH FACILITIES ARE SHOWN ON THESE PLANS.



Scale 1" = 30'

C1	SITE & DEMOLITION PLAN
G1	GRADING & DRAINAGE PLAN
U1	UTILITY PLAN
U2	FIRE HYDRANT PLAN
PP1	MARILYN DRIVE PLAN & PROFILE
SWP1	EROSION CONTROL PLAN
SWP2	STORM WATER MAINTENANCE PLAN
D1	DETAILS
D2	DETAILS
D3	DETAILS

[illegible]

THE HART @ CITY CENTER

CLEARFIELD

TAH

SITE & DEMOLITION PLAN

ale:

07/17/20

1

Summa Terra Ventures
Paul Potect
253-320-0357

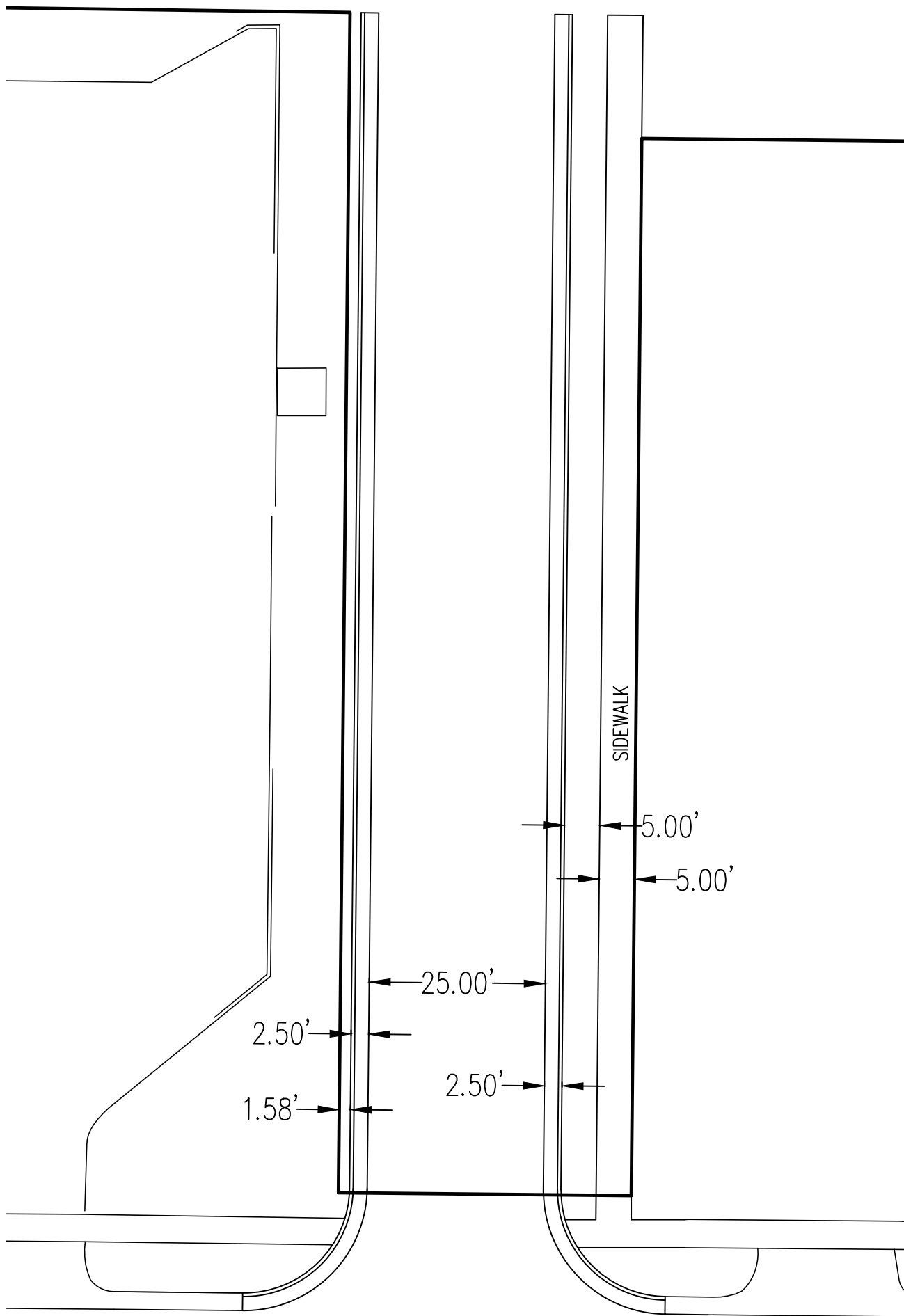


David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; david@excelcivil.com

Drawn by:

Designed by

Checked by
DWP



Clearfield City Engineer Determination

(All terms used within this exhibit shall have the same definitions as set forth in the Agreement)

Pursuant to Section 4.3(2) of the Form Based Code, I, Braden Felix, Clearfield City Engineer, make the following determination:

1. The Property subject to this Agreement is located in the U-C Urban Core Commerce Zone of the Form Based Code;
2. The Access Strip providing access to the Property to 200 South is 41.58' wide, which makes it physically impossible to construct all of the improvements associated with a Neighborhood Street, which has a minimum width of 57', as required by Section 5.9 of the Form Based Code;
3. Based on the determination described in paragraph 2 above, coupled with the City's interpretation of the Form Based Code requiring the construction of a Neighborhood Street, the only practicable way to allow for the construction of a Neighborhood Street on the Property is to allow for the approval and construction a half street;
4. Exhibit C to this Agreement are Plan and Specifications for the construction of a Neighborhood Street half street that is consistent with the industry standards and necessary engineering requirements set forth in Section 5.9 of the Form Based Code; and
5. The lawful adoption of the Form Based Code provides the satisfactory assurance for the dedication of the remaining half of the street to be developed, if or when the property to the west of the Access Strip is redeveloped.

Based on the above determinations, and consistent with Section 4.3(2)(2) of the Form Based Code, I have determined that the only practicable way to allow for the construction of a Neighborhood Street on the Property is to allow for the approval and construction a half street. Further, I conclude that the preceding findings constitute unusual circumstances that render the approval of a half street essential and satisfactory in the current circumstances.

The above formal determination is made pursuant to 4.3(2) of the Form Based Code this 3rd day of February, 2021.

Braden Felix
Clearfield City Engineer

FROM: Mark Morris & Annaliese Eichelberger
RE: Clearfield General Plan Update
DATE: Wednesday, February 17th, 2021
MEETING: **Planning Commission Memo**



1. **Schedule**
2. **Transportation Goals**
 - a. Preserve, enhance, and beautify principal transportation corridors
 - b. Promote increased use of FrontRunner station by improving access to and from station
 - c. Develop a coordinated and integrated network of connections that make biking, walking, and other forms of active transportation convenient and comfortable.
3. **Review of existing planning documents**
 - a. Existing General Plan Transportation element
 - b. Creating Downtown Clearfield
 - c. Downtown Form Based Code
 - d. Clearfield Connected
4. **Existing conditions data**
 - a. Forecasted change in employment
 - b. Forecasted change in households
 - c. WFRRC Regional Transportation Plan:
 - i. Roadway Projects
 - ii. Transit Projects
 - iii. Active Transportation Projects
 - a. Existing Active Transportation Facilities
 - b. North Davis ATIP Proposed AT Facilities
 - c. Fall 2019 Transit ridership
 - d. Barriers and impediments to Connectivity
5. **Draft recommendations**
 - a. Identify opportunities to improve connections across barriers
 - b. Leverage North Davis ATIP and interchange redesigns for multimodal access
 - c. Continue to engage with UDOT on SR-126 options
 - d. Consider working with major employers to develop TDM program(s)
 - e. Improve conditions for those traveling by alternative modes to incentivize mode shift
 - f. Continue efforts from various planning documents
 - g. Support refined street grid from FBC through updated General Plan
6. **Key Decisions**
 - a. Discuss & approve transportation approach

CLEARFIELD GENERAL PLAN



MEETING AGENDA

Agenda

- *GOALS*
- *SCHEDULE*
- *RECENT PLANNING EFFORTS*
- *EXISTING TRANSPORTATION CONDITIONS AND ONGOING WORK*
- *DRAFT RECOMMENDATIONS*

SCHEDULE



Transportation Element Goals

- *PRESERVE, ENHANCE, AND BEAUTIFY PRINCIPAL TRANSPORTATION CORRIDORS*
- *PROMOTE INCREASED USE OF FRONTRUNNER STATION BY IMPROVING ACCESS TO AND FROM STATION*
- *DEVELOP A COORDINATED AND INTEGRATED NETWORK OF CONNECTIONS THAT MAKE BIKING, WALKING, AND OTHER FORMS OF ACTIVE TRANSPORTATION CONVENIENT AND COMFORTABLE.*

Clearfield General Plan Transportation Element

CURRENT TRANSPORTATION GOALS:

- PRESERVE, ENHANCE, AND BEAUTIFY PRINCIPAL TRANSPORTATION CORRIDORS*
- PROMOTE INCREASED USE OF FRONTRUNNER STATION BY IMPROVING ACCESS TO AND FROM STATION*
- DEVELOP A COORDINATED AND INTEGRATED NETWORK OF CONNECTIONS THAT MAKE BIKING, WALKING, AND OTHER FORMS OF ACTIVE TRANSPORTATION CONVENIENT AND COMFORTABLE.*



EXISTING CONDITIONS

Creating Downtown Clearfield

- A FULL REDESIGN OF STATE STREET / MAIN STREET/ SR 126 TO BETTER ALIGN THE ROADWAY'S LOOK AND FEEL WITH CLEARFIELD'S AMBITIONS FOR A COHESIVE DOWNTOWN AREA
- LIMITING PARKING TO CREATE A WALKABLE DOWNTOWN BY ENCOURAGING SHARED PARKING, REDUCING PARKING MINIMUMS NEAR TRANSIT AND PROVIDING ON-STREET PARKING ON MORE DOWNTOWN STREETS
- INCREASING TRANSPORTATION NETWORK CONNECTIVITY BY BREAKING LARGE BLOCKS INTO SMALLER, MORE PERMEABLE SEGMENTS WHEN FEASIBLE
- IMPROVE THE PEDESTRIAN ENVIRONMENT BY IMPLEMENTING WIDER SIDEWALKS AND OTHER PEDESTRIAN AMENITIES ON DOWNTOWN STREETS



Utah State Archives

Downtown Form Based Code

THE DOWNTOWN FORM BASED CODE STRENGTHENS AND CLARIFIES TRANSPORTATION GOALS FOR DOWNTOWN WITH A SERIES OF DESIGN STANDARDS AND GUIDELINES:

- DEVELOPMENT OF AN INTERCONNECTED STREET NETWORK IN AND AROUND DOWNTOWN CLEARFIELD, LEADING TO A DENSE NETWORK OF INTERSECTION AND PEDESTRIAN CROSSING OPPORTUNITIES*
- IMPLEMENTATION OF PEDESTRIAN CROSSINGS THAT DO NOT EXTEND MORE THAN 36' WITHOUT A LANDSCAPED MEDIAN*
- CONSTRUCTION OF SIDEWALKS THAT INCLUDE A MINIMUM OF EIGHT FEET OF CLEAR SPACE, PLUS ADDITIONAL SPACE FOR LANDSCAPING AND OTHER PEDESTRIAN AMENITIES*
- REGULATION OF BLOCK SIZING TO A PERIMETER OF 2,400' WITH LOTS GENERALLY BEING ORIENTED EAST-WEST, CREATING A CONSISTENT, PREDICTABLE STREET NETWORK*



Clearfield Connected

CLEARFIELD CONNECTED IDENTIFIED KEY STRATEGIES TO BEST UTILIZE THE FRONTRUNNER STATION, INCLUDING:

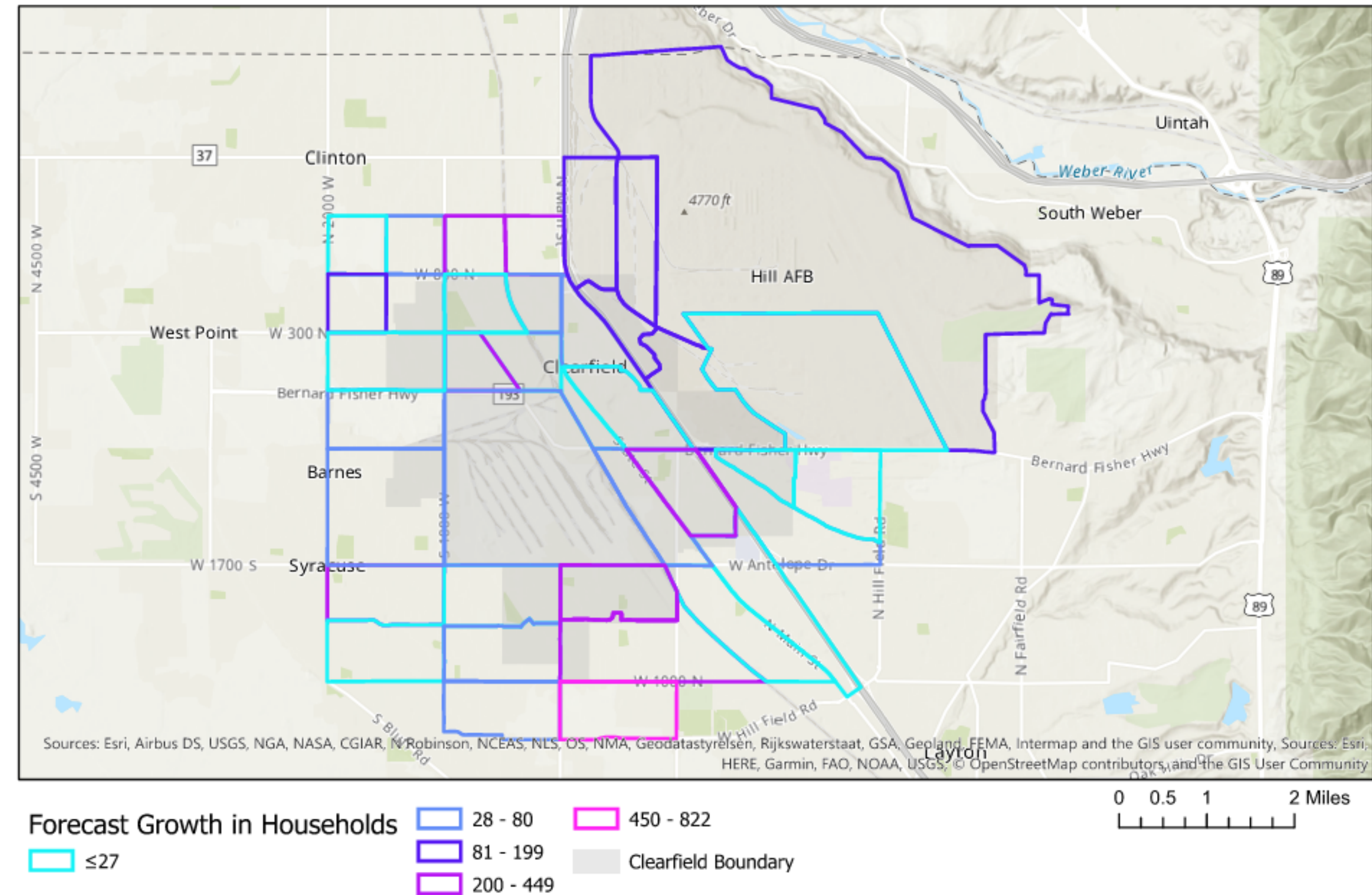
- A CONCEPTUAL STREET GRID ADJACENT TO THE STATION, EMULATING THE PROPOSED, TIGHTLY-KNIT STREET GRID AS RECOMMENDED BY CREATING DOWNTOWN CLEARFIELD AND DOWNTOWN FORM BASED CODE*
- RECOMMENDATIONS TO MANAGE DEVELOPMENT-GENERATED TRAFFIC, INCLUDING SIGNALIZATION OF NEW OR MORE HEAVILY USED INTERSECTIONS, AND IMPLEMENTATION OF A TRANSPORTATION DEMAND MANAGEMENT PROGRAM*
- VARIOUS STRATEGIES TO MAINTAIN TRANSIT ACCESS, GENERATE TRANSIT RIDERSHIP AND CONNECT THE SITE TO THE REST OF THE CITY AND REGION*



EXISTING CONDITIONS

Employment Growth: 2019 - 2050

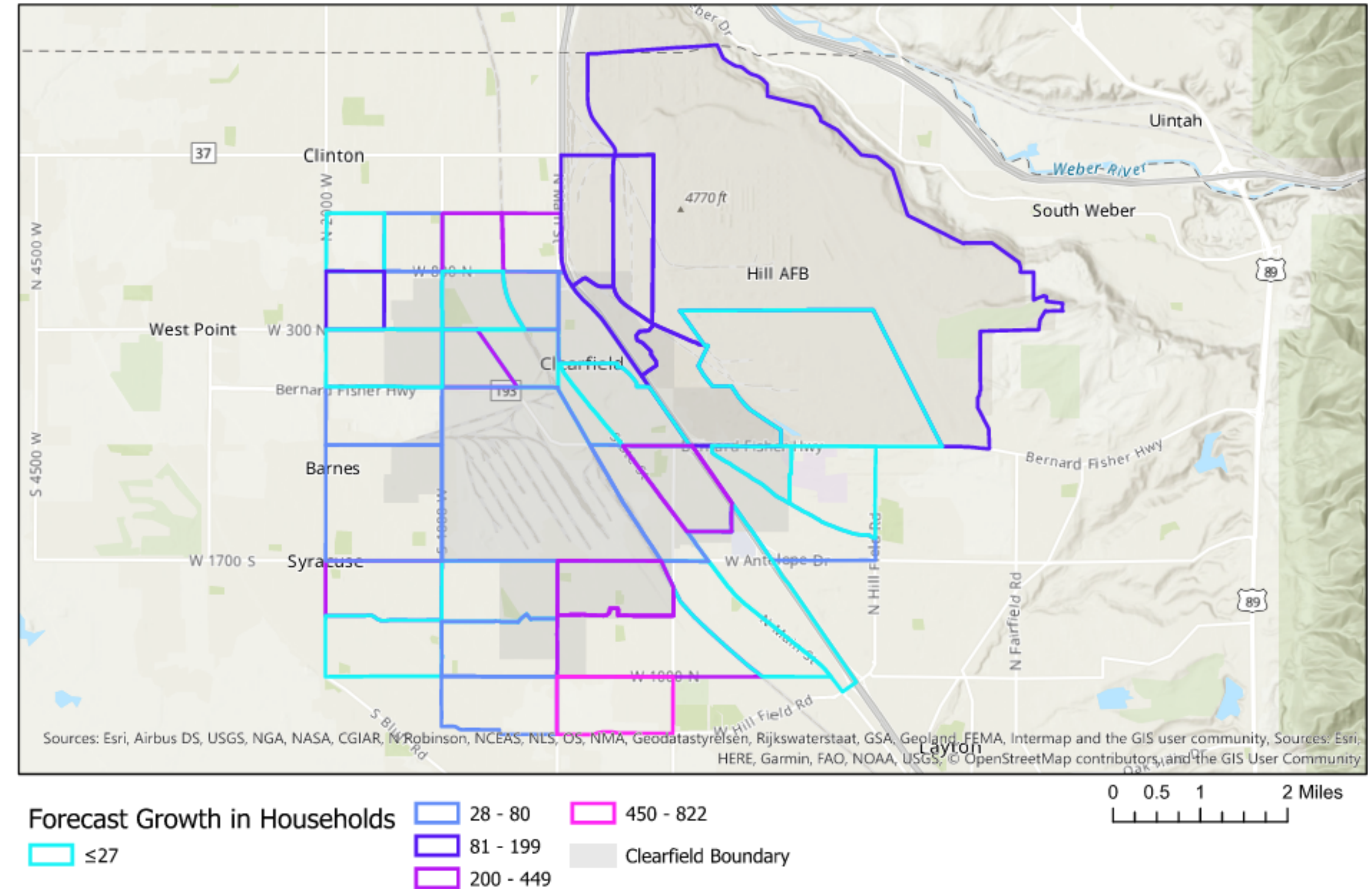
- THE WFRC REGIONAL TRAVEL MODEL PROJECTS THAT CENTRAL CLEARFIELD SUBSTANTIAL EMPLOYMENT GROWTH-- APPROXIMATELY ~5,000 JOBS BY 2050
- THE TAZ WITH THE MOST JOB GROWTH INCLUDES THE FREEPORT CENTER, BUT DOES NOT INCLUDE THE FRONTRUNNER STATION AREA
- BEYOND THE EXTENTS OF THIS MAP AND CLEARFIELD'S BOUNDARY, HILL AIR FORCE BASE IS FORECAST TO BE THE HOME OF APPROXIMATELY 7,000 JOBS BY 2050.



EXISTING CONDITIONS

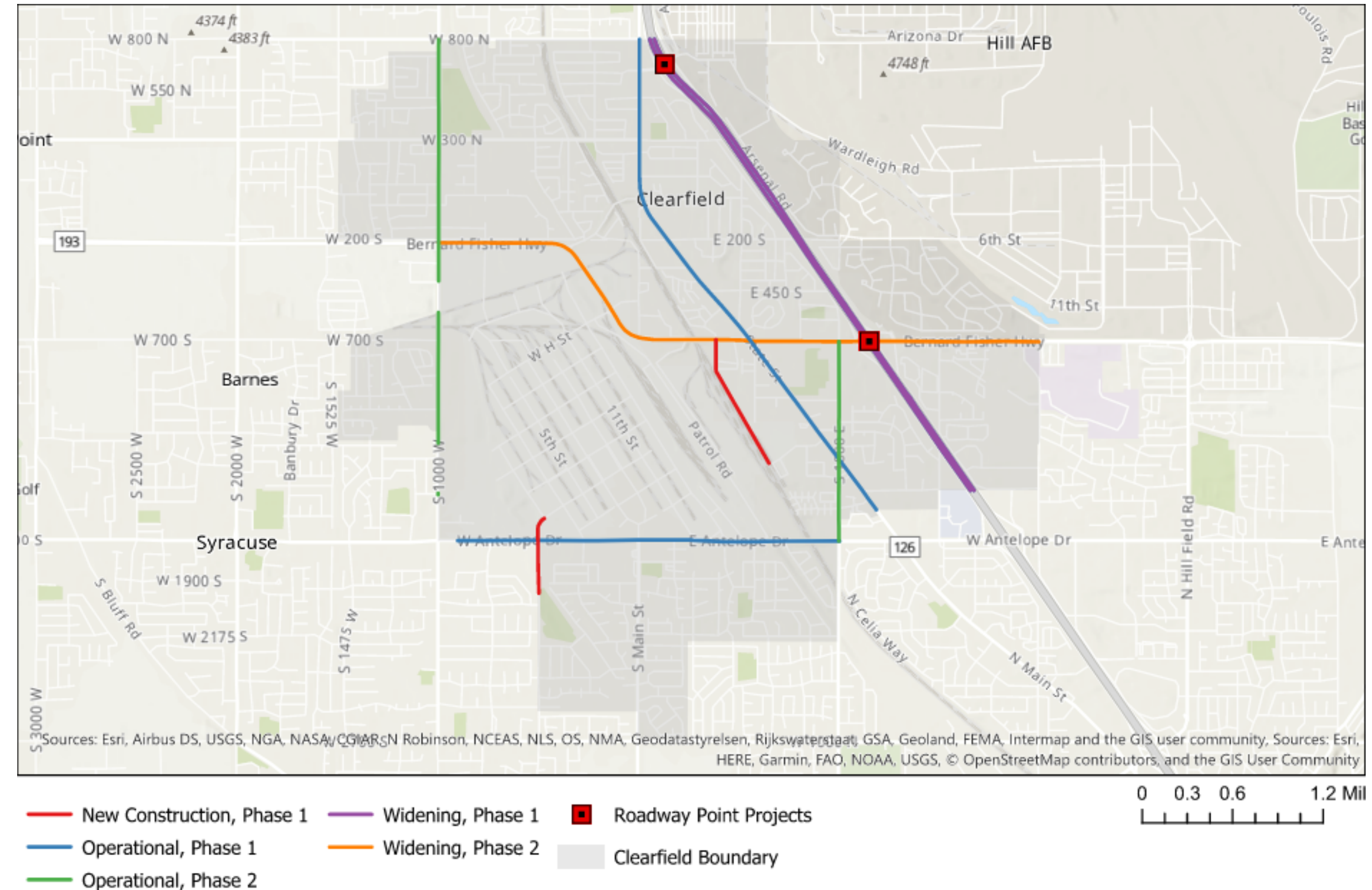
Household Growth: 2019 - 2050

- THE WFRC REGIONAL TRAVEL MODEL MODEL PROJECTS THAT THE AREA SOUTH OF ANTELOPE DRIVE/700 SOUTH WILL SEE THE GREATEST INCREASE IN THE TOTAL NUMBER OF HOUSEHOLDS BY 2050
- ALL OF CLEARFIELD AND ITS IMMEDIATE SURROUNDINGS ARE EXPECTED TO SEE SOME INCREASE IN HOUSEHOLDS
- HILL AIR FORCE BASE IS FORECAST TO ADD APPROXIMATELY 4,000 NEW HOUSEHOLDS BY 2050.



WFRC Regional Transportation Plan: Roadway Projects

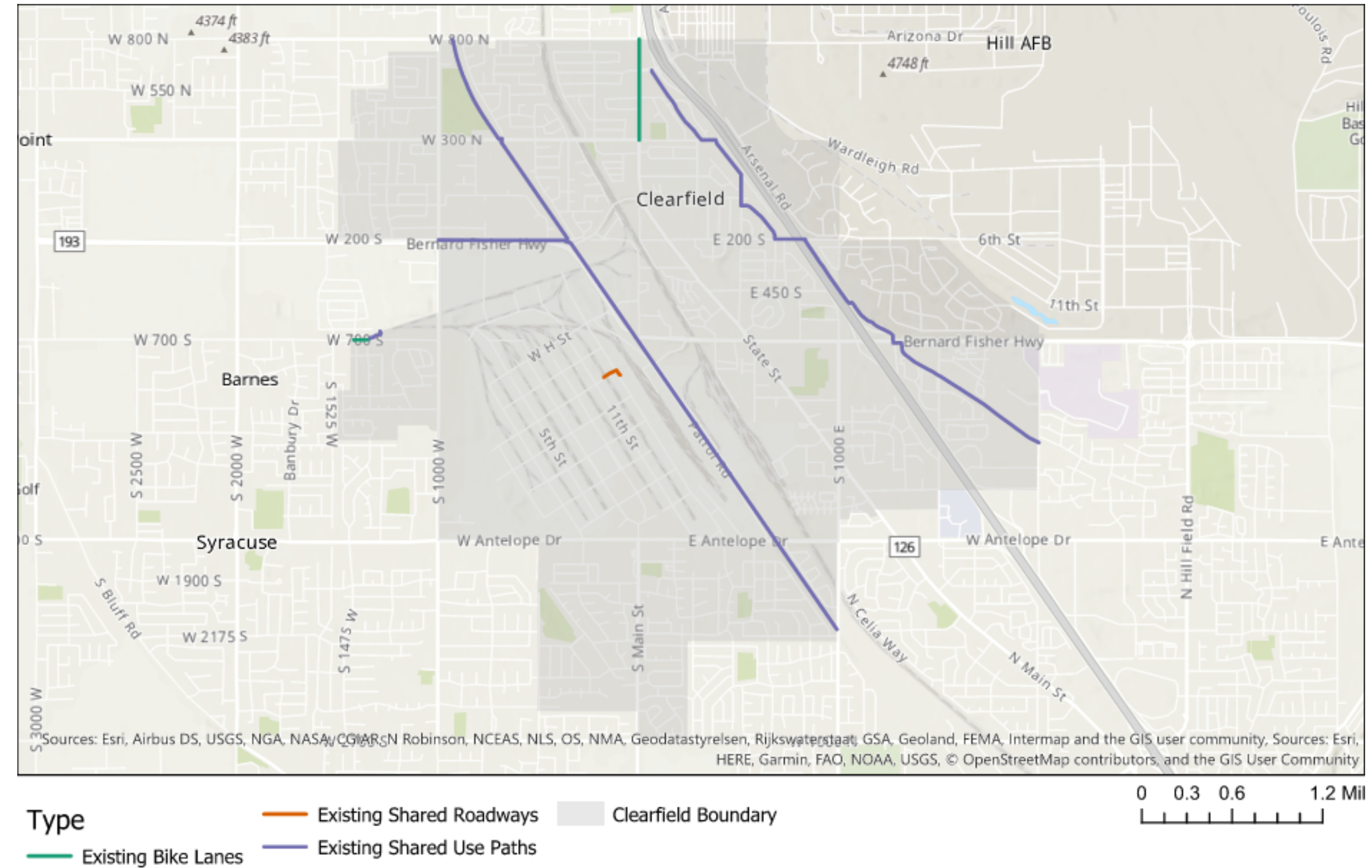
- THE WFRC RTP INCLUDES A VARIETY OF ROADWAY PROJECTS, PRIMARILY FOCUSING ON OPERATIONAL IMPROVEMENTS AND ROADWAY WIDENING
- CRUCIALLY, INTERCHANGE RECONSTRUCTION/REDESIGN IS INCLUDED FOR BOTH OF CLEARFIELD'S I-15 INTERCHANGES
- MINIMAL NEW CONSTRUCTION, THOUGH IMPROVED CONNECTIVITY TO THE FRONTRUNNER STATION AND FREEPORT CENTER ARE INCLUDED



EXISTING CONDITIONS

Existing Active Transportation Facilities

- WHILE CLEARFIELD HAS MINIMAL ON-STREET BIKE FACILITIES PROVIDING LOCAL CONNECTIONS, THERE ARE WELL-DEVELOPED REGIONAL TRAILS
- THE EXISTING TRAILS CAN ACT AS A STRONG FOUNDATION IN DEVELOPING A WELL-CONNECTED NETWORK



North Davis ATIP Proposed AT Facilities

- THE NORTH DAVIS COUNTY ACTIVE TRANSPORTATION IMPROVEMENT PLAN HAS INCLUDES A VARIETY OF TYPES OF FACILITIES THAT AIM TO IMPROVE CONNECTIONS ACROSS BARRIERS AND INTERSECTION-SPECIFIC IMPROVEMENTS
- THE EXISTING OFF-STREET TRAILS WILL BE SUPPORTED BY ADDITIONAL ON- AND OFF-STREET FACILITIES

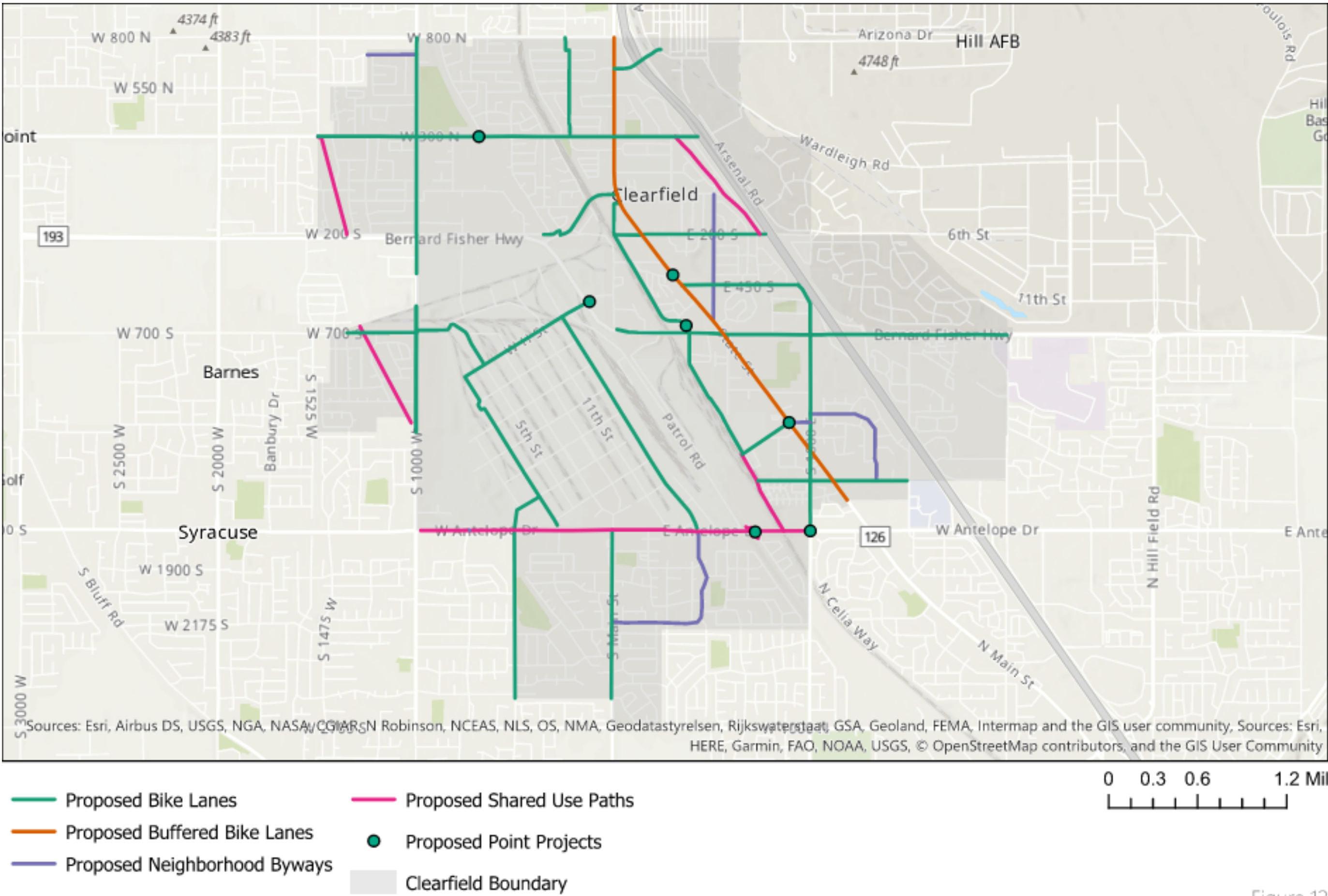
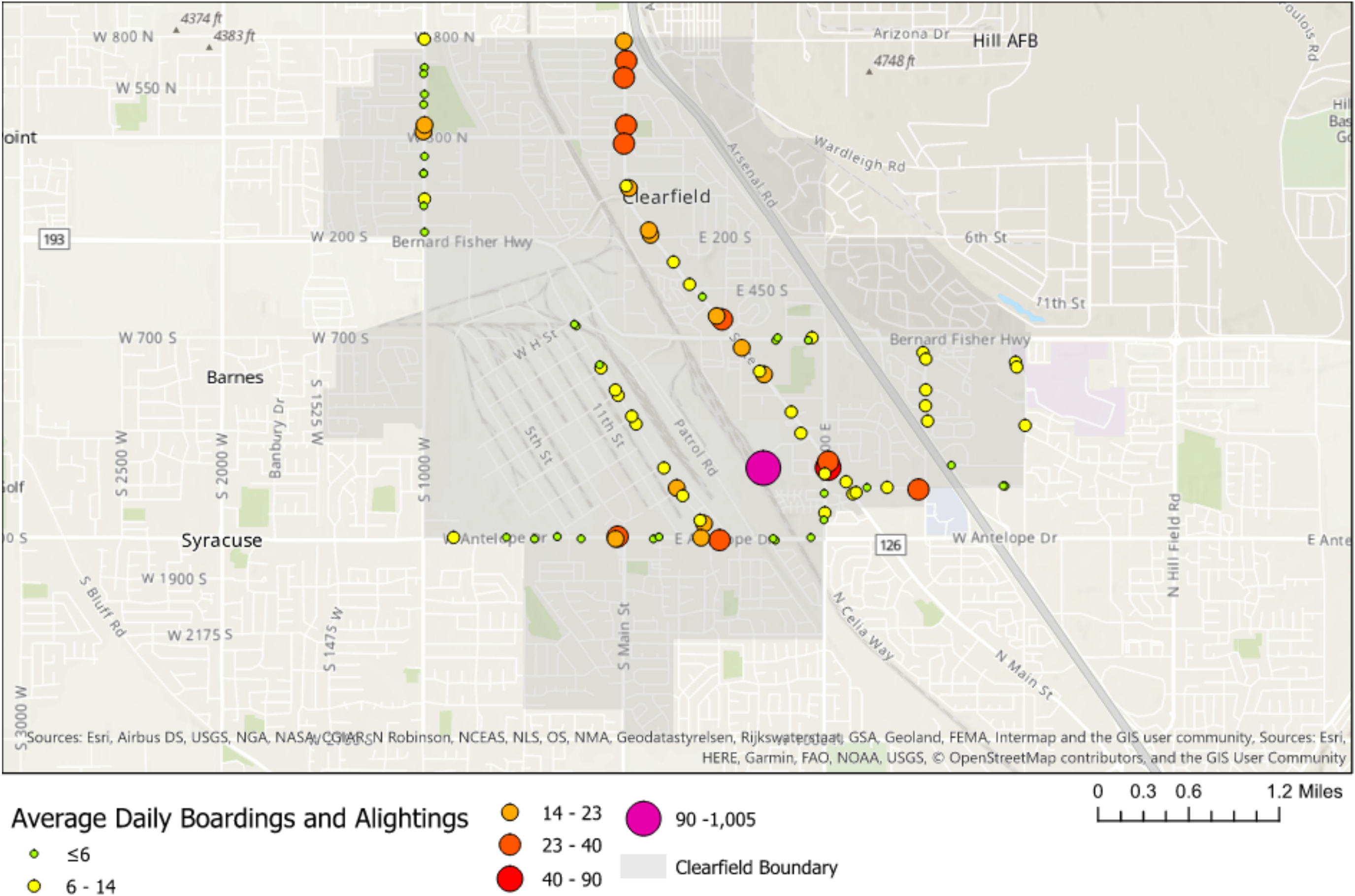


Figure 12

Fall 2019 Transit Ridership

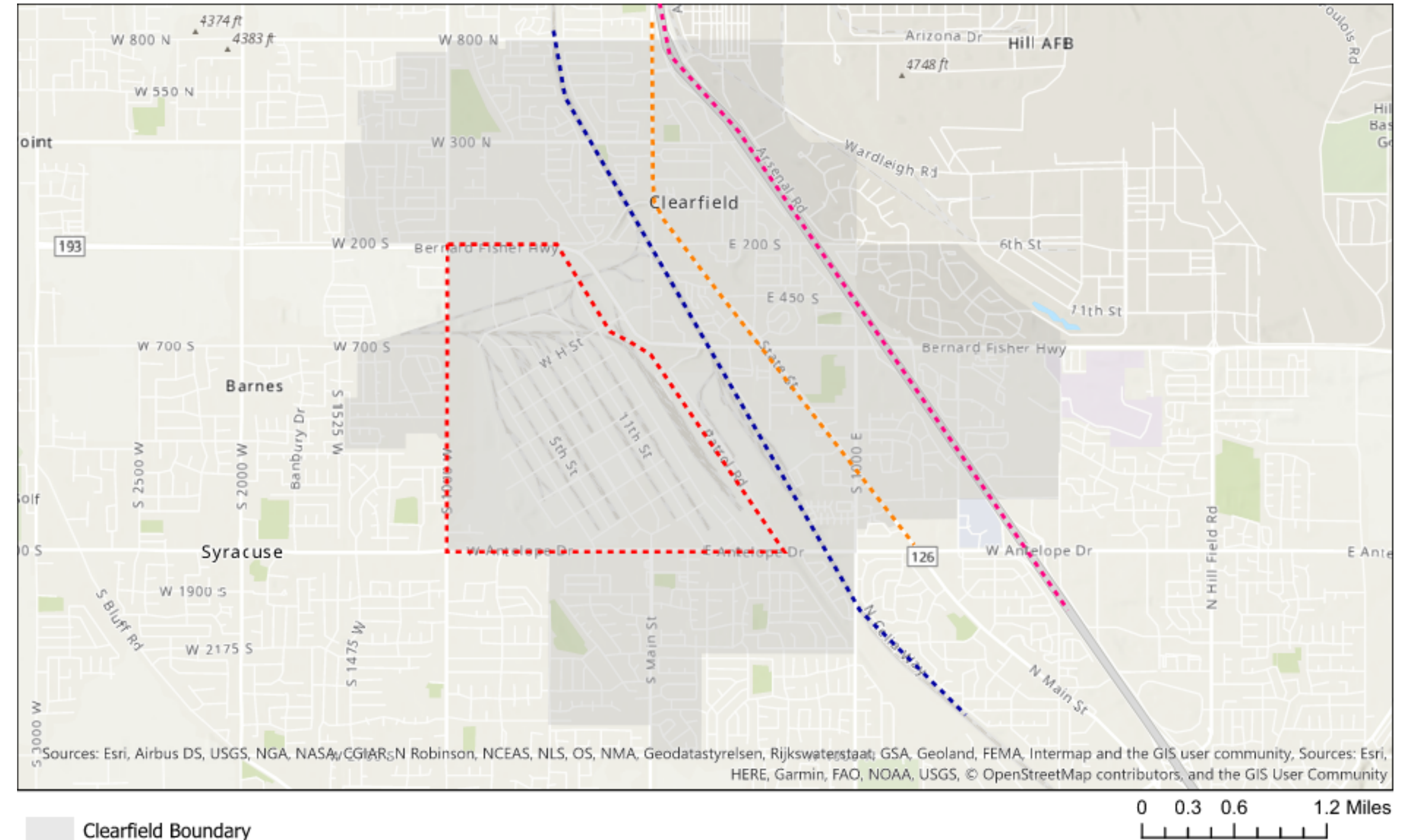
- FALL 2019 (PRE-COVID) UTA BUS RIDERSHIP INDICATES THAT THE FRONTRUNNER STATION IS THE STOP WITH THE GREATEST AMOUNT OF DAILY ACTIVITY WITH AN AVERAGE OF APPROXIMATELY 1,000 ONS AND OFFS EACH DAY
- STOPS ALONG STATE STREET ARE THE NEXT MOST HEAVILY USED
- NOT SHOWN HERE, BUT FRONTRUNNER ONS AND OFFS AVERAGED NEARLY 2,000 EACH DAY



EXISTING CONDITIONS

Barriers to Connectivity

- *DESPITE CLEARFIELD'S GEOGRAPHIC SIZE, THE CITY IS SEGMENTED BY SEVERAL KEY BARRIERS TO CONNECTIVITY*
- *THE FREEPORT CENTER BREAKS THE CITY INTO SEGMENTS TO THE SOUTH, EAST, AND NORTH*
- *THE RAIL RIGHT OF WAY IS PRIMARILY TRAVERSED BY GRAD-SEPARATED CROSSINGS*
- *SR-126 IS THE CITY'S MAIN THOROUGHFARE, THOUGH IS DIFFICULT TO CROSS BY ANY MODE BUT AUTOMOBILES*
- *I-15 IS TRAVERSABLE IN ONLY THREE LOCATIONS*



Initial Recommendations

- *IDENTIFY OPPORTUNITIES TO IMPROVE CONNECTIONS ACROSS BARRIERS*
- *LEVERAGE NORTH DAVIS ATIP AND INTERCHANGE REDESIGNS FOR MULTIMODAL ACCESS*
- *CONTINUE TO ENGAGE WITH UDOT ON SR-126 OPTIONS*
- *CHANGE MAY BE INCREMENTAL, BUT SUSTAINED EFFORT WILL PAY OFF*

Initial Recommendations

- *CONSIDER WORKING WITH MAJOR EMPLOYERS TO DEVELOP TDM PROGRAM(S)*
- *TRANSPORTATION DEMAND MANAGEMENT CAN RELY ON AT AND TRANSIT CONNECTIONS*
- *IMPROVE CONDITIONS FOR THOSE TRAVELING BY ALTERNATIVE MODES TO INCENTIVIZE MODE SHIFT*
- *CONTINUE EFFORTS FROM VARIOUS PLANNING DOCUMENTS*
- *SUPPORT REFINED STREET GRID FROM FBC THROUGH UPDATED GENERAL PLAN*



UPDATE 2021

CLEARFIELD GENERAL PLAN

Thank you!