



CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
August 23, 2022 – POLICY SESSION

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.

55 South State Street
Third Floor
Clearfield, Utah

6:00 P.M. CITY COUNCIL WORK SESSION

Discussion on Amendments to the Clearfield Junction Development Agreement

Discussion on Zoning Text Amendments for Firework Stands and Temporary or Seasonal Merchants

Discussion on Zoning Text Amendments for Sign Regulations in the Downtown Form Based Code

Discussion on the Hill Air Force Base Monitoring Wells Licensing Agreement

Discussion on the Streets Maintenance Project and Budget Amendment

Update on the Lakeside Square Development Agreement

Update on the Bubble Party at the Center Street Bridge

(Any item not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

*****ADJOURN THE CITY COUNCIL WORK SESSION AND RECONVENE IN A CITY COUNCIL POLICY SESSION*****

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY SESSION

CALL TO ORDER:

OPENING CEREMONY:

APPROVAL OF MINUTES:

Mayor Shepherd
Councilmember Peterson
July 26, 2022 Work Session
August 2, 2022 Work Session
August 9, 2022 Work Session
August 9, 2022 Policy Session

SCHEDULED ITEMS:

1. OPEN COMMENT PERIOD

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comment will be limited to three minutes per person. Participants are to state their names for the record. Comments, which cannot be made within these limits, should be submitted in writing to the City Recorder at nancy.dean@clearfieldcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

2. CONSIDER APPROVAL OF THE LICENSING AGREEMENT BETWEEN CLEARFIELD CITY AND THE US AIR FORCE FOR GROUNDWATER AND GAS MONITORING

BACKGROUND: The Air Force installed groundwater and gas monitoring wells close to the intersection of 200 West and 600 North. The location is regulated by the Defense Environmental Restoration Act overseen by the Environment Protection Agency Region 8. They have used these wells to measure and record residual contaminants. The wells are already in place and do not require resources from the city aside from noting them in the Drinking Water Source Protection Plan.

RECOMMENDATION: Approve the Licensing Agreement with the US Air Force for groundwater and gas monitoring and authorize the Mayor's signature to any necessary documents.

*****ADJOURN AS THE CITY COUNCIL*****

Dated this 18th day of August 2022.

/s/ Joannie Strong, Deputy 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 801-525-2714, giving her 48-hour notice.



STAFF REPORT

To: Mayor Shepherd and City Council Members
From: Spencer W. Brimley, Community Development Director
Meeting Date: Tuesday, August 23, 2022
Subject: Clearfield Junction Discussion - Modifications discussion

Recommended Action

No action at this time, but rather a discussion on proposed modifications to the most recent approval for the Clearfield Junction project.

Description / Background

The applicant for this request is Erich Mourey with Four Peaks Capital. The applicant recently purchased the first two buildings in the Clearfield Junction project and is working through the last round of approved changes to the DA and other necessary directives to upgrade this project to a high-quality project in the city. The applicant is requesting a minor modification to the pool & spa size, as well as changes to the layout of the courtyard amenities and interior common area space. The items for consideration are outlined in the section later in this report.

Staff has done a survey of some of the pools in the city to provide the Council with some context as to what may be an appropriate size of pool for a project of this size. The table below is meant to help associate pool size with a project, since the city does not have specific standards or requirements for pool sizes, nor do we impose the regulation for pool usage.

Development Agreement Background

- DA Approved: May of 2018, which outlined the applicants' duties for development as it related to incentives. **(Made with original developer)**
- First Addendum: In December of 2018 the Council approved an addendum to the agreement that outlined several modifications to the code, as requested by the applicant. **(Made with original developer)**
- Second Addendum: The approved changes to the development agreement are more specifically identified as items related to the site plan approval, but as such require approval of the Planning Commission and City Council through an additional addendum to the DA. This second addendum was approved by the Council in December of 2021. **(Made with original developer)**
- Third Addendum: The proposed changes are meant to address some items of concern that have come up with the amenities for the project. The developer desires to keeping moving forward and provide high quality amenities in a timely manner. The request is discussed below. **(Requested by new owner)**

Pool Request/Comparison/Applicant's request

The main item that will require modification or deviation from the approved development agreement (second addendum) is the size of the pool. The existing requirement is for a 1,375 SF pool and 121 SF spa, we would like approval to proceed with a 1,000 SF pool and 100 SF spa.

Project	Pool Size (SF)	Hot Tub (SF)	Unit count
City Centre	700	124	123
West Square	770	160	141
Heights (Towers)	1,200	104	225
Pinnacle Mt. View	1,181	N/A	324
The Pointe (West Point)	720	80	108

The reason for this request is multi-faceted, but the main reason being this is the maximum size we can do with the current configuration of the interior of the suites, and any increase above this to the size of the pool/spa would require additional bathrooms that would take space away from either the gym or the clubhouse. It is the belief of the applicant that the additional space to the pool does not justify taking space away from the gym or clubhouse. Staff would agree with this position and support the idea of a pool that is smaller than what was previously proposed to properly meet the needs of their tenants. The two options to increase the bathroom count are as follows:

Option A: Two additional toilets would need to be added to the shower rooms in the south suite. Those shower rooms would need to get significantly larger taking away space from the gym.

Option B: If the city allows us to have the restrooms for the pool in two different buildings and the showers only on the south side, the north side restrooms would need to have 2 additional toilets added to serve the occupant load for the north suite and portion of the pool bather load. Similar to how the south suite has a hallway going directly to the restrooms, the north hallway and exterior storefront would need to be reconfigured to allow for this.

Since approval of the Second addendum the site has come into compliance with the required items. The applicant is continuously seeking to accommodate needed changes in the project to make it more valuable to the tenants, both retail and residential. Staff has been meeting virtually and exchanging

emails with the applicant as they navigate previous issues and decisions for this project. This has been a very collaborative and productive process since the property was sold. The applicant is proposing more parking, a slightly smaller pool and spa, but will be constructing the optional clubhouse, as well as increasing the size of the gym and leasing office for the project. Additionally, they have reorganized the outdoor amenity space resulting in a small reduction (14 SF) to the BBQ and fire pit area.

The applicant's intent with this application is not to go against the development agreement, but rather follow the spirit of the DA and the previous addendums in the best way possible, by providing the long-awaited amenities to the residents in the quickest and most efficient manner. The applicant's goal is to provide the best product possible within the confines of what currently exists and has been approved. Unfortunately, many of the decisions by the previous owner were done without much thought or regard for their impact and in many instances, decision bore from bad information. The applicant is seeking to correct many of the previous mistakes now that they have the responsibility to do so, fully. As a testament to this, the applicant has already submitted plans for the gym, leasing office, and optional clubhouse and will be under construction very soon on that part of the project.

In addition to the above, the information for the requests has been provided in a table to allow for a clearer understanding of the proposal with this application.

Element of Project	Development Agreement	Proposed
Landscaping	4,137 SF (around pool)	4,137 SF (around pool)
Parking	4 Stalls	16 stalls
BBQ and Fire Pit	1,800 SF	1,786 SF
Gym	1,250 SF in Building 1.	1,350 SF in Building 2.
Leasing Office	670 SF in Building 1.	906 SF in Building 1.
Optional Clubhouse	1,820 SF in Building 2.	1,385 SF in Building 1.
Maintenance Room		590 SF in Building 2.

List of Attachments

- Attachment #1 –Exhibit C Second Addendum for Clearfield Junction
- Attachment #2 – Clearfield Junction Civil_Permit
- Attachment #3 – Clearfield Junction_Outdoor amenities

EXHIBIT C

Clearfield Junction Punchlist Items as of 12/8/21

1. Paint splatter at base of building and upper floors must be cleaned up.
2. Landscaping at Argentine Corner will remain as hardscape per Second Addendum of the Clearfield Junction Development Agreement.
3. Holes for awning must be painted to match brick color.
4. Streetlights will be installed and approved no later than April 29th, 2022
5. Required tree grates (per city spec) \will be installed, including brick pattern to match North Davis County Library, Clearfield Branch, pattern.
6. Glass railings that were not installed per plans and specs will be corrected with the installation of a decorative metal railing to reduce glass panel movement.
7. Broken sidewalk adjacent to gas station along northern boundary to be repaired.
8. Communication box cannot be modified by Developer but must be fixed. City will assist developer as he contacts and works with communication provided to lower the box to match grade.
9. Landscaping for buildings 3 and 4 will be started in the spring.
10. Irrigation lines and weed barriers shall be completed.
11. Exposed concrete foundation shall be patched in areas where needed.
12. Bicycle parking will be finished and concrete pads under utilities will be patched.
13. The reduced landscaping to the west of buildings 1 and 2 will remain as constructed at the time the second addendum is approved.
14. Broken or chipped concrete curbs shall be patched at completion of buildings 3 and 4 after construction using heavy equipment is complete.
15. Water pipe will be re-tested to meter box to ensure no leaks.
16. Bridge slope must be graded to city code under supervision of city inspector.
17. SWPPP will be in compliance by no later than April 29th, 2022.
18. Unfinished entry floor will be epoxy coated to match existing exterior finishes.
19. All trees along Main Street will be replaced.
20. Temporary heating pipes will be removed and capped with stainless steel cap after TI (tenant improvement) work is complete to ensure water pipes don't freeze and break.
21. Site lighting for parking areas shall be installed when awnings are completed. Awnings to be completed after stucco and siding are finished on buildings 3 and 4.
22. Handrail will be installed on at the front of building 2 to address sidewalk slope issue.

MATERIALS LEGEND

	CONCRETE MASONRY UNIT
	FACE BRICK OR STONE
	CONCRETE (CAST IN PLACE)
	GYPSUM BOARD OR SETTING BEDS
	INSULATION (BATT & BLANKET)
	INSULATION (RIGID/ SEMI-RIGID)
	PLYWOOD
	WOOD FRAMING (CONTINUOUS)
	WOOD (BLOCKING)
	WOOD (FINISH)
	STEEL AND OTHER METALS
	GRAVEL
	NATURAL UNDISTURBED EARTH
	COMPACTED STRUCTURAL FILL
	QUARRY/CERMAIC TILE

GENERAL CONSTRUCTION NOTES

- A. INTERIOR EXIT STAIRWAYS, RAMPS AND EXIT PASSAGEWAYS SHALL BE NOT LESS THAN A CLASS "B" RATING, SEE IBC TABLE 803.13. IN ALL OCCUPANCIES, INTERIOR FLOOR FINISH AND FLOOR COVERING MATERIALS IN ENCLOSURES FOR STAIRWAYS AND RAMPS, EXIT PASSAGEWAYS, CORRIDORS AND ROOMS OR SPACES NOT SEPARATED FROM CORRIDORS SHALL NOT BE LESS THAN CLASS II, SEE IBC 804.4.2.
- B. ALL CONSTRUCTION SHALL MEET THE CONSTRUCTION STANDARDS FOR A TYPE I A, SPRINKLED BUILDING IN ACCORDANCE WITH INTERNATIONAL BUILDING CODE 2018 EDITION. CONSTRUCTION SHALL MEET THE REQUIREMENTS FOR THE CITY OF CLEARFIELD, STATE OF UTAH.
- C. CONTRACTOR TO MAINTAIN A COMPLETE, TOP QUALITY, "AS BUILT" DRAWINGS FOR SUBMITTAL TO ARCHITECT UPON COMPLETION OF CONSTRUCTION.
- D. WOOD AND COMBUSTABLE MATERIALS IN CEILINGS AND CONCEALED SPACES FOR TYPES I AND II CONSTRUCTION IS TO BE CONSTRUCTED PER IBC 603.
- E. NO VINYL ASBESTOS OR OTHER HAZARDOUS MATERIALS SHALL BE INSTALLED AS PART OF THIS WORK. ALL STRICTLY REGULATED MATERIALS SHALL MEET ALL STATE AND FEDERAL REGULATIONS.
- F. ALL FURRING AND BLOCKING SHALL MEET THE REQUIREMENTS OF IBC 718.2.
- G. THE CONTRACTOR SHALL THOROUGHLY EXAMINE THE PREMISES AND SHALL BASE HIS BID ON THE EXISTING CONDITIONS. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE ACTUAL FIELD CONDITIONS. EACH TRADE SHALL EXAMINE THE PREMISES PRIOR TO COMMENCING HIS WORK TO INSURE THAT CONDITIONS ARE APPROPRIATE FOR HIS WORK TO COMMENCE. AREAS NOT APPROPRIATE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT. COMMENCING WORK IMPLIES ACCEPTANCE OF EXISTING CONDITIONS. **CONSULT THE ARCHITECT IF DISCREPANCIES OCCUR AND WHERE THERE IS A CONFLICT THE MOST EXPENSIVE PRODUCT/METHOD SHALL GOVERN, BUT WITH PRIOR APPROVAL FROM THE ARCHITECT.**
- H. COORDINATE ALL DIMENSIONS, CONDITIONS AND DETAILS WITH STRUCTURAL, CIVIL, LANDSCAPE, MECHANICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION DRAWINGS AND MATERIAL SUPPLIERS. **CONSULT THE ARCHITECT IF DISCREPANCIES OCCUR AND WHERE THERE IS A CONFLICT THE MOST EXPENSIVE PRODUCT/METHOD SHALL GOVERN, BUT WITH PRIOR APPROVAL FROM THE ARCHITECT.**
- I. ALL SECURITY DEVICES MUST BE PHYSICALLY INTEGRATED. FREESTANDING PEDESTALS OR HANGING DEVICES CONTAINING SENSOR EQUIPMENT ARE PROHIBITED.
- J. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL MATERIALS AND WORKMANSHIP IN ACCORDANCE WITH THE APPLICABLE INTERNATIONAL BUILDING CODE, HANDICAPPED-ACCESSIBILITY CODE, AND ALL APPLICABLE ORDINANCES INCLUDING STATE AND LOCAL BUILDING CODES AND REQUIREMENTS.
- K. THE CONTRACTOR SHALL CONFIRM IN WRITING, APPROXIMATE ON-SITE DELIVERY DATES FOR ALL CONSTRUCTION ITEMS AND MATERIALS AS REQUIRED BY THE CONSTRUCTION DOCUMENTS, AND SHALL NOTIFY THE ARCHITECT IN WRITING OF ANY DELAYS AFFECTING OCCUPANCY.
- L. SUBSTITUTIONS, REVISIONS AND/OR CHANGES MUST HAVE PRIOR WRITTEN APPROVAL BY THE ARCHITECT AND OWNER.
- M. THE CONTRACTOR SHALL VERIFY THAT NO CONFLICTS EXIST IN THE LOCATION OF ANY AND ALL WORK INCLUDING BUT NOT LIMITED TO MECHANICAL, ELECTRICAL, TELEPHONE AND LIGHTING (INCLUDING PIPING, DUCTWORK AND CONDUIT,) AND THAT ALL CLEARANCES FOR INSTALLATION AND MAINTENANCE ARE PROVIDED.
- N. NO WORK DEFECTIVE IN CONSTRUCTION OR QUALITY, OR DEFICIENT IN ANY REQUIREMENT OF THE CONTRACT DOCUMENTS WILL BE ACCEPTABLE. THE OWNER'S OR ARCHITECT'S FAILURE TO DISCOVER OR POINT OUT DEFICIENCIES OR DEFECTS DURING CONSTRUCTION SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITIES. DEFECTIVE WORK REVEALED WITHIN THE TIME REQUIRED BY GUARANTEES SHALL BE REPLACED BY WORK CONFORMING TO THE INTENT OF THE CONTRACT. NO PAYMENT, EITHER PARTIAL OR FINAL SHALL BE CONSTRUED AS AN ACCEPTANCE OF DEFECTIVE WORK OR IMPROPER MATERIALS.
- O. THE CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE EXISTING CONSTRUCTION AND SHALL BE RESPONSIBLE FOR REPAIRING ALL DAMAGES CAUSED BY THEMSELVES OR BY THEIR SUB-CONTRACTORS.
- P. THE CONTRACTOR SHALL REVIEW, APPROVE, STAMP, AND SUBMIT TO THE ARCHITECT, WITH REASONABLE PROMPTNESS, AND IN SUCH SEQUENCE AS TO CAUSE NO DELAY IN THE WORK, PRODUCT DATA, SHOP DRAWINGS AND SAMPLES FOR THE PROJECT.
- Q. BY APPROVING STAMPING, AND SUBMITTING SHOP DRAWINGS, PRODUCT DATA AND SAMPLES, THE CONTRACTOR REPRESENTS THAT THEY HAVE DETERMINED AND VERIFIED MATERIALS, FIELD MEASUREMENTS, AND FIELD CONSTRUCTION CRITERIA RELATED THERETO AND THAT THEY HAVE CHECKED AND COORDINATED THE INFORMATION WITHIN SUCH SUBMITTALS WITH THE REQUIREMENTS OF THE WORK AND CONTRACT DOCUMENTS.
- R. THE CONTRACTOR SHALL NOT BE RELIEVED OF RESPONSIBILITY FOR ANY DEVIATION FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS BY THE ARCHITECT'S REVIEW OF THE SHOP DRAWINGS, PRODUCT DATA, OR SAMPLES.
- S. THE CONTRACTOR SHALL ASSIST IN THE COORDINATION OF "NOT IN CONTRACT" (NIC) ITEMS INCLUDING FURNITURE INSTALLATION, EQUIPMENT INSTALLATION, TELEPHONE WORK, ETC...
- T. ALL PARTITIONS AND CEILINGS SHALL BE BRACED IN COMPLIANCE WITH THE REQUIREMENTS OF ALL APPLICABLE SEISMIC AND BUILDING CODES.
- U. THE CONTRACTOR SHALL PROVIDE METAL BACKING PLATES, OR FIRE TREATED WOOD BLOCKING, AS REQUIRED IN WALLS BEHIND ALL WALL MOUNTED ITEMS OF CASEWORK, ACCESSORIES, ETC... AS ALLOWED BY THE TYPE OF CONSTRUCTION.
- V. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ALL FIELD DIMENSIONS INDICATED BY "VERIFY" IN THE CONTRACT DOCUMENTS AND SHALL REVIEW ANY DISCREPANCIES WITH THE ARCHITECT BEFORE PROCEEDING.
- W. ALL "CLEAR" (CLR) DIMENSIONS ARE NOT ADJUSTABLE WITHOUT ARCHITECT'S APPROVAL.
- X. PRIOR TO CONSTRUCTION, DISCREPANCIES BETWEEN THE ARCHITECTURAL DRAWINGS, ENGINEERING DRAWINGS AND EXISTING CONDITIONS SHALL BE REPORTED TO THE ARCHITECT.
- Y. DIMENSIONS TAKE PRECEDENCE OVER SCALE OF THE DRAWING. DRAWINGS SHOULD NOT BE SCALED WITHOUT APPROVAL OF THE ARCHITECT.
- Z. ALL TOILET ROOMS AND ELEVATIONS SHALL BE IN COMPLIANCE WITH CURRENT APPLICABLE CODES AS PER THESE DRAWINGS.
- AA. ALL DRAWINGS, NOTES, AND SPECIFICATIONS ARE CONSIDERED COMPLIMENTARY AND WHAT IS CALLED FOR BY ONE WILL BE BINDING TO ALL. ANY WORK SHOWN, OR REFERRED TO, IS BINDING TO ALL. **CONSULT THE ARCHITECT IF DISCREPANCIES OCCUR AND WHERE THERE IS A CONFLICT THE MOST EXPENSIVE PRODUCT/METHOD SHALL GOVERN, BUT WITH PRIOR APPROVAL FROM THE ARCHITECT.**
- BB. ARCHITECT SHALL NOT BE LIABLE FOR WORK REGARDING THE IDENTIFICATION, REPAIR, REMOVAL OR ENCAPSULATION OF ASBESTOS OR OTHER HAZARDOUS MATERIALS. CONTRACTOR SHALL NOTIFY ARCHITECT AND OWNER IF ANY MATERIALS ENCOUNTERED REQUIRING TESTING OR ABATEMENT. ALL ASBESTOS IDENTIFICATION AND REMOVAL IS TO BE COMPLETED UNDER SEPARATE CONTRACT AND PRIOR TO COMMENCEMENT OF DEMOLITION AND/OR REMODELING WORK DESCRIBED IN OUR DOCUMENTS.

CODE INFORMATION

CODE:	TITLE:	EDITION:	STATE AMENDMENTS:
BUILDING CODE	INTERNATIONAL BUILDING CODE	2018	YES
ACCESSIBILITY CODE	ICC/ANSI A117.1	2009	NO
MECHANICAL CODE	INTERNATIONAL MECHANICAL CODE	2018	YES
ELECTRICAL CODE	NATIONAL ELECTRICAL CODE	2020	YES
PLUMBING CODE	INTERNATIONAL PLUMBING CODE	2018	YES
FIRE PREVENTION CODE	INTERNATIONAL FIRE CODE	2018	YES
ENERGY CODE	INTERNATIONAL ENERGY CONSERVATION CODE	2018	YES

JURISDICTION:
101 N Main St, Clearfield, UT 84015

FIRE-RESISTANCE RATING REQUIREMENTS		INTERIOR WALL AND CEILING FINISH REQUIREMENTS		
BUILDING ELEMENT	TYPE V-A	OCCUPANCY	B	A-3
PRIMARY STRUCTURAL FRAME INCLUDING COLUMNS, GIRDERS, TRUSSES	N/A TI ONLY	EXIT ENCLOSURES AND EXIT PASSAGEWAYS	B	B
BEARING WALLS EXTERIOR INTERIOR	N/A TI ONLY	CORRIDORS	C	B
NONBEARING WALLS AND PARTITIONS EXTERIOR INTERIOR	N/A TI ONLY	ROOMS AND ENCLOSED SPACES	C	C
FLOOR CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS	N/A TI ONLY			
ROOF CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS	N/A TI ONLY			

2018 IBC CODE ANALYSIS			
CODE ITEM REFERENCE	CODE REQUIREMENT	ACTUAL BUILDING	COMMENTS
OCCUPANCY CHAPTER 3	B- BUSINESS, A-3 EXERCISE		
CONSTRUCTION TYPE CHAPTER 6	V8 (TENANT IMPROVEMENT ONLY)		
ALLOWABLE HEIGHT TABLE 504.3	N/A		
ALLOWABLE STORIES TABLE 504.4	N/A		
ALLOWABLE AREA SECTION 507.4	N/A		
FRONTAGE INCREASE SECTION 506.3	N/A		
MIXED USE SECTION 508	NO SEPERATION REQ. BETWEEN B & A-3 OCCUPANCIES		
MAX AREA OF EXT. WALL UNPROTECTED OPENINGS - TABLE 705.8	N/A		
FIRE SPRINKLER SYSTEM SECTION 903	N/A		
OCCUPANT LOAD TABLE 1004.1.2	LOAD FACTORS B- BUSINESS = 150 GROSS A-3 EXERCISE = 50 GROSS	N/A TENANT IMPROVEMENT ONLY	
REQ. NUMBER OF EXITS TABLE 1006.2.1 & 1006.3.1	1 EXIT REQ. FOR EACH DIVIDED SUITE		
COMMON TRAVEL PATH TABLE 1006.2.1	300 MAX ALLOWED 123'-9" MAX ACTUAL		
EXIT ACCESS TRAVEL TABLE 1017.2	300 B-BUSINESS 250 A-ASSEMBLY		
ACCESSIBILITY CHAPTER 11	ADA ACCESSIBLE		
MIN. ROOFING CLASS TABLE 1505.1	N/A		
PLUMBING FACILITIES TABLE 2902.1 WATER CLOSETS LAVATORIES DRINKING FOUNTAINS SERVICE SINK SHOWERS	M 3 W 3 M 4 W 4 2 2 2		
FIRE EXTINGUISHERS	6		

EGRESS & OCCUPANCY GENERAL NOTES:

- A. FIRE EXTINGUISHERS IN TENANT SPACES SHALL BE A WALL MOUNTED TYPE FIXTURE THAT SHALL NOT PROJECT MORE THAN 4" FROM THE ATTACHED WALL. IF THE EXTINGUISHER PROJECTS MORE THAN 4" A TEMPORARY TRIM MUST BE APPLIED AROUND THE EXTINGUISHER TO REDUCE THE PROJECTION TO LESS THAN 4".
- B. SEE A500 SERIES SHEETS FOR TYPICAL SIGNAGE REQUIREMENTS.

EGRESS & OCCUPANCY LEGEND:

- LINE INDICATES TRAVEL DISTANCE TO FIRE EXTINGUISHERS, OR TRAVEL DISTANCE MEASUREMENTS
- FIRE EXTINGUISHER CABINET - SEE SHEET A500 SERIES SHEETS FOR DETAILS, PROVIDE 2A-10BC RATED FIRE EXTINGUISHERS



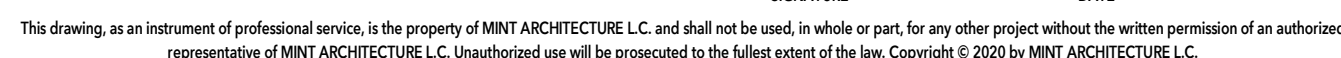
OCCUPANT LOAD CALCULATIONS (CC)				
OCCUPANT LOAD SUMMARY			SQ. FTG.	OCC. LOAD
FUNCTION OF SPACE (IBC TABLE 1004.5)		OCC. CLASS.		
SOUTH SUITE				
BUSINESS		B	3,847 SF	25.64
EXERCISE ROOMS		A-3	1,365 SF	27.29
POOL		B	900 SF	44.98
SPA		B	100 SF	9.97
			6,211 SF	107.89
NORTH SUITE				
BUSINESS		B	5,289 SF	35.26
			5,289 SF	35.26
TOTAL SF AND MAXIMUM OCCUPANTS			11,500 SF	143.15

PLUMBING FIXTURE CALCULATIONS (CC)									
OCCUPANT LOAD SUMMARY		TOTAL OCC. LOAD	WATER CLOSETS		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAINS	SERVICE SINKS
FUNCTION OF SPACE (IBC TABLE 1004.5)	OCC. CLASS.		MALE	FEMALE	MALE	FEMALE			
SOUTH SUITE									
BUSINESS	B	26	0.52	0.52	0.33	0.33	0.00	0.26	1
EXERCISE ROOMS	A-3	28	0.11	0.22	0.07	0.07	0.00	0.06	1
POOL	B	45	0.90	0.90	0.56	0.56	1.00	0.00	
SPA	B	10	0.20	0.20	0.13	0.13	1.00	0.00	
		109	1.73	1.84	1.08	1.08	2.00	0.32	
NORTH SUITE									
BUSINESS	B	36	0.72	0.72	0.45	0.45	0.00	0.36	1
		36	0.72	0.72	0.45	0.45	0.00	0.36	
TOTAL FIXTURES REQUIRED		145	2.45	2.56	1.53	1.53	2.00	0.68	

SOUTH SUITE:

BATHER LOAD (R392-302-7)
BATHER LOAD FOR SPA POOL = 10 SF (100/10 SF = 10 BATHERS)
BATHER LOAD FOR POOL = 20 SF (900/20 SF = 45 BATHERS)

10 + 45= **55 BATHING LOAD**



1

2

3

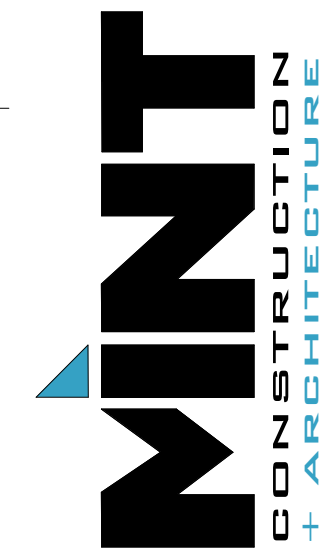
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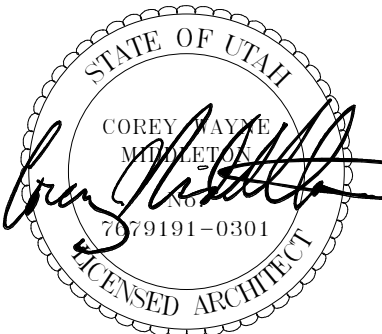
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KEYNOTE LEGEND

201	EXISTING COLUMN.
202	EXISTING BUILDING STEP. DIMENSIONS TO BE CONFIRMED.
203	EXISTING STOREFRONT TO BE DEMOLISHED AND REPLACED WITH NEW STOREFRONT. SEE WINDOW TYPES.
205	EXISTING SINK PLUMBING. TO BE DEMOLISHED.
206	EXISTING TOILET PLUMBING. TO BE DEMOLISHED.
207	EXISTING URINAL/TOILET PLUMBING. TO BE DEMOLISHED/RE-ROUTED TO NEW TOILET LOCATION.
208	EXISTING SINK PLUMBING. TO REMAIN IN-PLACE FOR NEW SINK INSTALLATION.
209	EXISTING URINAL PLUMBING. TO REMAIN IN-PLACE FOR NEW URINAL INSTALLATION.
210	EXISTING TOILET PLUMBING. TO REMAIN IN-PLACE FOR NEW TOILET INSTALLATION.
211	EXISTING WALL. TO BE DEMOLISHED.



7585 S UNION PARK AVE., STE 100
SANDY, UT 84047
PHONE: 801.996.3646
www.buildwithmint.com



DRAWN BY

Author

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV. DATE

CLEARFIELD JUNCTION

101 N Main St, Clearfield, UT 84015

ISSUE DATE

6/27/22

EXISTING/DEMO PLAN

SHEET

A100

OWNER APPROVAL

SIGNATURE

DATE

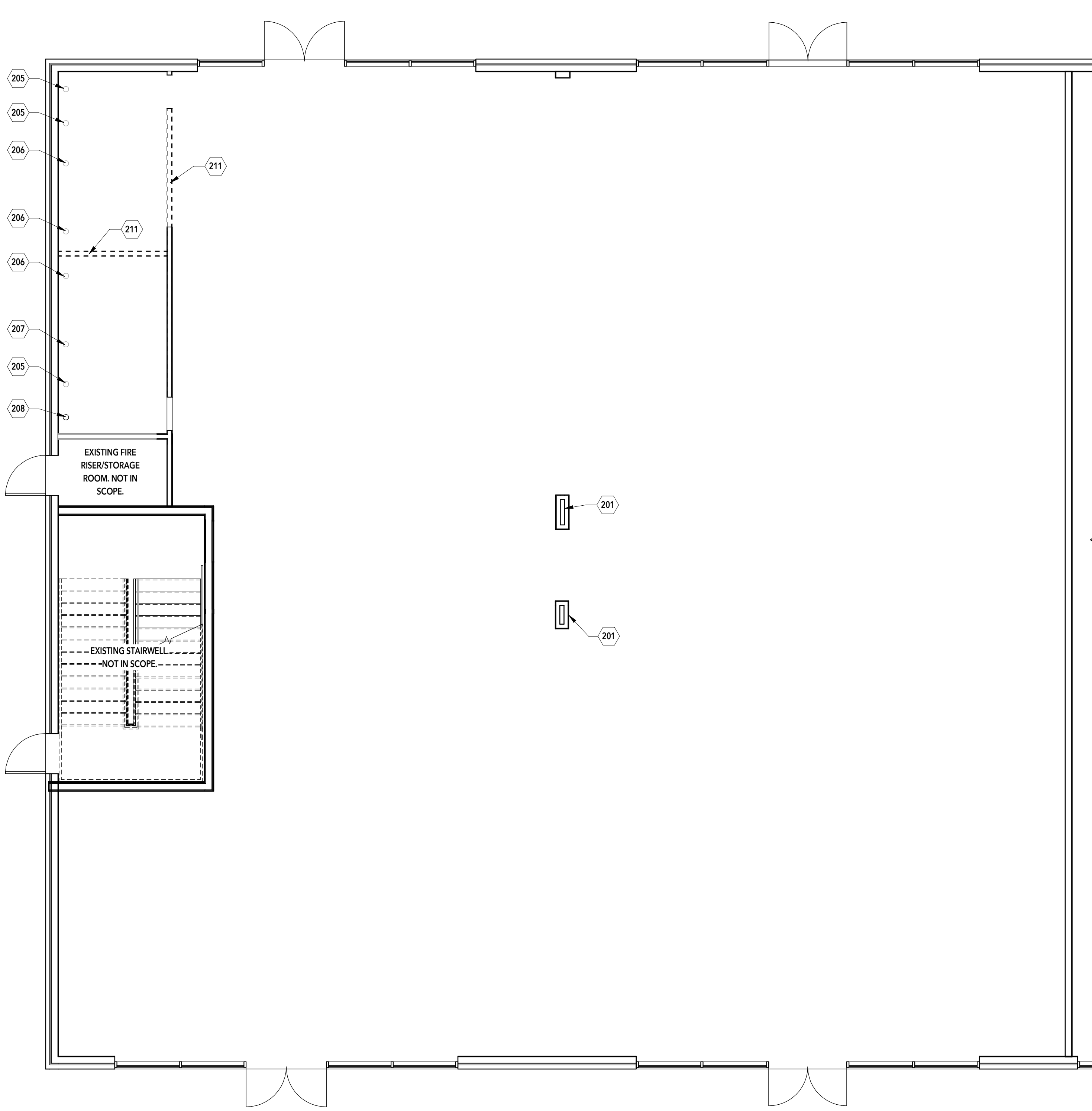
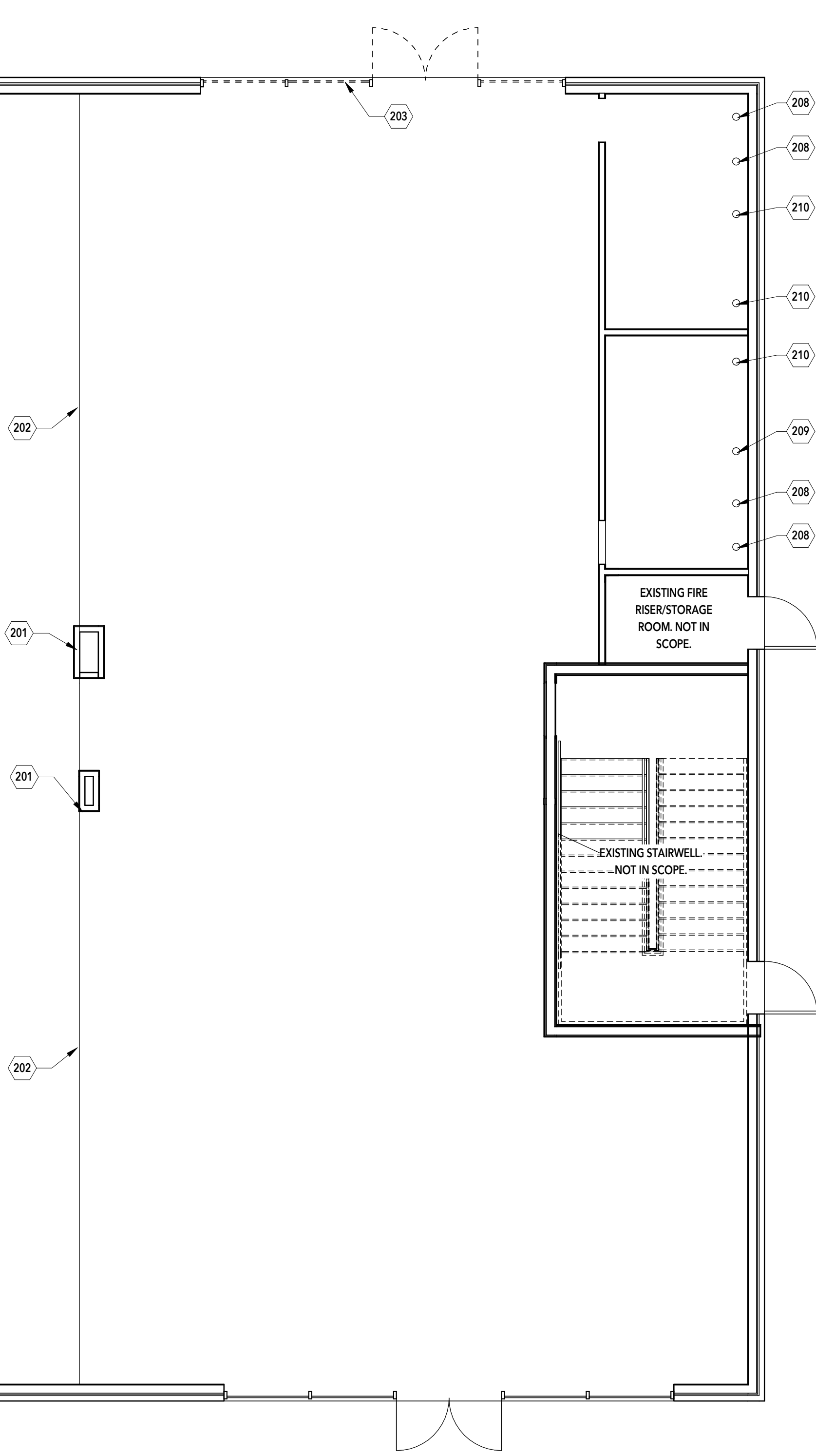
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D

C

B

A



M:\Clearfield Junction - Pool and Clubhouse\Drawings\Architectural\Clearfield Junction Tlxr

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1
A100
EXISTING / DEMOLITION PLAN
3/16" = 1'-0"

FLOOR PLAN GENERAL NOTES:

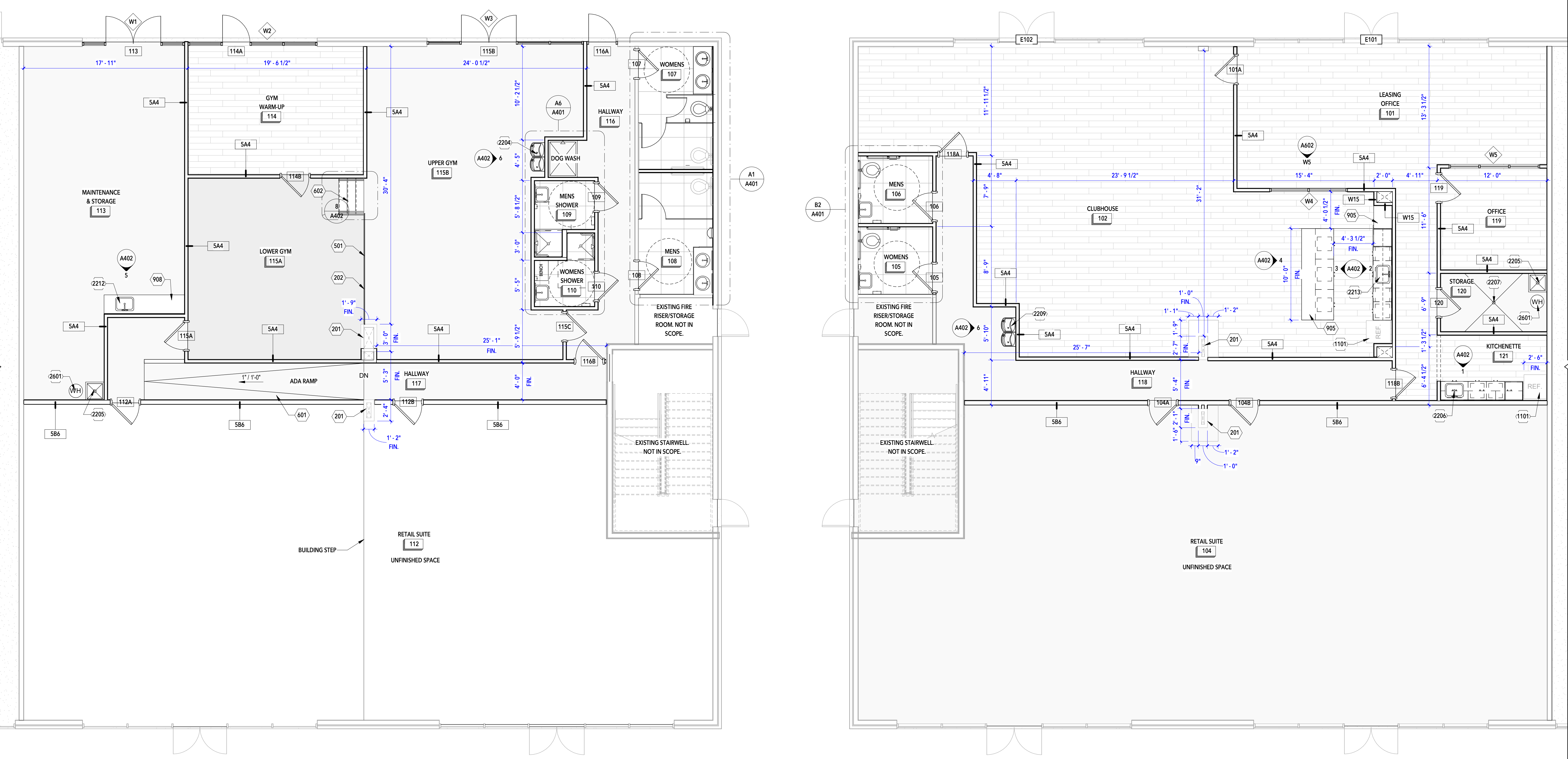
- A. GENERAL NOTES APPLY TO ALL DRAWINGS.
- B. ALL DIMENSIONS ARE EXTERIOR WALL TO FACE OF STUD, INTERIOR WALL TO FACE OF GYPSUM BOARD, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- C. DO NOT SCALE DRAWINGS.
- D. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- E. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC.. INFORMATION SHOWN IS DIAGRAMMATIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHEN APPLIES. LOCATION OF THESE ITEMS MAY BE ADJUSTED CONDITIONAL UPON THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- F. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNUSED UNLESS NOTED OTHERWISE.
- G. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC., SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE SAFING AND APPROVED SEALANT.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED IN THE CONTRACTORS BID.
- I. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- J. GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- K. ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- L. ARCHITECTURAL FINISH FLOOR ELEVATION 100'-0" EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- M. SEE SHEET A610 FOR WALL TYPES.
- N. SEE SHEET A601 FOR DOOR AND WINDOW TYPES.
- O. SEE DETAIL ON A501 FOR FIRE EXTINGUISHER CABINET.
- P. FIREBLOCKING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- Q. FIREBLOCKING SHALL CONSIST OF 2-INCH NOMINAL LUMBER OR TWO THICKNESSES OF 1-INCH NOMINAL LUMBER WITH BROKEN LAP JOINTS OR ONE THICKNESS OF 0.719-INCH WOOD STRUCTURAL PANEL WITH JOINTS BACKED BY 0.719-INCH WOOD STRUCTURAL PANEL OF ONE T HICKNESS OF 0.75-INCH PARTICLEBOARD WITH JOINTS BACKED BY 0.75-INCH PARTICLEBOARD, GYPSUM BOARD, CEMENT FIBER BOARD, BATTS OR BLANKETS OF MINERAL WOOL, GLASS FIBER OR OTHER APPROVED MATERIALS INSTALLED IN SUCH A MANNER AS TO BE SECURELY RETAINED IN PLACE SHALL BE PERMITTED AS AN ACCEPTABLE FIREBLOCK.
- R. FIREBLOCKING SHALL BE PROVIDED IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AND PARALLEL ROWS OF STUDS OR STAGGERED STUDS, AS FOLLOWS:
1. VERTICALLY AT THE CEILING AND FLOOR LEVELS.
2. HORIZONTALLY AT INTERVALS NOT EXCEEDING 10'.
- S. FIREBLOCKING SHALL BE PROVIDED AT INTERCONNECTIONS BETWEEN CONCEALED VERTICAL STUD WALL OR PARTITION SPACES AND CONCEALED HORIZONTAL SPACES CREATED BY AN ASSEMBLY OF FLOOR JOISTS OR TRUSSES, AND BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS, COVE CEILINGS AND SIMILAR LOCATIONS.
- T. FIREBLOCKING SHALL BE INSTALLED AT OPENINGS AROUND VENTS, PIPES, DUCTS CHIMNEYS AND FIREPLACES AT CEILING AND FLOOR LEVELS, WITH AN APPROVED MATERIAL TO RESIST THE FREE PASSAGE OF FLAME AND THE PRODUCTS OF COMBUSTION. FACTORY-BUILT CHIMNEYS AND FIREPLACES SHALL BE FIREBLOCKED IN ACCORDANCE WITH UL 103 AND UL 127.
- U. DRAFTSTOPPING - IN COMBUSTIBLE CONSTRUCTION, DRAFTSTOPPING SHALL BE INSTALLED TO SUBDIVIDE FLOOR/CEILING ASSEMBLIES.
- V. DRAFTSTOPPING MATERIALS SHALL NOT BE LESS THAN 0.5-INCH GYPSUM BOARD, 0.375-INCH WOOD STRUCTURAL PANEL, 0.375-INCH PARTICLEBOARD, 1-INCH NOMINAL LUMBER, CEMENT FIBERBOARD, BRATTS, OR BLANKETS OF MINERAL WOOL OR GLASS FIBER OR OTHER APPROVED MATERIALS ADEQUATELY SUPPORTED. THE INTEGRITY OF DRAFTSTOPS SHALL BE MAINTAINED.

FINISH PLAN GENERAL NOTES:

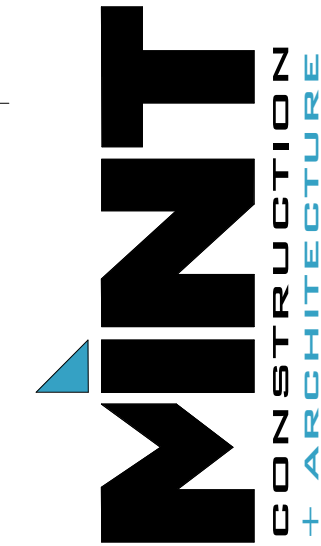
- A. FOLLOW ALL MANUFACTURER'S INSTALLATION AND FLOOR PREPARATION REQUIREMENTS.
- B. INSTALL SPECIFIED FLOORING BENEATH ALL FLOOR MOUNTED FIXTURES, EQUIPMENT AND MILLWORK.
- C. SEE A500 SERIES SHEETS FOR TYPICAL SIGNAGE REQUIREMENTS.
- D. SEE A500 SERIES SHEETS FOR FLOOR MATERIAL TRANSITION DETAILS.

KEYNOTE LEGEND

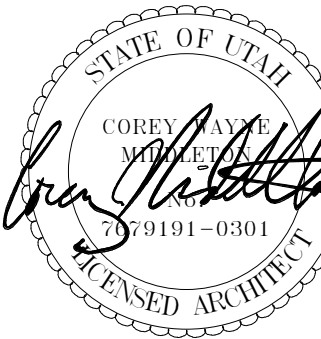
- 201 EXISTING COLUMN.
- 202 EXISTING BUILDING STEP. DIMENSIONS TO BE CONFIRMED.
- 501 STEEL GUARDRAIL. TO BE HORIZONTAL STEEL GUARDRAIL TO BE POWDER COATED BLACK.
- 601 ADA RAMP. TO COMPLY WITH ALL ADA RAMP REQUIREMENTS.
- 602 WOOD STAIR. SEE DETAILS.
- 905 QUARTZ COUNTERTOP. TO BE FINISH CTR-01. SEE FINISH SCHEDULE.
- 908 WORKTOP. TO BE FINISH CTR-02.
- 1101 REFRIGERATOR TO BE PROVIDED BY CLIENT. PROVIDE POWER TO LOCATION.
- 2204 DRINKING FOUNTAINS WITH WATER BOTTLE DISPENSER BUILT-IN. SEE PLUMBING.
- 2205 MOP SINK & FAUCET. PROVIDE PLUMBING TO LOCATION. SEE PLUMBING.
- 2206 TOP MOUNT KITCHEN SINK & FAUCET WITH GARBAGE DISPOSAL TO BE SINGLE BASIN SINK. EXACT FIXTURES AND SINK TBD. SEE PLUMBING & ELECTRICAL.
- 2207 FLOOR DRAIN. SEE PLUMBING.
- 2209 DRINKING FOUNTAINS. SEE PLUMBING.
- 2212 TOP MOUNT STAINLESS STEEL UTILITY SINK. SEE PLUMBING.
- 2213 UNDERMOUNT KITCHEN SINK & FAUCET WITH GARBAGE DISPOSAL. TO BE SINGLE BASIN SINK. EXACT FIXTURES AND SINK TBD. SEE PLUMBING & ELECTRICAL.
- 2601 WATER HEATER. SEE ELECTRICAL.



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Author	
MARK	ISS. DATE
ISSUE DESCRIPTION	#
REV. DATE	REV. DESCRIPTION

ISSUE DATE
6/27/22

FLOOR PLAN
SHEET

A101

FLOOR PLAN
3/16" = 1'-0"

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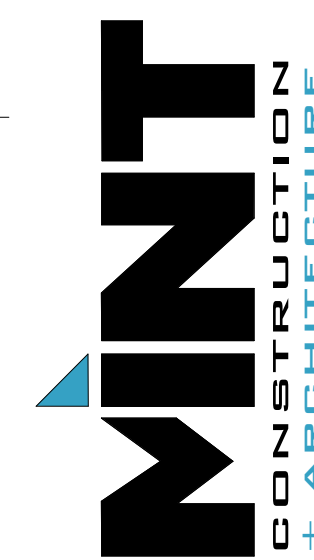
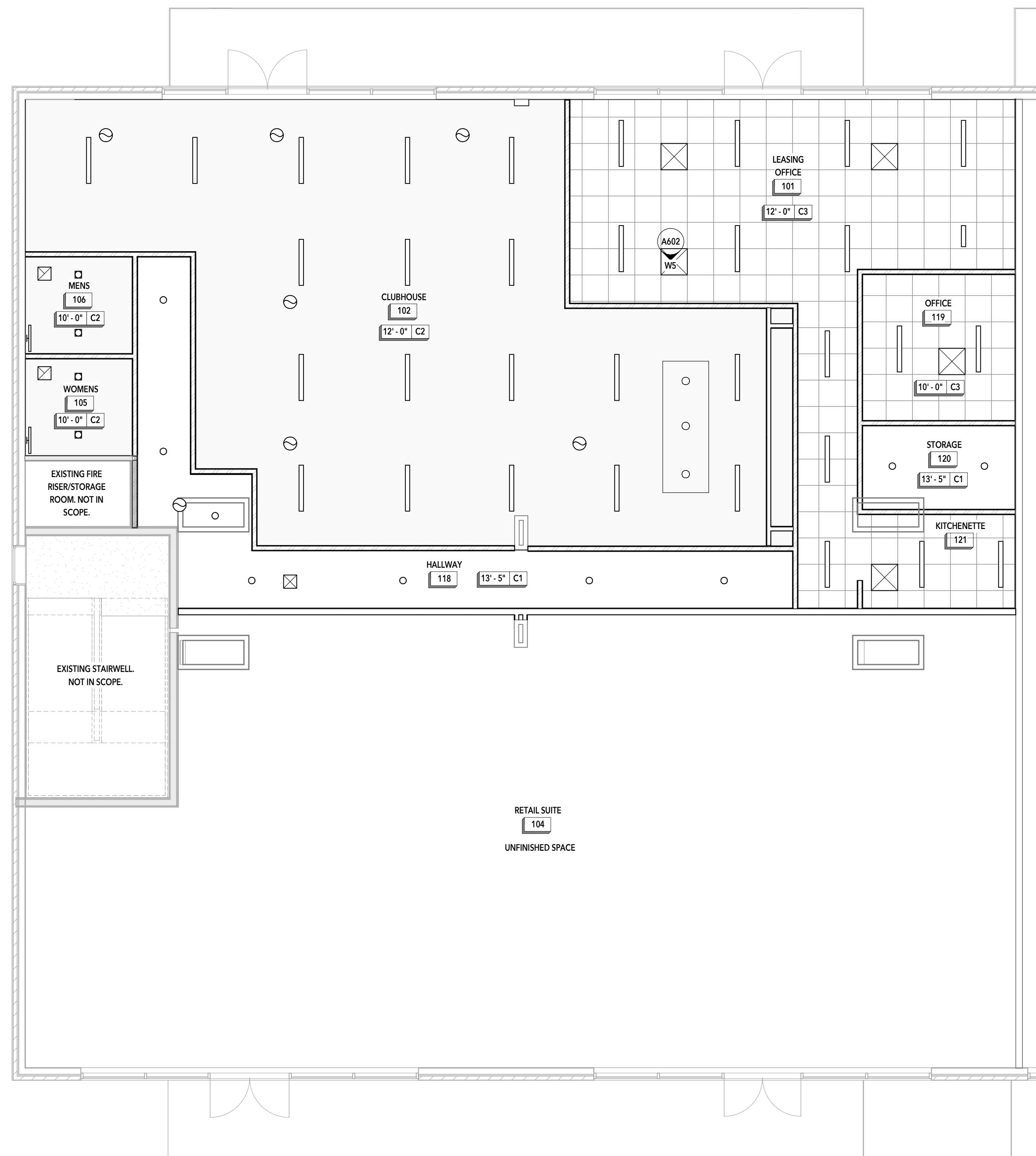
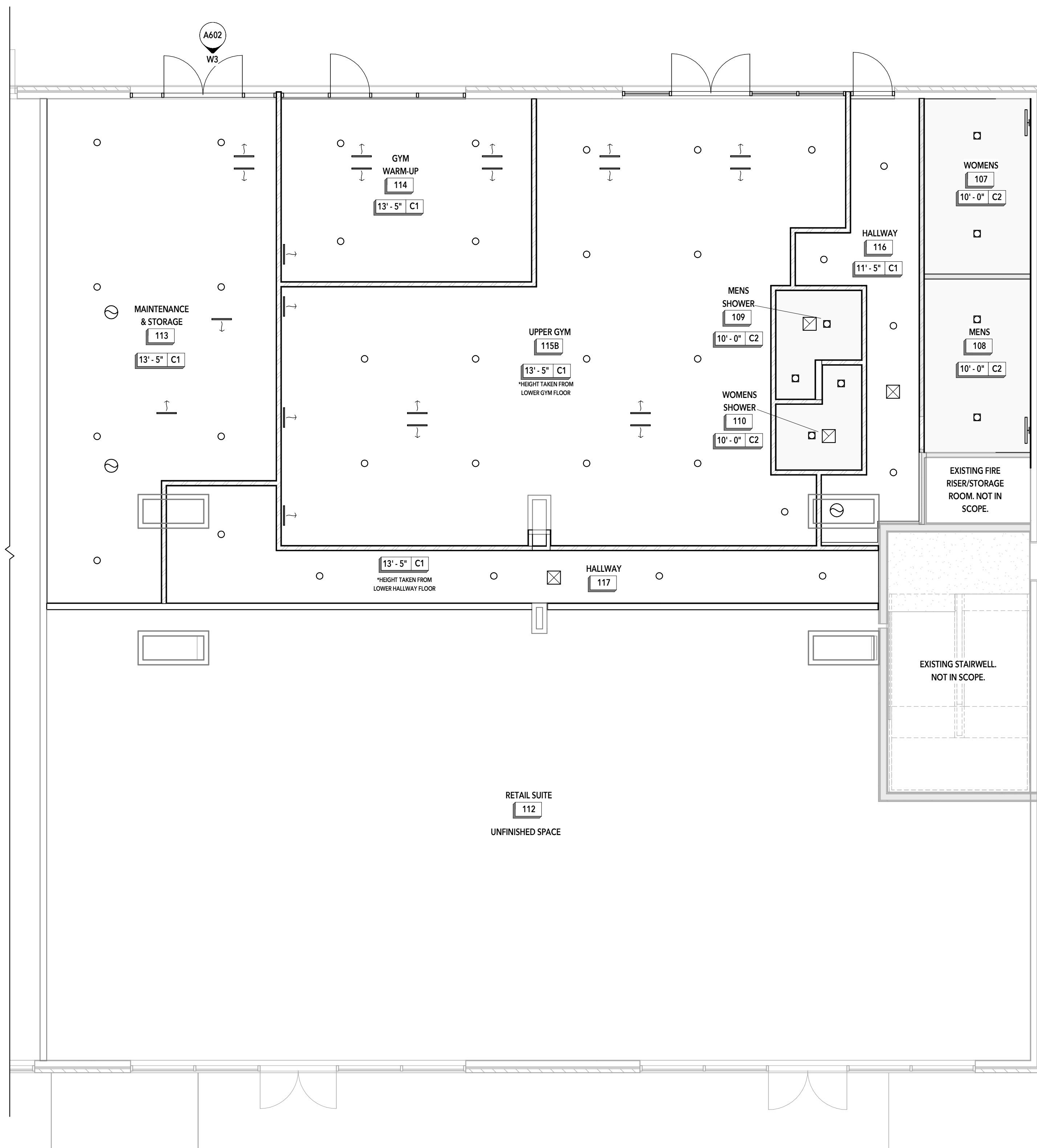
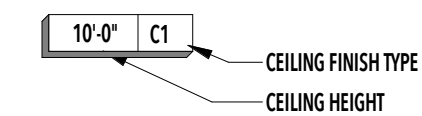
REFLECTED CEILING PLAN GENERAL NOTES:

- A. COORDINATE ALL LIGHTING WITH ELECTRICAL DRAWINGS.
B. COORDINATE ALL MECHANICAL VENTS AND DUCTWORK WITH MECHANICAL DRAWINGS.
C. CEILING HEIGHTS REFER TO B.O. FINISHED SURFACE.

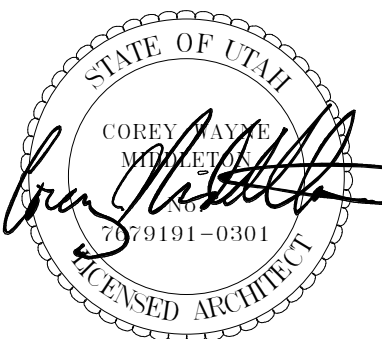
KEYNOTE LEGEND

REFLECTED CEILING TYPES:

- C1. EXPOSED EXISTING GYP CEILING, TO BE PAINTED. SEE FINISH SCHEDULES.
- C2. 5/8" TYPE 'X' GYPSUM BOARD ATTACHED TO METAL SUSPENSION SYSTEM, TO BE PAINTED. SEE FINISH SCHEDULES.
- C3. DROPPED 2'X2' REGULAR ACOUSTIC CEILING TILE. SEE FINISH SCHEDULES.



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CEILING PLAN

SHEET

A111

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ROOM FINISH SCHEDULE								
NUMBER	ROOM NAME	FLOOR	BASE	WALLS				CEILING
				N	E	S	W	
101	LEASING OFFICE	LVT-01	MOD-F01	PT-01	PT-01	PT-01	PT-01	ACT-01
102	CLUBHOUSE	LVT-01	MOD-F01	PT-01	PT-01	PT-01	PT-01	PT-01
104	RETAIL SUITE	-	-	-	-	-	-	-
106	MENS	TILE-01	TILE-02	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	PT-01
107	WOMENS	TILE-01	TILE-02	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	PT-01
108	MENS	TILE-01	TILE-02	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	PT-01
109	MENS SHOWER	TILE-01	TILE-02	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	PT-01
110	WOMENS SHOWER	TILE-01	TILE-02	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	TILE-02/PT-01	PT-01
112	RETAIL SUITE	-	-	-	-	-	-	-
113	MAINTENANCE & STORAGE	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
114	GYM WARM-UP	LVT-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
115A	LOWER GYM	RB-02	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
115B	UPPER GYM	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
116	HALLWAY	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
117	HALLWAY	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
118	HALLWAY	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
119	OFFICE	LVT-01	RB-01	PT-01	PT-01	PT-01	PT-01	ACT-01
120	STORAGE	CONC-01	RB-01	PT-01	PT-01	PT-01	PT-01	PT-01
121	KITCHENETTE	LVT-01	RB-01	PT-01	PT-01	PT-01	PT-01	ACT-01

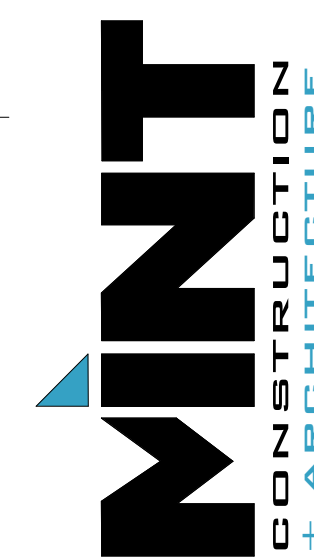
FINISH SCHEDULE	
FINISH TYPE	DESCRIPTION
ACT-01	2' X 2' TEGULAR ACOUSTIC CEILING TILES. COLOR TO BE WHITE.
CAB-01	LAMINATE CABINET FINISH. TO BE WILSONART DESIGNER WHITE D354. OR APPROVED ALTERNATIVE. CONTRACTOR TO PROVIDE SAMPLES PRIOR TO INSTALLATION.
CAB-02	LAMINATE CABINET FINISH. TO BE WILSONART FISHER OAK 17002. OR APPROVED ALTERNATIVE. CONTRACTOR TO PROVIDE SAMPLES PRIOR TO INSTALLATION.
CONC-01	EXISTING CONCRETE FLOOR. TO BE SEALED.
CTR-01	QUARTZ COUNTERTOP. SQUARE EDGE. TO BE CAESARTSTONE 1141 PURE WHITE. OR APPROVED ALTERNATIVE.
CTR-02	STAINLESS STEEL WORKTOP. SQUARE EDGE. EXACT SELECTION TBD. CONTRACTOR TO PROVIDE SAMPLES PRIOR TO INSTALLATION.
CTR-03	LAMINATE COUNTERTOP OVER 3/4" SUBSTRATE. BULLNOSE EDGE. TO BE WILSONART QUARTZ FROST. OR APPROVED ALTERNATIVE. CONTRACTOR TO PROVIDE SAMPLES PRIOR TO INSTALLATION.
FS-01	FIBERGLASS (OR APPROVED ALTERNATIVE) SHOWER SURROUND. COLOR TO BE WHITE OR BLACK. CONTRACTOR TO PROVIDE SUBMITTAL PRIOR TO INSTALLATION.
LVT-01	LUXERY VINYL TILE. TO BE SHAW ENDURA 512C PLUS, COLOR OCEANFRONT. SIZE 7" WIDE. OR APPROVED ALTERNATIVE.
MDF-01	4" SQUARE PROFILE MDF BASEBOARD. COLOR TO MATCH PAINT COLOR OF THE WALL ITS INSTALLED ON.
PT-01	COMMERCIAL GRADE INTERIOR PAINT. COLOR TO BE BENJAMIN MOORE CHANTILLY LACE (OC-65). SHEEN TO BE EGGSHELL ON ALL WALLS EXCEPT FOR RESTROOMS. RESTROOMS TO RECEIVE SATIN SHEEN. CEILINGS TO RECEIVE MATTE SHEEN.
RB-01	RUBBER BASE. TO BE MANNINGTON COMMERCIAL "PREMIUM EDGE TYPE TP" RUBBER BASE, COLOR TO BE MATCH WALL COLOR IT IS ON.
RB-02	RUBBER FLOORING. TO BE MANNINGTON "RESET TILE". COLOR GRAY TONES 827 OR APPROVED ALTERNATIVE.
TILE-01	FLOOR & WALL TILE. TO BE STONE SOURCE STARDUST. COLOR TO BE MILK NA77. SIZE 30" X 30"
TILE-02	WHITE STANDARD SIZE SUBWAY TILE, INSTALLED STACKED BOND WITH LIGHT GRAY GROUT.
TT-01	METAL FILE TRIM. TO BE SCHLUTER BRAND PROFILE "JOLLY" OR APPROVED ALTERNATIVE. TO BE BLACK.

INTERIOR ELEVATION GENERAL NOTES:

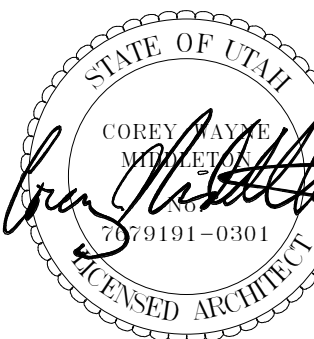
- A. SEE REFLECTED CEILING PLANS FOR CEILING HEIGHTS.
- B. FOR DOOR/WINDOW HEAD AND JAMB DETAILS SEE DOOR & WINDOW TYPE ELEVATIONS.
- C. SEE ROOM FINISH SCHEDULE FOR FINISHES NOT SPECIFICALLY CALLED OUT.
- D. ALL UNITS ARE ALLOWED TO HAVE CABINETRY BENEATH VANITY SINKS, KITCHEN SINKS AND WORK SURFACES PROVIDED THE FOLLOWING:
 - 1. THE CABINETRY CAN BE REMOVED WITHOUT REMOVAL OR REPLACEMENT OF THE SINK.
 - 2. THE FLOOR FINISH EXTENDS UNDER SUCH CABINETRY.
 - 3. THE WALLS BEHIND AND SURROUNDING SUCH CABINETRY ARE FINISHED.
- E. ALL UNIT RESTROOMS TO HAVE TOILET PAPER DISPENSER, SHOWER TOWEL RACK, SINK TOWEL RACK AND ROBE HOOK(S).

KEYNOTE LEGEND

902	METAL TILE TRIM. TO BE FINISH TT-1. SEE FINISH SCHEDULE.
903	SHOWER SURROUND & SHOWER PAN WITH FLOOR DRAIN. TO BE FINISH FS-1. SEE FINISH SCHEDULE & PLUMBING.
904	PAINTED GYPSUM WALL. TO RECEIVE FINISH PT-01. SEE FINISH SCHEDULE.
905	QUARTZ COUNTERTOP. TO BE FINISH CTR-01. SEE FINISH SCHEDULE.
912	WALL TILE. TO BE FINISH TILE-01. SEE FINISH SCHEDULE.
1001	PARTITION.
1002	PAPER TOWEL DISPENSER.
1003	SOAP DISPENSER.
1004	TOILET PAPER DISPENSER.
1005	ADA COMPLIANT SHOWER SEAT.
1006	ADA COMPLIANT GRAB BAR
1007	ADA COMPLIANT SHOWER CONTROLS WITH ADJUSTABLE SHOWER HEAD. TO BE INSTALLED WITHIN 15° OF THE CENTER OF THE SHOWER ON THE ENTRY SIDE OF THE CONTROL. WALL 38" TO 48" ABOVE THE SHOWER FLOOR PER ADA ICC 608.4.1.
1008	24" X 36" MIRROR WITH BLACK METAL EDGE.
1010	SANITARY NAPKIN DISPOSAL.
2201	RESTROOM STANDALONE SINK. TO MEET ALL ADA REQUIREMENTS. SEE ADA DETAILS. PROVIDE EXPOSED PIPE INSULATION FOR BURN PROTECTION. SEE PLUMBING.
2202	FLOOR MOUNTED FLUSH VALVE TOILET WITH AUTOMATIC FLUSHING VALVE. SEE PLUMBING. FLUSH TYPE, TYPE. TO MEET ALL ADA REQUIREMENTS.
2204	DRINKING FOUNTAINS WITH WATER BOTTLE DISPENSER BUILT-IN. SEE PLUMBING.
2207	FLOOR DRAIN. SEE PLUMBING.
2208	URINAL. SEE PLUMBING.
2210	DOG WASH. TO HAVE FIBERGLASS SURROUND AND SHOWER PAN WITH FLOOR DRAIN. SEE PLUMBING.
2211	UNDERMOUNT RESTROOM SINK. TO MEET ALL ADA REQUIREMENTS.
2602	WALL SCONCE. SEE ELECTRICAL.



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**ENLARGED PLANS,
ELEVATIONS & FINISH
SCHEDULES**

SHEET

A401

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1 2 3 4 5 6

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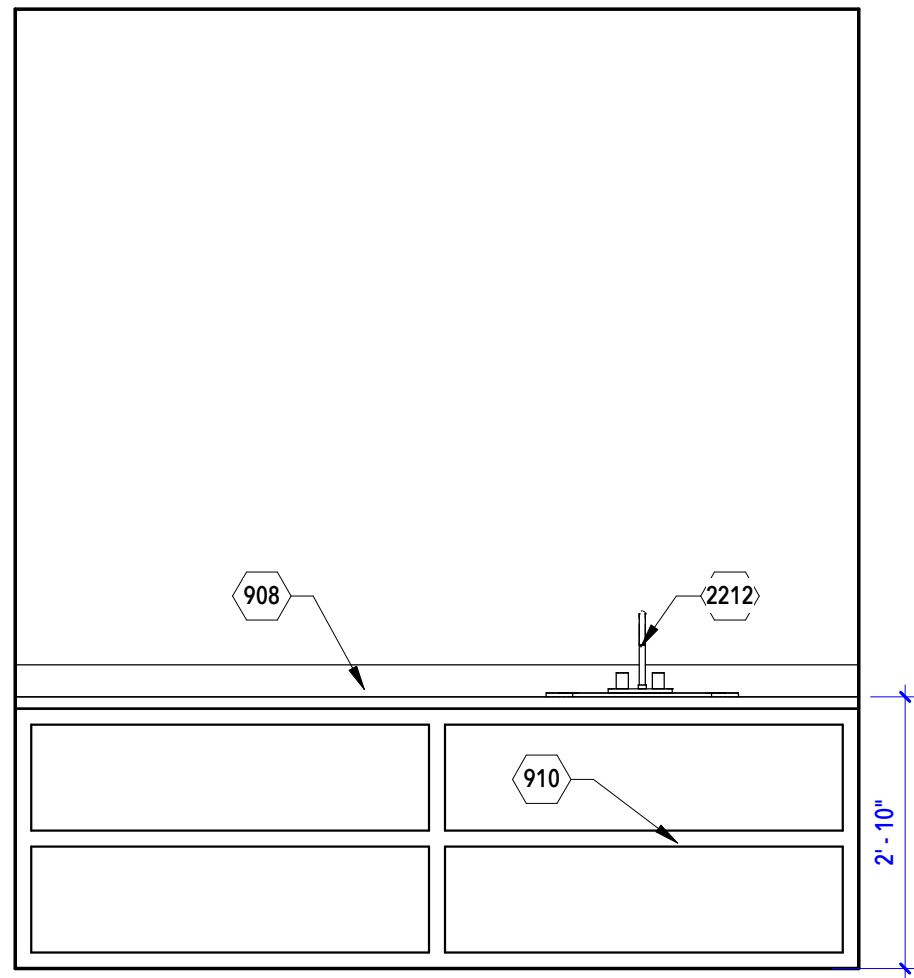
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B

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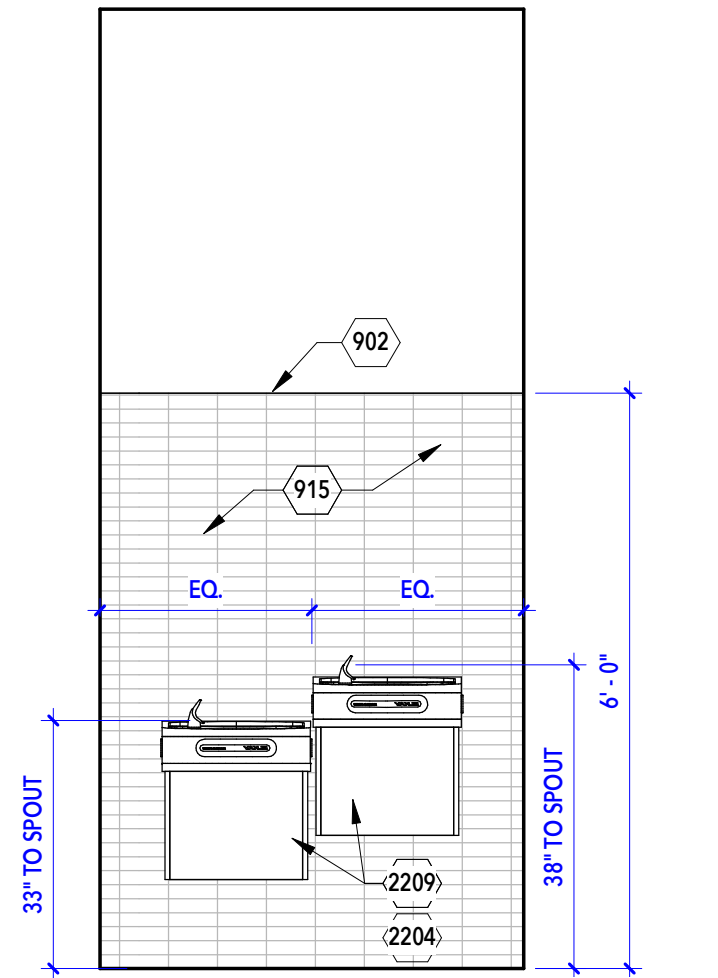
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M:\Clearfield Junction - Pool and Clubhouse\Drawings\Architectural\Clearfield Junction Title



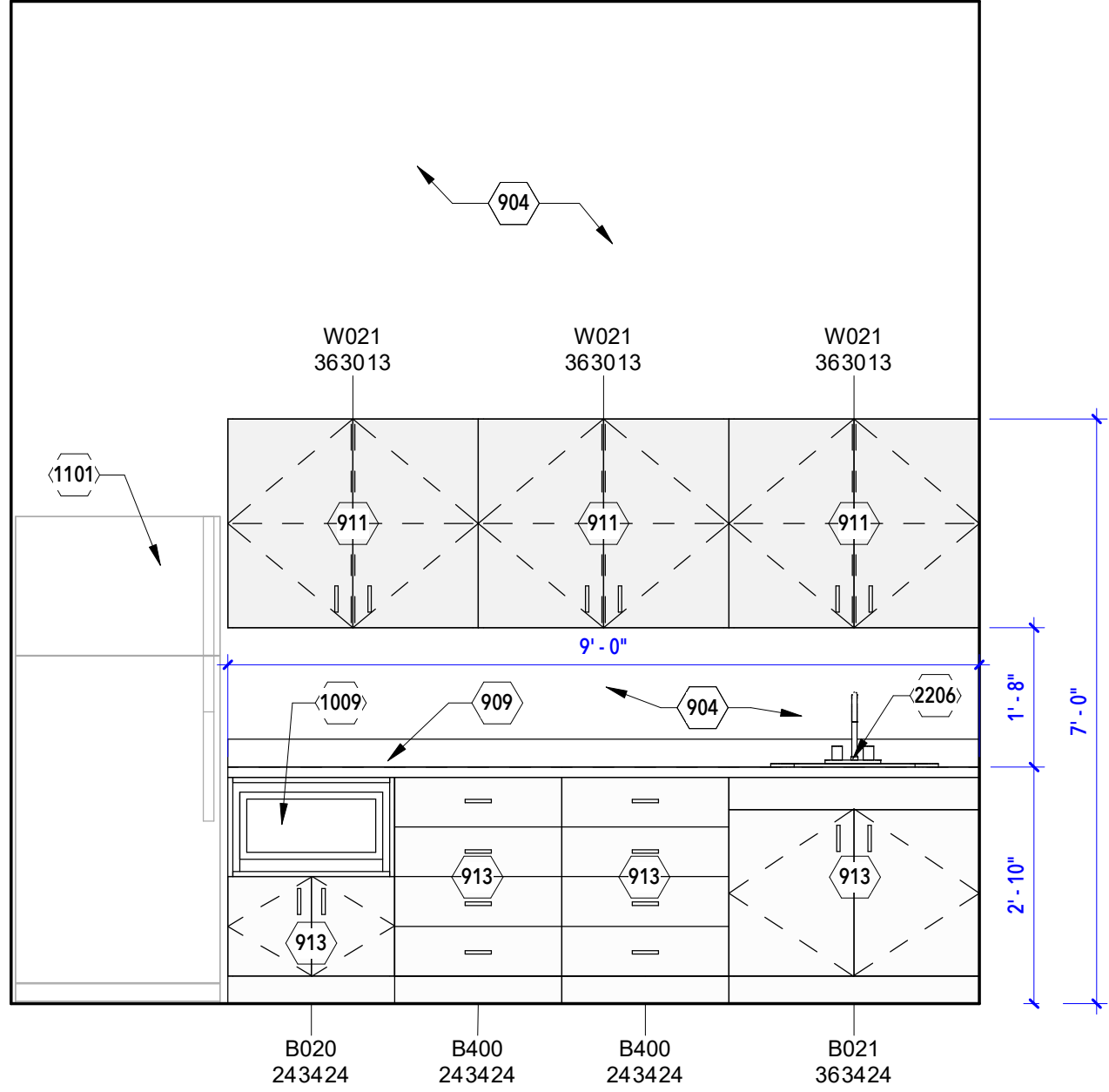
5
A402 1/2" = 1'-0"

MAINTENANCE COUNTER - ELEVATION



6
A402 1/2" = 1'-0"

DRINKING FOUNTAINS - ELEVATION

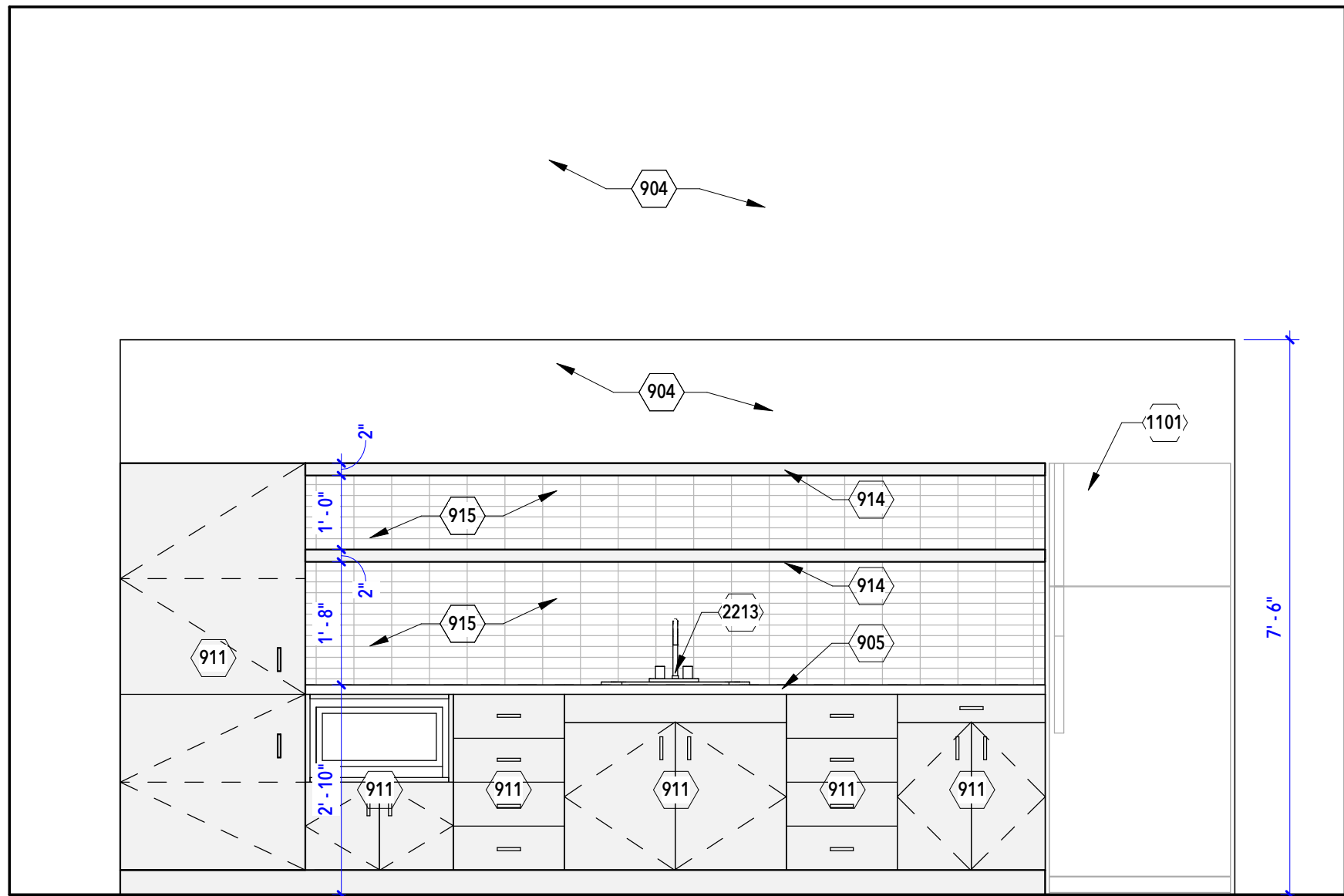


1
A402 1/2" = 1'-0"

OFFICE KITCHENETTE - ELEVATION

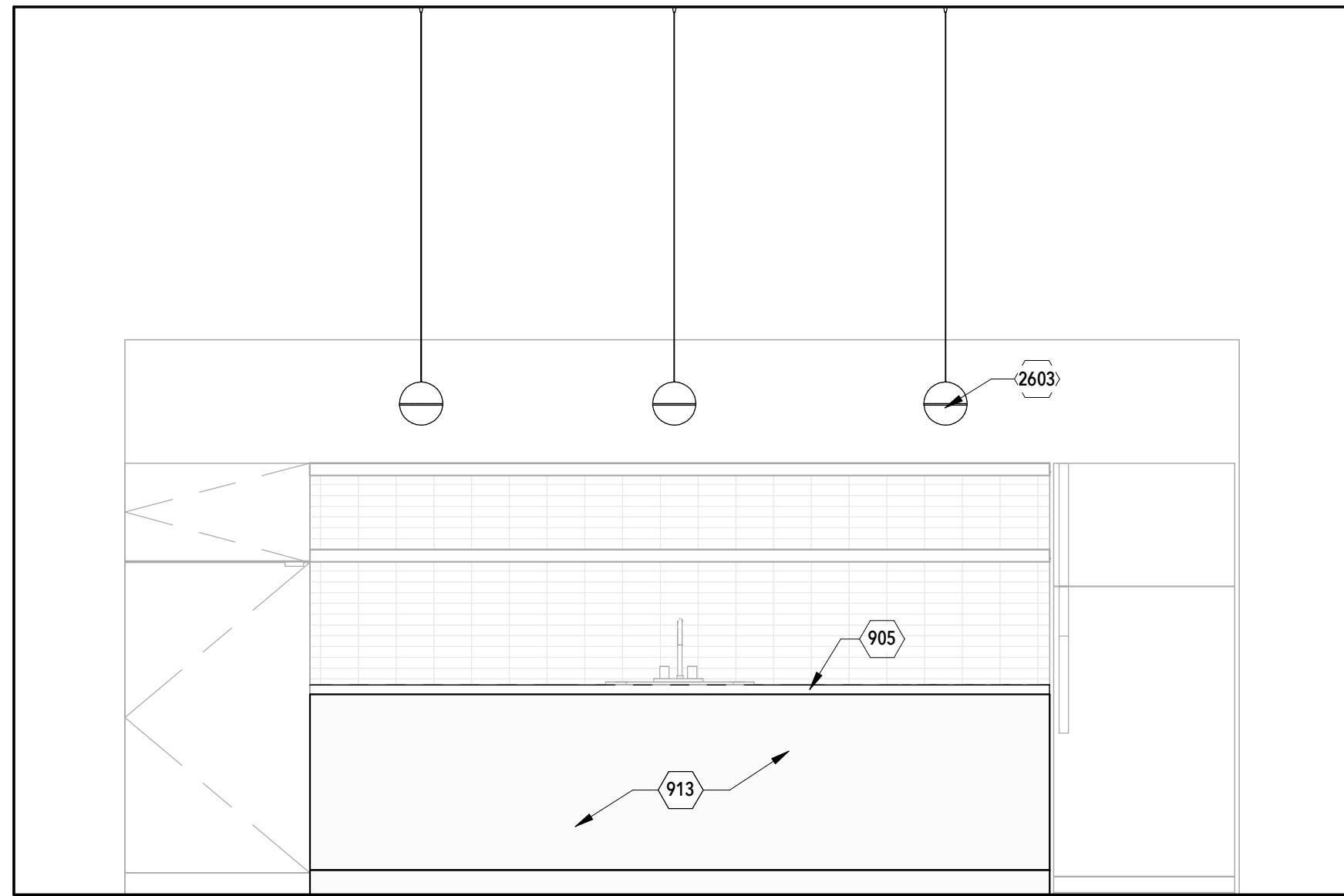
KEYNOTE LEGEND

501	STEEL GUARDRAIL. TO BE HORIZONTAL STEEL GUARDRAIL. TO BE POWDER COATED BLACK.
502	1.5" STEEL HANDRAIL. TO BE POWDER COATED BLACK.
602	WOOD STAIR. SEE DETAILS.
902	METAL TILE TRIM. TO BE FINISH TT-1. SEE FINISH SCHEDULE.
904	PAINTED GYPSUM WALL. TO RECEIVE FINISH PT-01. SEE FINISH SCHEDULE.
905	QUARTZ COUNTERTOP. TO BE FINISH CTR-01. SEE FINISH SCHEDULE.
908	WORKTOP. TO BE FINISH CTR-02.
909	LAMINATE COUNTERTOP & 4" BACKSPLASH. TO BE FINISH CTR-03. SEE FINISH SCHEDULE.
910	OPEN SHELVING MAINTENANCE CABINERY. TO BE CAB-01. SEE FINISH SCHEDULE.
911	CABINET 2 FINISH. TO BE CAB-02. SEE FINISH SCHEDULE.
913	CABINET 1 FINISH. TO BE CAB-01. SEE FINISH SCHEDULE.
914	SHELF FINISH. TO BE CAB-02. SEE FINISH SCHEDULE.
915	WALL TILE. TO BE FINISH TILE-02. SEE FINISH SCHEDULE.
1009	ADA COMPLIANT MICROWAVE INSTALLED IN AN ADA COMPLIANT BASE CABINET. PROVIDE POWER TO LOCATION. SEE ELECTRICAL.
1101	REFRIGERATOR TO BE PROVIDED BY CLIENT. PROVIDE POWER TO LOCATION.
2204	DRINKING FOUNTAINS WITH WATER BOTTLE DISPENSER BUILT-IN. SEE PLUMBING.
2206	TOP MOUNT KITCHEN SINK & FAUCET WITH GARBAGE DISPOSAL TO BE SINGLE BASIN SINK. EXACT FIXTURES AND SINK TBD. SEE PLUMBING & ELECTRICAL.
2209	DRINKING FOUNTAINS. SEE PLUMBING.
2212	TOP MOUNT STAINLESS STEEL UTILITY SINK. SEE PLUMBING.
2213	UNDERMOUNT KITCHEN SINK & FAUCET WITH GARBAGE DISPOSAL TO BE SINGLE BASIN SINK. EXACT FIXTURES AND SINK TBD. SEE PLUMBING & ELECTRICAL.
2603	PENDANT. SEE ELECTRICAL.



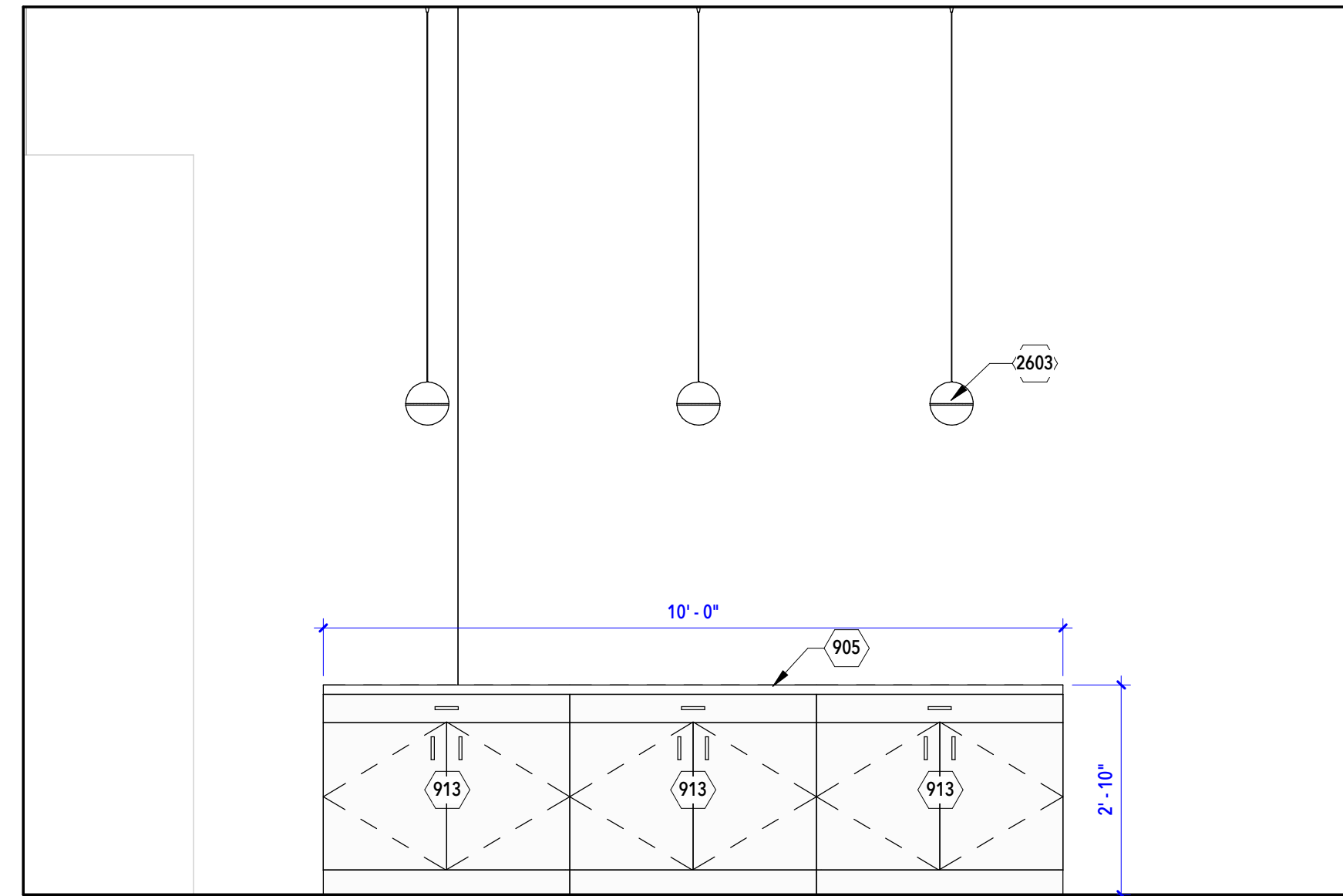
2
A402 1/2" = 1'-0"

CLUBHOUSE - ELEVATION A



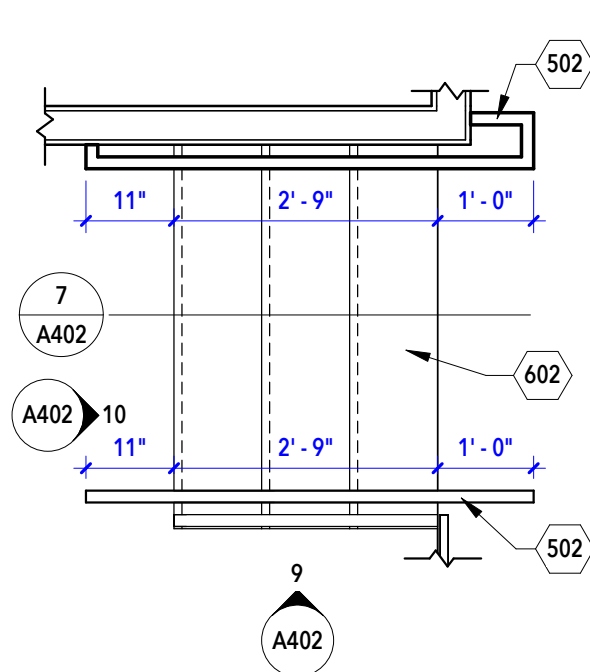
4
A402 1/2" = 1'-0"

CLUBHOUSE - ELEVATION B



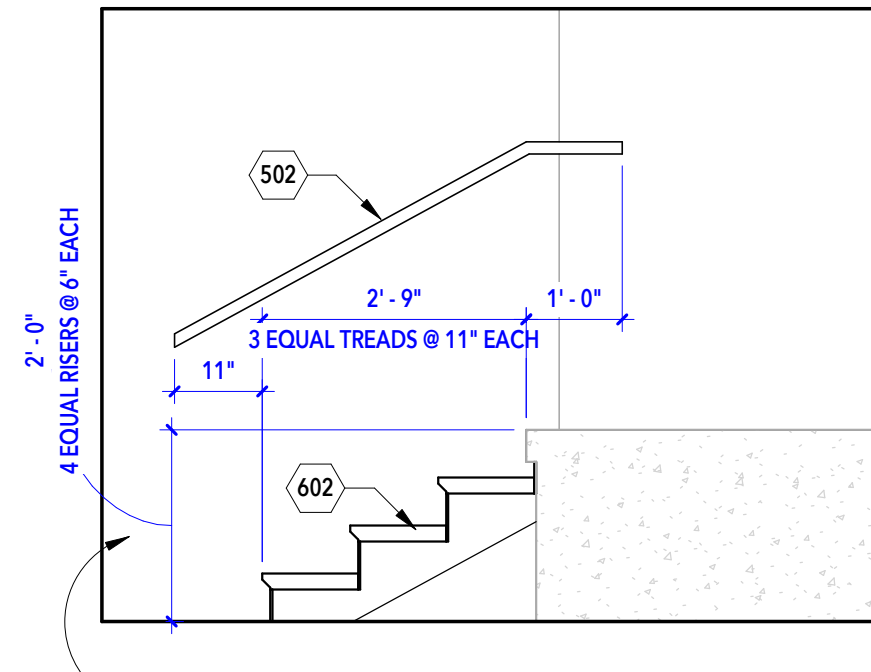
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A402 1/2" = 1'-0"

CLUBHOUSE - ELEVATION C



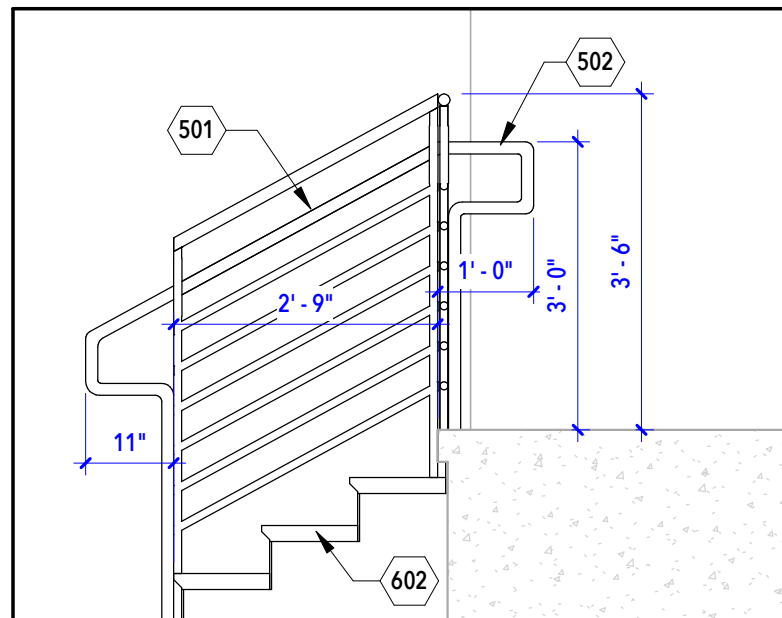
8
A402 1/2" = 1'-0"

STAIR - PLAN



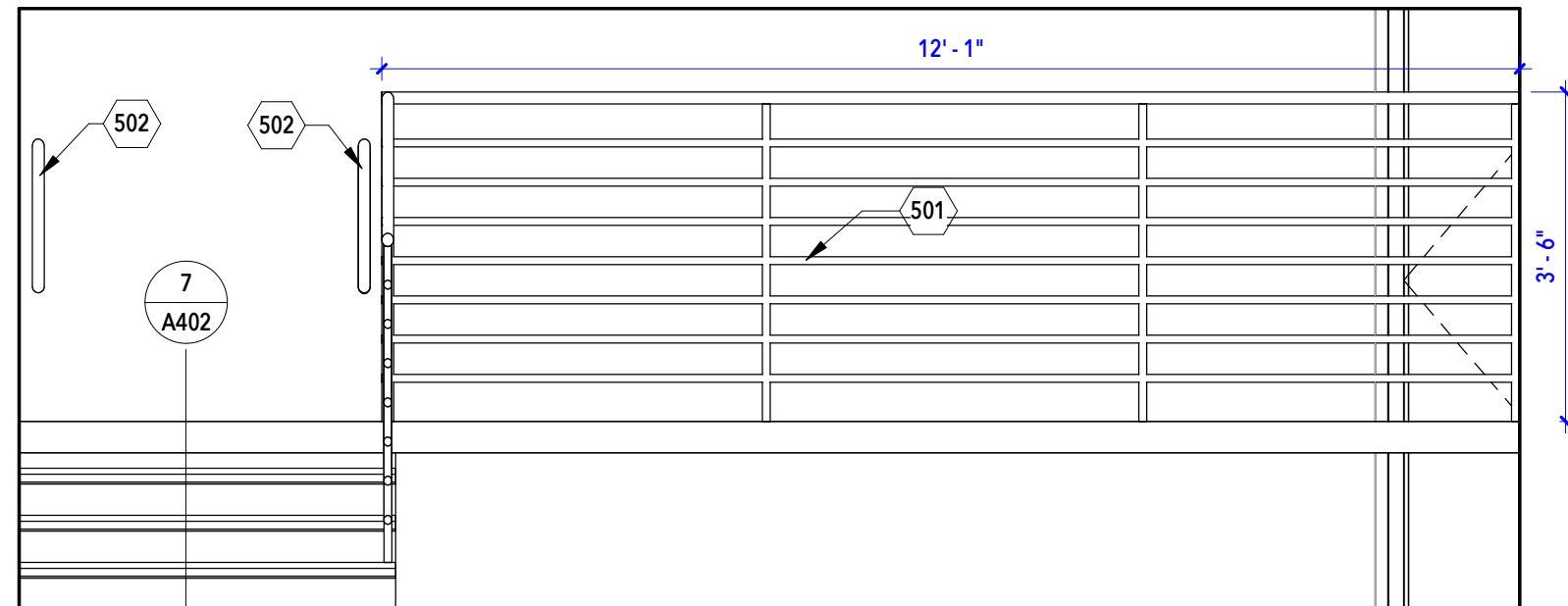
7
A402 1/2" = 1'-0"

STAIR - SECTION



9
A402 1/2" = 1'-0"

STAIR ELEVATION A



10
A402 1/2" = 1'-0"

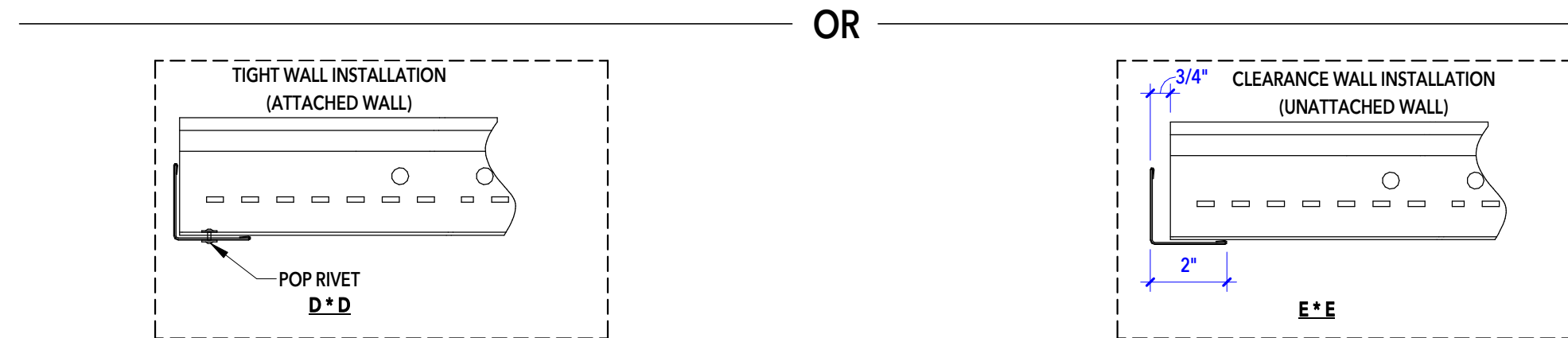
STAIR ELEVATION B

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV. DATE

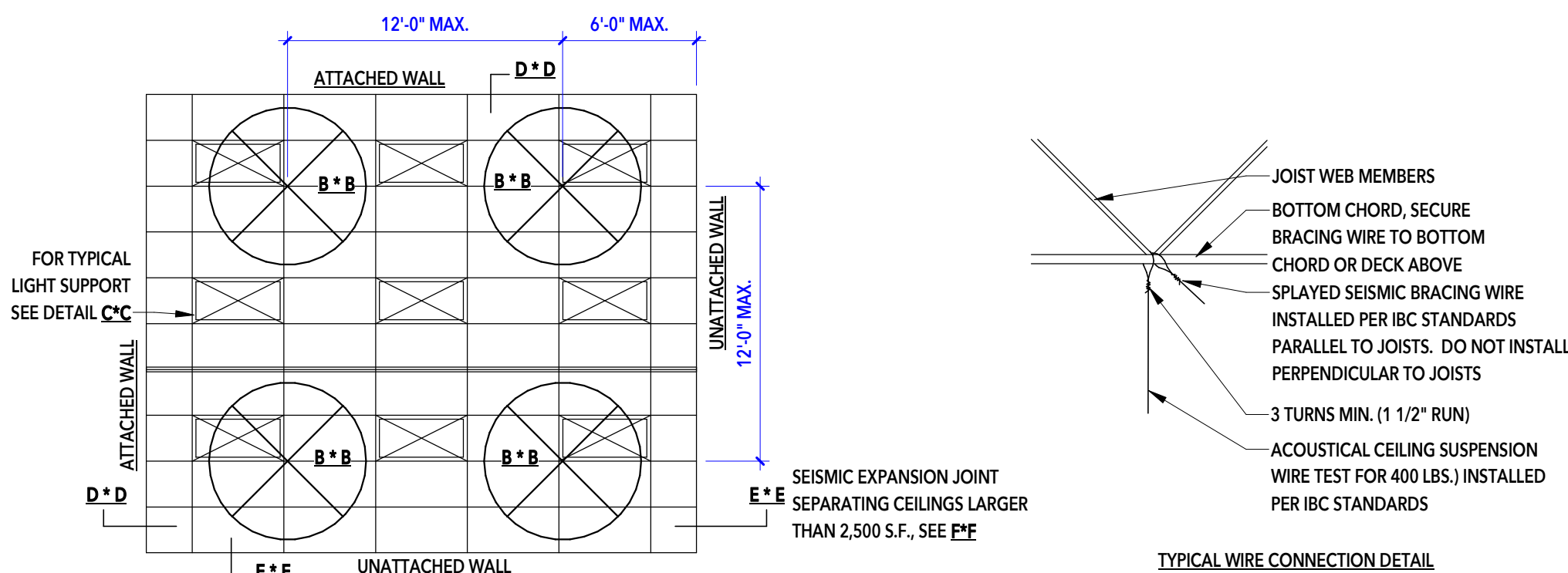


NOTES:

- A. USE HEAVY DUTY SUSPENSION SYSTEM.
- B. CEILING MUST BE ATTACHED ON TWO ADJACENT WALLS.
- C. CEILINGS SUBJECT TO SPECIAL INSPECTION.
- D. WITH APPROVAL OF AUTHORITIES HAVING JURISDICTION, INSTALL SUSPENSION SYSTEM AND PANELS IN ACCORDANCE WITH THE IBC SECTION 1613.1 WITH THE FOLLOWING EXCEPTIONS:

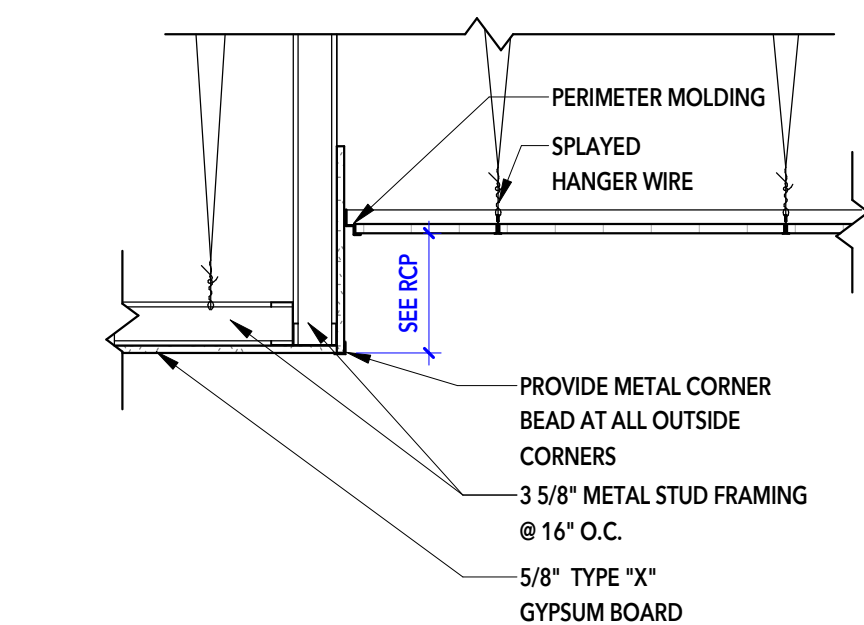
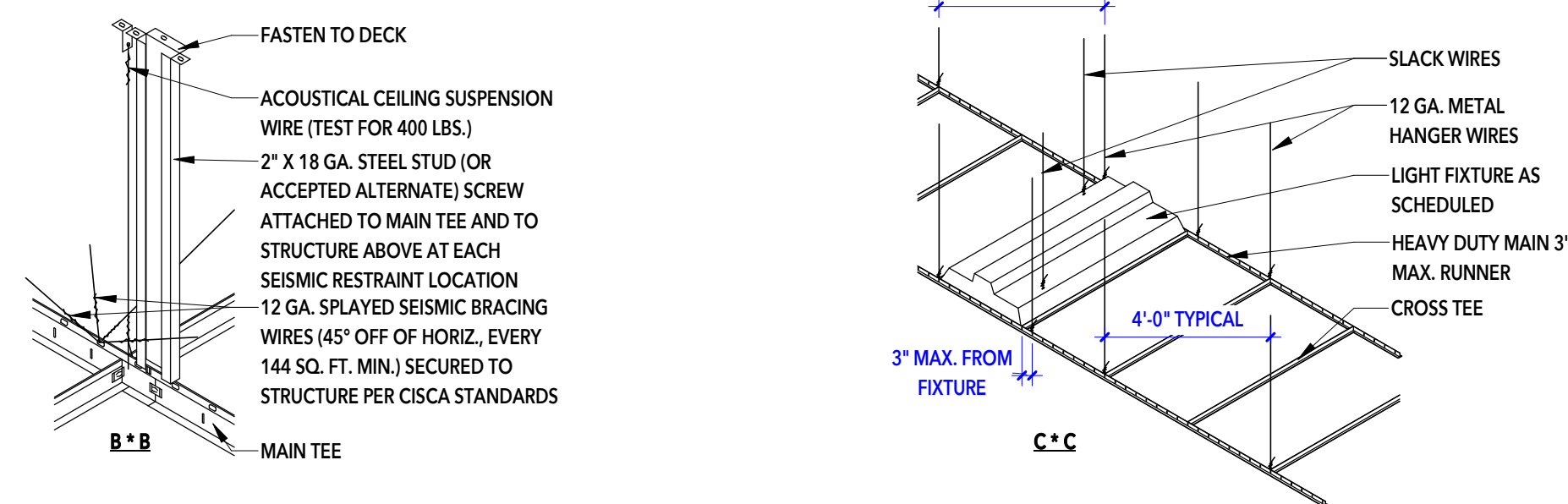


OR

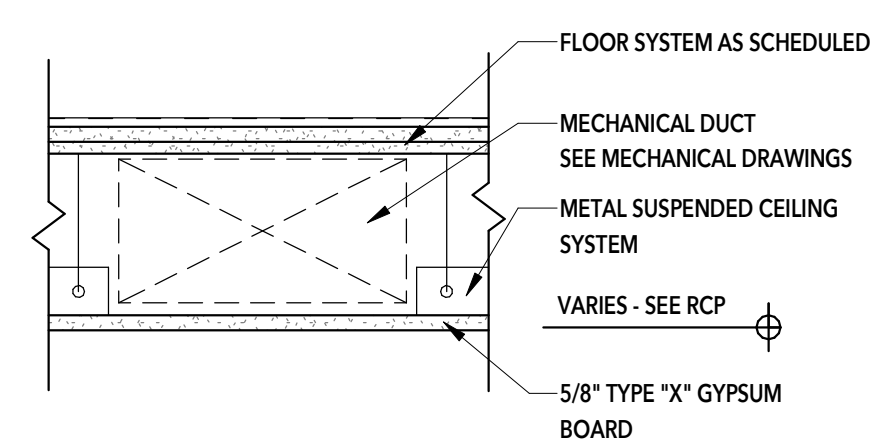
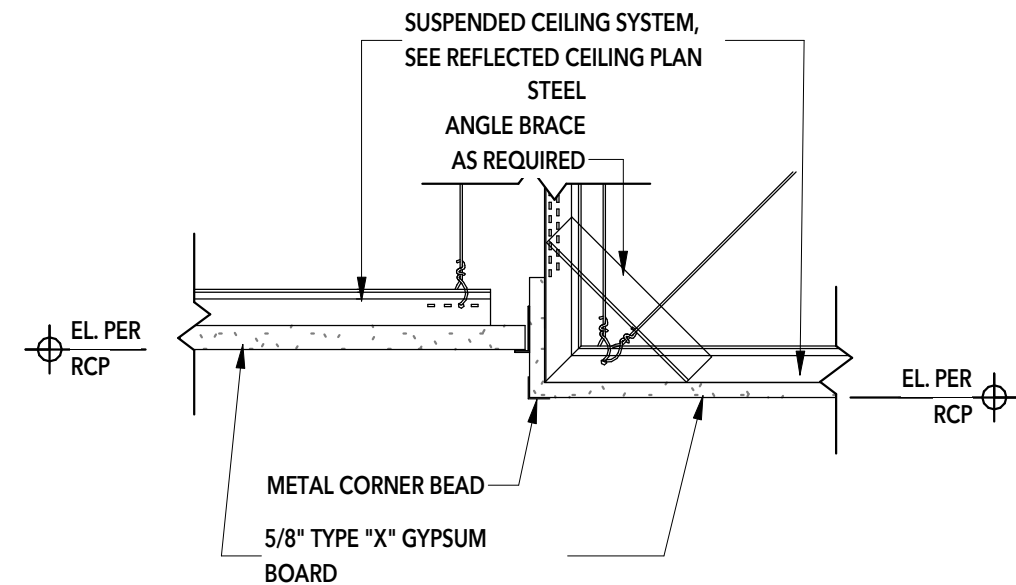


LATERAL FORCE BRACING:
IBC 808.1.1 REQUIRES SUSPENDED ACOUSTICAL CEILINGS TO BE INSTALLED IN ACCORDANCE WITH ASTM C635 AND ASTM C636 AND IBC 1613.1 REQUIRES THEM TO BE SEISMICALLY RESTRAINED PER ASC 7-05. SECTION 13.5.6 OF ASC 7-05 AMENDS ASTM C635 AND ASTM C636 TO REQUIRE THAT CEILING GRIDS IN SEISMIC DESIGN CATEGORY (SDC) D BE PROVIDED WITH THE FOLLOWING REQUIREMENTS:

- A. HEAVY DUTY GRID
- B. 2" PERIMETER ANGLE WITH THE GRID FIXED AT ONE END AND FREE TO MOVE AT LEAST 3/4" AT THE OTHER
- C. HORIZONTAL RESTRAINT FOR AREAS 1,000 SQUARE FEET OR MORE
- D. SEISMIC SEPARATION JOINTS FOR AREAS OF AT LEAST 2,500 SQUARE FEET
- E. 2" OVERSIZED SLEEVES AT PENETRATIONS (SUCH AS SPRINKLER HEADS)
- F. BRACED AT ELEVATION CHANGES
- G. SUPPORTED INDEPENDENTLY FROM CABLE TRAYS



NOTE:
CONTRACTOR MAY USE STUDS IN LIEU OF CEILING
SYSTEM TO ACHIEVE DROP CEILING CONDITIONS.



OWNER APPROVAL

SIGNATURE

DATE _____

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D

C

B

A

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Author

[illegible]

CLEARFIELD JUNCTION

101 N Main St, Clearfield, UT 84015

DOOR, WALLS, & WINDOW SCHEDULES

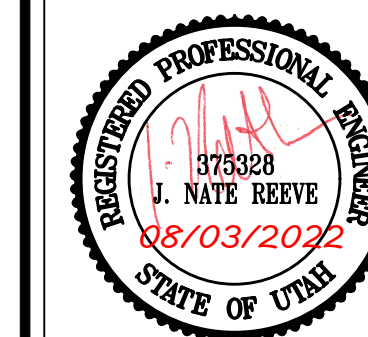
SHEET

A602

DATE	DESCRIPTION
10-29-18	18 NF City Comments
11-06-18	18 NF City Comments
12-12-18	18 NF City Comments
08-07-19	19 NF Cording on South
02-14-20	20 NF Adjusted SS Layout
04-09-20	20 NF Adjust SS Layout
04-29-20	20 NF Adjust Bldg Layout
06-17-20	20 NF Added Site Data

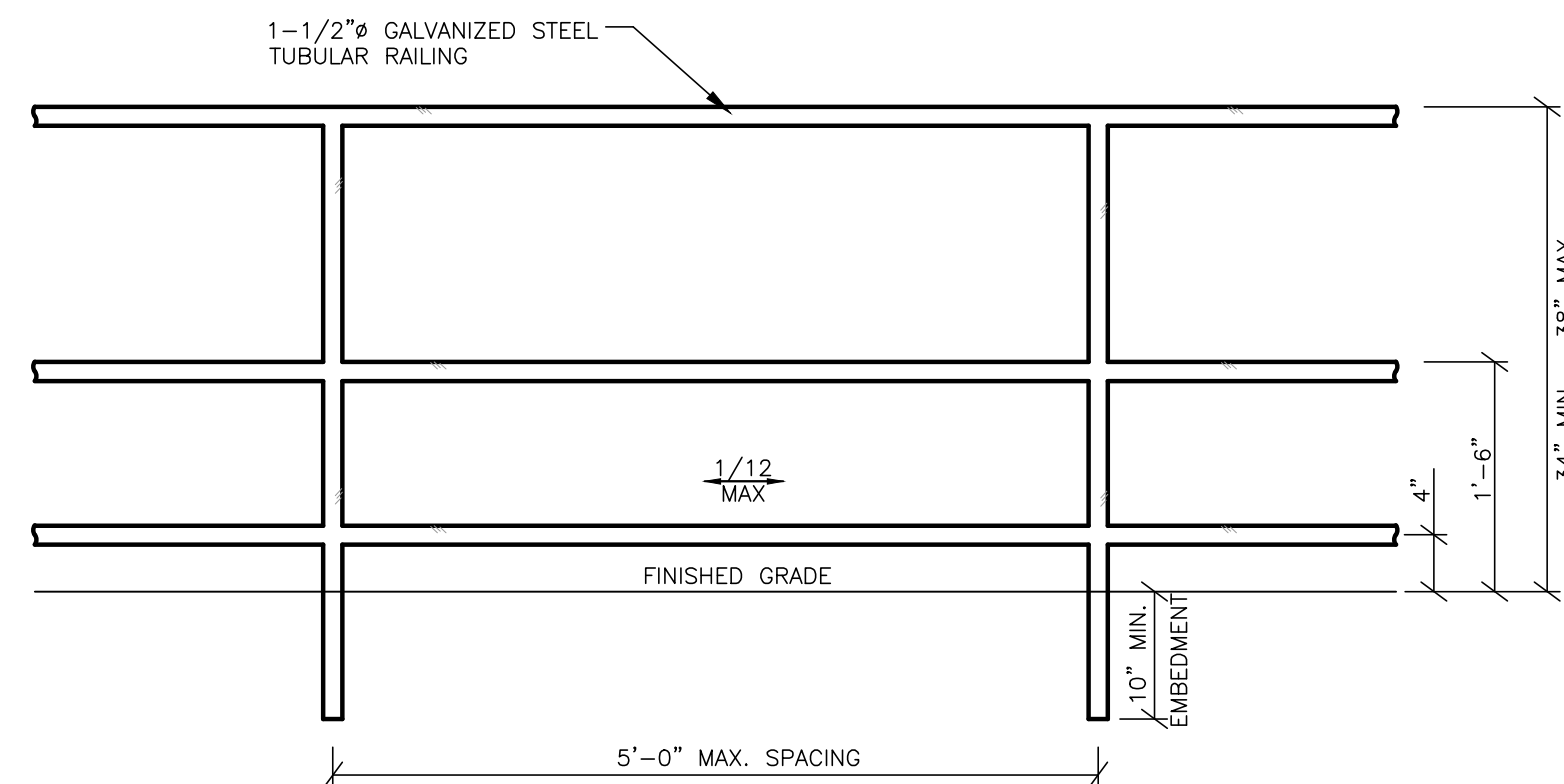
Clearfield Junction Subdivision
CLEARFIELD CITY, DAVIS COUNTY, UT

Site Plan



Project Info.	
Engineer:	J. NATE REEVE
Drafter:	N. FICKLIN
Begin Date:	SEPTEMBER, 2018
Name:	CLEARFIELD JUNCTION SUBDIVISION
Number:	6975-04

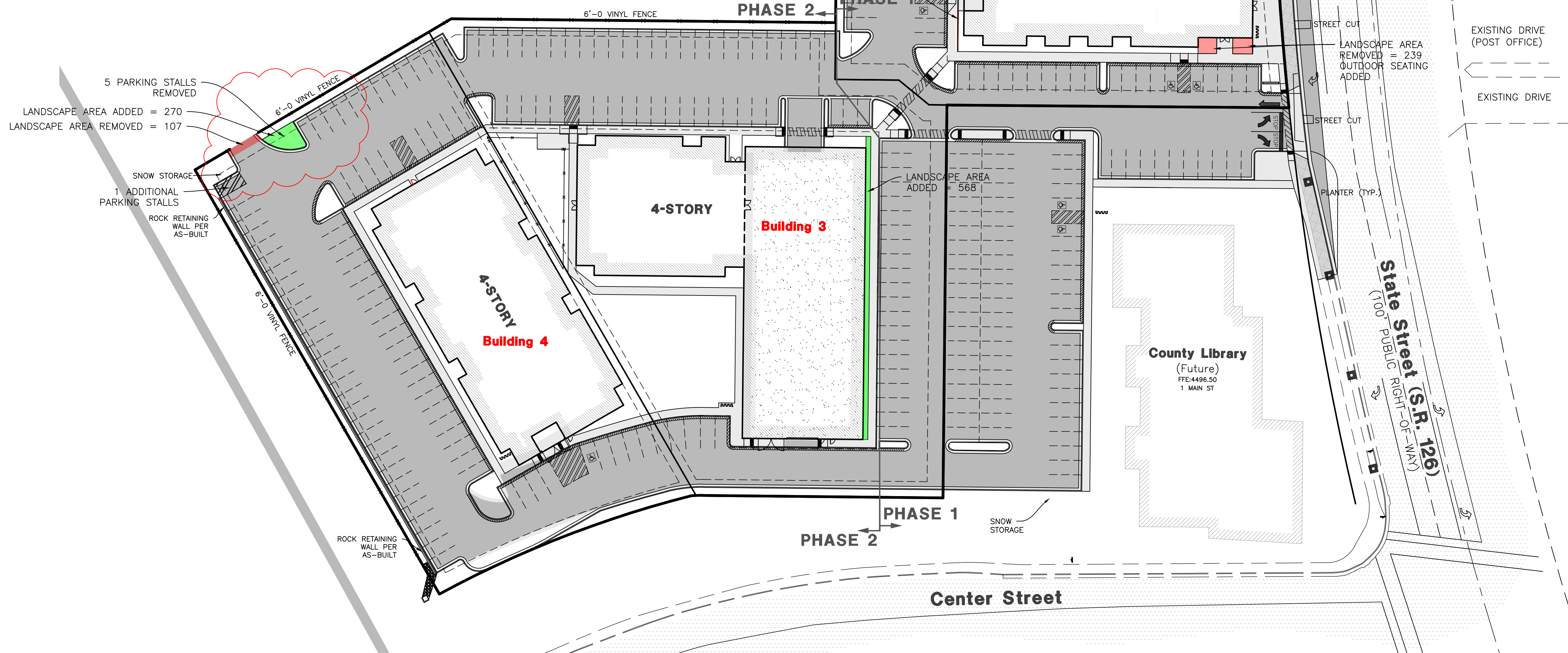
Sheet	11
4	Sheets



Hardrail Detail
SCALE: NONE

NOTE:
2.0% MAX CROSS SLOPE
1/2 MAX RUNNING SLOPE

POOL: 1,000 SF
HOT TUB: 100 SF
GYM: 1,350 SF
LEASING OFFICE: 906 SF
CLUBHOUSE: 1,385 SF
MAINTENANCE ROOM: 590 SF
FIRE PIT & BBQ AREA TOTAL: 1,786 SF



Landscape Data

LOCATION	REMOVED	NEW
BUILDING 1	37 S.F.	-
BUILDING 2	276 S.F.	-
BUILDING 3	-	568 S.F.
POOL AREA	-	854 S.F.
FIRE ACCESS	107 S.F.	270 S.F.
TOTAL AREA	420 S.F.	1,692 S.F.

Legend

- = ADDITIONAL LANDSCAPE
- = LANDSCAPE TO BE REMOVED

Site Information

OUTDOOR PARKING STALLS.....	323
OUTDOOR ADA PARKING STALLS.....	8
GARAGE ADA PARKING STALLS.....	1
PARKING GARAGE PROVIDED.....	44
TOTAL PARKING STALLS.....	376
TOTAL PARCEL AREA.....	238,856 s.f.
BUILDING AREA.....	82,893 s.f. 34.7%
PAVED AREA.....	107,450 s.f. 45.0%
TOTAL BUILDING & PAVED.....	190,343 s.f. 79.7%
TOTAL OPEN SPACE/LANDSCAPE.....	48,513 s.f. 20.3%
	100.0%

- NOTE:
- PARKING STALLS 9' WIDE UNLESS NOTED OTHERWISE.
 - LIBRARY PARCEL IS NOT INCLUDED IN SITE DATA





Planning Commission

STAFF REPORT

AGENDA ITEM
#2

TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, August 17th, 2022

SUBJECT: Public Hearing, Discussion and Possible Action on **ZTA 2022-080059**, a zoning text amendment request by Clearfield City to amend regulations for Firework Stands, Temporary or Seasonal Merchants as outlined in Section 11-13-26 of the Clearfield Municipal Code. **(Legislative Action).**

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation **APPROVAL** for **ZTA 2022-080059**, a zoning text amendment request by Clearfield City to amend regulations for Firework Stands, Temporary or Seasonal Merchants as outlined in Section 11-13-26 of the Clearfield Municipal Code.

This recommendation is based upon the information and findings outlined in this report. As the advisory body to the Clearfield City Council, the Planning Commission may forward a recommendation of approval, denial, or move to table the decision as presented below in the Planning Commission Recommendation Options, based upon the Commission's careful consideration and analysis of the request.

PLANNING COMMISSION RECOMMENDATION OPTIONS

Following careful consideration of the information included in this report, the Planning Commission may choose to forward the following recommendations:

1. **Move to recommend approval of ZTA 2022-080059**, a zoning text amendment request by Clearfield City to amend regulations for Firework Stands, Temporary or Seasonal Merchants as outlined in Section 11-13-26 of the Clearfield Municipal Code.
2. **Move to recommend denial of ZTA 2022-080059**, a zoning text amendment request by Clearfield City to amend regulations for Firework Stands, Temporary or Seasonal Merchants as outlined in Section 11-13-26 of the Clearfield Municipal Code.
3. **Move to table ZTA 2022-080059** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different from those listed above, such as a modified recommendation of approval.

BACKGROUND & ANALYSIS

Staff proposes to amend the regulations in Section 11-13-26 of the Clearfield Municipal Code to expand the possible location within the city for firework stand and temporary or seasonal merchants. The basis of staff's proposal to change the regulations is due to (1) development within the city, (2) changes made by the adoption of the FBC, and (3) current trends with the school districts, churches, and non-profit organizations seeking to operate a fireworks stand, and temporary or seasonal merchants on their properties.

CURRENT CODE REGULATIONS & BASIS FOR PROPOSED CHANGES

The current city code places no restrictions on properties within the Freeport Center or Freeport West, and specifically allows for fireworks stands and temporary or seasonal merchants to be located along the following corridors in the C-1, C-2, M-U, C-R, D-R, and M-1 zones:

- Main Street
- State Street
- 1700 South (Antelope Drive)
- 700 South (SR 193)
- 200 South
- 300 North

In addition to the listed regulations above, current city code limits the ability to locate a fireworks stand and temporary or seasonal merchants at the corners of SR-193 and 2000 East (University Park Boulevard) and Legend Hills. As stated above, staff believes that the regulatory ordinance over fireworks stands, and temporary or seasonal merchants should be amended based on the following:

1. *Development Impact*

Since the property at SR-193 and 2000 East (University Park Boulevard) has been developed with the Sinclair gas station, the Bravada 193 Apartments and future office building, staff recommends that the restriction at this location be repealed. Current regulations limit the ability for this type of use at this location. Due to the development of these properties, the regulations are no longer necessary.

2. *New Zones Created by the Adoption of the FBC*

With properties in the FBC, the city created new zones of C-C, T-R, T-C, U-R, U-C, and CV. As such, staff is proposing that these new zones along the corridors mentioned above, be permitted zones for fireworks stands, and temporary or seasonal merchants. Since the adoption of these zones, fireworks stands have continued to operate at locations in these zones as legal non-conforming uses. Examples include the fireworks stand in front of Rancho Markets (T-C Zone) and a fireworks stand at the former Chevron gas station at 650 North and Main Street (C-C Zone).

3. *Current Trends*

Previously the school district did not allow for fireworks stands to be located on their properties, but has changed their stance and is now allowing for this type of merchant on their properties to help with fundraising efforts. In fact, it has become common that the city receives requests to allow a fireworks stand on school property to raise funds for the PTA or other school related groups. For example, over the last few years there has been a fireworks stand located on the property of North Layton Junior High as an annual fundraiser for student activities. This year, a fireworks stand was opened at South Clearfield Elementary as a fundraiser for the school. However, South Clearfield Elementary is located in the R-1-9 Zone, and therefore, the city was not able to issue a business license for the fireworks stand to lawfully operate because the R-1-9 Zone is not a permitted zone. Instead, the city used its permissible designated discretion (at the request of the school and school district) to allow the stand to operate, recognizing the short-term nature of the fireworks stand only in July for Independence Day and Pioneer Day celebrations.

PROPOSED CODE REGULATIONS

In response to the above-described changes in circumstances, staff proposes the following amendments to Section 11-13-26 of Clearfield City Code, with the intent to remove all references to zoning districts within the location requirements and adding defined hours of operations. Staff believes that the following recommended changes to the code will allow for businesses, schools, churches, or any other non-profit organization located in a residential zone to have a fireworks stand or a temporary or seasonal merchant business on their property subject to some defined hours of operation. The location requirements for properties along the major corridors mentioned above would remain; therefore, only properties (whether commercially or residentially zoned) with

a nonresidential use along these corridors would be permitted to have a fireworks stand and temporary or seasonal merchants.

11-13-26: FIREWORKS STAND, TEMPORARY OR SEASONAL MERCHANT:

Fireworks stands, and temporary or seasonal merchants shall be subject to the following regulations:

A. Location Specified; Location Restrictions:

1. Each license shall specify the location where the business is approved to operate. No operation shall occur at locations other than the approved site.

2. Licenses issued under this section shall be limited to the following street corridors:

a. Main Street, State Street, 1700 South, 700 South, 200 South, and 300 North, if located outside of Freeport Center or Freeport West. All fireworks stands, temporary or seasonal merchants, shall not occupy more than twenty percent (20%) of the parking stalls on the lot where the business has been approved.

b. No location restrictions are imposed by the City if locating inside Freeport Center or Freeport West.

~~c. No location restrictions are imposed by the City if locating on future developed property at SR 193 and 2000 East and Legend Hills.~~

~~d. Fireworks stands are not allowed on property at SR 193 and 2000 East nor at Legend Hills (refer to map held at the City).~~

~~e. c. Licenses may only be issued on non-residential properties (such as businesses, schools, churches, etc.) along the identified corridors with in the city, the following zoning: C-1, C-2, MU, C-R, D-R, and M-1.~~

B. Maintenance: The area around a fireworks stand, temporary or seasonal merchant shall be kept clean and orderly. A trash receptacle shall be provided for patrons. The licensee shall promptly clean up all trash, litter, spills, etc., within a minimum twenty-foot (20') radius of the business.

C. Appearance: All fireworks stands, temporary or seasonal merchants structures and display areas shall have a professional appearance, and may not appear tattered, torn, frayed, faded, have chipped or peeling paint or otherwise be in disrepair. All equipment associated with the use shall be maintained in a new or near new condition. All retail items shall be displayed in a neat and orderly fashion. All displays, merchandise, and debris associated with the use shall be contained within the confines of the use and be cleaned at the end of each business day. A business license will not be issued or may be revoked if structures, display areas and/or equipment are not properly kept and maintained.

D. Impervious Surface: Each fireworks stand, temporary or seasonal merchant shall be located on an impervious, all-weather surface with no portion of the business located in a landscaped or unimproved area.

E. Setbacks: Each fireworks stand, temporary or seasonal merchant shall be located a minimum of ten feet (10') behind the inside edge of a public sidewalk, or fifteen feet (15') from the edge of the street right-of-way if no sidewalk exists; five feet (5') from combustible walls, roof eave lines, awnings, etc.; ten feet (10') from any building openings (i.e., doors, windows, vents, etc.); and five feet (5') from a fire hydrant, driveway, handicapped parking space or loading area.

F. Traffic Safety: No fireworks stand, temporary or seasonal merchant shall impede auto and/or pedestrian traffic or create auto/pedestrian conflicts. Private sidewalk clear widths shall not be reduced below five feet (5'), and no fireworks stand, temporary or seasonal merchant shall interfere with the internal parking lot circulation.

G. Parking: The site shall have adequate parking to accommodate the primary use(s) on site as well as any area used by the fireworks stand, temporary or seasonal merchant. No part of the fireworks stand, temporary or seasonal merchant shall occupy required parking stalls for the primary use(s) of the site. A minimum of two (2) on-site parking stalls are required for each fireworks stand, temporary or seasonal merchant.

H. Business Conduct: A fireworks stand, temporary or seasonal merchant shall not solicit or conduct business with persons in motor vehicles or use any flashing lights, noise, sound or other motion producing devices to attract attention to its operation. A fireworks stand, temporary or seasonal merchant located in or adjacent to a residential zone, shall not operate prior to eight o'clock (8:00) AM or after nine o'clock (9:00) PM.

I. Minimum Separation Required: No temporary or seasonal merchant shall be located within two hundred feet (200') of the primary public entrance of an existing retail store which sells similar products as its primary business.

J. Signs: Each fireworks stand, temporary or seasonal merchant shall be limited to one on premises sign, which shall not exceed eight (8) square feet in size. Signs shall not be internally illuminated or make use of flashing or intermittent lighting or animation devices. Pennants, streamers, lawn banners and other temporary signs shall be prohibited.

K. Fire Extinguisher Required: A portable fire extinguisher, Type 2A-10 BC minimum, must be mounted within easy reach of each fireworks stand, temporary or seasonal merchant.

L. City Sponsored Event Or Activity: This section shall not apply to fireworks stands, temporary or seasonal merchants participating in a City sponsored event or activity. (Ord. 2017-13, 7-25-2017)



Planning Commission

STAFF REPORT

AGENDA ITEM
#1

TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, August 17th, 2022

SUBJECT: Public Hearing, Discussion and Possible Action on **ZTA 2022-080058**, a zoning text amendment request by Clearfield City to amend the sign regulations in the Downtown Form Based Code. **(Legislative Action)**.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** for **ZTA 2022-080058**, a zoning text amendment request by Clearfield City to amend the sign regulations in the Downtown Form Based Code as proposed.

This recommendation is based upon the information and findings outlined in this report. As the advisory body to the Clearfield City Council, the Planning Commission may forward a recommendation of approval, denial, or move to table the decision as presented below in the Planning Commission Recommendation Options, based upon the Commission's careful consideration and analysis of the request.

PLANNING COMMISSION RECOMMENDATION OPTIONS

Following careful consideration of the information included in this report, the Planning Commission may choose to forward the following recommendations:

1. **Move to recommend approval of ZTA 2022-080058**, a zoning text amendment request by Clearfield City to amend the sign regulations in the Downtown Form Based Code as proposed.
2. **Move to recommend denial of ZTA 2022-080058**, a zoning text amendment request by Clearfield City to amend the sign regulations in the Downtown Form Based Code as proposed.
3. **Move to table ZTA 2022-080058** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different from those listed above, such as a modified recommendation of approval.

BACKGROUND & ANALYSIS

Through the literal application of the Downtown Clearfield Form-Based Code (FBC) sign regulations, staff has observed certain design standards are prohibitive to private business and could be amended or removed to better align with the standard needs of commercial businesses and to help accomplish the overall vision for the corridor. Additionally, these newer developments in the downtown area have identified a need, given certain alignments and topographies, to have more prominent building signage to showcase the name of the development for the community and residents. Staff recognizes the need to make amendments to the FBC sign regulations and presents these changes to the Planning Commission for consideration and a recommendation

to the City Council. Planning Commission may provide additional changes to be considered as part of their recommendation to the City Council.

FBC SIGN REGULATIONS; PROPOSED CHANGES

Maximum Sign Area & Amounts; Permitted Quantity of Signage Per District

On page 116 of the FBC, there are regulations that limit the total amount of attached and detached signage for a lot based on the zoning of the lot. Table 10.2 (1) includes the maximum square footage of signage allowed per zoning district as seen below. Through the implementation of the code standards, staff has not established an appropriate reason to impose a total signage amount limit in the FBC area. Rather, staff sees it more appropriate to allow the sign area limitations per the sign type to determine the size and type of signage provided. As such, staff recommends that language of code be repealed to provide increased flexibility for local businesses. Staff would therefore recommends the removal of this language from the FBC along with removal of Table 10.2 (1) as shown below.

Table 10.2 (1). Permitted Quantity of Signage by District.	
District	Maximum Permitted Quantity of Signage Per Lot
UC, UR, CV	3 square feet per 1 linear foot of lot width with a maximum of 150 square feet
TC, TR, CC	2 square feet per 1 linear foot of lot width with a maximum of 100 square feet

Wall Sign Regulations

Wall signs are allowed to occupy 15% of any single building façade. To be consistent with the sign standards in Chapter 11-15 of the Land Use Ordinance, staff recommends that a maximum sign area of 15% or 600 square feet, whichever is less, be imposed. The FBC wall sign regulations limit the height of a letter or element of a sign to 2 feet. This has become problematic for most existing and new businesses to comply with and therefore, staff recommends that this standard be repealed from the code. There are limitations to the materials for wall signs as seen below in the wall sign requirements table that the Planning Commission may want to change as well.

Table 10.3 (1). Wall Sign Requirements

Permitted Districts	All districts
Sign Area	Maximum sign area is 15% of the facade (murals are excepted from this maximum) Refer to Table 10.2 (1) for maximum per lot
Height	2' maximum letter or element height
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	18" maximum projection from building face
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Building Identification Signs

The FBC has sign standards for freestanding Center Identification Signage but nothing that would be attached to a building. As stated in the background section of this report, there are requests from developments in the FBC area to have some sort of project or development identification sign that is located on the building. This could be accomplished with a wall sign, projecting sign, or some other sort of iconic sign. An example of the proposed signage for the Lotus Anthem project is attached to this report for reference. As the projecting sign regulations would prohibit a sign of this size, and with other similar requests, staff sees it necessary to add a new sign regulation type for building identification signs with the same intent of a Center Identification Sign. Some things to consider are size, height, building placement, illumination, quantity and materials. Based upon a quick review of other municipal codes, staff presents the following new standards for consideration and discussion in the table below.

Table 10.11 (1). Building Identification Sign Requirements

Permitted Districts	All Districts
Sign Area	100 sq ft maximum area per sign face. Counts toward maximum 15% façade sign area for wall signs.
Location on the Building	Front or Corner Building Facades.
Placement on the Building	Horizontally oriented wall signage is permitted at the top of the upper story only.
	Vertically oriented wall mounted signage is permitted at the corner or building edge.
	Projecting signage is permitted along any portion of a front or corner façade. No projecting sign may extend greater than 48" from the building surface.
Quantity	1 per building frontage
Internal Illumination	Permitted
Materials	Solid wood, metal & masonry; Plastic synthetics are permitted on sign face. Vacuum formed acrylic signs or box can signs are not permitted.

Additional Changes/Recommendations

The Planning Commission may recommend additional changes to those proposed by staff. Additional recommendations could involve materials, lighting, sizing etc.

PUBLIC COMMENT

Public notice was placed the weekend of August 6th and 7th, 2022, on the State of Utah public notice website, and on the City's website. No public comment has been received to date.

GENERAL FINDINGS**Zoning Ordinance Text Amendment**

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	The proposed amendments are in accordance with the General Plan which encourages the adaptation of zoning regulations and codes to meet the needs of the city and development.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	Through the application of the FBC sign regulations, staff has observed the need to more closely align those sign regulations with the regulations applied citywide, as outlined in Chapter 11-15 of Clearfield City Code.

FINDINGS & CONCLUSION

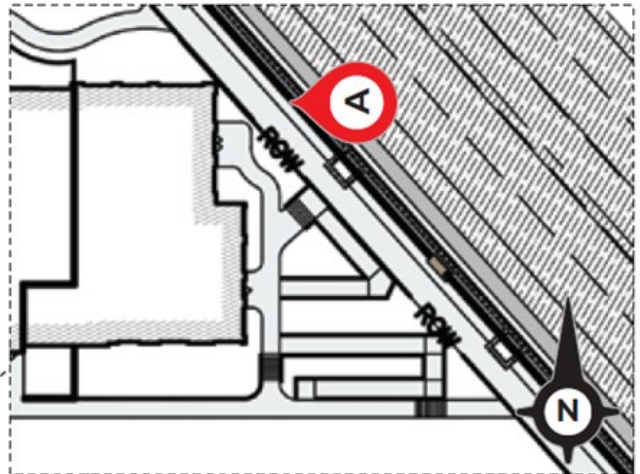
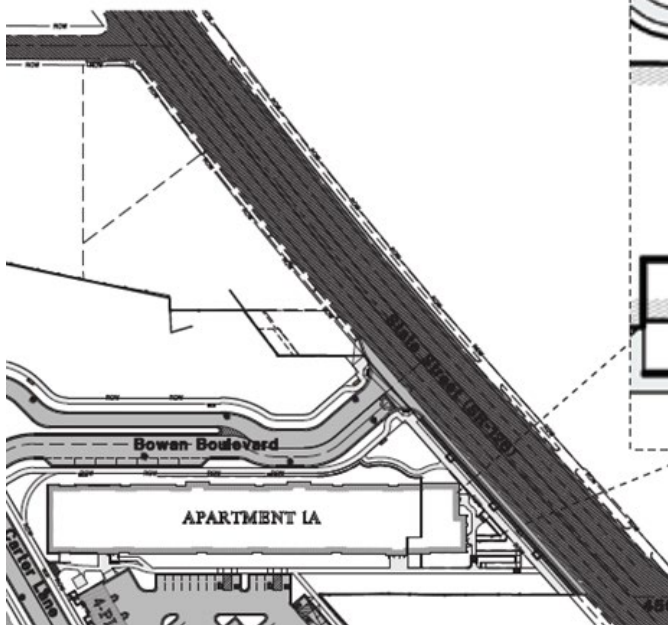
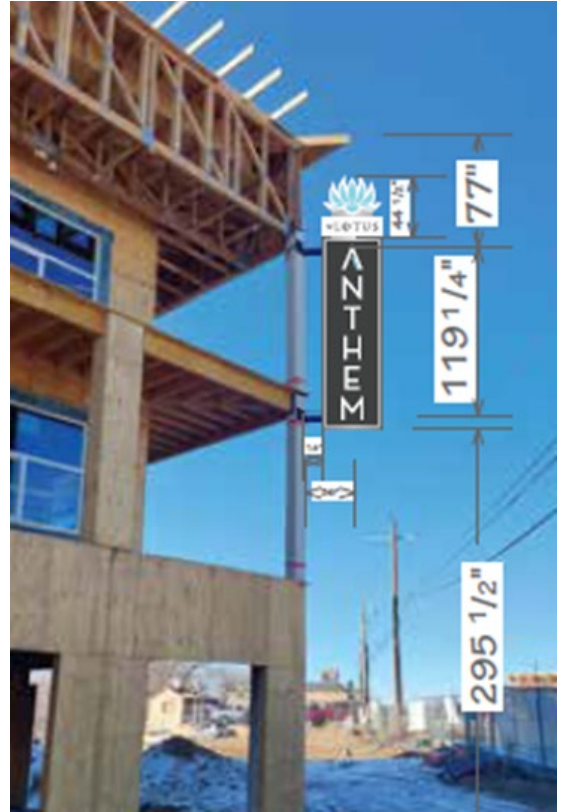
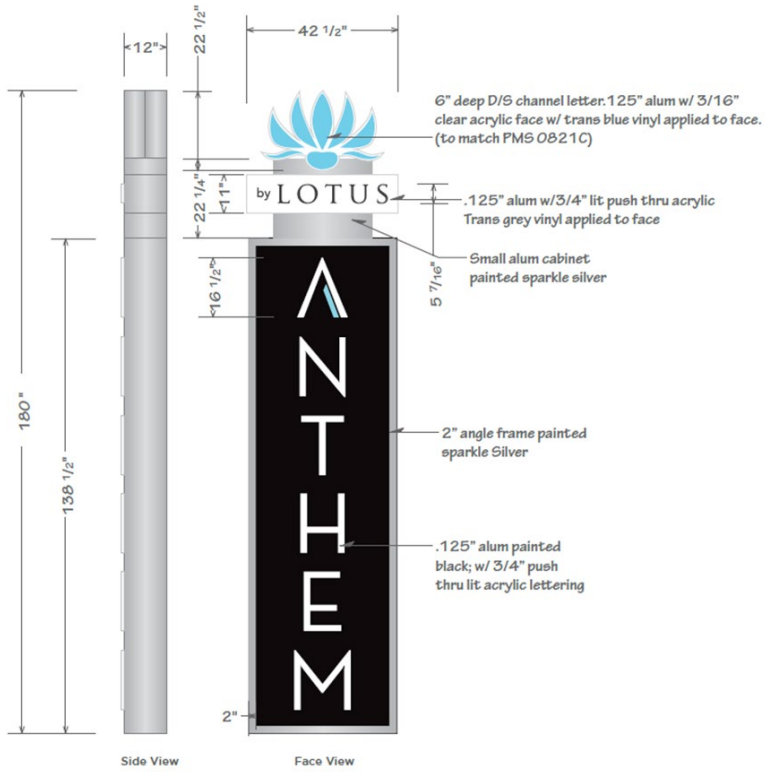
Based upon a review of the existing and proposed ordinance standards Staff concludes the following:

1. The identity of Clearfield City should be strengthened by land uses which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency. This includes signage that is complimentary to the land uses.
2. The proposed changes help the city to accomplish their goals of providing quality municipal service through continuous improvement through innovation.

ATTACHMENTS

1. Building Identification Signage Examples







STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Braden Felix, City Engineer/Public Works Deputy Director
MEETING DATE: August 23, 2022
SUBJECT: Agreement between Clearfield City and The US Air Force for Groundwater Monitoring Wells

RECOMMENDED ACTION

Approve the licensing agreement between the US Air Force and the City for groundwater and gas monitoring

DESCRIPTION / BACKGROUND

The Air Force installed groundwater and gas monitoring wells close to the intersection of 200 West and 600 North. The location is regulated by the Defense Environmental Restoration Act overseen by the Environment Protection Agency Region 8. They have used these wells to measure and record residual contaminants. The wells are already in place and require no resources from the city besides noting them in our Drinking Water Source Protection Plan.

CORRESPONDING POLICY PRIORITY (IES)

Providing Quality Municipal Services

- The Air Force is proactive to monitor the environmental impact the base has caused to neighboring communities. This requires nothing from the city yet benefits its residents.

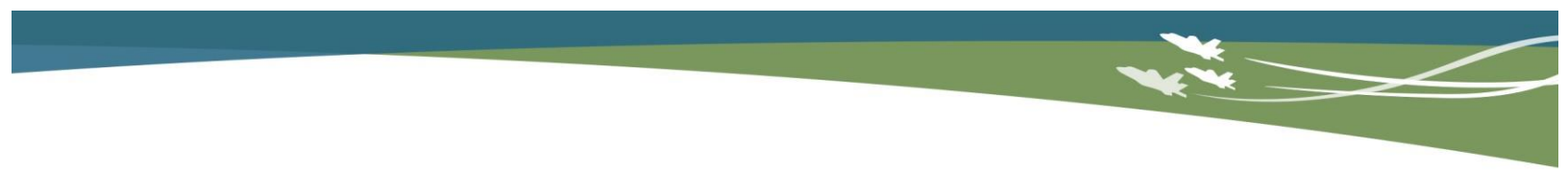
Improving Clearfield's Image, Livability and Economy

- The quality of our groundwater is important to us. The only culinary well that shows this plume within the Source Protection Zone (Zone 4, meaning 15-year minimum draw time) in our Freeport North Well.

FISCAL IMPACT

- The agreement ensures us \$5,000 per year from the USAF as a licensing fee.

SCHEDULE / TIME CONSTRAINTS



The agreement, intended to be entered into in April, is for a 1-year with the option to renew every year for up to 20 years.

LIST OF ATTACHMENTS

- License Agreement between Clearfield City and The United States of America

HILL AIR FORCE BASE, UTAH

LICENSE NO. USAF-AFMC-KRSM-22-1-0181

LICENSE

BETWEEN

CLEARFIELD CITY

AND

THE UNITED STATES OF AMERICA

WHEREAS, Clearfield City, a Utah municipal corporation, (hereinafter “Grantor”) whose business address is 55 South State Street, Clearfield, Utah 84015–1027 has agreed to grant the United States of America, by the Secretary of the Air Force (hereinafter “USAF”), a license which allows the USAF to locate and maintain groundwater monitoring wells and conduct groundwater and soil testing in connection with groundwater monitoring project, at various locations (hereinafter “Premises”) which are located within the boundaries of Clearfield City and owned by the Grantor.

NOW, THEREFORE, the Grantor and the USAF agree as follows:

AGREEMENT

1. The USAF shall have access to the Premises for a term of **one year beginning 1 April 2022 through 31 March 2023**. The USAF shall have **20** one-year options to renew this license, and provided that unless and until the USAF shall give notice of termination in accordance with provision 7 hereof, this license shall remain in force thereafter from year to year without further notice; provided further that adequate appropriations are available from year to year for payment of rentals. This license shall in no event extend beyond **31 March 2042**.
2. In consideration of and for the rights granted under this license, and subject to the availability of appropriations therefore, the USAF shall pay the Grantor rent at the following rate: **five thousand dollars (\$5,000.00) per year**, payable at the end of the term and at the end of each renewal term. Payment shall be made by the Defense Finance and Accounting Service. If the license is terminated for any reason before the end of a full term, rental periods of less than one year shall be prorated.
3. The routes of ingress and egress to, from and across the Premises are primarily via covered roadways maintained by the Grantor. It is agreed that the USAF will have access daily to the Premises by vehicle to collect water samples, measure groundwater levels, and conduct any necessary maintenance at the location of each monitoring well. The USAF agrees to carry out its operations at its own risk and expense, and the Grantor shall not be responsible or liable for any injuries to persons or damage to property when such injuries or damage is caused by or results

from the operations, acts or omissions of the USAF in the exercise of its rights and use of the Premises under this license and is not due to the negligence of the Grantor. Rental amounts include wear to roadways due to the ingress and egress to access monitoring locations.

4. The Grantor agrees that access to the Premises shall be granted to the Utah Department of Environmental Quality, or its successor, under the same terms and conditions as access is granted to the USAF.

5. If Grantor decides to sell any interest in the Premises, Grantor shall inform the purchaser of the terms of this license before the sale is finalized. Grantor also agrees to notify by certified mail, the Hill Air Force Base Installation Support Team of the Environmental Directorate – Operations for the Air Force Civil Engineer Center, with an address of:

AFCEC/CZOM
7290 Weiner St (Bldg 383)
Hill AFB UT 84056–5003

of the Grantor's intent to sell any interest in the Premises at least thirty days prior to any conveyance of the Premises. If the Grantor fails to notify the USAF of the conveyance, all rentals accrued during the preceding payment period shall be forfeited.

6. The USAF shall have the right, during the existence of this license to attach fixtures, and erect structures or signs, in or upon the Premises hereby granted. Said fixtures shall consist of up to **One Hundred monitoring wells or piezometers** to be placed at various locations. The actual number of monitoring wells or piezometers (not to exceed the maximum number) may vary during the duration of this license based on the needs of the USAF or the city. The USAF shall provide updated maps and location information both initially after signature of this license and then subsequently each time a monitoring well or piezometer is added or removed. Such notification shall be made in writing to the addresses in Paragraph 8 below. Monitoring wells or piezometers which may be required by the USAF after the signature of this license shall be installed only with the approval of an authorized official of the Grantor. In no case shall the USAF install a monitoring well or piezometer without the authorization of the Grantor. Any such fixtures, structures, or signs, so placed upon or attached to the Premises shall be and remain the property of the USAF and may be removed or otherwise disposed of by the USAF.

7. Either party may terminate this license at any time by giving thirty day notice in writing to the other party, and no rental shall accrue after the effective date of termination.

8. Any notice under the terms of this license shall be in writing signed by a duly authorized representative of the party giving such notice. If given by the USAF, notice shall be addressed to:

Clearfield City
Attn: City Engineer
55 S State St
Clearfield UT 84015–1027

If given by the Grantor, notice shall be addressed to

75 CEG/CL
5713 Lahm Ln (Bldg 593 N)
Hill AFB UT 84056-5410

9. The Grantor warrants that no person or selling agency has been employed or retained to solicit or secure this license upon any agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Grantor for the purpose of securing business. For breach or violation of this warranty the USAF shall have the right to annul this license without liability or in its discretion to deduct from the license price or consideration the full amount of such commission, percentage, brokerage, or contingent fee.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this license or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this license if made with a corporation for its general benefit.

11. (a) The USAF may, by written notice to the Grantor, terminate the right of the Grantor to proceed under this license if it is found, after notice and hearing, by the Secretary of the Air Force or his duly authorized representative, that gratuities (in the form of entertainment, gifts, or otherwise), were offered or given by the Grantor, or any agent or representative of the Grantor, to any officer or employee of the USAF with a view toward securing a license or securing favorable treatment with respect to the awarding or amending or the making of any determinations with respect to the performing of such license; provided that the existence of fact upon which the Secretary of the Air Force or his duly authorized representative makes such findings shall be an issue and may be reviewed in any competent court.

(b) In the event this license is terminated as provided in paragraph (a) hereof, the USAF shall be entitled (i) to pursue the same remedies against the Grantor as it could pursue in the event of a breach of the license by the Grantor, and (ii) as a penalty, in addition to any other damages to which it may be entitled by law, to exemplary damages in an amount (as determined by the Secretary of the Air Force or his duly authorized representative) which shall not be less than three nor more than ten times the costs incurred by the Grantor in providing any such gratuities to any such officer or employee.

(c) The rights and remedies of the USAF provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this License.

12. Within ninety days after termination or expiration of this license, the USAF, at its cost and expense shall, subject to the availability of appropriations therefore, remove all above ground structures, signs and other appurtenances installed on the Premises, remove and cap the monitoring wells to natural ground level, and use all practicable efforts to return all affected ground surfaces of the Premises to the condition that existed immediately prior to the installation of the monitoring wells, reasonable wear and tear and damage by the elements or other circumstances over which the USAF has no control excepted.

13. The Grantor agrees that the Comptroller General of the United States or any duly authorized representatives shall, until the expiration of three years after final payment of the agreed rental, have access to and the right to examine any directly pertinent books, documents, papers, and records of the Grantor involving transactions related to this license.

14. This agreement may only be modified or amended by mutual agreement of the parties in writing and signed by each of the parties hereto.

15. The Grantor warrants they are the owners of the property and if it is later determined they are not the owners, Grantor will reimburse the USAF the rentals paid during the term of this license.

16. If Grantor is a corporation, partnership, trust, estate or other entity, the person executing this agreement on its behalf warrants his or her authority to do so and to bind Grantor.

17. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the representatives, successors, and assigns of the Grantor.

18. The invalidity of any claims, part or provision of this agreement shall not affect the validity of the remaining portion or portions hereof.

19. This license is not subject to Title 10, U.S.C. 2662.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names.

CLEARFIELD CITY, a municipal corporation

MARK SHEPHARD, Mayor

Date

ATTEST:

APPROVED AS TO LEGAL FORM

NANCY DEAN, City Recorder

STUART E. WILLIAMS, City Attorney

Date

Date

THE UNITED STATES OF AMERICA
By the Secretary of the Air Force

JEFFREY P. DOMM, SES, DAF
Director, Installations Directorate

Date



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Braden Felix, City Engineer/Public Works Deputy Director
MEETING DATE: August 23, 2022
SUBJECT: Streets Maintenance Project Update and Budget Amendment

PURPOSE AND RECOMMENDED ACTION

This is a status update on all the streets treatment projects for the year. We also hope to approve the budget amendment to include the repaving of 950 South as part of a sewer replacement project.

DESCRIPTION / BACKGROUND

Streets Treatment

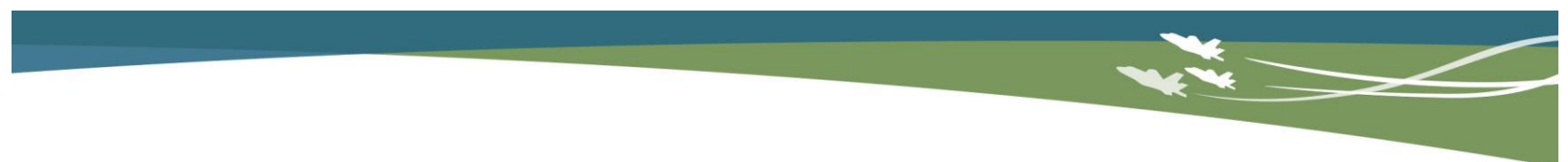
Kilgore – Precon set for Thursday August 18th, intending to break ground the week following the precon. Kilgore will be doing the mill and fill improvements along 1000 West as well as the roadside improvements of curb, gutter, and sidewalk.

Morgan (Staker) – End of August for slurry, Cape seal September 15th-20th followed by Onyx seal by Morgan the following week. As shown in the exhibit, the green streets are those that will be getting a slurry seal as a treatment. This solution is best suited for the residential roads. Notice for these streets will be given 1 week before and 1 day before. The blue streets are receiving a cape seal (chip seal followed by an Onyx surface). This treatment is best suited for the busier, more heavily loaded collector streets. Staker Parsons will be doing the chip seal and intend to be done in 5 days. Morgan will provide the Onyx and will be done within a week after placement of the chip seal.

All-star striping – Have not had precon, still waiting on scheduling as of the time of this report. We are still confident to have this work done in this season.

950 South Repaving

U.S. Development has contracted Wasatch Sand and Gravel to construct the civil improvements for Indigo Eight80 Apartments located at 880 S State Street. Part of their scope of work was to add a new sanitary sewer line on 950 S to connect the apartments to the City-owned sewer line on 550 East. Rather than having two sanitary sewer lines running parallel on 950 S. (there was an existing sewer line on 950 S.) staff recommended to replace the existing sanitary sewer line with the new one and connect the residential sewer laterals on 950 S. to the new main sanitary sewer line. Staff came to an agreement with the developer for this change and Wasatch Sand and Gravel completed the work.



The asphalt in the cul-de-sac, 950 S., was in poor condition before this work began. Condition only worsened upon completion of the project. The original scope of work for Wasatch Sand and Gravel was to mill and patch the asphalt where the new sewer line was going. However, due to the change order for the connection of sewer laterals much of the asphalt was removed. Rather than patching the only areas disturbed (estimated to be about 2/3 of the road) we have proposed to Wasatch Sand and Gravel that the entire cul-de-sac asphalt be pulverized and repaved. The cost of the work will be \$31,230 and will be done by Post Asphalt.

CORRESPONDING POLICY PRIORITY (IES)

Providing Quality Municipal Services

- The quality of our roads is of utmost importance to the image and livability of our community. It is a tangible and visible representation of the services we provide.

Improving Clearfield's Image, Livability and Economy

- We invest in the treatment of the asphalt to avoid paying for costly replacements later.
- The repaving of 950 South is the most dollar-wise move while also providing a better end result.

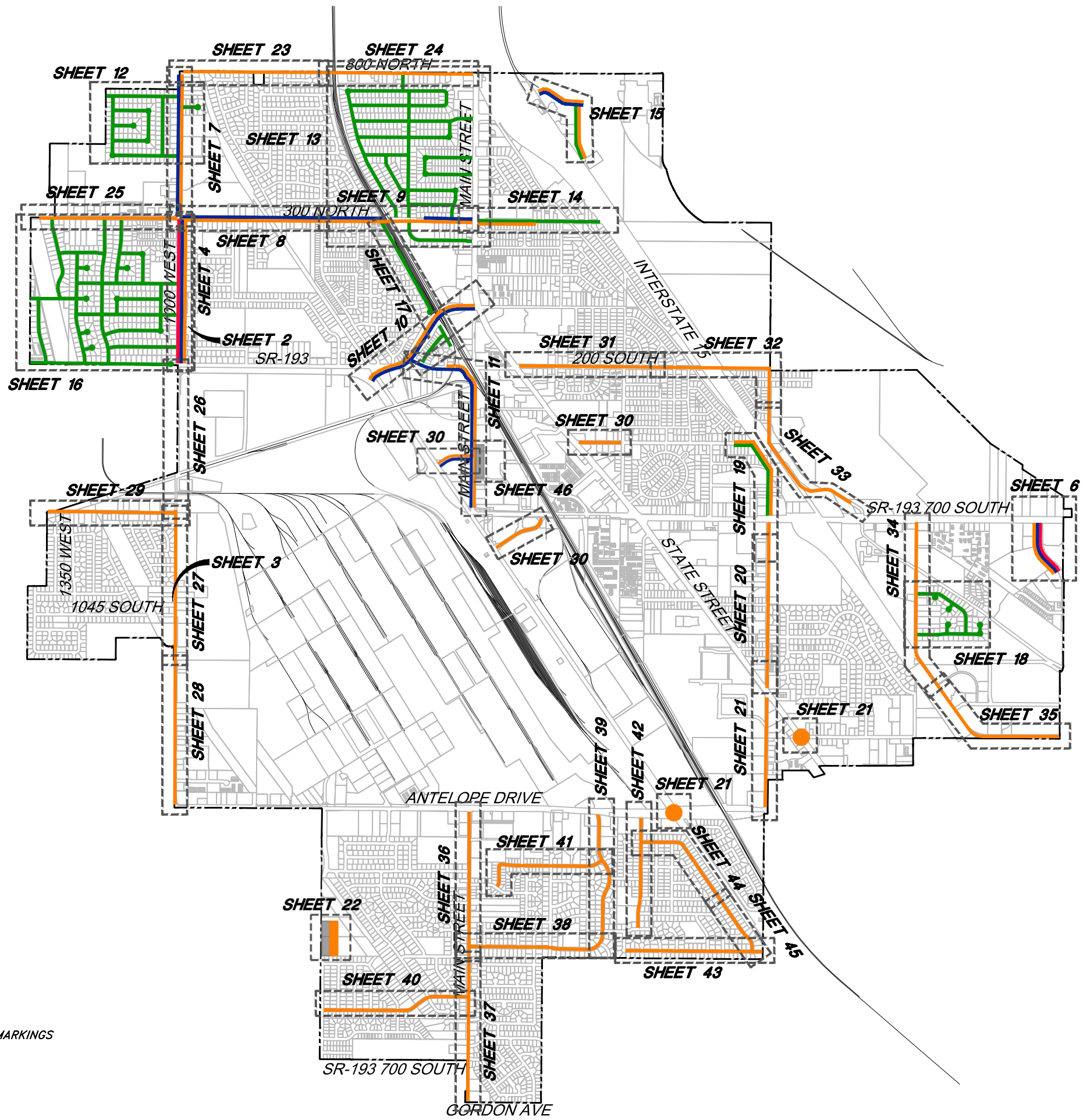
FISCAL IMPACT

- Wasatch Sand and Gravel has provided us an estimate of **\$31,230**. This amount will be paid directly to WSG.

SCHEDULE / TIME CONSTRAINTS

The 950 South Street contractor (Post) is on schedule to do their portion of paving starting August 25th. They have also said it is possible their asphalt crew will pave before then if they have any openings in their schedule.

LIST OF ATTACHMENTS



- LEGEND**
- MILL AND FILL
 - CAPE SEAL
 - SLURRY SEAL
 - SEAL COAT
 - ROADWAY STRIPING AND PAVEMENT MARKINGS
 - INTERSECTION STRIPING
 - CITY BOUNDARY

**CONSULTING
ENGINEERS**

**JONES &
ASSOCIATES**

6080 Fashion Point Drive
South Ogden, Utah 84403
(801) 476-9767 www.jonescivil.com

CLEARFIELD CITY CORPORATION

2022 STREET MAINTENANCE

PROJECT LOCATION MAP

SCALE:		DESIGNED		DRAWN		CHECKED		REV.		DATE		APPR.	
24" x 36"		B/KJ		T/W		B/KJ							
1/4" = 1000'													
11" x 17"													
1/2" = 2000'													

SHEET:

1

OF 1 SHEETS



STAFF REPORT

TO: Mayor Pro Tempore Roper and City Council Members
FROM: Brad McIlrath, Senior Planner
MEETING DATE: Tuesday, August 23, 2022
SUBJECT: Discussion on the Draft-Development Agreement (DA) for the Lakeside Apartments Mixed-Use Development Agreement Changes

RECOMMENDED ACTION

Staff recommends that the City Council review the attached draft DA and provide necessary direction in preparation for the public hearing scheduled for September 13, 2022.

BACKGROUND/DESCRIPTION

On August 9, 2022, the City Council tabled the public hearing for the Lakeside Apartments Mixed-Use Development Agreement to September 13, 2022, to allow the developer and staff to finalize the agreement and any necessary exhibits. On August 12, 2022, the developer provided the city with an updated draft DA, and an attached draft modification table (MT), for review. During staff's careful review of the draft DA and MT, staff identified a number of items that are proposed by the developer that staff believes are either inconsistent with staff's interpretation of the direction from City Council or were not previously specifically discussed with the City Council.

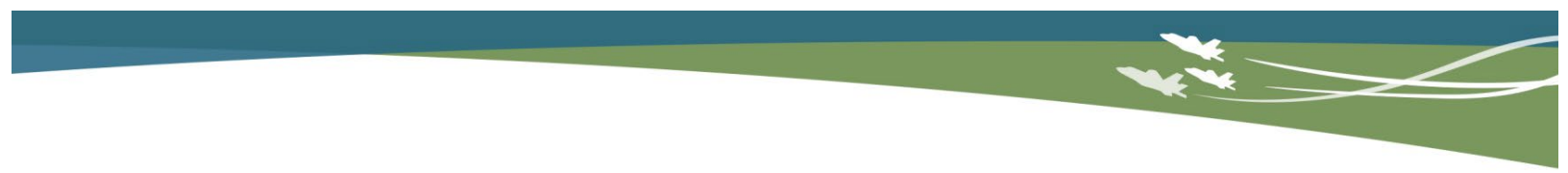
As such, staff is seeking input and direction from the City Council on the following selected items that have been modified or added since the City Council's last review of the document on August 9, 2022.

1. Commercial Square Footage

As outlined in Recital F of the draft DA, the language has been changed to have an approximate unidentified square footage for the commercial floor area of the mixed-use project. Previously, the draft DA and project plans have referred to 27,500 square feet.

2. Timing for Construction

As outlined in Article 3.2 of the DA, the developer is proposing a construction timeframe of three (3) years with an option to request a 12-month extension if necessary. The Form-Based Code (FBC) requires that, "construction shall begin within 12 months of the final land use approval" and that the "applicant can request an extension...up to an additional 12 months" (See Administration Chapter 11, Section 11.4.4(3) of FBC).



3. Corner Build-to-Zone and Occupation of Corner

The FBC requires a corner build-to-zone for Mixed-Use/Core Commercial buildings of 0'-5' in the Urban Core Commerce (U-C) Zone. To construct the art plaza at the corner of State Street and Waterfront Way the modification previously included in the draft MT has been to allow a fifty-foot (50') setback. The modification in the draft MT has been changed to be "an approximate 70' from the project site's property line."

The FBC requires that a Mixed-Use/Core Commercial building occupy the corner which means that the principal structure must occupy the intersection of the front and corner build-to zones. With construction of the art plaza, this is being accomplished with building orientation towards the corner and street facades. The previous modification stated that the city releases the developer from occupying the corner with the construction of the art plaza and provided a dimension measurement of fifty-feet (50') like the build-to-zone mentioned above. That measurement has been changed to sixty feet (60') in the latest version of the draft MT. Even with this change, staff recommends that no measurement is referred to with this modification as it is simply addressing whether the building occupies the corner within the appropriate build-to-zones. By providing the measurement for the applicable build-to-zones as other modifications, staff does not see the need to provide the measurement with this modification.

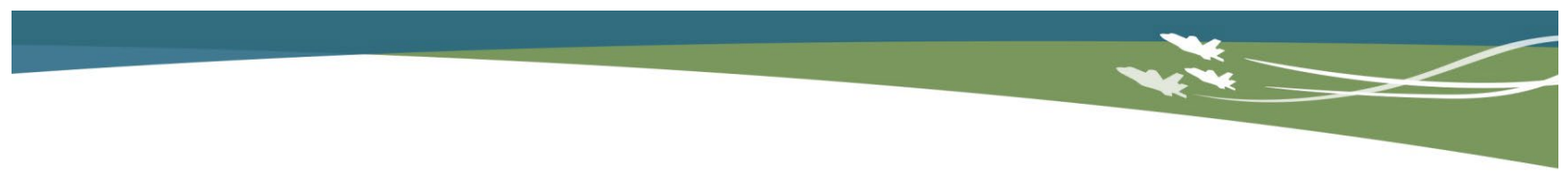
4. Trees per Acre

The FBC requires that each project provide at a minimum twenty (20) trees per one (1) acre of project. The code also specifically states that street trees do not count toward this requirement. The previous modification request by the developer was to reduce the required trees for this project to twelve (12) trees per one (1) acre of project. The modification now includes language stating that the tree count shall include street trees. This has not been the approach with any other project in the FBC area, not the reduction or the street tree allowance. Staff recommends that the modification of twelve (12) trees remain but that the additional language to allow street trees to count towards this quantity not be accepted.

5. Waterfront Way Cul-de-sac

Section 4.3.2(3)(c) of the FBC requires:

"The vehicular and pedestrian realm of the cul-de-sac shall follow the cross-section standards for the Neighborhood Street type. The remaining center of the cul-de-sac shall be landscaped and function as a curbed bioswale."



The developer is requesting a modification of this requirement. Based on staff's review of the code and the desire of the developer to use the cul-de-sac as part of the plaza space, staff is supportive of this modification to the FBC, which is reflected in the draft MT.

Section 4.3.2(3)(d) of the FBC requires:

"A pedestrian sidewalk connection shall be provided from the cul-de-sac to the next closest street or pedestrian right-of-way."

The developer is requesting a modification of this requirement, as well as a direct reference to the connection to Marilyn Drive as having been provided to satisfy this requirement. Staff is supportive of this modification to the FBC and the call out to the connection to Marilyn Drive as sufficient, which is reflected in the draft MT.

Summary

Staff believes the above is an accurate reflection of those outstanding issues that have arisen since the development was last discussed, or which includes issues that need further direction from the City Council.

The City Council should be aware that a number of minor textual or grammatical edits have been made within the draft DA that do not significantly change the language, intent, regulations, or basis for any listed modifications to the FBC.

SCHEDULE/TIME CONSTRAINTS

The public hearing was tabled until September 13, 2022. Direction from the City Council regarding these changes is essential to provide staff and the developer sufficient time to complete the agreement, including numerous exhibits, in time for the deadline of the September 13, 2022 public hearing.

LIST OF ATTACHEMENTS

- Draft Development Agreement
- Draft Modification Table

DEVELOPMENT AGREEMENT

Dated the ____ day of September, 2022

By and Between

Clearfield City

and

Lakeside Development Partners, LLC

CLEARFIELD CITY DEVELOPMENT AGREEMENT

FOR

MIXED-USE DEVELOPMENT AT

325 – 375 STATE STREET, CLEARFIELD, UT

This Development Agreement (hereinafter “Agreement”) is entered into on September __, 2022, by and between Lakeside Development Partners, LLC or assigns (“Developer”) and Clearfield City (hereinafter “City”) (individually “Party” and collectively the “Parties”) for the purpose of achieving various aims and objectives related to the redevelopment of 5.8 acres of the northern portion of the retail/commercial center known as Lakeside Square with the address of 325 through 375 State Street, Clearfield, UT (the “Site”). Attached hereto as **Exhibit 1** and incorporated by this reference is a site plan that depicts the proposed development of the 5.8 acres.

Recitals

- A. Whereas the City has invested several years and significant funds into planning for the redevelopment and revitalization of its downtown core, as outlined in the Creating Downtown Clearfield Small Area Plan (2015) and the Downtown Clearfield Form-Based Code (2020).
- B. Whereas the City and Developer entered a Memorandum of Understanding (MOU) on October 27, 2021, to plan specifically for the entire redevelopment of the approximately 10.5-acre Lakeside Square retail/commercial center into a high-quality mixed-use development that includes residential, commercial, pedestrian and automotive connectivity, and civic open space allowing the public to access Mabey Pond. See **Exhibit 2**
- C. Whereas in March 2022, an affiliate of Developer purchased the entire 10.5 acres referred to within the MOU, which includes the 5.8 acres of the Site and a 4.7 acre parcel south of the site (“South Parcel”).
- D. Whereas in April 2022, an affiliate of Developer purchased 1.75 additional acres of property near the Site and adjacent to the South Parcel.
- E. Whereas the Parties desire that the Site be developed in a unified and consistent fashion, pursuant to the provisions of the Urban Core Commerce (UC) zone of the Downtown Form Based Code adopted February 11, 2020, (“FBC”) and as set forth in this Agreement and its exhibits.
- F. Whereas Developer has submitted plans to the City detailing a six story (five story over podium), mixed-use project consisting of 296 residential units along with approximately xx,xxx square feet of at-grade retail and commercial space and 484 surface parking spaces (the “Project”) at the Site. See, **Exhibit 3**.

- G. Whereas the Parties have worked together in good faith over the past several months to conceptualize the Project resolving issues related to roadways, building siting, infrastructure, recreation, pedestrian, and community needs at and around the Site.
- H. Whereas development of the Site, pursuant to this Agreement, is acknowledged by the Parties to be consistent with Utah's Land Use Development and Management Act and the City's applicable Urban Core Commerce (U-C) zone designation, and shall benefit the City, Developer, and the public.
- I. Whereas the Parties acknowledge that development of the Project pursuant to this Agreement will result in significant planning and economic benefits to the City and its residents by, among other things, requiring orderly development of the Site, creating automotive and pedestrian connectivity, providing civic open space, increasing property tax, sales tax, and other revenues to the City.
- J. Whereas development of the Site pursuant to this Agreement will also result in significant benefits to Developer by providing assurances to Developer that it will have the ability to develop the Site in accordance with this Agreement.
- K. Whereas the Parties desire to allow for certain modifications from selected standards in the FBC for Project at the Site. See, FBC Modification Table attached hereto as **Exhibit 4**.
- L. Whereas the Parties enter into this Agreement to set forth the arrangements that each of the Parties agree are necessary to develop the Project in an efficient and effective manner.
- M. Whereas the Parties anticipate that the Developer will develop the additional land described above in paragraphs C and D adjacent to or near the Site, the Parties acknowledge that this Agreement (including all modifications to the FBC) between the Parties is only applicable to the Site and that the existing FBC standards and requirements remain in place on those properties described in paragraphs C and D above until such time an alternative agreement or written addendum to this Agreement specific to those properties described in paragraphs C and D above are reached between the Parties.
- N. Whereas the City anticipates that the Project will be developed in a manner that projects a high-quality image and achieves the goals and objectives of the City's FBC design guidelines and zoning ordinances.
- O. Whereas the Developer will plan, design, construct and manage residential, retail, office and other commercial components along with attendant open space, amenities and parking.
- P. Whereas the City can only be bound by action of the Clearfield City Council.

Q. Whereas the Parties have cooperated in the preparation of this Agreement.

R. Whereas the Parties desire to enter into this Agreement to specify the rights and responsibilities of Developer to develop the Site and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

NOW, THEREFORE, each of the Parties for and in consideration of mutual promises and other good and valuable consideration, does covenant and agree as set forth herein.

ARTICLE 1 - DEFINITIONS

The following capitalized terms have the meanings and content set forth in this Article 1, wherever used in this Agreement.

1.1 City

The term “**City**” means Clearfield City, a political subdivision of the State of Utah.

1.2 Schematic Plans

The term “**Schematic Plans**” are the plans provided to the City by the Developer as required by Clearfield City code for site plan review and subdivision and which have been realized to a schematic level of design and depict the development of the Project on the Site. Attached hereto as **Exhibit 5** are 8 ½” x 11” copies of the Schematic Plans.

1.3 Developer

The term “**Developer**” means Lakeside Development Partners, LLC, or any special purpose LLC that is managed by Lakeside Capital Group, LLC.

1.4 Private Improvements

The term “**Private Improvements**” means the improvements contemplated under this Agreement to be constructed or installed by the Developer on the Site, as more particularly described in **Exhibit 5** (the Schematic Plans), including all buildings/structures, together with all parking, internal drive lanes, internal sewer, internal water, internal storm sewer, internal curbs and gutters, internal sidewalks and landscaping on the Site, as required by City codes, rules and regulations; all of which are intended to be privately owned and maintained and which are specifically identified in the submitted civil drawings.

1.5 Public Improvements

The term “**Public Improvements**” means the improvements contemplated under this Agreement to be constructed or installed by the Developer off the Site, as more particularly

described in **Exhibits 1** and **5** including all improvements in the State Street right-of-way including parking, drive lanes, sewer, water, storm sewer, curbs and gutters, sidewalks, and landscaping, as required by City codes, rules and regulations or by other jurisdictions with authority.

ARTICLE 2 – OBLIGATIONS

The Developer hereby agrees as follows regarding the construction, installation, and operation of Private and Public Improvements

2.1 Developer

The Developer agrees, at its expense, to undertake the construction and installation of both Private and Public Improvements. The Developer shall construct and install all the Public and Private Improvements without expense to the City. The Developer shall prepare the Site for construction or installation of the Public and Private Improvements and construct and install said Public and Private Improvements in such a manner that the development shall meet applicable zoning, building, parking, landscaping, sign and other ordinances and regulations except for those modifications set forth in **Exhibit 4**. Further, the Developer shall have the sole responsibility for obtaining and securing all required funding for the construction or installation of the Public and Private Improvements.

In addition to those Private and Public Improvements set forth in **Exhibits 1** and **5**, the Developer agrees to the following:

- a. Waterfront Way. Developer shall grant a perpetual access easement, in perpetuity, for Waterfront Way. See, **Exhibit 6**.
- b. Civic Open Space Access. Developer shall grant a perpetual recreation easement, in perpetuity, for the Civic Open Space improvements. See, **Exhibit 7**.
- c. Civic Open Space Maintenance. Developer shall provide for the maintenance of all non-submerged land within the Civic Open Space in accordance with the “Reciprocal Maintenance Agreement for the Open Space,” See, **Exhibit 8**.
- d. Off-Premises Parking. Developer shall record a valid Parking Easement at the Davis County Recorder’s Office to run with the off-premises land that memorializes the 194 off-premises parking spaces available to serve the residents and commercial tenants of the Project Site in perpetuity. See, **Exhibit 9**.

2.2 Civic Open Space Maintenance

The Parties agree to share in the ongoing maintenance of the Civic Open Space, as more fully set forth in the following:

- a. Reciprocal Maintenance Agreement for the Civic Open Space. See, **Exhibit 8**.
- b. Aquascape Best Practices. See, **Exhibit 10**.

ARTICLE 3 - CONSTRUCTION REQUIREMENTS, ETC.

3.1 Issuance of Permits

The Developer shall have the sole responsibility for obtaining all necessary permits and approvals to construct and install the Public and Private Improvements and shall make application for such permits and approvals directly to the City's Community Development Department, other appropriate agencies, departments, or jurisdictions with authority, as required. The Developer will be responsible for the payment of all impact and connection fees.

3.2 Times for Construction

The Developer agrees to use its reasonable business judgement to determine when to commence the development of the Site. Construction commencement depends on numerous factors outside of the control of developer. As such, the Project's Site Plan review documentation and attendant approvals shall expire three (3) years after their issuance. Developer can request an extension of twelve (12) months if done so in writing to the Zoning Administrator at least 30 days prior to the end of the initial three (3) period.

3.3 Access to Site

The Public and Private Improvements shall be subject to inspection by representatives of the City. The Developer shall permit access to the Site by the City for purposes of inspection, and, to the extent necessary, to carry out the purposes of this and other sections or provisions of this Agreement. Inspections shall be made during reasonable business hours and shall be made in accordance with standard Project safety guidelines.

ARTICLE 4 - MISCELLANEOUS PROVISIONS

- 4.1 The Developer further agrees to not discriminate against any person or group on any unlawful basis in the sale, lease, rental, sublease, transfer, use, occupancy, tenure or enjoyment of the Site or any improvements erected or to be erected thereon, or any part thereof.
- 4.2 The Developer and City have approved various modifications to the FBC as set forth in **Exhibit 3**.
- 4.3 The Parties recognize that the Public and Private Improvements represented in the

Schematic Plans represent Developer's best attempt to estimate project economics, infrastructure design, market dynamics, project sequencing, site layout, dwelling unit density, to achieve the City's goals and objectives. Both parties acknowledge that these development assumptions are subject to change due to additional information such as further architectural and systems design, civil engineering, UDOT ROW requirements, and other conditions which are unknown at this moment. Minor changes to the Schematic Plans by the Developer may be approved, as authorized by the Downtown Clearfield Form-Based Code in Clearfield Municipal Code § 11-11G Chapter 11, Section 11.4.5.

- 4.4 A notice or communication under this Agreement, by a Party to the other Party, shall be considered delivered, if given in writing by personal service, express mail, Federal Express, DHL or any other similar form of courier or delivery service, or mailing in the United States mail, postage prepaid, certified, return receipt requested and addressed to such Party as follows:

In the case of a notice or communication to the City:

Clearfield City
Attn: City Manager
55 South State Street
Clearfield, UT, 84015

With a copy to the City Attorney at the same address.

In the case of a notice or communication to the Developer:

Lakeside Development Partners, LLC
Attn: Chuck Cowley
46490 Admiralty Way, Fifth Floor
Marina del Rey, CA 90292

With a copy to:

Christensen & Jensen
Attn: Todd Weiler, Esq.
257 East 200 South Suite 100
Salt Lake City, UT 84111

Or, addressed in such other way in respect to a Party as that Party may, from time to time, designate in writing dispatched as provided in this Section.

4.5 Attachments/Recitals

All exhibits referred to in this Agreement as being attached, or to be attached, are

incorporated herein and made a part hereof as if set forth in full and are binding upon the Parties to this Agreement.

4.6 Headings

Any titles of the several parts and sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

4.7 Successors and Assigns of Developer

This Agreement shall be binding upon the Developer and its successors and assigns. Where the term "Developer" is used in this Agreement, it shall mean and include the successors and assigns of the Developer.

4.8 Agreement to Run with the Land

The Parties agree that this fully executed Agreement is to run with the land of the Site and that this fully executed Agreement shall be recorded on the property of the Site with the Davis County Record's Office.

4.9 Mutual Drafting

Each Party has participated in negotiating and drafting this Agreement and therefore no provision of this Agreement shall be construed for or against either Party based on which Party drafted any particular portion of this Agreement.

4.10 No Waiver

Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such Party to exercise at some future date any such right or any other right it may have.

4.11 Severability

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this Agreement shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this Agreement shall remain in full force and affect.

4.12 Attorney's Fees

In the event of a default hereunder, the defaulting Party agrees to pay all costs incurred by the other Party in enforcing this Agreement, including reasonable attorney's fees, whether by inhouse counsel or outside counsel and whether incurred through initiation of legal proceedings or otherwise.

4.13 Governing Law

This Agreement shall be interpreted and enforced according to the laws of the State of Utah.

4.14 Entire Agreement and Amendments

This Agreement and all attachments thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties

4.15 Counterparts

This Agreement may be executed electronically and in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

4.16 Time

Time is of the essence of this Agreement and its attachments.

4.17 Authority

The Parties to this Agreement each warrant that they have all of the necessary authority to execute this Agreement.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its behalf and the Developer has caused the same to be duly executed in its behalf, on or as of the day and year first above written.

Lakeside Development Partners, LLC

Charles F. Cowley III
Authorized Signatory

Date

CLEARFIELD CITY

Tim Roper
Mayor Pro Tempore

Date

Attest:

Nancy Dean, City Recorder

Approved as to form:

City Attorney

FORM BASED CODE MODIFICATIONS TABLE

1. Mixed Use Building and Live-Work Units in the UC Zone (FBC 2.8.1)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 2.8.1</i> Live-Work is considered residential, rather than mixed-use.	Developer shall be allowed to include four (4) live-work units on the ground floor on Waterfront Way to be considered by the City as commercial, as depicted in Exhibit 11. In exchange for this modification to the FBC, Developer agrees to: 1. Require the owner of each live-work unit to maintain a valid business license with the applicable regulatory entity. 2. Clearly define the intent of the live-work units within the Covenants, Conditions, and Restrictions (“CCR”) of the development, which may include immediate or graduated sanctions, but under no circumstances allow for the use of live-work units to be out of compliance with the CCR’s for more than ninety (90) days.

2. Street and Block Network (FBC 4.0)

FBC Standard(s)	Agreed FBC Modification(s)
<i>Street Block Network & Types</i> • FBC 4.1(2), Applicability “The following lot, block, and street network requirements are applicable to all public and private rights-of-way in all zones and districts of Downtown Clearfield.” • FBC 4.2, Street Types “The street network of Downtown Clearfield is comprised of a hierarchy of Street Types to support a diversity of building and frontage types, scales, and uses.” • Figure 4.2(1), Street Hierarchy Diagram requires the following street block connectivity and street types: 1. A Commercial Collector Street that runs west to east that enters on the	<i>Waterfront Way</i> • Developer will construct Waterfront Way as a private street and, therefore, maintaining ownership and control, as depicted is Exhibit 1, In exchange for this modification to the FBC, Developer acknowledges and agrees to the following: ○ Except for construction, repair, maintenance, events, emergencies, or other such short-term occurrences, the private street, Waterfront Way, will always allow for the open and unfettered access of the public. See, Exhibit 6. ○ Developer shall construct Waterfront Way to the construction standards of a Commercial Collector Street as

FORM BASED CODE MODIFICATIONS TABLE

west side of the project site from State Street. 2. A Neighborhood Local Street is required to connect to the Commercial Collector Street described above, which is designed to run north to south and connect the north side of the project sight to Marilyn Drive. 3. A Neighborhood Local Street is required to connect to the Commercial Collector Street described above and run north to south and connect to another Neighborhood Local Street that runs west to east, connecting the project sight to 500 East. 4. A Neighborhood Local Street is required to connect to the Commercial Collector Street described above and run north to south, connecting the project site to 450 South.	set forth in Chapter 4 of FBC. See, Exhibit 1 section A3. ○ Developer assumes the potential risk of future costs associated with the possible redesign and hard construction costs that may result from the connection of Waterfront Way to a future road, pedestrian path, or other such design requirements placed on the Developer that are intended to create connectivity of either pedestrians or automobiles between Waterfront Way and 450 South if such connectivity is required in the future. <i>Street Network Connectivity to Marilyn Drive</i> ● Developer will construct a pedestrian path connecting the north side of the project site to Marilyn Drive. The pedestrian path will remain open for public access as part of a recreational easement recorded against the property. See, Exhibits 1 and 6. ● City releases Developer from the obligation to construct the north side of the project site to Marilyn Drive, as depicted in the Street Block Network within Chapter 4 of the FBC. See, Exhibit 12. <i>Street Network Connectivity to 500 East</i> City releases Developer from the obligation to construct the east side of the project site to 500 East, as depicted in the Street Block Network within Chapter 4 of the FBC. See Exhibit 12. <i>Street Network Connectivity to 450 South</i> At this time, the parties acknowledge that there is no modification to the obligation of Developer to construct the anticipated street network connecting Waterfront Way to 450 South, as depicted in the Street Block Network within Chapter 4 of the FBC. See, Exhibit 11.
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FORM BASED CODE MODIFICATIONS TABLE

Cul-de-Sac Streets - FBC 4.3.2(3)(c) “The vehicular and pedestrian realm of the cul-de-sac shall follow the cross-section standards for the Neighborhood Street type (see Chapter 5.0). The remaining center of the cul-de-sac shall be landscaped and function as a curbed bioswale.” - FBC 4.3.2(3)(c) “A pedestrian sidewalk connection shall be provided from the cul-de-sac to the next closest street or pedestrian right-of-way.”	Waterfront Way Cul-de-Sac Landscape City releases Developer from the obligation of FBC 4.3.2(3)(c) based upon the design of Waterfront Way to allow for the periodic use of the cul-de-sac as a public plaza area, as depicted in Exhibit 1. Waterfront Way Pedestrian Connection City releases Developer from the obligation of FBC 4.3.2(3)(d) based upon the design of the Site that provides for connection to Waterfront Way via the pedestrian path connecting the north side of the project site to Marilyn Drive, See, Exhibit 1.
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3. Urban Core Arterial (State Street) Improvements

FBC Standard(s)	Agreed FBC Modification(s)
FBC 5.11 Bicycle Facilities. 7.5’ Protected Bike Lanes (2’ buffer; 5.5’ travel lane) required between outside travel lane and curb and gutter. Pedestrian Realm. (a) Pedestrian Facilities. Minimum 8’ wide clear sidewalk. (b) Street Buffer. Minimum 7.5’ hardscape.	Developer shall construct the Urban Core Arterial (State Street) Improvements as follows and as shown in Exhibit 1: (a) 9’ Wide On-Street Parallel Parking on outside of travel lane. (b) 5.5’ Bike Lane between the on-street parking and the curb and gutter. (c) 2.5’ Curb and Gutter (d) 7.5’ Street Buffer (e) 8’ Pedestrian Sidewalk

4. Mixed Use Building Location in UC Zone (FBC 6.3.3 & 6.4(1))

FBC Standard(s)	Agreed FBC Modification(s)
FBC 6.4(1) Multiple principal buildings are not permitted.	Developer shall construct three principal buildings, See, Exhibit 1.
FBC 6.4(1) Front Build-to-Zone is 0’ to 5’	Developer shall construct the project with an approximate setback from the project site’s property line along State Street and Waterfront Way ranging from 0’ to 10’. See, Exhibit 1.
FBC 6.4(1) Front Build-to-Zone with Plaza or Porte Cochere is 0’ to 25’	Developer shall construct an art plaza at the corner of State Street and Waterfront Way, creating an approximate 50’ setback from the project site’s property line. See, Exhibit 1.
FBC 6.4(1) Corner Build-to-Zone is 0’ to 5’	Developer shall construct an art plaza at the corner of State Street and Waterfront Way,

FORM BASED CODE MODIFICATIONS TABLE

	creating an approximate 70' setback from the project site's property line. See, Exhibit 1 .
<i>FBC 6.4(1)</i> Occupation of Corner is required	City releases the Developer from occupying the corner based on the construction of an art plaza at the corner of State Street. See, Exhibit 1 .
<i>FBC 6.3 & 6.4(1)</i> Front Property Line Coverage is required to be 90%	Developer shall be allowed a reduction to 80% Front Property Line Coverage based on the construction of the buildings, as depicted in Exhibit 1 .

5. Mixed Use Building Massing in UC Zone (FBC 6.3.4 & 6.4(1))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 6.4(1)</i> Building Stepback of 10' at the top of 4 th story is required.	Developer is released of the obligation to provide a step back at the top of the 4 th story based on the construction of the buildings, as depicted in Exhibits 1 and 5 .
<i>FBC 6.4(1)</i> Building Massing requires a ground story minimum height of 12' and a maximum height of 30' with upper stories required to be a minimum of 9' and a maximum of 14'.	Based on the change in grade at the Project Site, Developer is released of the obligation to provide the required minimum and maximum heights on the ground floor. All remaining stories within the development shall comply with the minimum and maximum heights, as defined in the FBC. See, Exhibit 5 .

6. Mixed Use Building Street Façade in UC Zone (FBC 6.3.5 & 6.4(1))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 6.3.5(2)</i> Vertical Façade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and one-half inch depth.	Developer is released of the obligations set forth in FBC 6.3.5(2) based on the design of the buildings, as depicted in Exhibit 5 .
<i>FBC 6.4(1)</i> Vertical Façade Divisions are required every 25' of façade width.	Developer is released of this obligation set forth in FBC 6.4.1(1) based on the design of the buildings, as depicted in Exhibit 5 .
<i>FBC 6.3.5(3)</i> Horizontal Façade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Horizontal façade	Developer is released of the obligations set forth in FBC 6.3.5(3) based on the design of the buildings, as depicted in Exhibit 5 .

FORM BASED CODE MODIFICATIONS TABLE

divisions required within 3 feet of the top of the ground story and at the top of the highest story. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one-and-a-half-inch depth. A change in architectural material should also be articulated with a horizontal facade division element.	
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7. Mixed Use Building Fenestration in UC Zone (FBC 6.3.6 & 6.4(1))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 6.3.6 and 6.4.1</i> The principal entrance location is required to be located on the front of the façade.	Developer shall construct all retail/commercial entrances on the buildings front façade and be released of the obligation to construct residential entrances on the front façade based on the construction of the buildings, as depicted in Exhibits 1 and 5 .
<i>FBC 6.4(1)</i> The required number of street entrances is one per each 75' of façade.	Developer is released of this obligation set forth in FBC 6.4.1(1) based on the construction of the buildings and uses proposed, as depicted in Exhibits 1 and 5 .

8. Mixed Use Building Uses in Urban Corridor (UC) Zone (FBC 6.3.7, 6.4(1), and 3.3(2))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 6.3.7 and 6.4.1</i> Permitted uses on the ground floor are limited to retail, service, and office.	Developer shall be allowed to include along Waterfront Way the project leasing office, community room, pool, and three (3) live work units, as depicted in Exhibit 11 .
<i>FBC 6.4(1)</i> The required occupied space on all full floors on the ground story are required to be 40' deep.	Developer is released of this obligation set forth in FBC 6.4.1(1) based on the design of the buildings and uses proposed, as depicted in Exhibit 5 .

9. Mixed Use Building Windows and Trim in the UC Zone (FBC 6.13.5)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 6.13.5</i> All upper story window shall be detailed with rim or molding at least four inches in width. Additionally, all upper story windows shall incorporate at least one of the following accent details: (a) Mullions and/or Transoms;	Developer shall be released from the obligation of the four (4) inch or greater window or molding trim and will instead provide the required design of the windows with mullions and/or transoms and recess windows that are a minimum of two (2) inches. See Exhibit 5 .

FORM BASED CODE MODIFICATIONS TABLE

(b) Shutters or canopies proportional to window size; (c) Recessed inset of at least two inches from the façade; (d) Lintel and/or sill detail	
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10. General Landscaping Requirements (FBC 7.2.2(1)(a) and 7.2.3(1))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 7.2.2(1)(a)</i> Tree Requirements: 20 trees are required per 1 acre of project. Street trees do not count toward this requirement.	Developer shall include a minimum of (12) trees per 1 acre rather than be required to plant twenty (20) trees per 1 acre of the project based on the construction of the project site, as depicted in Exhibit 5. Tree count shall include all street trees.
<i>FBC 7.2.3(1)</i> Plant material shall be placed around the perimeter of the building footprint in a five (5) foot minimum planting strip except for entrances, utilities and where setbacks are less than five feet. For setbacks less than five feet plant materials shall be placed around the perimeter of the building footprint in a planting strip the dimension of the setback unless no setback exists.	Developer shall be released from the obligations set forth in FBC 7.2.3(1) based on the design of the project site, as depicted in Exhibits 1 and 5.

11. District Transition Buffer (FBC 7.3 and Table 7.3)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 7.2.2(1)(a)</i> Intent: to minimize the impact that one zoning district may have on a neighboring district and to provide a transition between districts.	Based on the design of the project site, as depicted in Exhibit 1 the City affirms that the construction of the single-story accessory structures (garages) at the northernmost property line of the project site is meets the intent of the FBC's District Transition Buffer and table 7.3 of the FBC.

12. Interior Parking Lot Landscape (FBC 7.5)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 7.5</i> Interior parking lots are required to have 5' wide center medians, and landscape islands are required after every ninth (9th) parking space	Developer shall be released from the obligations set forth in FBC 7.5 based on the construction of the project site, as depicted in Exhibits 1 and 5.

FORM BASED CODE MODIFICATIONS TABLE

for rows of parking that are greater than twelve (12) parking stales in length.	
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13. Civic Open Space (FBC 8.2.3(1))

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 8.2.3(1)</i> For all developments 5 acres in size and larger, 10% of the total lot size shall be provided as Civic Open Space. The developer shall work with Clearfield City to determine the best Civic Open Space and best location for the Civic Open Space. The developer shall construct the Civic Open Space to the standards and requirements of the Civic Open Space type and dedicate it to the city upon completion.	Developer and the City agree that the Civic Open Space at the project site (see, Exhibit 1) will be dedicated to the City in the form of a recreation easement that outlines the civic open space and the obligations of parties in perpetuity. See, Exhibit 7.

14. Parking (FBC 9.2.1)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 9.2.1 (3)</i> Private Off-Premises Parking. Where private off-site parking facilities are approved, such facilities shall be in the same possession as the property occupied by the building or use to which the parking facilities are necessary. (a) Such possession may be either by deed or lease, guaranteeing availability of the parking commensurate with the use served by the parking. (b) The agreement providing for the use of off-site parking, executed be the parties involved, shall be in a form approved by the City Attorney and filed with the Zoning Administrator. (c) The deed or lease shall require the owner to maintain the required number of parking facilities for the duration of the use served or of the deed or lease, whichever shall terminate sooner. (d) Location of Parking. Any off-premise parking must be within 660 feet (1/8 mile) from the entrance of the use to the closest parking space measured along a	<i>Private Off-Premises Parking</i> • Developer shall be allowed to construct 194 off-premises parking spaces to accommodate the parking needs for the mixed-use at the Site. See, Exhibit 3. In exchange for this modification to the FBC, Developer acknowledges and agrees to the following: ○ Developer shall record a valid Parking and Access Easement that runs with the off-premises land to ensure that the 194 off-premises parking spaces are available to serve the residents and commercial tenants of the Project Site in perpetuity. See, Exhibit 9. ○ The City agrees that the Parking and Access Easement may be terminated upon the issuance of a temporary certificate of occupancy associated with a parking structure being constructed at the Project Site that

FORM BASED CODE MODIFICATIONS TABLE

dedicated public or private pedestrian path.	accommodates, at a minimum, the 194 off-premises parking stalls being allowed for herein. <i>On-Street Commercial Parking</i> • The City shall count the on-street parking on Waterfront Way and the section of State Street that abuts the Site towards the minimum parking requirements of the FBC, as reflected in Exhibit 9. In exchange for this modification to the FBC, Developer acknowledges and agrees to the following: ○ Developer shall install, maintain, and enforce signage prohibiting the residential use of the commercial on-street parking stalls indicated on Exhibit 9 that are to count towards Developers minimum parking requirements.
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15. Signage Table 10.2(1)

FBC Standard(s)	Agreed FBC Modification(s)
<i>FBC 10.2(1)</i> The permitted quantity of signage in the UC zone is three (3) square feet per one (1) linear foot of lot width with a maximum of one-hundred (100) square feet.	Based on the design of the project site, as depicted in Exhibits 1 and 5, Developer is released from the obligations set forth in FBC 10.2(1) and may instead include signage on the project site that is three (3) square feet per one (1) linear foot of lot street frontage on State Street and Waterfront Way with no maximum. Based on the design of the project site, as depicted in Exhibit 5, Developer is released from the obligations set forth in FBC 10.2(1) and may include wall signage on one or more of the building's facades that are individually up to four (4) feet tall and with a maximum area of one hundred seventy-five (175) square feet each.



CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
July 26, 2022

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Tim Roper	Mayor Pro Tem
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Karece Thompson	Councilmember
EXCUSED:	Mark Shepherd	Mayor
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Devin Rogers	Assistant Police Chief
	Adam Favero	Public Works Director
	Curtis Dickson	Community Services Deputy Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Shaundra Rushton	Communications Manager
	Joannie Strong	Deputy City Recorder

VISITORS: Chuck Cowley (developer), Todd Weiler (developer's legal counsel)

Mayor Pro Tem Tim Roper called the meeting to order at 6:05 p.m.

Mayor Pro Tem Tim Roper excused Mayor Shepherd.

DISCUSSION ON THE LAKESIDE SQUARE DEVELOPMENT AGREEMENT FOR
PROPERTY LOCATED AT APPROXIMATELY 440 SOUTH STATE STREET

Brad McIlrath, Senior Planner, updated the Council on the discussion that took place during the Planning Commission meeting on July 20, 2022 and forwarded the recommendation of the Planning Commission to the City Council for the Lakeside Square Development Agreement. He stated the Development Agreement would replace the Memorandum of Understanding (MOU) that was executed in October 2021 and outlined requested modifications from the Form Based Code (FBC) standards. Mr. McIlrath presented the concept plan provided with the MOU in October of 2021. He noted that since the MOU, additional property southeast of Lakeside Square had been acquired by the applicant and they were still working to acquire the property at the corner of 450 South and State Street.

There were five modification requests that were the primary focus and discussion during a joint work session with the Planning Commission and City Council held on June 28, 2022 which included Street and Block Network, Commercial Collector Street (Waterfront Way), Urban Core Arterial Street Improvements (State Street), Parking, and Civic Open Space at Mabey Pond. Mr. McIlrath recapped the interpreted direction provided to staff during the work session.

Street and Block Network:

Staff had interpreted the direction provided by the majority opinion of the Planning Commission and City Council to require the street network connecting Waterfront Way to 450 South, omitting the connections at Marilyn Drive (keeping the pedestrian access) and 500 East. The minority opinion was to allow accessibility (undefined) without the road connection; however, they would need to see a plan before they would commit. Mr. McIlrath provided the background of the Street and Block Network. It was based upon a comprehensive understanding of the neighborhood, community, and UDOT needs. UDOT required some sort of connection from Waterfront Way to 450 South as part of their access management permit. The connection could be achieved through an easement, or a public or private road. UDOT preferred a road. The connection would be required during the development of the south side of the property.

Mr. McIlrath reviewed the Street and Block Network that was shared with the Planning Commission and included primary streets, secondary streets, and signalized areas. He noted that there was not currently a need for a signalized intersection at Waterfront Way; however, UDOT anticipated that upon build out of the Lotus project on the west side of State Street, and then build out of the Lakeside Apartments on the east side, a signalized intersection would then be warranted. Councilmember Bush questioned what would happen until that time. Mr. McIlrath explained that there would be roads leading to State Street with stop signs and there would be no limitations on 450 South. Once a signal went in, 450 South would become a right in, right out street along with 500 East and Ross Drive. He reviewed the access plan showing Council that the pedestrian access path, vehicular access path, and the existing parking. Mr. McIlrath informed Council the developers intended to have an office park on the south side but noted it could be whatever the FBC allowed based on market conditions.

Councilmember Thompson entered the meeting at 6:16 p.m.

Councilmember Bush asked what the setback was for the L-shape along State Street. Mr. McIlrath informed Councilmember Bush that the FBC required a zero to ten-foot set back, but the developer was requesting up to a fifty-foot set back to allow for the art plaza.

Mr. McIlrath reviewed the applicant's proposal for the Street and Block Network and provided the staff's recommendation which was based on feedback from the Planning Commission, looking at City Code, and discussions with UDOT. The network would require four roads including Waterfront Way. Staff would be willing to accept the pedestrian connection to Marilyn Drive and eliminating the connection to 500 East if there was some connection to 450 South. He noted that the exact location of the connection to 450 South would be up to the developer and the City to work out. He mentioned that there could easily be a road that connects to Waterfront Way that would follow the pond and connect to 450 South on the east side. He felt that would leave

the most land available for the development and provide the street network. Mr. McIlrath relayed the staff's findings.

- The Downtown Clearfield FBC states that “a variety of streets will be built or redesigned to safely accommodate multiple modes of transportation, including vehicular, bicycle, and pedestrian connections.” (FBC Page 1)
- As stated in the Street and Block Network Chapter of the FBC, “The intent of the provisions of this chapter are to create livable, connected neighborhoods in Downtown Clearfield. The street network, blocks, and lot configuration will establish the urban form framework for Downtown Clearfield. A cohesive, connected, and consistent urban form allows incremental developments of a range and sizes to collectively build a vibrant Downtown.” (FBC Page 23)
- Regarding the Street Network, the FBC states, (FBC Page 25)
 - “The network of streets shall form an interconnected pattern with multiple intersections.”
 - “Streets shall be designed to respect natural features, such as waterways, trees, or slopes, by following rather than interrupting or dead ending at the feature.”
 - “Cul-de-sac and dead-end streets are not permitted” ...” except where site impediments prohibit a connected street for accessing the location.”

He provided some guidelines from the Transportation chapter of the General Plan.

- Guideline #3 “An adequate thoroughfare system should be designed within future growth areas and sufficient right-of-way should be designated prior to land development or through the plan approval process.” This has been accomplished by providing the network outlined in the FBC.
- Guideline #4 “There should be adequate access to and around commercial and manufacturing areas, public facilities, and other activity centers.”
- Guideline #5 “Localized traffic congestion and operational problems should be minimized and mitigated as much as possible.”
- Guideline #17 “Existing streets should be upgraded to minimize congestion. Where congestion can be attributed to new construction, needed improvements should be the responsibility of the developer.”
- Guideline #20 “The demands generated by private development should be equal to its participation in the street system improvements though the payment of impact fees, the dedication of land, and the construction of necessary facilities.”
- Guideline #24 “All transportation improvements should be responsive in both planning for and development of infrastructure that will meet the needs of all users.”

Mr. McIlrath paused for questions.

There was a discussion on how the Waterfront Way connector street would look on the site plan and different options as to how it could be achieved and the various impacts. Councilmember Bush suggested connecting to 500 East and stated that the light at Waterfront Way would be an easy connection for those residents to get to a traffic light. Councilmember Roper voiced concern that it would bring traffic through a development and that was why he didn't want a street there. Councilmember Peterson commented it could not be avoided completely and that with the proposed development, 450 South would be impacted. She mentioned that if Waterfront Way continued to be isolated there would be other impacts such as a single access point and the complications that could entail. She expressed belief that a connection to 450 South would not make or break the protection of the surrounding neighborhoods and that Council would need to be careful at site plan review when the development of the south side happened. Her thought was that a more comprehensive and balanced traffic study would provide better data to make an informed decision.

Councilmember Thompson commented the impact from the north and the south would be different due to where people would be working and living. He assumed there would be a reduction in the impact at 450 South without the addition of a road and was not convinced that site flow would accomplish the goals the Council had in mind. Councilmember Bush commented on developments that had streets going through them and the necessity of the streets. Councilmember Roper mentioned that the property was narrow, and the City was limiting a lot of what the developer would be able to do there. He noted it wasn't turning into what the Council had plans to do there. Mr. McIlrath provided examples of developments of similar size in the areas that had streets through the development: The Junction in Ogden, split in half, each half has at least two roads that provided access to it; the Legacy Crossing development in Centerville was an example of how bad limited access could be; the Murray Fireclay area, and the Sugarhouse Highland Drive area provide connections through a development. He reminded Council that UDOT would require some sort of connection from Waterfront Way to 450 South, and that the level of connection that would be provided at 450 South was important for the Council to decide. Should the connection be something that would provide more accessibility and connection into and through the site, or something traveling through a parking lot?

There was a discussion surrounding traffic flow during peak hours. Councilmember Thompson expressed concern with code over densifying and would like to see some sort of retail on the south side if the developer could not guarantee an office park. He asked Chuck Cowley, developer, what his opinion was on commercial on the south side, and how much the street that Mr. McIlrath proposed as a middle ground would affect the density of the plans for the south side development. Mr. Cowley replied he believed the real question being talked about was 450 South and the purpose of having the connection or having 450 South be right in, right out. He stated that UDOT was concerned with safety and making a left-hand turn onto State Street from 450 South. He discussed the traffic study and left-hand turns onto State Street during peak hours. He was concerned that providing a connection through the development would be asking drivers to go "out of direction to go into direction" which was not something drivers typically would do, so they would percolate through the neighborhood to begin with. He mentioned drivers turning right off 450 South and making a U-turn at the light at Waterfront Way could be a solution, but a concern would be traveling through the neighborhood to get to the freeway. Mr. Cowley believed having a street through the development would be a bad idea and did not understand the desire to

disrupt the feel and atmosphere of the pond with a road. It was his belief that UDOT's left-hand turn concern could be solved by right in, right out. Mr. Cowley addressed Councilmember Peterson's concern of a single access point and affirmed that there were two access points, a two-lane access point at Waterfront Way and another two-lane access point at the north end of the development. He mentioned that negotiations had been entered to acquire the Title Max property and if the connection issue could not be resolved, the buyer would not be comfortable purchasing the property.

There was a discussion on UDOT's jurisdiction. Mr. McIlrath mentioned that the possibility of addressing the connection later with the development of the south side came up in the Planning Commission. He explained it was part of the original discussion for the overall master plan, modifications with the network were being requested, and the north end was contingent on some things that would happen on the south end. The Planning Commission discussed taking it out of the north end development and addressing it with the south end and the recommendation was to keep it in.

Councilmember Peterson moved to adjourn the work session and reconvene in policy session at 6:58 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

The meeting reconvened at 8:20 p.m.

Councilmember Roper asked for Councilmember Phipps' opinion on the connectivity topic. Councilmember Phipps tried to look at the viewpoint of those who would be affected by the access. He believed the onsite residents' access was taken care of, the commercial access would be in the developer's best interest to take care of, and the tentative office had adequate access from 450 South. He appreciated Councilmember Thompson's perspective on the increase of traffic for local residents where Councilmember Phipps had only thought about their access to the development. A concern he had was accessing the pond for recreational use. He was concerned with the inadequate parking to access the area during an event. He believed that some sort of easement or access beyond walking would increase the usability.

Councilmember Peterson reminded the Council that Mabey Pond was intended to be the heart of Clearfield City. She commented that any concessions made should further the goals the body had already adopted to help further Mabey Pond and take back some civic use and enjoyment for the residents as a whole. She believed that if Council were to let go of the road and some of the other access points, then by default, Council would be stating it was no longer putting efforts toward creating Mabey Pond as the center of the string of pearls that was adopted in downtown Clearfield and called out in the General Plan. She commented that should be a policy discussion that should guide their decisions on a development agreement.

Councilmember Roper expressed the concern of giving up a beautiful downtown area for a road and his stance was the City would be getting a lot more out of it than they would put into it. Councilmember Bush stated that the FBC, General Plan, and the downtown Clearfield plan all spoke to connectivity, and that connectivity was one of the basic principles of good planning. He

reminded Council that UDOT would require vehicular connectivity and asked if they were going to follow UDOT's plan.

There was a discussion on the purpose of the road, how it would be used and the appearance of it. Mr. McIlrath clarified the network for the downtown Clearfield area was for all modes of transportation. He addressed that not all traffic on State Street and 450 South would be traveling to the freeway, they would be accessing the area and the City had one shot to get it right which was why they had spent five years planning it. Councilmember Peterson mentioned the look of the connection was a discussion for another day. Without having plans for the south side, she did not feel there was a compelling reason to deviate from the goal. Councilmember Thompson asked Mr. Cowley if a live/work type of set up would be feasible on the south side to accommodate the access and infrastructure that the Council was aiming for. Mr. Cowley responded that he would be required to provide ten percent of the site for public open space. The greenspace would continue to the City's piece and Mr. Cowley noted there would not be a campus environment if there was a road. He mentioned a timeline of 180 days to determine the purchase of the Title Max property and his partners would not be convinced to purchase that property without a resolution.

Councilmember Thompson asked for clarification on Mr. Cowley's concern. He asked if the concern was based on underwriting and return on investment or the look and function of the office park. Mr. Cowley stated the need for connectivity wasn't there and he did not believe they would be able to secure the office tenant with a road going through the property. Housing and apartments were driving the real estate development but the City wanted retail so he was willing to do it. He mentioned the parking design would be an issue for retail in the southern end since consumers were used to driving to a storefront, parking, and walking right in, not having to walk from a different parking area.

Councilmember Thompson asked the Council if they were leaning toward access and policy or looking at the development for what it was and trying to create an exception. Councilmember Phipps suggested to stop using the word "road" due to the picture it painted. JJ Allen, City Manager, pointed out that there was a desire to retain some connectivity, but it would not have to be a sixty-foot right-of-way. There was a discussion around the design and functionality of the connection.

Councilmember Peterson suggested to keep the requirement of a connection that goes through and hammer out the details of it at a later point once more details surface. Councilmember Thompson expressed concern over not responding according to the market but rather responding as a governmental organization. Councilmember Phipps reiterated UDOT's requirement and the need to understand exactly what they meant. Councilmember Thompson suggested putting the onus on the developer through the development agreement by stating the developer would be responsible for following UDOT's direction for connectivity. Mr. Cowley discussed different types of access such as a three-quarter access; left in, right in, right out. He noted the established access points to the development and expressed his belief that the missing connection from Waterfront Way to 450 South would not be necessary. He questioned the purpose or benefit of having the road besides being in the FBC. Summer Palmer, Assistant City Manager responded that the connectivity was more about the Council's vision for the area than pure science. She

inquired why the business park would not be able to manifest with connectivity. It appeared to come down to the vision of the development. If a connection was added, it would take away from the look and feel the developer desired.

Councilmember Peterson added that a benefit of connectivity to Clearfield City was something the City valued as a community. She explained the Council was there to represent the viewpoint of the community and then asked what the developer would be willing to offer back should the Council concede. Mr. Cowley mentioned 30,000 square feet of civic open space would be provided and noted 25,000 was required. There would be an art plaza at the corner of Waterfront Way and State Street, a quad with alfresco dining, and the dedication for bike paths and sidewalks that would be beneficial to the City. In his opinion, the requested modifications to the code were minor tweaks and he believed the code leaned on a neo-classical design style that would have a cookie cutter effect. The project was designed to set Clearfield apart and the modifications would help to achieve that goal. Mr. Cowley expressed a willingness to address each modification with the Council and take as much time as needed.

Councilmember Roper reviewed the modifications and believed the development would be a great addition to Clearfield. The Council appeared to be split on the connection between Waterfront Way and 450 South.

Mr. Allen mentioned the other items on the agenda and suggested moving them to a work session on a later date. The Council agreed. Councilmember Peterson asked to pause the connectivity discussion to move onto the other items that needed to be addressed with the developer. It was agreed to move on and revisit later in the evening if needed. She asked if other members of the Council had items they would like to address or if she should proceed with her list to discuss. The other members allowed Councilmember Peterson to proceed.

Councilmember Peterson expressed concern with allowing parking for the north side to be serviced in part by existing asphalt on the south side. She mentioned the requirement for the parking needed to be self-contained on the parcel and was not comfortable allowing parking requirements to be met when not self-contained. Mr. Cowley responded that the south side would not be developed until there was a parking structure built on the north side to accommodate the residential parking that would be lost with development of the south side. He noted that structured parking would house both residential and commercial, and it would not be financially viable until the development of the south side. Councilmember Thompson agreed with Councilmember Peterson and did not want to deviate from the parking requirements. Councilmember Phipps respected Councilmember Peterson's decision but did not see an issue with the parking being on the south side.

Mr. McIlrath clarified the site plan was for development of the north, but the development agreement was tied to the south. Councilmember Peterson questioned Council if they were willing to allow parking on the south if development would be 5 to 10 years out. Councilmember Roper replied that to achieve what Council wanted, they would have to accommodate it. Councilmember Thompson was concerned with setting a precedent.

Councilmember Peterson asked Mr. Cowley to talk about the request to treat the live/work units on Waterfront Way as commercial rather than residential. Mr. Cowley obliged and provided the following information:

- 3 live/work units on Waterfront Way that would be approximately 1500 square feet each.
- The idea was for a mixed-use project; a small business owner living where they operated their business (ex. CPA or Esthetician).
- A business license would be required to rent one of the spaces.

Councilmember Peterson provided the opinion that live/work units ran counter to the requirements for ground floor retail with mixed-use in respect to pedestrian traffic. She had a concern with enforceability and inquired who would be responsible for the enforcement. She commented that the live/work units were great, however, she believed they would be more appropriate on the interior of the development facing the parking lot rather than the main rights-of-way and should be designated as residential. Mr. McIlrath confirmed that the FBC specified live/work units as residential. Mr. Allen commented that commercial would have more glass and transparency on the façade than residential. Mr. Cowley pointed out that the units would look like commercial space. It was requested that language be added to the lease agreements regarding the separation of work and living spaces in the live/work units. Mr. Cowley agreed it could be done.

Article 3 of the proposed development agreement provided a ten-year time frame for the expiration of the development agreement and the project's vested entitlements. Councilmember Peterson was not comfortable with the time frame. The FBC required construction to begin within twelve months of final land use approval. Mr. Cowley explained that the development agreements he had been a signatory to typically lasted 5 to 10 years. He further explained that it would not benefit the developer to wait to begin development and development would begin as soon as feasible. He considered extenuating circumstances that could potentially delay the process and factored that into the timeline. Councilmember Peterson recounted the City's typical process acknowledging Mr. Cowley was from California and might be used to doing things differently. Mr. Cowley believed twelve months was not realistic. There was a discussion around what an acceptable timeframe would be.

Councilmember Peterson suggested twenty-four months. Her suggestion was based on the built-in extensions and a balance between understanding development didn't happen overnight and the developer demonstrating a willingness to move since it had been stated the landowner would be content to hold the property. Councilmember Thompson suggested thirty-six months. Mr. McIlrath suggested the development agreement run with the land until the development was completed and not have an expiration date. That could provide more flexibility for the developer and the City could adhere to code requiring construction to begin within twelve months of final land use approval or twenty-four months with the extension. It appeared Council was content to accept Mr. McIlrath's suggestion.

The discussion shifted to Waterfront Way. Mr. Cowley informed Council that the request was for Waterfront Way to be a private street with an easement allowing for public access. It would allow the owner, who had a vested interest in the maintenance, to maintain the street. There was

discussion to clarify expectations regarding private or public utilities and police involvement. Councilmember Peterson believed the details of the relationship with Clearfield City Police regarding the private street should be clearly laid out.

Mr. McIlrath moved the discussion to the remaining modification requests.

There was a request to have a five-and-a-half-foot bike lane rather than the required seven-foot bike lane positioned between the on-street parking and curb, as opposed to the travel lane. Council appeared to agree with the request. Mr. Favero, Public Works Director, asked what the consistency would be for other developments. Mr. McIlrath mentioned the possibility of an amendment to the FBC to provide consistency.

The applicant requested a recreational easement for the civic open space at Mabey Pond rather than a dedication to the City. Mr. McIlrath noted that the Planning Commission was in favor of the recreational easement; however, they wanted to see language in the development agreement about signage that addressed public accessibility and design elements such as benches and lighting to ensure it would match the City's design standards.

Mr. McIlrath reviewed staff's recommended comments and corrections for the proposed development agreement.

- Textual or grammar edits
- Changing name of project from "Lakeside Apartments" to "Waterfront Living Mixed-Use"
- Removal of "live/work units" under Permitted Uses and reference elsewhere as a modification
- Ten-year vested entitlements
 - FBC requires construction within twelve months of approval with the possibility of a twelve-month extension

He forwarded the Planning Commission's recommendation of approval for the Lakeside Development Agreement subjected to:

1. Street & Block Network language revised to state:
"The vehicular connections at Marilyn Drive and 500 East shall be omitted provided that, in addition to the pedestrian access provided from Marilyn Drive to the project location, the Commercial Collector Street (Waterfront Way) shall connect to a Neighborhood Local Street that Serves to connect Waterfront Way to 450 South."
2. Changes to the development agreement should be made consistent with the staff comments/corrections provided as well as any other changes required by the Planning Commission and City Council.
3. Live/Work Units: Additional guidelines and language to address the units and the commercial use were needed.
4. Commercial Parking: The on-street parking needed to have more oversight. Signage that prohibited residential parking and was for the specific commercial tenants.

5. Recreational Easement: There would need to be signage about the public accessibility and noise ordinances. The park amenities such as benches, tables, lighting, etc. should be consistent with materials used in City parks.

The discussion turned to the pond and keeping the water level and maintenance of it. Mr. Williams mentioned that would need to be drafted out as one of the exhibits as proposed. He stated the City's standard of care and maintenance would need to be defined. Mr. Cowley noted the applicant would be responsible for managing the wetlands and the uplands and the City would be responsible for the water. Councilmember Peterson wanted to ensure that both sides understood what that level of maintenance was going to be so that everyone would be on the same page. Mr. Allen confirmed the details still needed to be worked out.

Mr. Williams noted the documents for the development agreement would not be ready in time for the public hearing scheduled for August 9, 2022. He suggested the Council call the item and then table it. He asked if Mr. McIlrath had enough direction to proceed aside from the road connection modification. Council began to discuss options to resolve the issue with the connection to be able to move forward. After discussion, it appeared the consensus landed on the rewording of the Street & Block Network and to address it with development of the south side. The suggested wording was "The vehicular connections at Marilyn Drive and 500 East shall be omitted provided that a pedestrian access from Marilyn Drive to the project location is provided." Mr. Cowley agreed rewording would work for the development. Mr. Williams wanted to confirm that Mr. Cowley interpreted the rewording to mean the connection would still be in the code and would be a requirement addressed with the development of the south side. Mr. Cowley confirmed that was his interpretation.

DISCUSSION ON THE PUBLIC FACILITIES (PF) AND CIVIC (CV) ZONING TEXT AMENDMENTS

This item was not discussed in the work session and will be moved to the work session on August 2, 2022.

DISCUSSION ON THE REZONE OF PARKS TO PUBLIC FACILITIES (PF)

This item was not discussed in the work session and will be moved to the work session on August 2, 2022.

DISCUSSION ON THE PARKS, ART, RECREATION, AQUATIC, AND TRAILS (PARAT) TAX REVIEW

This item was not discussed in the work session and will be moved to the work session on August 2, 2022.

Councilmember Thompson moved to adjourn at 10:43p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
August 2, 2022

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Devin Rogers	Police Assistant Chief
	Adam Favero	Public Works Director
	Braden Felix	City Engineer/PW Deputy Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Shaundra Rushton	Communications Manager
	Nancy Dean	City Recorder

VISITORS: Katie Nicholson

Mayor Shepherd called the meeting to order at 6:05 p.m.

DISCUSSION ON THE PUBLIC FACILITIES (PF) AND CIVIC (CV) ZONING TEXT AMENDMENTS

Brad McIlrath, Senior Planner, provided background on the proposed Public Facilities (PF) and Civic (CV) zoning text amendments. The intent of the amendments was to align signage regulations for properties in the P-F and CV zones for monument signs, provide similar monument signs at City Hall and other parks as necessary, and to address other necessary changes for monument signs in the Downtown Form Based Code (FBC) area.

Mr. McIlrath reviewed the proposed changes to the P-F (Public Facilities) zone (11-10A-10: Signs).

Monument signs in the P-F zone:

1. Sign Area: No monument sign shall exceed one hundred and twenty square feet (120 square feet) in area, except as otherwise permitted.

2. Minimum Street Frontage: There shall be a minimum street frontage of one hundred feet (100') per monument sign. In no case shall there be more than two (2) monument signs per street frontage for any freestanding building on its own lot or for any property that is owned, maintained, and operated by the City.

3. Minimum Distance: No monument sign shall be located within one hundred feet (100') of another monument or freestanding sign on the same side of the street, whether on the same parcel or on an adjacent parcel.

4. Sign Height: Monument signs shall have at least a one-foot (1') pedestal, and the illuminated cabinet shall not exceed nine feet (9') for a total sign height of ten feet (10'). The height to the top of the sign as measured from the street curb may vary depending upon landscaping, but the combined height of the sign and any berming/landscaping shall not exceed ten feet (10').

5. Reader Boards: Reader boards (changeable copy areas) and electronic message centers (EMC) shall not exceed fifty percent (50%) of the total monument sign area.

6. Freestanding Monument Signs: A monument sign allowed by this section may be substituted with a freestanding monument sign.

Mr. McIlrath mentioned there were questions on the location of monument signs and other things referenced in Chapter 15 of Title 11. There was a discussion to add language in the above-mentioned section of code or to at least reference Chapter 15. Councilmember Bush questioned the “except as otherwise permitted” language in the first proposed change. Spencer Brimley, Community Development Director, clarified the wording was in reference to a Zoning Administrator’s approval and did not necessarily need to be included. Mayor Shepherd suggested striking that language to alleviate any ambiguity. It appeared the consensus was to strike “except as otherwise permitted” from Sign Area.

Mr. McIlrath addressed concerns the Planning Commission had regarding the brightness of the reader boards. He mentioned placing regulations in code regarding lumens or foot candles and the need for a device to measure and ensure compliance. Councilmember Peterson mentioned that would be great to visit at another time. Braden Felix, City Engineer/Public Works Deputy Director, added that talk about lighting related to the Transit-Oriented Development (TOD) had been a major point of discussion with questions surrounding the City’s standard on foot candles. He mentioned it would be nice to have a regulation going forward.

Mr. McIlrath reviewed the proposed changes to the Form Based Code signage (10.9 Monument Sign).

1. Description: A Monument Sign is freestanding; it is located in a front or side yard of a lot. Refer to Figures 10.9 (1), 10.9 (2), and 10.9 (3).

2. General Requirements

Monument Signs shall be developed according to the standards in Table 10.9 (1).

- (1) Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following

parameters:

- (a) Up to two Monument Signs on one frontage.
- (b) Signs shall be at least 150 feet apart.
- (2) Pole-Mounted Signs. Monument Signs may not be pole mounted.
- (3) Manually Changeable Copy. The area of any Manually Changeable Copy cannot equal greater than fifty percent (50%) of the area of the sign face on which it is located.
- (4) Monument signs shall have at least a one-foot (1') pedestal. The base shall relate to the adjacent building in terms of materials.
- (5). Electronic monument signs are permitted.

3. Sign Size Computation

The area of a two-sided Monument Sign is equal to the area of one Sign face. The area of a three-or four-sided Monument Sign is equal to the total area of each sign face. This measurement includes the sign, any cabinet in which it is enclosed and the electronic message center but excludes the base of the sign.

- (1) Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

Mr. McIlrath reviewed the proposed changes to Table 10.9(1) Monument Sign Requirements.

Table 10.9 (1). Monument Sign Requirements

Permitted Districts	All Districts
Sign Area	Maximum 70 square feet per sign face, corner lots may double size upon approval by Zoning Administrator. Monument signs in the CV Zone shall be no greater than 120 square feet per Sign Face.
Height	Maximum height for a monument signs (with at least a one-foot pedestal): the illuminated cabinet shall not exceed nine-feet for a total sign height of ten-feet.
Location on the Building or Site	Front or corner yards
Placement on the Building or Site	10-foot setback from driveways & side property line; 2-foot setback from front & corner property lines. ¹
Quantity	1 per public ROW frontage. Must provide for a clear view near any intersection of a driveway and a street
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on Sign face; Electronic Message Board permitted in All Districts.

¹ If placed closer than five feet from the front and corner side property lines, sign must not be located in a sight triangle extending 10 feet from either side of an intersection of a driveway and a vehicular right-of-way or two vehicular rights-of-way.

Mr. McIlrath informed the Council that staff had recommended the Planning Commission forward a recommendation of approval for the zoning text amendment request based on the following:

1. The identity of Clearfield City should be strengthened by land use which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency.
2. The proposed changes helped the City accomplish its goals of providing high quality municipal services and created a place where people wanted to be.

On July 20, 2022 the Planning Commission unanimously forwarded a recommendation of approval to the Clearfield City Council of ZTA 2022-060057, a zoning text amendment request by Clearfield City to amend Clearfield City Code as it applied to the regulation of monument signs in the P-F Zone, CV Zone, and the Downtown Form Based Code area. There was no further discussion on the item.

DISCUSSION ON THE REZONE OF PARKS TO PUBLIC FACILITIES (PF)

Mr. McIlrath presented the Council with a proposal for a zoning map amendment request by Clearfield City for properties designated as parks within the City from their current zoning designation to P-F (Public Facilities). He mentioned that it would be important for the City to maintain these areas as parks to retain the regulatory ability for what could or could not be developed within the park spaces. Rezoning the parcels to P-F would enable the City to maintain and regulate uses that were akin to municipal uses and services.

Mr. McIlrath identified the parks that would be included in the proposed rezone along with their current zone and approximate location:

Park	Current Zone	Location
South Steed	PF	300 North 1000 West
North Steed/ Pond	PF	301 North 1000 West
Trainwatch	R-3	200 West 250 North
Rose Garden	R-1-8	700 West 375 North
Hoggan	R-1-8	234 West 550 North
650 North	CC	650 North State Street
Ross	R-1-8	Island in Ross Drive Subdivision
Mabey	TR	310 South 500 East
Cob (City Office Building)	CV	55 South State Street
Bicentennial	R-1-8	931 East 600 South
Fisher	R-1-9	920 South 1000 East and 825 South State Street
Aquatic	R-1-9	825 South State Street
Central	C-V	326 East Center Street
Thornock	R-1-8	200 South 500 West
Hamblin* (200 South)	M-1	126 South 200 West
Cornerstone	R-1-8	2601 South Main Street

Jesse D. Barlow	A-1	2100 South 500 West
Island View	R-3	1800 South Main
Fox Hollow	R-1-O/ R-1-8	2050 South 575 East
Chelemes	R-1-O	2140 South 1000 East
Jacobsen	R-1-O/ R-1-8	1045 South 1350 West
Kiwanis	R-2	300 North Vine Street
South Main (2 locations)	R-1-O	2200 south 50 East / 2250 East South Main
Cemetery	P-F	1050 South State Street
Park's Building	P-F	58 East 550 South
Old Library Site	R-1-8	562 South 1000 East

Mr. McIlrath explained the intent of the rezone was to have all City parks with the PF zone and to ensure the continual use of the parks as a public facility. The rezone would include parks and some other open spaces, but only those that were publicly owned, and City maintained. There was a discussion about some areas that should have been included in the request that were not. Mr. Brimley took note of them and confirmed they would come through on a separate request since it was too late to notice them.

Staff recommended the Planning Commission forward a recommendation of approval for the zoning map amendment based upon the following:

1. The proposed zoning map amendment was consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. Development of the properties with uses other than those expressly of a municipal use was inconsistent with the current and future use of the properties as public open spaces.
3. Preservation of open spaces and city owned land was vital for current and future residents.

On July 20, 2022, the Planning Commission forwarded a recommendation of approval to the Clearfield City Council of RZN 2022-060056, a zoning map amendment request by Clearfield City to rezone the subject properties designated as parks within the City from their current zoning designation to P-F (Public Facilities). There was no further discussion on the zoning text amendment request.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR LEGEND HILLS PHASE 4

Brad McIlrath, Senior Planner, presented a proposal for a subdivision for the property located at approximately University Park Boulevard and 1450 South. The subdivision would create legal commercial lots for development. The subject property was identified in the General Plan as commercial and was zoned C-2 (Commercial). The request was to create four separate commercial lots and would not contradict or impede the goals of the General Plan. Mr. McIlrath reviewed the acreages for the four lots and noted lot 4 was planned for a hotel.

- Lot 1 – 2.06 acres
- Lot 2 – 4.95 acres
- Lot 3 – 0.9 acres
- Lot 4 – 2.06 acres (TownePlace Suites Hotel Site Plan)

On July 20, 2022, the Planning Commission forwarded a recommendation of approval to the Clearfield City Council for FSP 2022-060045 as conditioned:

1. Plans should be revised to address Clearfield City Planning and Engineering comments and requirements prior to obtaining final signatures and recording the plat.
2. The final subdivision plan shall include any necessary changes as outlined in the staff report or required by local agencies.
3. 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, sidewalks, landscaping park strip improvements, driveways, etc.
4. Sidewalk shall be installed along Legend Hills Drive from University Park Boulevard to the property boundary at 1795 East 1450 South to connect the transit stop to the existing and future land uses.

There was no further discussion.

DISCUSSION ON THE THIRD QUARTER SALES TAX REIMBURSEMENT INTERLOCAL COOPERATION AGREEMENT FOR THE 800 NORTH ROADWAY IMPROVEMENT PROJECT

Mr. Felix presented the Interlocal Cooperation Agreement for the 800 North Roadway Improvement Project. He mentioned the Davis County Council of Governments (COG) approved the City's 2021 application for funding. The application requested \$56,000 for the purchase of property located at 723 West 800 North and the installation of roadside improvements (curb, gutter, sidewalk, and power pole relocation). He mentioned the area was part of the mapped "Safe Route to Schools" pathway for Doxey Elementary.

Mr. Felix informed the Council that the City would be teaming up with Clinton City and had another application in requesting \$1,000,000 for bridge improvements. The County awarded the funds with the understanding that the cities (Clearfield and Clinton) would be contributing \$484,000 to the project and would issue the funds as a reimbursement.

Councilmember Thompson inquired about supply chain issues. Mr. Felix confirmed that concrete and materials made by concrete had been an issue but noted that the contractors they had been working with (mainly Geneva) had been preemptive in trying to find ways to get concrete. JJ Allen, City Manager, asked if the City had an agreement with the property owner. Mr. Felix stated they did not. Councilmember Bush asked about the timing. Mr. Felix replied he had spoken with the engineer to help prepare documentation necessary to acquire the property. Once the engineer has provided the exhibits, the appraisal could be pulled together, and then the City could approach the property owners. He mentioned the improvements would be spring 2023 at the earliest provided the funding went through.

Councilmember Thompson asked if there was a need to plan for contingencies. Mr. Felix confirmed it was a concern, however that was the amount the County was willing to provide. Mayor Shepherd clarified that the \$56,000 was awarded last year and was part of a larger project. Mr. Allen added that when the time came to budget for the project, if additional funding was needed, a request would come back before the Council. Mr. Favero, Public Works Director, believed there was a placeholder

in the budget for some of the project. He explained that after the County provided more information, it was decided to reapply with Clinton to do a total road reconstruct and that had changed the dynamic and led to some confusion with the timing. There was no further discussion.

DISCUSSION ON PARKS, ART RECREATION, AQUATICE AND TRAILS (PARAT TAX) REVIEW

Eric Howes, Community Services Director, requested guidance from the Council for the future utilization of PARAT Tax funding. He provided a review of how PARAT tax revenue had been utilized.

- Six playgrounds (North Steed, Fisher, Cornerstone, Hamblin, Island View and Central)
- Play Structure in the Leisure pool at the Aquatic and Fitness Center
- Pickleball Complex
- Arts Supervisor (PT-FT 1 year)
- Arts Center Renovation
- Court Resurfacing (Fisher, Kiwanis, Jacobsen, Barlow, Island View, and Fox Hollow)
- Dog Park at Barlow Park

Mr. Howes recapped the planned projects that PARAT Tax funds had been committed to but not expended.

- Canal Trail Connection (200 South – 300 North, Combined with WFRC Grant)
- Mountain bike trails along Rail Trail and at Chelemes Park
- Pickleball Court completion (Parking and pavilions)

He explained that PARAT tax revenue was on the ballot for approval in November of 2014 and the City first received funds in April of 2015. The renewal would be on the ballot in November of 2024. Mr. Howes provided a timeline of the PARAT tax revenue and noted that projects intended to be completed prior to the 2024 election would need to be included in the FY23 and FY24 budgets to be completed prior to the vote for an additional ten (10) years, and any projects that required an extensive site design would be difficult to complete prior to the 2024 election. Staff recommended any projects funded with the first round of PARAT Tax funding be limited to those that would require minimal site design.

Mr. Howes stated that initially with the PARAT tax revenue, the City didn't want to borrow from itself. The Council wanted to wait until the money was available before beginning a project. He explained that if that strategy was followed all the way through, that would be about five to six months of revenue that would not be realized before it was proposed to be on the ballot. Knowing the revenue would be coming in, there would be options to borrow from fund balance or other sources that could be repaid within a few months should Council be amenable to it. If not, the City would continue as directed. Councilmember Phipps commented that the closer the City got to the end of receiving PARAT tax revenue, the less funding there would be available. Councilmember Peterson stated she wasn't excited about borrowing it at the beginning of PARAT, but it made sense at the back end. Mr. Howes commented on how well the phased approach worked until nearing the end, but now the option of borrowing should be considered.

Councilmember Thompson asked if it would be possible to poll the community around the time of the ballot to see if there would be interest in keeping the PARAT Tax. Mr. Howes explained the marketing efforts the City had done to get the word out about what PARAT tax revenue was and what the City had accomplished with it. Mr. Allen added that providing some projects anticipated for the second ten years, would be a selling point. Councilmember Bush asked how much the balance would be once the planned projects were completed and was there anything that could be accomplished with impact fee revenue. Mr. Howes estimated the balance to be around \$600,000. He said that some projects could be done with impact fees but staff would need to look carefully at the use of impact fees committed to other projects.

Mr. Howes provided Council with a list of recommended projects reviewed by the Parks and Recreation Commission during the meeting on June 15, 2022. He commented that the listed projects were in the order recommended by the Parks & Recreation Commission.

1. **Park Pavilion Replacements.** The project would include replacement of the small pavilions in Bicentennial Park, Kiwanis Park, and Train Watch Park. Replacement of the large pavilion at Kiwanis Park, and new pavilions at Island View and Steed Pond. Most of these would include new concrete pads under the pavilions. *Estimated cost: \$225,000.*
2. **Skate Park Improvements.** The project would include the elimination of some of the grass inside the fence and pouring a concrete pad. New premanufactured skatepark elements would be placed on the new cement including lower elements for less advanced skaters. *Estimated cost: \$150,000.*
3. **Bicentennial Playground.** Bicentennial Park is the City's largest park without a playground. The project would include the creation of a new playground pit and the purchase and installation of the playground. The location proposed was on the west end of the park where the sidewalks exist but do not connect. *Estimated cost: \$150,000.*
4. **City Hall Playground.** With all the construction of apartments surrounding City Hall, staff recommended the addition of a large playground in the front of the building in the area just south of the front steps. This would also serve to reduce unnecessary grass and make the area much more inviting as a part of the downtown area. *Estimated cost: \$200,000.*
5. **Fish Cleaning Station at Steed Pond.** The addition of a fish cleaning station and shading pavilion would provide a location for cleaning fish on site and eliminate the need to dispose of fish guts in the existing garbage cans. *Estimated cost: \$45,000.*
6. **Dog Park Phase 2.** The new dog park at Barlow Park was extremely popular. The proposed addition would utilize the triangular space north of the existing dog park for a second dog park for smaller dogs. Some importation of fill material would be required to grade the site and irrigation would need to be installed. Other expenses would include additional fencing and the installation of a drinking fountain. *Estimated cost: \$45,000.*
7. **Mabey Pond Restroom.** The project would include the installation of a precast concrete restroom similar to the one installed at Cornerstone Park. *Estimated cost: \$90,000.*

8. **Mabey Pond Fish Cleaning Station.** The addition of a fish cleaning station and shading pavilion would provide a location for cleaning fish on site and eliminate the need to dispose of fish guts in the existing garbage cans. *Estimated cost: \$45,000.*
9. **Mobile Stage and Sound Equipment.** The stage could be used for the 4th of July or other events such as those conducted on the Center Street bridge. The purchase would also include a sound system. *Estimated cost: \$225,000.*

Mr. Howes asked for Council's thoughts on the proposed list. Councilmember Bush would like to see an all-abilities park somewhere. He believed it would be a great PARAT Tax use and draw. Councilmember Thompson suggested the integration of all-ability equipment into existing areas. Councilmember Peterson liked the idea of conceptualizing the all-ability idea in phase two. Councilmember Phipps suggested moving the skate park improvements lower on the list just above the mobile stage and sound equipment. He expressed concern with placing a playground at City Hall. Most of the Council seemed to agree with not wanting a playground at City Hall. Councilmember Peterson would like to see an art plaza at City Hall. Mr. Allen interpreted the intent behind the playground at City Hall to make it an inviting place. Mayor Shepherd commented on the professionalism of City Hall.

Mr. Howes asked for clarification on the projects Council would like to move forward with. There was a discussion on the necessity and importance of the proposed project list. The consensus was to proceed with park pavilion replacements, skate park improvements, Bicentennial playground, Steed Pond fish cleaning station, and the dog park phase two. Council did not want to proceed with the playground at City Hall.

DISCUSSION ON CHANGES TO THE PROPOSED FISCAL YEAR 23 (FY23) BUDGET

Rich Knapp, Financial Manager, reviewed proposed changes to the FY23 budget since the June 21, 2022 meeting.

- Added \$4,000,000 GOEO Grant – Clearfield Station
- Added \$5,390 for Youth Commission Advisor and Chaperone to NLC
- Added \$3,600 for new police officer laptops
- Parks and Facilities Mega bid reallocation
 - Net all parks & facility projects - \$230,000
 - \$870,000 decrease in General Fund Funded Projects
 - \$735,000 from Cemetery Expansion cut
 - \$622,000 PARAT
 - \$361,000 previously budgeted
 - \$840,000 Impact Fees
 - Will have excess in fund 45 for future year allocation.

Mr. Allen commented that it was a big ask to have the advisor and any chaperones cover their own costs for the National League of Cities (NLC), so it was decided to plug those costs into the budget. Councilmember Peterson appreciated the addition. Mr. Allen commented that when the new police officer position was added to the budget, some of the necessary equipment was not added to the budget.

Mr. Knapp explained if Council took the \$870,000 decrease to the General Fund and wanted to keep the \$735,000 set aside from the Cemetery Expansion cut, there would be an extra \$135,000 in fund 45. Community Services requested the \$135,000 budgeted for the cemetery expansion, which had been eliminated, be reallocated to fund facility projects at the Clearfield Aquatic and Fitness Center that would need to be addressed as soon as possible. Mr. Howes provided Council with a list of the facility projects along with the cost, description, and priority order.

Priority	Project	Cost	Description
1	Electrical issues (low voltage panels)	\$ 50,000.00	Replace panel
2	Drain Line	\$ 25,000.00	Leisure pool repair drain line where temp. fix was done
3	Sump pumps	\$ 18,000.00	Sump pumps in pit needs to be diagnosed and replaced
4	ERV'S	\$ 5,403.97	Energy Recovery Ventilation
5	5 secondary fail/safe chemical backup	\$ 8,250.00	Need 5 secondary fail/safe chemical backup
6	Heat Exchangers	\$ 5,974.94	Heat pumps torn apart and rebuild
7	A/C issues	\$ 7,000.00	A/C issues - programming
8	Repair slide	\$ 30,000.00	repair slide/temp fix
9	Backwash control units	\$ 37,000.00	Rebuild or replace backwash control units
10	#2 Filter	\$ 10,000.00	Filter #2 on leisure pool not filtering/rebuild
	Chlorine and Acid	\$ 5,000.00	Chlorine and Acid schedule 80 PVC lines pressure tested and replaced where needed
	Leak repair-chlorine tank	inc in Previous	repair leak on main chlorine tank
	Leak repair-lazy river	\$ 2,000.00	Repair small leak on lazy river
	Impeller (play structure)	\$ 1,500.00	Possibly a new impeller on toy needed
	Leak repair-toy pump	\$ 1,200.00	Small leak on toy pump
	Jet drains	\$ 6,000.00	All drains need to be jetted
	Drain grates	\$ 5,000.00	Several Drain Grates Cracking around pools-inside and out
	Showers serviced	in-house	Showers all need to be serviced
	Tile-hot tub	\$ 8,000.00	Missing tile in hot tub
	Tile-lap pool	x	Chipped tile around lap pool
	Wrought iron fence	x	Wrought iron fence on South side is falling. Needs repair
	Shut off valve	\$ 6,500.00	Shut of valve on leisure Broken. Has a band aid on it. Now sc doesn't leak water on motor
	UV lamp replacement	\$ 1,800.00	

Mr. Howes acknowledged there was a greater need than available funding, but the use of reallocated funds would provide the ability to make immediate improvements and address the key issues. Mayor Shepherd clarified that the budgeted amount in the General Fund would not be changed. Mr. Knapp reaffirmed the General Fund amount wouldn't change, just the reallocation of funds, however, more would be spent in PARAT tax revenue and Impact Fees.

Mr. Knapp mentioned the Council would be seeing the certified tax rate come through on August 9, 2022 for a public hearing and consideration of approval. There were no additional comments on the budget.

There was a discussion around the upcoming schedule. Councilmember Roper would be out on August 9, 2022, Councilmember Bush would be out on August 16, 2022. Mayor Shepherd would be out on August 23, 2022, and Councilmember Phipps would be out on August 30, 2022.

Councilmember Thompson moved to adjourn at 7:39 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
August 9, 2022

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Vern Phipps Karece Thompson	Councilmember Councilmember Councilmember
EXCUSED:	Nike Peterson Tim Roper	Councilmember Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Adam Favero Braden Felix Eric Howes Curtis Dickson Spencer Brimley Brad McIlrath Rich Knapp Shaundra Rushton Nancy Dean	City Manager Assistant City Manager City Attorney Police Chief Public Works Director City Engineer/PW Deputy Director Community Services Director Community Services Deputy Dir. Community Development Director Senior Planner Finance Manager Communications Manager City Recorder

VISITORS: Katie Nicholson

Mayor Shepherd called the meeting to order at 6:16 p.m.

FOURTH OF JULY AND CENTENNIAL BIRTHDAY PARTY RECAP

Curtis Dickson, Community Services Deputy Director, and Shaundra Rushton, Communications Manager, debriefed the Council on the events surrounding the Fourth of July and the Centennial Birthday Party.

Ms. Rushton reviewed the estimated attendance for the various Fourth of July events.

- Paint the Bridge – June 24, 2022 (900)
- Search the City – June 27, 2022 to July 1, 2022 (90)
- Pool Bash – July 2, 2022 (270, capacity was 350)
- Movie at the Park – July 2, 2022 (375)

- Patriotic Concert – July 3, 2022 (315)
- Parade – July 4, 2022 (74 entries, 8,000)
- Fun Run 5K/Mile Walk (277)
- Park Festival and Fireworks – July 4, 2022 (25,000 not including areas outside of Fisher Park)

Ms. Rushton estimated total attendance around 35,227 throughout the events. She felt advertising had a large impact on the attendance and reviewed the methods taken.

Paid Advertisements (organic reach not included):

- Boosted Facebook Events
 - 111,000 reached, 4,000 interactions
- Google Ad for website clicks
 - 62.2 thousand reached, 11.4 thousand interactions
- Total Reach: 173,300
- Ad Interactions: 19,500
- Total Spent: \$8,000

Ms. Rushton asked Council if they thought there would be a need to reduce the cost of advertising to provide more swag next year. Mayor Shepherd did not think more swag was needed. Summer Palmer, Assistant City Manager, asked what the target audience was for the Google ads. Ms. Rushton replied that all the Facebook ads were within a ten-mile radius of Clearfield City. She noted that one thing she would do differently would be to spend less on Google ads and more on the Facebook events.

Mr. Dickson provided a breakdown of the expenses and noted that Centennial funds had supplemented the events.

- Paint the Bridge - \$2,168.78 (communication budget)
- Fun Run/Walk - \$5,220.66
- Patriotic Concert - \$340.84
- Movie in the Park - \$3,180
- Search the City - \$41.99 + prizes (\$1,771.14 – communication budget)
- July 4th Shirts - \$4,700
- July 4th Festival \$36,082.05
- Fireworks - \$65,000
- Parade - \$22,307.09
- Total: \$140,812.55 (*July 4th budget - \$116,595, Centennial budget - \$20,278.63, and Council Initiative Section of Communication Budget - \$3,939.92*)

Councilmember Bush inquired about the Bubble Party. Mr. Dickson confirmed it would be on August 20, 2022. Ms. Rushton estimated the cost to be around \$6,000. She explained the party would take place between 11:00 a.m. and 1:00 p.m. and would consist of covering the bridge with foam and bubbles and there would be a slide. Attendees would receive free bubbles and squirt guns with water buckets to refill would be available. Mr. Dickson asked for feedback.

Mayor Shepherd commented that the events were phenomenal, more expensive than the past but that was expected due to the Centennial celebration. Councilmember Phipps liked throwing the t-shirts from the float during the parade. He mentioned the complaints surrounding the lack of portable toilets. Mr. Dickson noted staff discussed adding a few more next time.

Mr. Dickson reviewed the preliminary schedule for July 4th 2023.

- July 1st
 - Pool Bash or Movie in the Park
- July 2nd
 - Patriotic Band and Choir Concert
- July 3rd
 - Pool Bash or Movie in the Park
- July 4th
 - Fun Run/Walk
 - Parade
 - Evening in the Park (bands, food trucks, inflatables, games, VIP dinner)
 - Fireworks

Mr. Dickson mentioned it takes every department in the City to make the Fourth of July celebration happen. It was the hardest week of the year, but also the most enjoyable.

Ms. Rushton requested a change in the budget for next year with the fundraising sponsorships. She requested the sponsorships not be allocated to cost recovery, but something that would allow her to expand the budget. The consensus appeared to be in favor of Ms. Rushton's request.

Councilmember Bush asked if the pancake breakfast would return. Mayor Shepherd commented that if it was something the scouts wanted to take on again then yes. The City had taken it on because the residents still wanted it, but they had since gotten used to not having it and there hadn't been requests to bring it back.

DISCUSSION ON PROPOSED MODIFICATIONS TO THE LOTUS ACQUISITIONS, LLC ("LOTUS") DEVELOPMENT AGREEMENT

Spencer Brimley, Community Development Director, presented a request from LOTUS to modify the terms of their Development Agreement (DA). The Development Agreement was executed in October of 2019. The project was anticipated to be completed in three defined phases:

- Phase 1: 210 Apartments and 33 Townhomes
- Phase 2: 16 Townhomes
- Phase 3: 54 Townhomes

LOTUS would like to begin planning for the construction of phase 2 and requested the following modifications:

1. Develop the land that was primarily intended to be phase 3 of the development within the DA as phase 2, and subsequently develop the land that was originally shown as phase 2 in the DA, as phase 3.
2. Include the construction of townhomes on the east side of Carter Lane as part of newly proposed phase 2, which would increase the unit count in the newly proposed phase 2 and potentially decrease the unit count in the future phase 3.
3. Build 53 townhomes in the newly proposed phase 2 (previously this area proposed 16 units).
4. Allow for a modification of building widths on selected buildings within the newly proposed phase 2 that would result in the connection of more than six (6) townhomes as required by the Form Based Code (FBC).

Councilmember Bush asked for the reasoning behind the six-townhome requirement in the FBC. Mr. Brimley relayed that the appearance was behind the reasoning. The FBC requirement would discourage the appearance of apartments.

Mr. Brimley reviewed the concept plans provided by LOTUS. There was the original concept plan that was recorded with the Development Agreement, and two concepts that incorporated the requested modifications. He mentioned LOTUS believed the modifications would provide for the best use of the available property given geographical limitations, as well as to take advantage of the opportunity to benefit from economies of scale as the developer, and for the City to benefit by receiving an increase in the production of available housing units. Additionally, LOTUS expressed to staff the desire to make phase 2 a net-zero solar townhome development, which would be more easily achieved through the greater connectivity of the housing units (i.e., creating greater areas on which solar panels could be placed). JJ Allen, City Manager, clarified that the requested modifications applied to both concept 1 and concept 2. The question was if Council had a preference between the two concepts.

Councilmember Bush asked for an explanation of the net-zero and how building the townhomes connected would make a difference. Joe Torman, LOTUS, explained phase one was all net-zero and would produce more power than used at the end of the day. The connection of the townhomes would provide more rooftop for solar. He explained the units and carports were 100 percent electric offset by the solar produced on the roof. He noted the new incentives that would benefit the developers and the tenants.

Councilmember Thompson questioned how the sustainability of the project by going zero emission would affect affordability. Mr. Torman's response was that it would not affect affordability. They looked at the utility rates on the other townhomes under construction and assessed what the average tenant would pay for utility rates. The solar would cost \$14,000 per unit. If what the tenant would pay was pulled as an allowance and rolled into a financing package, the developer would come out even. If the townhomes could be rated as an energy star, they would come out ahead on the financing package, but the tenant would be the one who would reap the benefit of a net-zero unit. Summer Palmer, Assistant City Manager, questioned if the tenant would see a reduced payment. Mr. Torman clarified that the tenant would pay the same rate, they would just end up with a net-zero unit.

There appeared to be a consensus to allow for the modification to develop the fifty-three units in phase 2 and the sixteen units in phase three and to allow for modifications according to concept 1. Mr. Allen added that adhering to the original development agreement with phase 2 being the northeasterly portion, redevelopment of additional adjacent properties would be difficult. Allowing the switch of phase 2 to the northwest, would allow LOTUS the ability to acquire additional property for what would later become phase 3.

Mr. Brimley summarized the direction received from the Council.

- The phases could be swapped.
- 53 townhomes could be developed in phase 2
- 16 units could be developed in phase 3
- The shape of the building on the west side of Carter Lane was not an issue with Council.

Council agreed with Mr. Brimley's summary of their direction.

Councilmember Bush moved to adjourn the work session and reconvene in policy session at 6:59 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, and Thompson. Voting NO – None. Councilmembers Peterson and Roper were not present for the vote.

The meeting reconvened at 8:28 p.m.

MONTHLY REPORTS

Previdence

Kelly Bennett, Police Chief, updated Council on the mental health wellness contractor utilized by the police force. He did not know how many employees utilized the services due to confidentiality, however, there had been employees who willfully disclosed the use of services and reported a substantial positive effect. Chief Bennett mentioned that due to company growth and demand for the therapy, the company would no longer provide services free of cost. Effective August 1, 2022 the employees would be responsible for out-of-pocket expenses. He noted that the company was reaching out to other non-profit organizations to try to find a way to fund the services, and there were on-going meetings with HR, PEHP providers, and Previdence to work out solutions. Chief Bennet stated there was a House Bill which required mental wellness programs for active-duty officers, retired officers, and their families. There was a grant opportunity that Chief Bennett was assessing through HB 23 to help offset some of the costs that would not provide much if they even could qualify for it.

Councilmember Thompson asked how much the unfunded mandate was. Chief Bennett stated the contract the City had with Previdence to oversee the process was for \$12,000. The therapy was an unknown additional cost. Councilmember Thompson inquired if there were other resources available to help. Chief Bennett mentioned that other entities had hired an in-house therapist which would be an expensive option. Ms. Palmer added that the treatment the City's employees were finding success with were not necessarily counseling appointments, they were

treatment appointments which was not something a counselor could provide. She mentioned the discussions with PEHP included whether they covered the treatment, at what level they would cover the treatment, and would it be possible to take it out of the high deductible category and have it under a co-pay.

Mr. Allen added a new treatment technique was available and very successful in helping the employees. Sooner or later something else would come along to bridge the gap. Chief Bennett reached out to see how Ogden City was handling the same issue and they were having the same dilemma: How to sustain and budget for the unknown. Ms. Palmer clarified that state legislature required the City to provide mental health counseling, not payment of therapy sessions, or treatment plans. There were no defined parameters around the bill. Mayor Shepherd asked if Providence could provide an amount paid out overall to estimate what it would cost to cover until another source could be found. Chief Bennett would reach out to Providence to see if they would provide a total dollar amount.

Councilmember Thompson suggested reimbursing for the services. Ms. Palmer reiterated the necessity to budget for the reimbursements and the amount needed was unknown. Councilmember Phipps mentioned the hoops that would be required to maintain confidentiality with a reimbursement. Mr. Allen wanted this discussion on Council's radar while the issue was being researched since it could come before them with a request later.

Street Sweeping

Brad Wheeler, Streets Superintendent, provided Council with an update on street sweeping for the year. In 2020, an Elgin Road Wizard was purchased for approximately \$272,000. It was being operated by one full-time employee for 30 or more hours a week. The sweeper had collected roughly 160 tons of waste and had driven 1,757 miles of City roads this year. The street sweeper was mainly used between spring and fall.

Sports Field Status

Eric Howes, Community Services Director, updated the Council on the City's field usage. He mentioned the goal was to keep the fields in playable condition throughout the season so sports would not have to be cancelled. He showed images of some of the fields and highlighted challenges at Fisher Park. He mentioned the field would not recover without overseeding, aeration, fertilization, top dressing, a lot of water, time, and rest. Mr. Howes reviewed the scheduled uses for the fields and planned to do what they could to make it through the fall season then would work on repairing the field post season. He noted that Fisher Park was in the worst condition by far of any City park.

Risk Management / Typical Claims

Ms. Palmer provided a rundown of typical claims the City received and how they would be processed.

Road Hazard Claims (Property Damage)

- *Types:* Utility covers, potholes, construction, rock chips, mailboxes, etc.
- Processed internally: staff would manage the claim, determine liability, obtain a waiver and reimburse for damages if needed.

Sewer Back-up or Water Claims

- The City had a no-fault assistance program
- Processed internally: staff would manage the claim, collect documentation, obtain a waiver, and reimburse for damages if needed.

Personal Injury Claims

- *Types:* Trip and falls, police claims, recreational injuries
- Usually, intake would be completed in-house and then passed to the insurance company.

City Claims - damage to City Equipment, Vehicles, Property, etc.

- City would obtain reports and documentation, submit claim, and manage payments

Ms. Palmer mentioned one to two claims were received per week.

HR Stuff

Ms. Palmer reviewed some statistics provided from the Human Resource department.

- There had been sixty-one job postings this year (not including those that had been reopened) which were posted in at least twenty-nine different online and in-person places.
- 265 people applied for positions within the City this year.
- There were 5 internal transfers
- 153 new hires this year which equated to 380 hours of onboarding.

There was no further discussion.

The meeting adjourned at 9:05 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
August 9, 2022

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Vern Phipps	Councilmember
	Karece Thompson	Councilmember
ELECTRONICALLY:	Nike Peterson	Councilmember
EXCUSED:	Tim Roper	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Braden Felix	City Engineer/PW Deputy Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Shaundra Rushton	Communications Manager
	Nancy Dean	City Recorder

VISITORS: Katie Nicholson, Kathryn Murray, Brad Nelson, Patti Watkins, Denise Sly, Jody Bratcher, Josh Meserval, Nadene Davis, Dennis Bergendorf, Pamela Bergendorf, Bonnie Branum, and Wayne B.

Mayor Shepherd called the meeting to order at 7:06 p.m.

Mayor Shepherd informed the audience that if they would like to comment during the Public Hearings or Open Comment Period there were forms to fill out by the door.

Mayor Shepherd excused Councilmembers Roper and Peterson and noted Councilmember Peterson was present online.

Councilmember Thompson led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 23, 2021, WORK SESSION;
DECEMBER 7, 2021, WORK SESSION; AND THE JULY 26, 2022, POLICY SESSION

Councilmember Thompson moved to approve the minutes from the November 23, 2021, work session; December 7, 2021, work session; and the July 26, 2022, policy session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

TRUTH IN TAXATION HEARING TO RECEIVE PUBLIC COMMENT ON THE
CERTIFIED TAX RATE AND THE FISCAL YEAR 2023 BUDGET

Rich Knapp, Financial Manager, reviewed the proposed Fiscal Year 2023 (FY23) City budget and noted that the presentation was a broad overview. He would provide more detail if requested, and the budget would be available on the City's website. He explained where the money would come from and how the funds would be spent. He recapped the major changes to the FY23 budget, and the major projects that would come from the budget. He reported that in terms of security, the available General Fund cash by the end of FY23 would be twenty-four percent of revenues and would cover ninety-one days of operating expenses. The sustainability showcased a net surplus of \$35,000.

Mr. Knapp informed Council that Davis County had determined Clearfield City's total property valuation and certified tax rate. He explained the total valuation went up to just over twenty-four percent; therefore, the calculated certified tax rate went down eighteen percent to maintain the same revenue as last year. Mr. Knapp reviewed last year's rate, the certified tax rate, and the proposed rate.

Last Year's Rate	Certified Tax Rate	City Proposed Rate
0.001437	0.001172	0.001307

Mr. Knapp reported the additional property tax the City would receive from "new growth" (new construction) would result in an additional \$47,407 or 1.7 percent of the certified tax rate revenue, and the proposed rate would be a nine percent decrease from the prior year. He reviewed the impact of the rate for the City and the resident.

- City – The additional revenue to the City at a rate of 0.001172 vs 0.001307 would be \$316,338.
- Resident – The average \$378,000 residence would see an increase of \$28.07 in the City's portion of their property tax bill, taking the total property tax for City services to \$272.00.

Mayor Shepherd noted it was the first time in a while the County's rate was lower than the City's tax rate due in part to the County releasing paramedic expenses to the cities and Fire District.

Mayor Shepherd opened the public hearing at 7:16 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:17 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None.
Councilmember Roper was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED FISCAL YEAR 2023 INTERFUND TRANSFERS

Mr. Knapp reviewed the requested transfer of monies from several Enterprise Funds into the City's General Fund for the cost of providing services necessary for each individual fund to operate, and the transfer of resources from the Water Fund to the City's General Fund. He noted the requested transfers information went out with the utility bills. He explained that the first set of transfers was the General Fund charging the Utility Fund for services provided to the Utility Funds. Examples he provided were Legal, HR, and IT. The second set of transfers were non-cash transfers; the City was not charging itself for water in the amount of \$100,000.

Operational Costs Fund Transfer		Water Usage Funds/ Resource Transfer	
Enterprise Account	Proposed Transfer to General Fund	Enterprise Account	Proposed Value of Resource Transfer
Utility Adm. Fund	\$140,035	Water Fund	\$100,000
Water Fund	\$359,186		
Sewer Fund	\$382,075		
Storm Water Fund	\$231,168		
Solid Waste Fund	\$ 45,858		

Mayor Shepherd opened the public hearing at 7:18 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:18 p.m. seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None.
Councilmember Roper was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST BY CLEARFIELD CITY TO AMEND CLEARFIELD CITY CODE AS IT APPLIED TO THE REGULATION OF MONUMENT SIGNS IN THE P-F (PUBLIC FACILITIES) AND FORM BASED CODE CV (CIVIC) ZONES

Brad McIlrath, Senior Planner, presented a request for changes to the regulations for monument signs in the P-F (Public facilities) zone and the Form Based Code CV (Civic Zone). The purpose of the changes was to address regulations to permit larger signs that would allow the City to publicize events and other happenings in various locations. The proposed modifications to monument signs focused on needs for civic properties in the CV zone but would also benefit all businesses and properties within the Downtown Form Based Code area. Mr. McIlrath reviewed the proposed changes with included revisions Council had discussed and requested during the work session on August 2, 2022. The Planning Commission reviewed the request on July 20, 2022 and forwarded a recommendation of approval.

Councilmember Bush mentioned rock being included as one of the permitted building materials. Mr. McIlrath clarified that rock was typically considered part of masonry, but it could be specified in the code if the Council wished. Mayor Shepherd was not opposed to the addition of the language specifying rock, but agreed it was part of masonry. Councilmember Phipps thought it was naturally part of masonry. Mayor Shepherd clarified the proposed changes were specific to the CV zone in the Form Based Code, City Center and parks.

Mayor Shepherd opened the public hearing at 7:25 p.m.

Mayor Shepherd asked for public comments.

Jerrold Auger, a resident, asked what the reason was the City decided to amend the code. Mr. McIlrath explained the desire to have a more prominent way to relay messages to the public such as recreation and public notices. He explained the CV zone was different from the P-F zone and the City wanted to ensure the regulations aligned for the City properties. Councilmember Phipps added that the City had to abide by their own standards and the current standards would not allow for monument signs or a sign of that size.

Councilmember Thompson moved to close the public hearing at 7:27 p.m. seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None.
Councilmember Roper was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING MAP AMENDMENT REQUEST BY CLEARFIELD CITY TO REZONE THE PROPERTIES DESIGNATED AS PARKS WITHIN THE CITY FROM THE CURRENT ZONING DESIGNATION TO P-F (PUBLIC FACILITIES)

Mr. McIlrath presented a request for a zoning map amendment to rezone the properties designated as parks within the City from the current zoning designation to P-F (Public Facilities). The rezone would allow the City to maintain the areas as parks and retain the regulatory ability

for what could or could not be developed within the park spaces. By rezoning the parcels to P-F, the City would be better able to maintain and regulate uses that were akin to municipal uses and services. Clearfield City viewed the rezone as a vital component for the future growth and long-term establishment of community parks. Mr. McIlrath reviewed the parks that were to be included in the rezone request and mentioned notices had been mailed out to all properties within three hundred feet of any of the parks and open spaces. The Planning Commission reviewed the request on July 20, 2022 and unanimously forwarded a recommendation of approval.

Mayor Shepherd opened the public hearing at 7:30 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:31 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

PUBLIC HEARING TO REVIEW AND RECEIVE PUBLIC COMMENT ON THE PROPOSED LAKESIDE APARTMENTS DEVELOPMENT AGREEMENT FOR THE MIXED-USE PROJECT LOCATED AT 325,373,375,377,381,385, AND 389 SOUTH STATE STREET

The applicant was seeking approval of a development agreement for modifications from the Form Based Code. The City Council began review of the Planning Commission recommendation and aspects of the development agreement in a work session on July 26, 2022. Administrative, Legal, and Community Development staff were working to provide edits to the developer prior to the August 9, 2022, public hearing. However, there was not enough time to submit the final development agreement and exhibits to be considered at the public hearing on that date, which necessitated tabling the public hearing to a future City Council meeting to provide City staff and the developer sufficient time to complete the development agreement and exhibits.

Councilmember Bush moved to table consideration of the Development Agreement until September 13, 2022, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

OPEN COMMENT PERIOD

Teresa, a resident who did not provide a last name, questioned if there would be a wall or fence along where the garages would be placed for the Lakeside Apartments. Mr. McIlrath replied that was still to be determined, however, Code would require buffering. He acknowledged it needed to be addressed and was being worked through. Teresa expressed concern regarding how the development would affect her property and that she did not receive a notice regarding the

development. Mayor Shepherd clarified the development was at the very beginning stage of the process.

Denise Sly, a resident, stated she was against the Lakeside development. She was concerned about the loss of her home, where the water to accommodate the influx of condos and apartments would come from, and the impact the development would have on the schools, traffic, and parking. She mentioned she was a retired schoolteacher and experienced the difficulties of teaching forty plus students and was offended. Ms. Sly believed that the development would change the temper of the City, and if it needed to happen then it should be scaled back.

Nadine Davis, a resident, expressed concern that with the influx of apartments and cars along State Street and the potential for slide-offs during the winter months. She mentioned there was no room for error and questioned why apartment buildings were not setback. Mayor Shepherd responded that everything built in the corridor was built to code.

Jody Bratcher, a resident, asked where the public could view the plans submitted for the Lakeside development. Mayor Shepherd explained Mr. McIlrath could provide the basic concept plan that had been submitted. Mr. Bratcher inquired if there was code for overhead cables and utilities. Mr. McIlrath confirmed as development was happening along State Street, the requirement was to bury the power lines. Mr. Bratcher's concern was that the overhead fiber optic cables in the neighborhood were not meeting the national guidelines. Mayor Shepherd mentioned Summer Palmer, Assistant City Manager, could speak with UTOPIA about their lines.

Councilmember Thompson left the meeting at 7:45 p.m.

Jerrod Auger, a resident, asked for an update on the status of the low water level at Mabey Pond after the pump broke. Mayor Shepherd confirmed it was being addressed and was a top priority. JJ Allen, City Manager, added the pump broke after the warranty period and options were being explored. Mr. Bratcher was concerned with the easy access to his property due to the low water level. Mr. Allen referred Mr. Bratcher to Eric Howes, Community Services Director, and Curtis Dickson, Community Services Deputy Director, for further information.

Bonnie Branum, a resident, expressed concern over the condition of Mabey Pond and the ability of trespassers to access her property due to the low water level.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR LEGEND HILLS SUBDIVISION
PHASE 4 LOCATED AT APPROXIMATELY UNIVERSITY PARK BLVD. AND 1450
SOUTH (TINS: 09-023-0103 & 09-023-0104)

Mr. McIlrath provided background on the final subdivision plat for the Legend Hills Subdivision Phase 4. The property was zoned as C-2 (Commercial), approximately ten acres, and would be split into four separate lots:

- Lot 1 – 2.06 acres
- Lot 2 – 4.95 acres
- Lot 3 – 0.9 acres

- Lot 4 – 2.06 acres (TownePlace Suites Hotel Site Plan)

On July 20, 2022, the Planning Commission forwarded a recommendation of approval subject to the following conditions:

1. Plans shall be revised to address Clearfield City Planning and Engineering comments and requirements prior to obtaining final signatures and recording the plat.
2. The final subdivision plat shall include any necessary changes as outlined in the staff report or required by applicable local agencies.
3. 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, sidewalks, landscaping park strip improvements, driveways, etc.

Following the City Council work session discussion on August 2, 2022, Mr. McIlrath stated a fourth condition of approval was added:

4. Sidewalk shall be installed along Legend Hills Drive from University Park Boulevard to the property boundary at 1795 East 1450 South to connect the transit stop to the existing and future land uses.

Councilmember Bush moved to approve the Final Subdivision Plat for Legend Hills Subdivision Phase 4 located at approximately University Park Blvd and 1450 South and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, and Phipps. Voting NO – None. Councilmembers Roper and Thompson were not present for the vote.

APPROVAL OF RESOLUTION 2022R-10 SETTING THE REAL AND PERSONAL PROPERTY TAX RATE FOR FISCAL YEAR 2023

Councilmember Thompson returned to the meeting at 7:52 p.m.

Councilmember Phipps commented that there was always an implication of consent with silence. He appreciated the need-based approach taken with the budget. He believed it was not prudent to say the City would always maintain the rate because the rate was tied to the appraised value of property which did not account for variables such as inflation. He reiterated his concern that the City had become dependent on sales tax revenue and was concerned about a recession. Councilmember Phipps believed the City could make it this year, but was unsure about future years. He was concerned that the bulk of the budget went to salaries and benefits and thought the City would not be able to sustain the consistent increases in human resources. He recognized the issues the City was experiencing retaining staff and applauded the part-time salary increases. However, he believed there was more that could be done to limit human resource costs. He commented that creating a place where people wanted to stay could be more important than pay raises.

Mayor Shepherd liked the need-based approach taken with the budget. He noted there were several cities that had taken a different approach to the rate.

Councilmember Thompson expressed concern regarding the taxing policy. He thought the City taking the break from maintaining the rate was premature and the City would need that break again next year. He noted the uneasiness of consumers and the increase of borrowing and unemployment claims. He was concerned about what would happen should a recession hit.

Councilmember Bush felt the budget had been discussed and was cut just right to where it needed to be.

Councilmember Thompson moved to approve Resolution 2022R-10 setting the real and personal property tax rate for fiscal year 2023 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, and Thompson. Voting NO– Councilmember Phipps. Councilmember Roper was not present for the vote.

APPROVAL OF RESOLUTION 2022R-11 APPROVING AND ADOPTING A BUDGET FOR CLEARFIELD CITY FOR FISCAL YEAR 2023, BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, AND APPROPRIATING FUNDS FOR THE PURPOSES SET FORTH THEREIN

Councilmember Thompson moved to approve Resolution 2022R-11 approving and adopting the budget for Fiscal Year 2023, beginning July 1, 2022 and ending June 30, 2023, appropriating funds for the purposes set forth therein, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, and Thompson. Voting NO – Councilmember Phipps. Councilmember Roper was not present for the vote.

APPROVAL OF ORDINANCE 2022-21 AMENDING TITLE 11, CHAPTER 10A, SECTION 10 – LAND USE, PUBLIC FACILITIES ZONE (PF), SIGNS AND TITLE 11, CHAPTER 11, ARTICLE G, SECTION 10, SUBSECTIONS 10.9 AND TABLE 10.9 – LAND USE, COMMERCIAL AND MANUFACTURING ZONES, FORM BASED CODE, SIGNS, MONUMENT SIGNS OF THE CLEARFIELD CITY CODE

Councilmember Thompson moved to approve Ordinance 2022-21 amending Title 11, Chapter 10A, Section 10 – Land Use, Public Facilities Zone (PF), Signs and Title 11, Chapter 11, Article G, Section 10, Subsections 10.9 and Table 10.9 – Land Use, Commercial and Manufacturing Zones, Form Based Code, Signs, Monument Signs of the Clearfield City Code, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF ORDINANCE 2022-22 REZONING CERTAIN SPECIFIED PROPERTIES WITH CURRENT PUBLIC FACILITY USES FROM VARIOUS ZONING DESIGNATIONS TO PF (PUBLIC FACILITIES) AND AMENDING THE CLEARFIELD CITY ZONING MAP ACCORDINGLY

Councilmember Bush moved to approve Ordinance 2022-22 rezoning certain specified properties with current public facility uses from various zoning designations to PF (Public Facilities), amending the Clearfield City Zoning Map, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF RESOLUTION 2022R-12 APPROVING THE INTERLOCAL COOPERATION PROJECT REIMBURSEMENT AGREEMENT BETWEEN DAVIS COUNTY AND CLEARFIELD CITY REGARDING THE 800 NORTH INFRASTRUCTURE PROJECT

Braden Felix, City Engineer/Public Works Deputy Director, reported that the Davis County Council of Governments (COG) approved the 2021 application for funding for the 800 North reconstruction project the City would be doing in partnership with Clinton City. The application requested \$56,000 for the purchase of property and installation of roadside improvements (curb, gutter, sidewalk, and power pole relocation) for the property located at 723 West 800 North. The Planning Commission reviewed the request on July 20, 2022 and recommended approval.

Councilmember Thompson moved to approve Resolution 2022R-12 approving the Interlocal Cooperation Project Reimbursement Agreement between Davis County and Clearfield City regarding the 800 North Infrastructure Project and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Thanked staff for the work they put into the budget.
2. Noted a land use conference held by the Utah Land Use Institute on August 26, 2022. Mayor Shepherd would not be able to attend and asked if there would be another member of the Council who could attend. Councilmember Peterson volunteered.

Councilmember Bush

1. Provided a reminder that he would be absent on August 16, 2022.

Councilmember Peterson

1. Announced two backpack giveaways in Clearfield for families who needed help with back-to-school needs. It was requested that families attend only one of the giveaways. The first giveaway would be held on Saturday, August 13, 2022 from 9 a.m. to 11 a.m. at

Nations for Christ Church, the second giveaway would be held at the Hope Center on Saturday August 13, 2022 beginning at 1:00 p.m.

Councilmember Phipps - nothing

Councilmember Thompson – nothing.

STAFF REPORTS

JJ Allen, City Manager

1. Thanked Rich Knapp and his staff for preparing the budget and appreciated Council's support and involvement with it.
2. Reported that Mr. McIlrath and Ms. Palmer attended a Healthy Places Index workshop, which might be presented in depth later.
3. Mentioned the ongoing discussion with the School District about Legend Hills. He was also holding discussions regarding their buses and ingress and egress access at the 500 West intersection. Solutions to help were being worked out.

Nancy Dean, City Recorder – reviewed the Council's schedule:

- No meeting on August 16, 2022
- Work Session and Policy Session on August 23, 2022
- The August 30, 2022 meeting is still undecided.

Councilmember Phipps moved to adjourn as the City Council and reconvene as the CDRA in policy session at 8:13 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

The minutes for the CDRA are in a separate location