

FARMINGTON CITY
PLANNING COMMISSION MEETING
Thursday, June 16, 2011

STUDY/WORK SESSION (6:00 p.m.)

***Present:** Chairman Randy Hillier, Vice Chairman Jim Young, Commissioners Rick Draper, Nelsen Michaelson, Michael Wagstaff, and Alternate Commission member Kris Kaufman, City Manager Dave Millheim, Community Development Director David Petersen, Associate City Planner Christy Alexander and Recording Secretary Cynthia DeCoursey. Commission Members Steven Andersen, Michael Nilson and Alternate Commission member Brett Anderson were excused.*

Chairman Randy Hillier began the work session at 6:00 p.m. and welcomed those in attendance.

#1 – Minutes

There was one amendment to the minutes of the May 26, 2011 Planning Commission meeting.

#3 – Garbett Homes – (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for Farmington Crossing North Phase 5 encompassing 5.9 acres consisting of 93 lots located at approximately Shepard Church Drive & Stillwater Drive in a C-PUD zone. (S-4-11)

David Petersen gave a brief overview of issues concerning this request, and **Dave Millheim** provided additional information and advice. They said the City has received numerous emails in opposition to this item, and they expect public comments during the regular session. The following issues were discussed: (1) the development agreement; (2) the CC&Rs which prohibit rentals—owners must appeal to the HOA Board if they have a hardship, and grandfathered units may be rented; (3) property values; (4) slow home sales (one per month); (5) estimated percentage of residents who are opposing this option; (6) various scenarios which may occur if the development goes into foreclosure; and (7) RDA funding.

#5 – Rainey Homes – (Public Hearing) – Applicant is requesting a recommendation for a schematic plan and to amend the Master Development Plan for the Miller Meadows Conservation Subdivision encompassing 58.3 acres and consisting of 117 lots located at approximately 600 South 650 West in an AE zone. (S-5-11)

David Petersen explained that this request is similar to the request made during the May 26th Planning Commission meeting—the main difference is that it will be a Conservation Subdivision rather than a PUD. There was a brief discussion regarding open space, easements, and other issues.

#10 – Davis County – (Public Hearing) – Applicant is requesting approval of a site plan and conditional use permit for the construction of four soccer/sports fields, a maintenance building with additional public restrooms at the Fairpark, and a storage building at the Sheriff's Office Justice Center at 100 North 1100 West in an A & BP zone. (C-8-11)

Davis County officials **Tony Thompson**, **David Hansen**, and Undersheriff **Brent Peters** were in attendance. There was a brief discussion of the purpose and uses of the proposed sports fields, maintenance building, and storage building. County officials said the projects will be funded through transient room taxes, the fields will most likely be seeded, and there will be no lighting. The new storage building for the Sheriff's Department will house equipment and vehicles used for Search and Rescue, Bomb Threats and Disposal, and

Mobile Command Center responses as well as other functions. **David Petersen** said the City owns property in the same area and plans to work with the County to develop a regional park at some time in the future.

REGULAR SESSION

***Present:** Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members, Rick Draper, Nelsen Michaelson, and Michael Wagstaff, Alternate Commission Member Kris Kaufman, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Members Steven Andersen, Michael Nilson and Alternate Commission member Brett Anderson were excused.*

Chairman Hillier opened the regular session at 7:05 p.m., and the invocation was offered by **Nelsen Michaelson**.

#1 – Minutes

Motion: **Rick Draper** made a motion to approve the minutes of the May 26, 2011 Planning Commission meeting with the amendment made during the work session. **Jim Young** seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, and Young**. **Michael Wagstaff** abstained.

#2 – City Council Report

David Petersen said the Council approved a small boundary adjustment with Fruit Heights City.

SUBDIVISION APPLICATION

#3 – Garbett Homes – (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for Farmington Crossing North Phase 5 encompassing 5.9 acres consisting of 93 lots located at approximately Shepard Church Drive & Stillwater Drive in a C-PUD zone. (S-4-11)

David Petersen explained that the schematic plan for this final phase was approved in 2006, and the approval has expired. There have been no changes to the appearance of the buildings, the layout of the amenities, or the condition of streets—the only change is an addition stating that the applicant shall be allowed to develop 93 lease-to-own residential units.

Noel Ballsteadt, 8501 South Taos Drive, Sandy, said Garbett Homes created a nice development in Farmington; however, the housing market has shifted, and bank financing is difficult to obtain. He asked the Commission to consider renewing these approvals which would allow Garbett Homes to finish the development. Zions Bank has agreed to finance the final 93 units on a lease-to-own basis. Each owner would have the option to lease their unit for 18 months, and \$400 per month would be applied towards the purchase price of the unit.

Rene Oehlerking, Marketing Director for Garbett Homes, said the lease to own option will enable people who cannot get approved for a loan to buy homes. The anticipated time period will be no more than 18 months (this is a stipulation of the loan agreement with Zions Bank). If the people who are leasing choose to leave at that time, they would lose their earned equity—possibly \$3,000-4,000.

Public Hearing

Chairman Hillier opened the public hearing at 7:25 p.m.

Roger Wright, 905 Willow Bend Way, said he purchased his home in Farmington Crossing in 2007 after looking at many different options. He would like to protect his investment, and lease-to-own options will negatively affect the current high quality of the development. He is a retired trial attorney, and he bought a home in this area primarily because rental units were not allowed. During an open house, he was told that loans are not available, but a banker said if people are employed and have good credit they can usually qualify.

Renee McDonald, 856 Spring Pond, said her family loves this community. She has lived in Farmington Crossing for 5 years and would like to maintain the lifestyle they currently have. She estimated that 20-30% of the units in Farmington Crossing are currently rentals, and creating 93 lease-to-own units would negatively affect the existing homeowners.

Matt Dugdale, 816 Farmington Crossing, thanked the Commission for their service to Farmington City. He understands the reasons for Garbett's proposal, but he asked the Commission to keep Garbett Homes from making a bad business decision. He and his neighbors are united in their feelings and plan to oppose the request at the City Council level if the Commission recommends approval.

Theresa Larrabee, 953 W. Willow Green, said it is no secret that her relationship with Garbett Homes has been volatile, and she is currently working with them to resolve several issues. She complained that Garbett Homes was not honest or open with the existing homeowners, the current CC&Rs prohibit rentals, and the open houses were represented as sales meetings.

Rodney Johnson, 1047 Stillwater Drive, said there are currently 30 unsold units, and an additional 93 units will compete with the sales of the 30 units as well as the large apartment complex to be built in Station Park. The City will be faced with the prospect of numerous vacant units. He is from southern California and is well aware of areas in overbuilt cities which become slums. Two years ago Money Magazine selected Farmington as the best small town in Utah, and he asked the Commission to deny this proposal.

Jeff Covalt, 1119 Stillwater Drive, lives across the street from Phase 5. He purchased there as a first-time home buyer because he was tired of the problems that come with apartment living. Farmington is great, and Garbett built a nice community, and he asked the Commission to deny this request.

Mack McDonald, 356 N. Spring Pond Drive, is confused by the schematic plan because it is different from the grandiose plan he was shown when he purchased his home. He complained that the swimming pool is now a splash pad, and a healthy neighborhood is typically 80% owner occupied and 20% rentals. When that ratio is changed, the area deteriorates. Lease-to-own units will increase the demand on City resources and bring additional crime.

Joseph Brousseau, 868 Shepard Creek Parkway, said he agrees with the comments made by other residents. He commented that a pool was needed on the north end of Farmington Crossing, but he did not want to pay additional fees. He complained that Garbett Homes has not been honest with them.

Gavin Mangelson, 1129 Stillwater Drive, added his voice to those who are against allowing rentals in the area. He would like additional details regarding "lease-to-own" units. He asked the Commission to deny this request because there will be no way to regulate or guarantee how these units would be managed.

Eric Higham, 907 Willow Bend Way, said he has many grievances against Garbett Homes. His ancestors helped build Farmington, and growth is difficult, but Planning Commissions and City Councils are responsible to regulate City affairs and support residents.

Tyler Judkins, 843 Spring Pond Drive, said he agrees with the previous comments. He is a member of the Board of Adjustments and is grateful that residents are allowed to voice their opinions. Garbett Homes publishes a newsletter each month, but the existing homeowners were not told about this meeting. Garbett is masking the process by claiming they are helping poor people who cannot obtain financing, but they are in the business of building homes. He asked the Commission to deny this request.

Tiffany Ripplinger, 1093 N. Stillwater, lives across the street from this final phase. She purchased her lot because of the amenities, and she appreciates the efforts of Garbett Homes in finishing this project and asking for input from existing homeowners. When she tries to resell her unit, she would like potential buyers to see a finished product.

David Hale, 776 Willow Green Way, said residents of Farmington Crossing cannot rent their own homes unless they prove a hardship to the HOA Board.

Randi Christoffersen, 1137 Stillwater, said she agrees with the comments which have been made. However, she is inclined to support this plan for several reasons: (1) economic conditions have created difficult business decisions; (2) there is no crystal ball which predicts the future; (3) the empty fields have become a “dog run, ATV run, motorcycle run, and a dirt bike run” which does not add to the value of her unit; (4) completion of Phase 5 and the amenities will increase the value of her home.

David Cook, 925 Willow Bend Way, requested that the Commission deny this request. He said Garbett Homes has good intentions, but they do not know the individual homeowners.

Jessica Wade, 1034 Shepard Creek Parkway, has lived in Farmington Crossing for 2 years and has kept her commitments. She would like to see Garbett Homes keep their commitments, and she would rather have fields full of weeds than dumpy rentals.

Jordan Hendriksen, 1064 Shepard Creek Parkway, works at a bank and he has recently seen numerous people obtain approval for housing loans. He does not believe this is the only solution—there are federal programs which can assist people who desire to purchase homes.

Chairman Hillier closed the public hearing at 8:15 p.m., and there was a lengthy discussion of issues related to this item including but not limited to: how quickly the units would sell, the plan at the end of 18 months if the resident cannot afford to buy, the type of financing agreement Zions Bank will use, the possibility of having fewer units, and the possibility of RDA funds.

Mr. Oehlerking explained that overall housing sales are the lowest they have been since 1961. Garbett plans to convert the lease-to-own units to sales as soon as the market is stronger—they expect the market to make a solid recovery by 2014-2015. They do not believe that Utah is overbuilt—many people are moving to the rental market because they cannot qualify to buy a home. Zions Bank is conservative and believes this plan will be successful or they would not be funding it, and they will not provide financing for fewer than 93 units. The units will be high quality and will not compete with apartment rentals because the rates will range from \$1200-\$1500 per month. Garbett would require stringent background checks and other criteria to obtain solid homeowners, and affordable housing funds are not an option because only 5% of the current residents are at the low to moderate income level.

Motion: Nelsen Michaelson made a motion to recommend that the City Council re-approve the schematic plan specific to, or for, Farmington Crossing Phase 5, and to reflect the existing Final (PUD) Master Plan, subject to all applicable Farmington City ordinances, development standards and the same conditions and findings established previously by the City except that the applicant shall be allowed to develop lease-to-own

residential units. **Rick Draper** seconded the motion which was approved by Commissioners **Draper, Michaelson,** and **Wagstaff**. Commissioners **Hillier, Kaufman,** and **Young** did not approve the motion.

David Petersen read from the bylaws of the City code which states: "In the event of a tie vote on any decision before the Commission, the motion shall fail, and the Chairman may ask for another motion. If no other motion is made, or in the event the second motion also ends in a tie vote, the matter shall be continued until the next regular meeting of the Commission. In the event that a final decision is not made at the next meeting, the application shall be deemed denied."

There was further discussion between the Commissioners, and those who voted against the motion requested additional information regarding the process of obtaining the loan from Zion's Bank and Garbett Homes' hardship. They suggested further discussion between residents and Garbett Homes to determine if there are any other options which may be viable. **Rene Oehlerking** said they have been working on due diligence information for many months and are willing to provide any information which may be helpful. **Chairman Hillier** called for another motion. There was no motion made, and the item will be heard again at the meeting on June 30, 2011. **David Petersen** requested that Garbett Homes provide a list of lease to own projects in the area to enable Commissioners and staff to visit these in preparation for the next meeting.

#4 – Farmington Crossing North Final (PUD) Master Plan – Consideration of a possible amendment of conditions related thereto. (S-4-11

Motion: **Jim Young** made a motion to table the request for the possible amendment of conditions related to the Farmington Crossing North Final (PUD) Master Plan. **Michael Wagstaff** seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff,** and **Young**.

Recess

At 9:05 p.m. **Nelsen Michaelson** made a motion to recess for 10 minutes. **Michael Wagstaff** seconded the motion which was approved by all Commission Members. The meeting was resumed at 9:15 p.m.

#5 – Rainey Homes – (Public Hearing) – Applicant is requesting a recommendation for a schematic plan and to amend the Master Development Plan for the Miller Meadows Conservation Subdivision encompassing 58.3 acres and consisting of 117 lots located at approximately 600 South 650 West in an AE zone. (S-5-11)

David Petersen explained that the City is not interested in using the open space as a park as proposed at the previous Commission meeting. The City plans to have a regional park five blocks north of this subdivision, and ongoing maintenance costs are prohibitive at this time. Because of this and other reasons, Rainey Homes is no longer pursuing PUD approval--they are requesting approval for a Conservation Subdivision and would like to increase the number of lots from 110 to 117 and eliminate the two easterly conservancy lots. In lieu of the required open space, they will request a waiver from the City Council and provide comparable compensation (a cash payment) that would be earmarked for open space/park property elsewhere.

Public Hearing

Chairman Hillier opened the public hearing at 9:20 p.m.

Brock Johnston, 1080 S. St. Andrews Drive, Syracuse, said Rainey Homes has gone back to the original plan, but because of the decrease of open space and the increase in the number of lots, the remaining conservancy lot in the northwest area of the project is larger under this plan. The lots will average 2,500 to

3,000 square feet larger because of the vacancy of the two conservation lots. The average size of the lots will be 15,000 square feet and larger and should raise the value of surrounding homes.

Diana Moesinger, 517 W. Miller Way, said her primary concern is the walkway to the Legacy Trail system. She asked for a condition stipulating that the walkway to Legacy Trail be finished prior to the issuance of any building permits. She is concerned because it appears that the owner of lot 304 will not be able to purchase additional property on the back of his property. She would like to have open space in her area and reminded the Commission that the area was zoned for ½ acre lots, and the excess acreage was going to be open space. At the very least, she thinks Rainey Homes should eliminate those four lots and leave a large Lot 701.

Rachel Griffiths, Lot 210, 502 Rigby Road, said she loves her neighborhood. Rainey Homes has kept her well informed; however, she was told that Lot 701 would either be converted into a park to be maintained by the City, or it would remain as a cow pasture. The value of her home is lowered because Lot 210 is one of the smallest lots. She bought the lot next to the cow pasture because it is tranquil and beautiful, and she pointed out that because Lot 209 is right against her property, and the required 20 feet between properties is not met.

Kristie Marshall, Lot 211, 476 W. Rigby Court, said several property owners have not been contacted regarding these changes. She would like to know the various options for her lot, and the owner of Lot 304, **Kari Threadgold**, has not been contacted. She requested a meeting to review cost estimates, the available options, and additional acreage which may be available. She would like a park in her neighborhood rather than having the money used for a park several blocks away. She asked that the trailhead between Lots 803 and 804 be completed prior to construction.

Ashley Zeigler, Lot 217, 628 S. Daniel Drive, said she attended the previous meeting and shared her concern regarding craftsman style homes. She asked Rainey Homes to include a variety of home styles, and she requested that the trailheads be completed prior to the issuance of building permits.

Jared Bryson, 417 South 650 West, said owns three acres adjacent to this subdivision, and he and his neighbor share an easement across Lot 709. He requested that all parties work out a solution for the easement. He thanked Rainey Homes for their efforts and welcomed them to the community.

Dell Marchant, 556 Rigby Road, requested a meeting for those involved with Lot 701 and asked if a park was still an option for Lot 701. **David Petersen** responded that the City is planning a regional park several blocks to the north, and the ongoing maintenance for two parks would be prohibitive. **Mr. Marchant** requested a park on Lot 701, and he asked that the City Council be approached regarding the request.

Kent Fultz, 457 W. Daniel Court, Lot 214, verified that this new proposal will have no conservancy lots on the east, and it will increase the size of 701. It also may be possible for the existing owners of Lot 220 to buy an extra 10 feet. He encouraged adherence to the minimum open space requirement.

Bart Tingey, Lot 207, 542 W. Rigby Road, appreciates the efforts for compensation, but he is concerned because the open space was the number one reason he moved to Farmington. He understands the reasons for eliminating the open space on the east, but there is less open space, and he asked if the four lots on the north side of Lot 701 could be eliminated instead. He would like the cows to remain because they keep the weeds under control.

Dean Griffiths, 502 Rigby Road, Lot 210, said he had his property surveyed, and there is a 2 ½-foot variance that needs to be resolved. This proposal seems to favor the east side as opposed to the west side, and he agreed that the open space should be left as pasture land.

The public hearing was closed at 10:05 p.m., and **David Petersen** explained that the conservation subdivision ordinance was adopted by the City in 1999. Because Farmington has a very low tax base, this allowed the City to obtain many of its trails, parks, and open space areas. Developers were allowed to increase the number of their lots by giving open space to the City. The City Council makes decisions regarding just compensation. **Kris Kaufman** expressed concern that these special circumstances were self induced by the developer during the planning process, and if it is allowed, it will set a precedent. There was additional discussion regarding open space and parks. **Brock Johnston** said he spoke with the owners of Lot 212 and Lot 213, and they are not interested in purchasing property at this time. Rainey Homes has no problem with finishing the trail access areas. They have a wide range of home designs—rock, stucco, colonial and craftsman.

Motion: **Rick Draper** made a motion to recommend that the City Council amend the Master Development Plan as proposed and also approve the schematic plan related thereto subject to all applicable Farmington City ordinances and development standards and the following:

1. Provide a description of the type of culinary and irrigation water system(s) proposed and the documentation of water rights and secondary water shares.
2. Provide a description of the size and location of sanitary sewer and storm water drain lines and a subsurface drainage.
3. Obtain a waiver of open space requirements as requested from the City Council as per Sections 11-12-065 and 11-12-068 of the Zoning Ordinance.
4. The development agreement for the project must be updated to show the change to the Master Development plan.
5. Pedestrian access to the Legacy Parkway trail must be provided from two of the adjacent cul-de-sacs in the subdivision.
6. Improvements for the walkway to Legacy Trail near Lot 305 will be completed prior to the issuance of any building permits, and between Lots 803 and 804 prior to any homes being constructed.

The motion was seconded by **Jim Young** which was approved by Commission Members **Draper, Hillier, Michaelson, Wagstaff, and Young**. Commission Member **Kaufman** voted against the motion.

Findings:

1. Elimination of the two easterly conversancy lots will remove two awkwardly configured estates lots with “fingers” of open space behind platted lots thus doing away with weed conflicts and over encroachment of agriculture uses onto residential areas.
2. Compensation for the loss of open space will be spent on open space/parks elsewhere.
3. The overall lot size for the non-conservancy lots remains the same or slightly larger.
4. The new plan provides greater access to the Legacy Parkway Trail.

Motion: **Rick Draper** made a motion to continue the meeting past 10:00 p.m. **Nelsen Michaelson** seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young**.

#6 – Rainey Homes – (Public Hearing) – Applicant is requesting a recommendation to amend the Miller Meadows Phase 3 Subdivision Plat by vacating all of Lot 305 and recording a subdivision plat in the place thereof consistent with an approved overall Master Plan. (S-6-11)

Motion: **Michael Wagstaff** made a motion to recommend that the City Council amend Phase 3 of the Miller Meadows Conservation Subdivision as requested. **Nelsen Michaelson** seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young**.

Findings:

1. A conservancy lot will be eliminated, thereby removing an awkwardly configured estate lot, weed conflicts and the over encroachment of agriculture uses into a residential area.
2. The new plan provides greater access to the Legacy Parkway Trail.

#7 – Rainey Homes – (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the proposed Tuscany Cove Phases 2 and 3 subdivision encompassing 2.09 acres and consisting of 4 lots located at approximately 275 East Tuscany Cove Drive in an LRF zone. (S-7-11)

David Petersen reminded the Commission that they tabled this item on May 26th and advised the applicant to prepare information regarding retaining wall specifications on the west side of the lots abutting the proposed 275 East Street if a sidewalk is provided. The drawings are included in the staff report. The Fire Department has given approval of the turn around, but the Public Works Department is not satisfied with it.

Public Hearing

Chairman Hillier opened the public hearing at 10:20 p.m.

Phil Hunter, 1605 South 200 East, owns the property adjacent to Tuscany Cove and asked if there would be a sidewalk on the east side and if the road would continue. **Mr. Petersen** said the road will continue, and he asked **Mr. Hunter** if he would agree to the temporary use of his property for a turnaround—he said yes.

The public hearing was closed at 10:35 p.m.

Motion: Nelsen Michaelson made a motion to recommend approval of the Tuscany Cove Phases 2 and 3 Subdivision Schematic Plan as proposed subject to all applicable Farmington City standards and ordinances and the following conditions:

1. The applicant must provide a 6-foot wide sidewalk at the back of curb on the west side of the proposed 275 East Street.
2. The City Council must approve the proposed modified street cross section in accordance with 12-8-100 of the Subdivision Ordinance.
3. A temporary turn around acceptable to both the Farmington City Public Works and Fire Departments must be provided.

Rick Draper seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young.**

Findings:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including:
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the LRF zone;
 - c. Description and preliminary layout of utilities and other services required;
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Preliminary Plat submittal is consistent with all necessary requirements for a preliminary plat as found in Chapter 5 of the City’s Subdivision Ordinance.

4. The recommendation for schematic plan approval also represents the Planning Commission's recommendation to the City Council regarding the proposed street cross section for 275 West Street.

#8 – Howard Kent – Applicant is requesting recommendation for approval of a final plat for the proposed Spring Creek Phase Estates 3-C subdivision encompassing 22.7 acres and consisting of 54 lots located at approximately 550 North 1800 West in an AE zone. (S-8-11)

Christy Alexander said the first two phases of this subdivision are finished, and this phase was put on hold due to the conditions of the housing market. The applicant would like to break Phase 3 into several sub-phases, and this is the third of the sub-phases and includes 54 lots. The first and second sub-phases are recorded and improved. A development agreement must be finalized and recorded with the plat because it is a conservation subdivision.

Motion: **Jim Young** made a motion to approve the final plat for the Spring Creek Estates Phase 3-C subdivision with the following conditions:

1. The applicant will work with the City's Development Review Committee to address any outstanding issues related to the final plat—including, but not limited to, planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant will work with staff to finalize and present to the City Council a development agreement for the Spring Creek Estates subdivision.
3. The applicant will submit an amended master plan exhibit for the recordation of the development agreement.
4. The applicant will rename Old Fort Circle (an extension of Old Fort Road) and Spring Creek Drive as they duplicate street names already in existence in the City.

Kris Kaufman seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young.**

Findings:

1. The proposed final plat is consistent with the approved preliminary plat.
2. The proposed subdivision meets all of the requirements for approval of a final plat.

CONDITIONAL USE APPLICATIONS

#9 – Clark Skeen – (Public Hearing) – Applicant is requesting approval of a site plan and conditional use permit for the construction of a warehouse building on the Quantronix Office site at 380 South 200 West in a BP zone. (C-7-11)

Christy Alexander explained that Quantronix is planning to build a new warehouse adjacent to their current office building at 380 South 200 West—they received approval for a variance to the rear yard setback requirement (20 feet to 5 feet) from the Board of Adjustment on March 30, 2011. This additional space will provide clearance for loading/unloading and truck circulation around the warehouse. Quantronix shares a cross-easement agreement with the property to the north, and they share a driveway which connects the properties for truck access.

Chairman Hillier opened the public hearing at 10:40 p.m.

Clark Skeen, North Ogden, President of Quantronix, said truck traffic will be minimal, and because the trucks will primarily use the 200 West off ramp, truck traffic in front of the junior high school will not increase. The additional building will allow his business to consolidate into one location which will ensure viability for the company and accommodate its future expansion.

Robert Leavitt, 511 South 11 West, signed up to comment regarding this proposal, but he left the meeting before the item was heard.

The public hearing was closed at 10:42 p.m. **Nelsen Michaelson** and **Kris Kaufman**, who are members of the Board of Adjustments, attended the meeting on March 30, 2011, heard the details of the proposal, and approved the request for a variance.

Motion: **Jim Young** made a motion to approve the conditional use permit subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Sign regulations shall be followed for all signs on the warehouse site.
2. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots.
3. All issues surrounding storm water drainage and provision of a detention basin must be resolved. An agreement between Quantronix and UDOT shall be formalized on the use of the pond on their property.

The motion was seconded by **Michael Wagstaff** and approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young.**

Findings

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community. This new warehouse will bring the Quantronix offices onto one site and will help the company be more efficient. As the building will be in the rear of the existing lot, many surrounding neighbors will not be affected by the building and the truck traffic it will bring;
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use as it will be a warehouse in the rear lot of the current Quantronix office building.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development as it will be designed similar to the other building and screened with landscaping;
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation;
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
 - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
 - b. Unreasonable interference with the lawful use of surrounding property; and
 - c. A need for essential municipal services which cannot be reasonably met.

#10 – Davis County – (Public Hearing) – Applicant is requesting approval of a site plan and conditional use permit for the construction of four soccer sports fields, maintenance building with additional public restrooms at the Fairpark, and a storage building at the Sheriff’s Office Justice Center at 100 North 1100 West in an A & BP zone. (C-8-11)

Public Hearing

Chairman Hillier opened the public hearing at 10:40 p.m.

Tony Thompson, Davis County Property Manager, referred to the site plan included in the staff report and pointed out the locations of the fields and buildings and access points. Comments from the Commission included the possibility of using the fields for other sports, whether or not bleachers would be available, the type of landscaping and trees.

Kelly Nielson, 1333 South 2375 West, Syracuse, is the architect for the buildings. He referred to the elevations included in the staff report and said the buildings will match the existing buildings in material and color schemes. High privacy walls will be built around the access to the restrooms, and a mens/womens shower facility will be included in one of the buildings which will accommodate the needs of rodeo participants and overnight campers. The vehicle storage building is a protection for the large expensive vehicles.

The public hearing was closed at 10:55 p.m.

Motion: Michael Wagstaff made a motion to approve the conditional use permit for four soccer fields subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots.
2. Access for emergency vehicles to the soccer fields must be provided for instances that call for a quick response to an emergency.
3. All additional remaining concerns of each reviewing agency must be provided for instances that call for a quick response to an emergency.
4. The County will coordinate recreation goals and strategies with Farmington City in regards to any future plans of a regional City Park across the creek and will maintain a connection of the two properties when said park is developed.

Nelsen Michaelson seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young**.

Motion: Nelsen Michaelson made a motion to approve the conditional use permit for a Maintenance Building with additional public restrooms subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots.
2. Sign regulations shall be followed for all signs on the storage and restroom facility.
3. All additional remaining concerns of each reviewing agency must be addressed and resolved prior to construction.

Rick Draper seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young**.

Motion: Rick Draper made a motion to approve the conditional use of the Storage Building at the Sheriff's Office Justice Center subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots.
2. All vehicles, equipment and supplies must be stored within the building and locked after hours.
3. Landscaping around the storage building must be consistent with that found elsewhere on the Justice Center property.
4. All additional remaining concerns of each reviewing agency must be addressed and resolved prior to construction.

Kris Kaufman seconded the motion which was approved by Commission Members **Draper, Hillier, Kaufman, Michaelson, Wagstaff, and Young.**

Findings

Findings applicable to the three previous motions are:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well being of the community. With the expansion of the Justice Center and the Fairpark, these additional storage facilities are highly needed. Staff sees the addition of the four soccer/sports fields as a great amenity to the county which will be a great addition to future plans for the Fairpark and a future City Park and will become a gathering place for the community;
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use as it will be a storage facility consistent with others found on the property and recreation fields with the Fairpark;
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development as they will be designed similar to the other buildings and screened with landscaping from the local roads and will not be visible from the streets;
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation;
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
 - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
 - b. Unreasonable interference with the lawful use of surrounding property;
 - c. A need for essential municipal services which cannot be reasonably met.

Adjournment

Motion: Nelsen Michaelson made a motion to adjourn, and the meeting was adjourned at 11:00 p.m.

Randy Hillier, Chairman
Farmington City Planning Commission