

**FARMINGTON CITY
PLANNING COMMISSION MEETING
January 9, 2014**

WORK SESSION

***Present:** Chairman Brett Anderson, Commissioners Heather Barnum, Brad Dutson, Kent Hinckley and Mack McDonald, Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Commissioners Kris Kaufman and Rebecca Wayment and Alternate Commissioner Michael Nilson were excused.*

Amy Shumway, a Farmington resident, presented a pedestrian and bike path proposal to the Commissioners for safe access from Farmington Crossing and Oakridge Preserve Trail to Legacy Trail and Farmington Station. Her proposal included three suggestions for access: a tunnel or bridge going under/over I-15, shuttle services and/or continuing Legacy Trail to Shepard Lane.

David Petersen gave a brief update on the City Council report. After the last Planning Commission meeting when the Commission gave a recommendation to deny the Cottages at Rigby Road, the City Manager, staff and the developer met together to determine the best solution based on residents' concerns. The developer decided to amend the plan to 67 lots under a conservation subdivision and seek waivers for the open space. This was the plan presented to the City Council. The City Council felt it appropriate for the Planning Commission to review the amended plan, thus the reason it is on the Commission's agenda again.

Item #3. Jerry Preston – Metes and Bounds Subdivision Approval for Elliot Subdivision

David Petersen explained this property is zoned R-4; its uses include multi-family housing. The applicant has chosen to divide the property into 2 flag lots. Based on the City's ordinances, the applicant has met all standards for the flag lots. Also, the neighbors are in support of the flag lots as they would prefer single-family homes to be built and not multi-family housing.

Item #4. Ovation Homes – Schematic Plan Approval for the Cottages at Rigby Road Conservation Subdivision

Heather Barnum asked what concerns residents still have with the new plan. Under the new plan, **David Petersen** said the Trails Committee is upset a trail will not be required, but he feels the developer is just listening to the neighboring residents on the issue. **Kent Hinckley** expressed concern that the new plan does not fit under a conservation subdivision as the developer will just be seeking waivers for open space and will not actually be conserving anything. **David Petersen** explained that based on the yield plan, the developer is allowed 67 lots. With a conservation subdivision, he would only be allowed to the 67 lots with 4.8 acres of open space. By removing or waiving the open space, he is able to increase lot sizes to fit the more conventional home styles the community was requesting.

Item #5. Scott Balling – Preliminary Plat and Preliminary (PUD) Master Plan for Kestrel Bay Estates

Eric Anderson stated with Motion B, the applicant has provided a soils report and proved homes can be built on lots 123 and 124; conditions 3 and 5 can be removed from the motion. **David Petersen** also briefly explained the history and zoning of the area. Part of this property is zoned R-8 and could be used for multi-family housing. Neighbors were a little relieved when this development was proposed, however, there was much discussion regarding continuing 450 South through the development and/or providing an additional access road entering 620 South. Although the Planning Commission recommended adding the access road to 620 South, the City Council voted against it.

REGULAR SESSION

Chairman Brett Anderson, Commissioners Heather Barnum, Brad Dutson, Kent Hinckley and Mack McDonald, Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Commissioners Kris Kaufman and Rebecca Wayment and Alternate Commissioner Michael Nilson were excused.

#1. Minutes

Mack McDonald made a motion to approve the Minutes from the December 5, 2013 and December 12, 2013 Planning Commission meetings. **Brad Dutson** seconded the motion which was unanimously approved.

#2. City Council Report

David Petersen gave a report from the City Council meeting on December 17, 2013. The City increased the building height for The Avenues at Station Park (also note the name will be changed as "Station Park" is copyrighted) on a 4-1 vote. He also mentioned that Ovation Homes is before the Commission again as their development plans for the Tanner Property drastically changed after the last Planning Commission meeting; City Council felt it appropriate for the Commission to review the amended plan.

SUBDIVISION/ZONE CHANGE APPLICATIONS

#3. Jerry Preston (Public Hearing) – Applicant is requesting metes and bounds subdivision approval for the Elliot Subdivision located at approximately 53 South 100 West in an R-4 zone. (S-22-13)

Eric Anderson said the applicant is requesting a simple metes and bounds subdivision. The applicant would like to subdivide the property into two flag lots. Since the property is zoned R-4 and the applicant could build multi-family housing units, neighbors are pleased to see the proposed flag lots. Staff recommends the application for approval.

The applicant was not present to comment.

Brett Anderson opened the public hearing at 7:12 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:12 p.m.

Commissioners agreed that the flag lots “fit” the area better than multi-family housing units would and feel it says a lot when the local residents are in favor of the metes and bounds subdivision.

Brett Anderson asked if the proposed homes will face 100 West or if they would face each other. **David Petersen** said based on the ordinance, it is determined when the building permits are requested.

Motion:

Brad Dutson made a motion that the Planning Commission approve the metes and bounds Elliott Subdivision subject to all applicable Farmington City ordinances and development standards. **Heather Barnum** seconded the motion which was unanimously approved.

Findings for Approval:

The property is identified as R-4 on the zoning map, and thus the applicant could propose multi-family housing for this parcel. Having two flag lots is highly preferable to multi-family housing in this area, particularly given the surrounding historic properties and the adjacent Clark Lane Historic District.

Item #4. Norm Frost/Ovation Homes (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the proposed Cottages at Rigby Road Conservation Subdivision consisting of 67 lots on 23.5 acres located at approximately 1350 West and 1800 North. The applicant is also requesting a recommendation for an LR Zone designation related thereto. (A-S-13; S-18-13)

David Petersen explained the developer has brought a couple previous proposals. At the last meeting on December 5, 2013, the developer proposed 77 lots with approximately 4 acres of open space, which included a trail along the Haight Creek which would make an approximate $\frac{3}{4}$ mile loop around the subdivision. The developer was met with a lot of public resistance to having the trail. Additionally, the Planning Commission recommended denial to City Council of the plan as the Commission did not feel the amenities the community would be receiving with the PUD were adequate. The staff and the developer met to address some of the concerns with the plan. The developer revised his plan to a conservation subdivision with 67 lots and has requested a waiver for the open space. He presented the revised plan to the City Council on December 17, 2013; the City Council requested the Planning Commission review the revised plan first.

David Petersen walked through some of the revised plan's changes. He also explained to make for a better subdivision (as home styles now are much wider), staff recommended making the lots wider for most of the development, but including smaller lots in the cul-de-sac area, allowing the developer to still market toward the empty-nester community for that part of the subdivision.

Although it may not be required, the developer is still proposing a landscaped buffer along 1800 N., but until the improvement drawings are submitted for the road, **David Petersen** said there is no way to know the exact width of the buffer at this time. Some residents are still concerned about what the buffer will be and would like to review it, however, at the Preliminary Plat stage, it is not required to have a public hearing. **David Petersen** suggested adding a condition to the motion that will allow for another public hearing

for the Preliminary Plat stage to ensure the public has a chance to review and comment on the proposed buffer. **David Petersen** also added that the City will be determining what future improvement plans will be made to 1800 N. and what will be required of the developer as there is no current precedent for what a developer is required to do on an Important Local Road.

Kent Hinckley asked if the development meets all traffic requirements. **David Petersen** said yes. **Heather Barnum** wanted to know where the funds would go that are obtained by the waiver for the open space. **David Petersen** said the funds will be set aside for open space in an area that will benefit the community. An example of this would be the regional park the City will be building.

George Chipman, 433 S. 10 W., chairman of the Farmington Trails Committee, requested the Planning Commission approve Alternative Motion B, which allows for the approval of the development and for the trail along Haight Creek. Approval of Motion B would allow the City Council to be the deciding factor on if they want the trail developed or not. He emphasized that based on the City's standard, as listed in the ordinances, the purpose of a conservation subdivision is to preserve the unique areas that have natural features. He recommended the Commission approve the motion with 5 additional proposed conditions which included preserving the Hollow and requiring a trail be built. He also covered three waivers the Trails Committee recommends in order to still preserve the land; the waivers could also be considered as partial waivers. In exchange for the requested waivers, he asked for the following compensation in return:

1. Developer gives to the City an easement over where the trail will be built;
2. The developer builds and pays for the cost of the trail;
3. The trail be of high quality, like using the crusher fines material to build the trail;
4. The developer provides, at his own expense, amenities such as park benches, signage and trash receptacles;
5. The nature trail be given to the community as a gift by allowing open access;
6. The developer meets all requirements of a conservation subdivision, except for the recommended waivers provided.

Losing the beautiful hollow to private ownership would forever exclude community enjoyment.

Melvin Smith, 1936 E. 1900 N., Layton, is applicant Brad Frost's attorney. He explained that when negotiations for purchasing the property first took place, they discovered it was located in unincorporated Davis County. He then began discussions with the cities to determine where it would best fit; Farmington wanted and welcomed the opportunity to annex the property into the City boundaries. Mr. Frost found there was a market for the active adult communities. After a couple proposals, he has come up with the current proposal of a more conventional subdivision of 67 larger lots, which is approximately 2.85 units per acre. It was very clear the City was concerned about the improvements along 1800 N. so those improvements will be included in proposals moving forward. As for the open space along the Haight Creek, many residents were upset with the proposed trail. Many people use trails for exercise, however, the proposed Haight Creek trail would be less than 1000 ft. without any possibility of a connection to the north or south and thus decreasing the benefit of having it. He emphasized that although the Master Plan does show a trail along the Haight Creek, the Master Plan is only conceptual and is not binding. **Melvin Smith** said the greatest benefit they could give the City would be to seek a waiver for the open space and allow the City and staff to purchase open space elsewhere; this allows for the whole community to ultimately win.

Brad Frost, 534 N. Anita Dr., Kaysville, showed example pictures of the potential landscape buffer that would be along 1800 N. He said they like a meandering sidewalk and would like to give dimension to the buffer by adding additional width for landscaping features with trees in some areas. He is also open to making the sidewalks wider. As for residents' concern regarding the builder for the west side of the subdivision, they are in negotiations with potential partners. They should have an agreement in place before the City Council meeting on January 21, 2014 and would be happy to disclose the builder's name at that time.

Brett Anderson opened the public hearing at 8:01 p.m.

Shaunna Burbidge, 154 Carrington Ln., Centerville, is the President for Active Planning and is a sub-consultant representing UDOT, UTA and the Salt Lake Regional Council. Recently, the Utah Collaborative Active Transportation Study (UCATS) was completed which looked at alternative modes of transportation across the Wasatch Front. They identified the top 25 key locations for active transportation improvements with the Main St. interchange by Cherry Hill as one of the top corridors. She urged the Commission to reconsider implementation of the trail or to provide adequate improvements along 1800 N. to provide an alternative route to pedestrians and cyclists to avoid that interchange at Cherry Hill. All work done under UCATS' program was completed based on cities' master plans, including using Farmington's approved Master Plan, which showed a trail along the Haight Creek corridor, which served as a key connector for pedestrians and cyclists to get from Main St. down to Shepard Ln. and other of the City's trail network. **Mack McDonald** asked for further clarification on what would be considered "adequate improvements" along 1800 N. **Shaunna Burbidge** stated that although meandering sidewalks are visually appealing, they are not pedestrian friendly for joggers and walkers. She also added a bike lane and/or signage along 1800 N. would also be a welcomed improvement. She suggested using the funds received from the waiver of open space toward the additional 1800 N. improvements. **Heather Barnum** asked staff if that is possible to use those "open space funds" on the suggested improvements. **David Petersen** said yes, any compensation from a waiver does not necessarily have to be money donation, but could also include amenities and/or improvements "in kind."

Lani Shepard, 720 Somerset St., asked the Commission to not lose the trail along the Haight Creek; pedestrians and cyclists can use it. She emphasized that trails that are official, maintained and loved protect precious islands of green that we have left in the City. She explained how appreciative she is that bits of open space have been protected through the City's trail system. She fears that if the Haight Creek is not preserved, it will be gone forever.

Rick Draper, 29 W. 1340 S., is a resident of Farmington, former Planning Commission member and one of the construction lenders for Ovation Homes. He is pleased with how the project has "morphed" to best fit the needs of the community. Having worked with Ovation Homes for some time, he added that their projects are well received and have added value to the communities they build in. He feels Ovation Homes has worked to adequately meet the need for active adult communities and their project will be a great addition to Farmington.

Cindy Roybal, 1267 W. 1875 N., is pleased that the developer has reworked the plan to meet residents' concerns and feels, by doing so, he is gaining a much bigger support system from the neighbors. She said she has been able to serve on the Trails Committee for the last year and is a large supporter of trails, however, feels the previously proposed Haight Creek trail is a trail to nowhere. She felt the community lost the trail 40 years ago when it was sectioned off to private property in Kaysville. Also, the Jeppson property located just south of the subdivision was just approved and the City did not require access to the creek there. She feels the community could benefit more from improvements along 1800 N. as

previously suggested. She also requested the Commission invite the community for another public hearing during the Preliminary Plat stage.

Mike Hoer, 1873 Bella Vista Dr., was surprised that the new proposal did not include the Haight Creek trail. He feels it was removed based on a very vocal minority group that was against it; a trail brings great value to a neighborhood. He feels that hundreds of residents would be able to enjoy the use of the trail and a trail creates a shared sense of community. His personal residence has trails on 3 sides of it; he feels his home is safer as couples, families, cross-country teams are always using the trail. He is frustrated that the City's ordinances were designed to protect an area's unique natural features and feels the developer is willing to do that if the community would be more supportive. He would like the Commission to find a more win-win situation for the community by preserving the trail and creating a successful subdivision.

Greg Bell, 744 Eagle Way, Fruit Heights, explained the great lengths the developer has gone to meet the concerns addressed by the Commission and the public. One of the biggest debates has been over the trail. Although he feels it would have been a beautiful trail, by removing the HOA and the proposed "loop" as previously presented, it is now a trail that leads to nowhere. Ultimately, the revised plan includes all the requests from neighbors and the Commission.

Darcy Zanger, 1494 Moss, explained about 8 years ago, Farmington City requested that residents pay for curb and gutter along 1800 N. but was very opposed by the residents. Previously, a comment was made that the developer is responsible for developing the north side of 1800 N and it is yet to be determined how improvements will be made on the south side. She emphasized that residents are still opposed to funding any sort of improvements on the south side. She also suggested the developer include parking along 1800 N. as the LDS meetinghouse parking lot becomes very over-crowded and is not easily accessible with the large amount of cars parked alongside the road.

Chris Roybal, 1267 W. 1875 N., said he is pleased with the changes to the plan, including the larger lots and the 1800 N. buffer. He feels the conceptual plans of the buffer would be acceptable and feels it would be a popular walkway within the community. With regards to the 1800 N. improvements, he would ask the City and the developer not compromise the south side of the road. He also added that although it may appear that the City is "losing" the trail, but emphasized the fact that the trail is on private property. He is unsure why others feel it is acceptable to ask for public access to private property.

Chris McRoberts, 1417 Haight Creek Dr., Kaysville, emphasized that the proposed trail really leads to nowhere. He is in favor of doing a bike path/walking trail along 1800 N. He would love to see something that would connect over to the west side of Farmington. He thinks it's a great idea to do a trail/path that goes somewhere and have the developer pay for it.

Bryce Huff, 780 E. 1475 S., Kaysville, lives along the Haight Creek and has private property to that gully. He added that property owners do not fence this area off, but allow others to explore it freely. He added that he feels the revised proposal "fits" the sense of community that this area already maintains. He has talked with residents of neighboring Ovation Homes' projects; these residents are pleased with the results of the development. His main concern now is who the developer will be for the majority of the homes; he would like to see a condition added to the motion to ensure a builder agreement has been solidified.

Darlene Elgren, 1198 Rigby Rd., Kaysville, said her family sold the property where the Ivory Development is now a few years ago. Approximately 6 years ago, the Trails

Committee wanted to put a trail along the creek and through her backyard; she said she fought it then and will still fight it now as she feels it is her right to voice her opinion on it. She also added that her father tried adding truckloads of road base along the creek draw in order to get his tractor down in the spring, but was unsuccessful as it was too wet. She feels it would be a huge expense to maintain the trail if it were to go in.

Sam Paget, 1328 W. Sweetwater Ln., expressed a few outstanding concerns residents still have regarding the revised plans for the subdivision, including the sidewalk not being continuous through the cul-de-sac, the monotony of the homes, the east side still having smaller lots and who the developer will be for the majority of the subdivision. Overall, most residents' feel this plan is a great improvement from where it began.

Craig Gale, 1447 Brown Ln., said he has been down in the creek bed and noticed that it is not grassed over and that the land has been well maintained and preserved by the property owners. He does like the idea of a bike lane along 1800 N., but feels it could be challenging for bikers as cars may often park in the bike lane. He thanked the developer for working with the community.

Benjamin Shaw, 1642 Stayner Dr., appreciates all the changes the developer has made with the subdivision. He also agrees that trails are positive; he feels the buffer along 1800 N. may mitigate the fact that there will not be a trail.

Collette Renstrom, 1332 Rigby Rd., Kaysville, would like the City to review the option of having a stop sign, speed bump, or other means to slow traffic around lots 27 and 28. She also expressed concerns regarding Alternative Motion B. She is also hesitant about who the builder will be for the majority of the subdivision. She would like the City to request a copy of the Development Agreement to ensure the character of the development will "fit" the surrounding area.

Brett Anderson closed the public hearing at 9:07 p.m

Kent Hinckley expressed concern that he feels the current application does not fit the intent or requirements of a conservation subdivision. He understands waivers can change things, however, he feels currently there is no conservation in what is being proposed. He feels there is a lot of value in having constrained, open, natural land. He also feels the trail needs to be dealt with as a separate issue on its own. He would also appreciate some effort from the developer to improve 1800 N., including something like a bike lane.

Karolyn Lehn asked when the City will be looking at and structuring 1800 N. **David Petersen** said surveying will take place during the next step, the Preliminary Plat and will know how far that road will shift to the south. If the aerials are wrong, which is possible, that ROW may shift to some people's front yards. He is unsure how that will work. He also spoke to the comment regarding curb and gutter on the south side of 1800 N. **David Petersen** said many years ago the City did an SID (Special Improvement District), which includes going to deficient areas within the City. Except for under an SID, there is no way for the City to go back and require a curb and gutter. The City approached the residents to see if they had 50% or more that were willing to put the curb and gutter in on their own properties, but was rejected. He is unsure if a curb and gutter will ever be developed on the south side.

Brad Dutson is appreciative of all the work the developer has done to maintain the look and feel of the surrounding community. He is in favor of the buffer along 1800 N. He does like the trail and would be in favor of it if there is a way to make it happen. He asked if there is a way to require no fences be built along the Creek. **David Petersen** said yes, the City can require a no-build zone against things like structures and fences. **Brad Dutson**

also added he would like to have a sidewalk on both sides of the cul-de-sac street and something to help slow traffic in the area. **David Petersen** explained the sidewalk is a trade-off, just like the buffer along 1800 N. is a trade-off. The developer may not be required to provide any sort of buffer along 1800 N., but is including it per the neighbors' request. In order to make the lots best fit along the gas line, it makes more sense to only have one side the cul-de-sac with sidewalk.

Brett Anderson asked if a motion could be approved with a designated open space or a non-buildable area, which would protect the constrained land without creating it into a trail. **Mack McDonald** would also like some kind of preservation easement over the Haight Creek and get back to the conservation side of the subdivision.

Brett Anderson asked the developer how he would feel preserving the unusable open space of the draw, which may result in less compensation he would be required to pay the City for the waiver for the open space. **Brad Frost** said he is very interested in it; he feels a combination of preserving some of the unusable open space as well as the improvements along 1800 N. would be a good compromise.

Melvin Smith asked if an easement is placed over the constrained land, who would own the land. **David Petersen** explained the property owners would still own it, but by regulating it by a "no-build zone," it would preserve it from fences and outbuildings. The other option would be to have a modified conservation easement that would still protect it, but will ensure it is perpetual.

Mack McDonald stated he likes the idea of the 1800 N. buffer and road improvements, including a bike lane and parking for the church. He asked if it is possible to see some of these suggestions. **David Petersen** clarified the developer is under no obligation to provide parking for the LDS meetinghouse. He added that the 1800 N. improvements will be shown during the Preliminary Plat stage, including road widths with curb and gutter. It is also appropriate, if the Commission so chooses, to invite the public back for an additional public hearing during the Preliminary Plat to review the 1800 N. buffer. **Brad Frost** said he is open to a lot of the suggestions for 1800 N., but does have concerns with adding extra space for things like a bike lane in addition to larger sidewalks, etc. He explained there is a trade-off; if the road is expanded, lot sizes decrease. He added that these things will be worked out during the Preliminary Plat stage.

With regards to the builder that will be used for the larger portion of the subdivision, **Brad Frost** stated it is not required to share the builders' name. They are willing, however, to disclose the builder once contracts are finalized if the Commission recommends approval to the City Council. **Melvin Smith** also added that a name cannot be disclosed during negotiations, thus the reason why they haven't shared it with the public.

Brett Anderson clarified for the public that if the developer chooses to withdraw his PUD application, the Commission and public lose their voice as to what type of houses (including their concerns with the monotony of the styles of homes) can go in, although the ordinances do have a few requirements.

Heather Barnum is concerned that accepting a full waiver for all of the open space could jeopardize the overall open feel of the community. She feels including the buffer on 1800 N. and a potential no-build zone over the creek will help maintain that open space feel. She is also supportive of the recommendation to invite the public back for additional comments during the Preliminary Plat hearing. She also added that she agrees with Shaunna Burbridge and UCATS comments regarding the meandering sidewalk. She feels a meandering sidewalk lessens the walkability of it.

In reference to Alternative Motion A Condition 1, **Mack McDonald** asked if the wording needs to be changed from listing a “waiver” to a “partial waiver” for the open space requirement to allow for the City and staff to work with the developer regarding the no-build zone over the creek. Commissioners and staff discussed requiring a full waiver with just a no-build zone (as the developer would still be selling it off privately with the lots) or by separately identifying the constrained land and requiring a waiver for the rest of the open space. **Melvin Smith** asked for further clarification to ensure the developer may still receiving “credit” (such as adjusted compensation) for the no-build zone toward the overall required open space acreage with the conservation subdivision. **David Petersen** said it may be possible and also added that unconstrained land is higher in developable value than constrained land. **Melvin Smith** suggested adding wording to the motion that would include that the non-buildable area (subject to a negative easement) be adjusted from the required 4.8 acres of open space. **David Petersen** said it gets a little more complicated as in this case the open space will be divided into lots, but the logistics of it will be worked out during Preliminary Plat. He did ensure the developer will receive “credit” for the constrained land.

Mack McDonald asked for clarification on Alternative Motion A Condition 5 as he thought the width of the buffer had already been determined. **David Petersen** said it will be determined once the survey is complete so the City will know where the actual ROW is and what it looks like on both sides of the road. The details of the buffer, including landscaping, will be presented during Preliminary Plat.

As for additional concerns, **David Petersen** said that the traffic engineer can look at the use of stop signs to help slow traffic, but he feels it should be a condition at a later phase. It would be appropriate, if the Commission chooses, to add a condition to this motion to invite the public back for another public hearing during Preliminary Plat.

Motion:

Mack McDonald made a motion that the Planning Commission recommend an LR Zone Designation, and schematic plan approval for the Cottages at Rigby Road Conservation Subdivision subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant must obtain a waiver of the open space requirement of 4.882 acres pursuant to Section 11-12-065 and pay the City just compensation as determined by the City Manager prior to Final Plat approval;
2. The applicant must obtain a waiver of the 80’ buffer requirement pursuant to 11-12-100(b) through a vote of not less than four (4) members of the City Council prior to or concurrent with Schematic Plan approval;
3. The plan must be updated to show a detention basin and if that detention basin is on or partially on County property, written proof of the County approval must be obtained;
4. Applicant will change the name of the subdivision to something that doesn’t use “Rigby Road” in its title;
5. Applicant will obtain a survey defining the 1800 N. ROW to help determine the width of the buffer;
6. The property will be subject to a negative easement or no-build zone by deed or other instrument to restrict building construction or modification of constrained land which has been defined as the non-buildable portion west of the ridge as identified and discussed in the minutes and according to the ordinance, the applicant will receive credit toward the open space requirement;
7. A public hearing shall be held during the consideration of Preliminary Plat.

Kent Hinckley seconded the motion which was unanimously approved.

Findings:

1. The proposed development meets all of the standards and requirements of a conservation subdivision in the LR zone such as minimum lot sizes, lot widths and setbacks.
2. The proposed development is at a density of 2.85 units per acre, which is consistent with the adjacent neighborhoods and the LDR General Plan designation of 4 units per acre.
3. The road layout will mitigate thru traffic and be prohibitive to high speeds.
4. 1800 North Street shall be landscaped and retain its rural character.
5. Larger lots shall be situated on the periphery of the project providing an acceptable transition to adjacent neighborhoods.
6. The overall layout follows the low density residential objectives of the General Plan.
7. Although the Haight Creek Draw is no longer accessible to the public, a waiver as compensation for the open space requirement will be used to preserve and consolidate open space elsewhere in the city as either a park or trail that is part of a greater system.

Item #5. Scott Balling (Public Hearing) – Applicant is requesting Preliminary Plat and Preliminary (PUD) Master Plan approval for the Kestrel Bay Estates PUD subdivisions (51 lots) on property on 8.68 acres located at 500 South 200 West in AE & R-8 Zones. (S-5-13)

Eric Anderson said the Planning Commission provides approval for the Preliminary Plat, but only provides recommendation for approval to the City Council for the Preliminary (PUD) Master Plan. Part of this property is zoned as R-8 and could allow for multi-family housing units, however, the applicant is only proposing single-family homes. Previously there was much discussion with the public and the Commission regarding the 450 S. connection, but it has been resolved. Also, conditions 3 and 5 on Alternative Motion B have been met; the soil report has been submitted and the developer has shown that homes can fit on lots 123 and 124.

Scott Balling, 1995 N. 100 E., Centerville, said the development will be marketed towards the “empty-nester” community with the smaller yards but larger homes. All landscaping and walkways will be maintained by the HOA. The subdivision will be fully landscaped along the Frontage Rd. The homes will be one level with flat driveways.

Eric Anderson stated staff is concerned that there is no buffer along the walkways between lots 219 and 220 and lots 111 and 112; they feel it is too small of a walkway entering the middle common area. **Brad Dutson** asked if the two narrow walkways could look more like the walkway between lots 105 and 106.

Jason Harris, 4423 Country Wood Dr., Lehi, representative of Field Stone Homes said he is concerned that he does not want to restrict the building lots by widening those two walkways. The Commissioners proposed adding an additional 2 ½ ft. on either side of the walkways. **Jason Harris** feels that would most likely work.

Heather Barnum asked if fences will be allowed within the community. **Jason Harris** said they have not yet determined if that will be the case or not. If fences will be allowed, the HOA will require access to the yards to ensure landscaping is maintained.

Kent Hinckley wondered why there is only one sidewalk along 450 S. **Scott Balling** said their main purpose is to provide interior sidewalks through the project away from the street. He explained the Fairways of Oakridge has a similar walkway system and it has been very successful. He does not want to take away from the building pad of the homes by adding sidewalks on both sides of the road.

Scott Balling presented the landscaping plans. It was submitted to staff, but has yet to be reviewed. The Commissioners again emphasized they would prefer the two northern walkways to the common area be more open and is not completely backed by privately owned land. **Eric Anderson** said staff has not been able to thoroughly review the landscaping plans, but could be added as a condition that it will be reviewed prior to Final Plat and Final (PUD) Master Plan.

Brett Anderson opened the public hearing at 10:40 p.m.

No comments were received.

Brett Anderson closed the public hearing at 10:40 p.m.

Brett Anderson said he is pleased with the project, especially as the developer has the option to include multi-family housing units within the R-8 zone and is not doing so. **Kent Hinckley** asked the Commissioners if this project was acceptable, including only one side of a sidewalk, based on previous meetings. **Brett Anderson** said yes, it was discussed in depth.

Motion:

Mack McDonald made a motion that the Planning Commission approve the Kestrel Bay Estates Preliminary Plat and recommend the Preliminary (PUD) Master Plan for approval subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The City Council approves the requested zone change in those portions of the property that are currently AE to R;
2. Applicant shall receive UDOT approval for drainage requirements and ROW improvements on frontage road prior to consideration by the Planning Commission of Final Plat approval;
3. Applicant will provide proof of approval for land drain installation in Frontage Road ROW;
4. The City Council must approve the Preliminary Plat concurrent with consideration of the Preliminary (PUD) Master Plan;
5. Applicant work with staff to ensure the trail system is widened to include a 5' sidewalk as well as an additional 5' (2 ½' on each side) through lots 219 and 220 and lots 111 and 112;
6. Staff reviews the landscaping plans and the applicant brings it back for approval at Final Plat and Final (PUD) Master Plan.

Karolyn Lehn seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed Preliminary Plat submittal is largely consistent with the City's Master Transportation Plan which is part of the General Plan, through its creation of a 450

- South connection to the Frontage Road, although this connection is less than desirable in its staggered alignment.
2. Under its current zoning, this proposed subdivision couldn't have as many single family residences, however it could have 32 multi-family units. The proposed alternative, with approval of the requested zone change would create a preferable development than low density single family residential mixed with a high density multi-family residential component.
 3. There is a growing need for "active senior communities" in Farmington, a need that is currently underserved. As the population grows older, there is projected to be a growing demand for this type of housing option.
 4. The proposed Preliminary Plat submittal is consistent with all necessary requirements for a Preliminary Plat as found in Chapter 6 of the City's Subdivision Ordinance.
 5. The applicant has been working with the City, County and UDOT to resolve the storm-water issues.

ZONING TEXT CHANGE APPLICATION

Item #6. Farmington City (Public Hearing) – Applicant is requesting amendments to the Zoning and Subdivision Ordinances (ZT-9-13 and ZT-8-93) by:

- A. Clarifying direct access (driveway) standards of building lots in Section 11-32-106(1)(e);
- B. Modifying correctional/detention facilities, drug or alcohol rehabilitation facilities, etc. as a "not permitted" use in Section 11-18-105;
- C. Removing all residential uses in the Office Mixed Use District (OMU) in Section 11-18-105;
- D. Changing the City's local street cross-section standard in Section 12-7-040;
- E. Reconsidering PUDs as a conditional use in Section 11-27-030 and appropriate zone districts where PUDs may be allowed and other chapter references related thereto;
- F. Adding an historic preservation standard in lieu of the 10% common open space requirement for PUDs in 11-27-120(g);
- G. Amending Sections 11-30-105(7)(e) and 11-32-106(1)(d) regarding driveway slop;
- H. Deleting the word "minimum" in 11-28-070;
- I. Providing a "rear of dwelling" standard for accessory buildings in 11-11-060(a);
- J. Amending Section 11-28-230 of the Zoning Ordinance to require performance bonds for demolitions (ZT-9-13);
- K. Striking Section 11-35-103(15) which makes the sale of firearms a prohibited use under Home Occupations.

David Petersen asked the Commission to continue this item until the January 23, 2014 Planning Commission meeting.

Brett Anderson opened the public hearing at 10:49 p.m.

No comments were received.

Brett Anderson ended the public hearing at 10:49 p.m. but continued it until the Planning Commission meeting on January 23, 2014.

Motion:

Mack McDonald made a motion that the Planning Commission continue this item to the Planning Commission meeting on January 23, 2014. **Kent Hinckley** seconded the motion which was unanimously approved.

ADJOURNMENT

Motion:

At 10:50 p.m., **Mack McDonald** made a motion to adjourn the meeting which was unanimously approved.



**Brett Anderson, Chairman
Farmington City Planning Commission**