

**FARMINGTON CITY
PLANNING COMMISSION MEETING
March 14, 2013**

WORK SESSION

***Present:** Chairman Bob Murri, Commissioners Brett Anderson, Kris Kaufman, Michael Nilson and Mack McDonald. Alternate Commissioners Rebecca Wayment and Nate Creer, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commissioners Brigham Mellor and Brad Dutson were excused.*

Form-Based Codes

Christy Alexander gave a presentation explaining Form-Based Code's which are found in Chapter 18 of the Zoning Ordinance which are 9 zoning tool for reinforcing and shaping form and character into mixed-use development areas.

There was a brief discussion of issues related to Agenda Items 3, 4, and 5.

REGULAR SESSION

***Present:** Chairman Bob Murri, Commissioners Brett Anderson, Kris Kaufman, Michael Nilson and Mack McDonald. Alternate Commissioners Rebecca Wayment and Nate Creer, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commissioners Brigham Mellor and Brad Dutson were excused.*

Chairman Murri began the meeting at 7:05 p.m. and welcomed those in attendance.

#1 – Minutes

Approval of the minutes was postponed until the next meeting.

City Council Report

Christy Alexander reported that the City Council approved the Spring Creek Estates Open Space Conservation Easement which will allow Steve Flanders to expand his hobby style train. Because a waiver was granted, he will also make a \$2,000 donation to the City Park Fund as compensation.

ZONING AND SIGN ORDINANCE AMENDMENT APPLICATION

#3 – Davkris Investments LC (Lagoon)/Farmington City – (Public Hearing) – Consideration of adding a new “Commercial Recreation Transition” zone (CRT) to the Zoning Ordinance, rezoning approximately 1 acre on the southwest corner of Main Street and Park Lane from BP to CRT, and amending the Electronic Message Sign Area set forth in Title 15 to include said property (Z-4-12)

David Peterson reminded the Commission that they tabled this item at the February 28th meeting to allow time for a notice for this meeting to be placed on the March utility bill and a notice for the April 16th City Council meeting to be placed on the April utility bill. The maximum possible dimensions for signs are established in the ordinance (not more than 6 feet high and not to exceed 50 square feet). When asked if Lagoon could request an additional sign or a larger sign in the future, he said they would need a zone text change.

Public Hearing opened at 7:08 p.m.

Jessica Platt, 510 North 200 West, has lived in Farmington for about 7 years. She is in favor of allowing the electronic message sign which will benefit Lagoon and the City.

Katherine Krugal, 625 North Main Street, lives right next door to the Lagoon building. Lagoon is a great neighbor, and she does not have a problem with the rezoning or the sign.

Public Hearing closed at 7:10 p.m.

Adam Leishman, manager for Lagoon, thanked staff/Commission for their consideration of this request. He has been a resident of Farmington for many years and from the window in his office he can see a gas station, a hotel, and a used car repair shop with its own sign issues, so it is difficult to see this area as “historic Main Street” when it is a business district. The sign will be a huge benefit to Lagoon’s business and allow them to change messages quickly and easily. Lagoon has been an incredible asset to Farmington City for over a century.

Brett Anderson reminded staff that the word “or” needs to be added to subsection (7) on p. 21-2 to give the City the flexibility they desire. **Mack McDonald** asked if this was the only property being rezoned and if it could be considered “spot zoning.” **Mr. Petersen** said no because it could be applied elsewhere, and he gave two examples of areas around the periphery of Lagoon where it would be used. He said it has been the City’s practice to grant zoning changes when the property owner requests a change. **Bob Murri** said the Commission received an email from a local resident who opposed the sign.

Motion:

Michael Nilson made a motion to recommend that the City Council:

1. Repeal Chapter 21 of the Zoning Ordinance “Special Use Restricted (SR)” and enact a new Chapter 21 “Commercial Recreation Transition (CRT) zone as set forth herein;
2. Rezone the property from BP to CRT;
3. Expand the electronic message sign area of the Sign Ordinance to include the annex property; and
4. Add the word “or” to (7) on page 21-2 of the new Chapter 21.

The motion was seconded by **Nate Creer** and unanimously approved.

Findings:

1. Based on a demonstration by YESCO on 1-31-13 and the standards adopted as part of recent amendments to the Sign Ordinance, an Electronic Message sign is reasonably appropriate at this location.
2. Other areas on the periphery of the existing C-R zone are also appropriate for the CRT zone if the City chooses to rezone these areas in the future.
3. The expansion of the Electronic Message Sign Area to include the proposed CRT zone implies that this sign area may be appropriate for this zone but not for other non-CRT zones with office uses, or the potential for office uses.
4. Business and Professional Offices are a conditional use in the CRT zone, and this use is consistent with the text and the land use designation of O/BP (Office/Business Park) of the General Plan for the southwest corner of Park Lane and Main Street.
5. A repeal of the SR zone does not impact the community because no areas are currently zoned SR.
6. The C-R zone is not a suitable designation for the subject parcel at its Main Street location, due to other uses set forth in the accompanying text of said zone, which are not appropriate for this area, nor is the existing office building an allowable use in the CR zone.
7. The CRT zone is appropriate for this location for the reasons stated in Section 11-21-101 of the proposed new Chapter 21 of the Zoning Ordinance.

CONDITIONAL USE APPLICATIONS

#4 – Barlow Construction – (Public Hearing) – Applicant is requesting conditional use approval to build an accessory building (covered parking structure) in front of the Indulgence Foods building at 218 South 200 West in the BP Zone (C-6-13)

Christy Alexander advised the Commission to decide whether or not this structure is architecturally compatible with the existing building and to apply reasonable conditions.

Public hearing opened at 7:25 p.m.

Dave Cowley, 2107 York Circle, president of Indulgence Foods/Stephens Gourmet, said they are tenants in this building which is grey block and stucco. The parking structure will cover seven parking spaces, and they simply want to add an amenity for their employees which will protect their cars from the weather.

Public hearing closed at 7:26 p.m.

The Commissioners discussed whether or not the design is architecturally compatible with the existing building, the colors that may be used, and if additional landscaping is necessary. **Michael Nilson** suggested requiring the fascia to match the thickness of the existing I-beams and columns. They decided that the current landscaping was sufficient.

Motion:

Brett Anderson made a motion to approve the conditional use subject to all applicable codes, development standards and ordinances, and with the following conditions:

1. The accessory building shall comply with all international Building Codes.
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. Search lots shall not be permitted.
3. The use granted is solely for purposes of constructing a covered parking structure on the location which is shown on the site plan submitted with the application.
4. No other covered parking structures shall be permitted as a conditional use on this property unless it is on the rear side of the main building.
5. The applicant will submit elevations to staff which show the thickness of the fascia and thicker columns to match the architecture of the building entries.
6. The structure will be used for operable vehicles only.

The motion was seconded by **Rebecca Wayment** and unanimously approved.

Findings:

1. The proposed use of the particular location is not necessary but is desirable and provides a service which contributes to the general well-being of the community because it will provide shade and shelter from the elements for employees/customers at the surrounding businesses.
2. If the conditions of approval are met, the proposed use will comply with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.

OTHER BUSINESS

#5 – Miscellaneous, correspondence, etc.

- a. **Stephen and Tamara Thomas – (Public Hearing) – Applicants are requesting a special exception to establish two single-family dwellings on one parcel located at 41 South State Street in an R-4 zone (M-3-13)**

David Petersen said this entire block is zoned R-4 which does not allow two single-family dwellings on the same parcel, and the applicants are requesting a special exception. The parcel has 57 feet of frontage on State Street and is 87 feet wide on the rear. The applicants would like to build a single-family home behind the two existing homes. He recommended approval and said it may be an asset to the neighborhood because they are preserving an existing home and adding another single-family home which is the predominant land use in the area. Condition #6 requires an opaque (solid) fence, but residents in the area may be okay with the existing fence.

Public hearing opened at 7:54 p.m.

Stephen Thomas, owner of both properties, said they have lived in this location for 18 years and love Farmington. At one point a developer was planning to construct an 18-unit PUD in this area, and all of the neighbors were against it. He has a brother with special needs who could live in the smaller existing home.

Public hearing closed at 7:56 p.m.

The Commission commended the property owners for preserving the character of this neighborhood and agreed that the condition for fencing should be removed.

Motion:

Michael Nilson made a motion to approve the special exception as requested subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The parcel/both homes must be kept as one ownership unless subdivided in the future.
2. As long as both dwellings remain on one parcel, the owner must reside in one of the two homes.
3. Any subdivision of the parcel in the future shall require the installation of a separate sanitary sewer lateral for each dwelling. A deed restriction mandating the same shall be recorded on the property prior to issuance of a building permit for the new single family dwelling. The form, content and language of the deed restriction must be approved by the Central Davis Sewer District.
4. The driveway for both dwellings must be configured in such a way that vehicles from the property may enter State Street moving forward, not backward.
5. The applicant must meet all requirements of the Fire Department including, but not limited to, turn-around specs and fire suppression/prevention improvements.

The motion was seconded by **Mack McDonald** and unanimously approved.

Findings:

1. The Special Exception will enhance the area and will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity and:
 - a. An historic home will be preserved which is consistent with the goals, objectives, and policies of the General Plan.
 - b. Another single-family home will be constructed in keeping on with the predominant land use in the neighborhood.
 - c. A mechanism will be in place to ensure the installation of a second sanitary sewer lateral, if necessary, in the future.
 - d. As with secondary and accessory dwellings to a single-family dwelling allowed elsewhere in Farmington, the owner must live on site. This will help ensure that the maintenance and upkeep of the parcel will be compatible with nearby owner occupied dwellings in the area.
 - e. Fire code requirements will ensure adequate emergency response and fire protection.
2. Vehicles from the property will no longer back onto a business state right-of-way, and traffic will improve.
3. The 23,958 square foot parcel is sufficient in size to accommodate both homes. The minimum lot size for a single-family dwelling in the R-4 zone is 10,000 square feet.

5b. Consideration of request by Alliance Residential, LLC for the Park Lane Village Apartments Sign Program

Christy Alexander said staff concerns include the size and colors of the signs, the height of the flag poles, and whether or not to allow balloons. The light pole and blade signs along the trail add to the community feel and are not overbearing. In a commercial area, wall signs cannot exceed 10% of the front face and 5% of any other building face and ground signs are allowed. One project identification sign is allowed—either a wall or monument sign not more than 32 square feet in size. Because this is a TMU zone, they can request additional signs.

Ernie Willmore, 1160 Kings Court, Kaysville, said this is a Class A apartment community, and marketing is essential to its success. The slowest leasing months are Nov., Dec. and Jan.—30 leases were signed in Nov. and 26 in both Dec. and Jan. The banner sign was taken down in Jan. (per the deadline), and only 15 leases in Feb. and 8 in March were signed. The banner sign was responsible for more than 2/3 of their traffic. They need to advertise—balloons, banners, and flags stimulate interest—and it is crucial for the banner be seen from I-15. They would also like to place three 30-foot flagpoles in front of the clubhouse for an American flag, a Utah flag, and a Park Lane Village flag. The banner sign will be put up and taken down according to market fluctuations. They proposed a white background with black lettering because it catches the eye but would consider a light green

background (with at least 33% for the white field) and dark green lettering. They need time to experiment with the colors.

Mark Schwendiman, 2203 East Somerset Drive, said the sign will be simple and will include a phone number and “now leasing”. The apartments are 500 feet from the freeway, and a 15 x 15 sign would not be effective. He noted that Rose Cove has a large non-conforming sign directly across I-15. He said there has to be an easier way to work through this process than bringing the package back each time and being denied. He asked for the flexibility to try different things because until the sign is up, it is difficult to know which colors will work.

Bob Murri said everyone wants the apartments to be successful, and he is concerned about the lack of signed leases during February and March. The banner sign examples shown in the staff report are too “wordy”, and he prefers horizontal lettering. There is a fine line when working with colors—white is so stark—but the color has to show up or drivers may miss it completely. He advised the Commission not to table the request because the applicant needs to advertise as soon as possible.

Brett Anderson asked if the applicant currently has a sign that could be put up as soon as possible. He expressed concern about not making a decision tonight and how that would affect leasing and suggested approving a portion of the package and amending it at a later time.

Nate Creer asked if the banner sign would be permanent—banner signs tend to cheapen a project and should not be permanent. However, he realizes the need for marketing and is in favor of approving a sign to allow the applicant to market these apartments as soon as possible. He asked if it would be feasible to request that the applicant provide cut sheets prior to the next meeting.

Kris Kaufman agreed and said he is concerned because the applicant did what the Commission asked—they brought a small plan the first time and were asked to provide more detail. Then it wasn’t exactly what the Commission wanted, so they were asked to do it again. He suggested approving a temporary sign to allow them to begin marketing immediately and that a sunset provision on the sign program might be useful.

Mack McDonald said there are several holes in the sign program, and he would like to see the addition of details regarding leasing/marketing, exact colors, and exact flag requirements. He would like to table the item until these issues are solved.

Michael Nilson said other businesses would like to advertise with banner signs, but they must conform to the City’s sign ordinance. In March 2012 the Commission agreed to allow a large banner sign on the Park Lane Village apartments because of the Dec. 2011 windstorm. Farmington typically does not like signs and just went through a 6-month battle of whether or not to allow one electronic sign. He noted that directly across I-15 from Park Lane Village there are apartments with non-conforming banners, and the City needs to be

consistent. These apartments have great freeway frontage and wonderful architecture. He likes the logo, blade signs and light pole signs but would like the banner sign to be much smaller, and he does not want to allow balloons.

Rebecca Wayment said it is important for the Commission to be comfortable with the applicant's entire color scheme before approving a permanent sign. She does not care for black and white on the banner sign, and because Park Lane Village has beautiful, appealing color scheme, she would like to see the same colors incorporated on the banner sign. She also likes the blade and light pole signs.

Motion:

Kris Kaufman made a motion to approve one banner sign as shown in the Park Lane Village Sign Program, Exhibit B #A-1 with no more than 33% white background and with the incorporation of colors similar to those used in the logo. **Rebecca Wayment** seconded the motion which was unanimously approved.

ADJOURNMENT

Motion:

At 9:20 p.m. **Kris Kaufman** made a motion to adjourn the meeting which was unanimously approved.



Bob Murri, Chairman
Farmington City Planning Commission