

FARMINGTON CITY PLANNING COMMISSION

Thursday, January 12, 2006

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Keith Klundt was excused.

Chairman Talbot called the meeting to order at 6:30 P.M. The following items were reviewed:

Agenda Item #3 - Jerry Preston - Applicant is requesting a recommendation for final plat approval for phase 1A of the Rice Valley Estates PUD consisting of 11 lots on 4.548 acres and final development plan approval for the entire PUD consisting of 111 lots on 34.56 acres located at approximately 50 West 700 South in an LR (PUD) zone (S-7-05).

David Petersen said the applicant is requesting a recommendation for Final (PUD) Master Plan approval and final plat approval. The item was tabled in December to allow City Staff time to review the plans. The applicant has submitted all of the required information which has been approved by the City's reviewing agencies. The historic buildings will not be considered until Phase 6.

Agenda Item #4 - Rockie Dustin/Dave Dixon - Applicants are requesting a special exception to establish two dwellings on one lot located at 77 West 600 North in an OTR zone (M-11-05). **David Petersen** said the applicants will need a special exception to construct two buildings on one lot. The City has never granted a special exception for two homes on one lot, using one set of laterals and the same egress. Although the staff report suggested that consideration of the item be tabled, he was not opposed to the Planning Commission granting the special exception, so long as the motion is made subject to the four conditions listed in the staff report.

[**Cory Ritz** arrived at 6:40 P.M.]

Agenda Item #5 - Harv Jeppsen building lot proposal - discussion item only. **David Petersen** said **Harv Jeppsen** would like to discuss the possibility of developing a portion of the Leonard and County properties. He would like to discuss the options for accessing the property to determine if he should pursue the purchase of the property.

[**Kevin Poff** arrived at 6:45 P.M.]

The Planning Commission discussed the access issues. It was suggested that the old Bamberger right-of-way be used for access. Access could not come from Leonard Lane since it is a private drive. The Fire Chief would likely require the home to have fire sprinkling, a fire hydrant, and approved access, if the property was limited to one access.

Agenda #6 - Davis County Comprehensive Hillside Master Plan review -discussion item only (MP-3-05) The Planning Commission agreed to hold a public hearing on February 23, 2006, to consider adopting the Hillside Master Plan as part of the City's Master Plan.

Miscellaneous

David Petersen said the Planning Commission members were invited to attend the 5th Annual Land Use Conference but the City would not be able to pay for them to attend.

The Planning Commission agreed to meet with the City Council, the Trails Committee, and the Historic Preservation Committee to discuss the roles of each group. The meeting will be held on January 26, 2006, and will be led by Mike Mazuran. **Cory Ritz** said he would not be able to attend the meeting. **Kevin Poff** and **Jim Talbot** said they would make an effort to be to the meeting.

The Planning Commission agreed to hold study sessions to discuss the agenda items prior to the regular Planning Commission meeting. **Mr. Petersen** said the Planning Commission Notice and Agenda would include notice of the study session so the public would be aware of the meeting.

The meeting adjourned at 7:00 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Keith Klundt was absent.

Chairman Talbot called the meeting to order at 7:00 P.M. **Kevin Poff** offered the invocation.

APPROVAL OF MINUTES

Cory Ritz moved that the Planning Commission approve the minutes of the December 8, 2005, Planning Commission Meeting. **Kevin Poff** seconded the motion. The Commission voted unanimously in favor. **Paul Barker, Andrew Hiller,** and **Rick Wyss** abstained since they were not present at the December 8, 2005, meeting.

Cory Ritz moved that the Planning Commission approve the minutes of the December 19, 2005, Planning Commission Meeting. **Kevin Poff** seconded the motion. The Commission voted unanimously in favor. **Rick Wyss** and **Andrew Hiller** abstained since they were not present at the December 19, 2005, meeting.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council meeting which was held on December 14, 2005. He covered the following items:

- The City Council approved the Commercial Mixed Use (CMU) Text amendments.
- The City Council approved the BP Zone Text regarding Standards for accessory Buildings.
- The City Council granted Final Plat approval for Spring Creek Phases 1 and II and related Development Agreement.
- The City Council granted Final Plat approval for Hunter's Creek Phases II and III.
- The City Council approved the Pioneering Agreement for Public Improvements in Farmington Fields Commercial subdivision.
- The City Council approved an amendment to the P.U.D. Master Plan for Farmington Greens subdivision to include a church site.
- The City Council approved the 14% street grade within Hidden Meadow Phase II subdivision.

Mr. Petersen also reported the proceedings of the City Council meeting which was held on January 4, 2006. He covered the following items:

- Mayor Harbertson and Paula Alder took the Oath of Office.
- The City Council tabled consideration of the Gardner/Gust rezone request and Preliminary Development Plan approval. A study session will be held on January 25, 2006, where the Council's questions can be addressed.
- The City Council granted a PUD designation on R-4 zoned property and granted Preliminary (PUD) Master Plan approval for "The Steed Place".
- The City Council granted a PUD designation on AE zoned property and granted Preliminary (PUD) Master Plan approval for "Chestnut Farms".
- The City Council granted Final Plat approval on Phase II of Hidden Meadows subdivision and approval of the related Development Agreement.
- The City Council granted a plat amendment for C.R. Estates.
- The City Council discussed the appointment of Committee/Commission Chairpersons. They agreed to ratify **Jim Talbot** as the Planning Commission Chairman and **Keith Klundt** as the Vice Chairman.

JERRY PRESTON - APPLICANT IS REQUESTING A RECOMMENDATION FOR FINAL PLAT APPROVAL FOR PHASE 1A OF THE RICE VALLEY ESTATES PUD CONSISTING OF 11 LOTS ON 4.548 ACRES AND FINAL DEVELOPMENT PLAN APPROVAL FOR THE ENTIRE PUD CONSISTING OF 111 LOTS ON 34.56 ACRES LOCATED AT APPROXIMATELY 50 WEST 700 SOUTH IN AN LR (PUD) ZONE (S-7-05) (Agenda Item #3)

Background Information

The Planning Commission voted on July 14, 2005, to recommend to the City Council schematic plan approval subject to all applicable Farmington City Development standards and ordinances and the following:

1. The applicant must prepare a wetland mitigation plan that meets U.S. Army Corp requirement and/or receive a permit from the Corp to fill wetlands now located on the property. A property owner may apply for preliminary plat approval for a portion of the overall project area without preparing or receiving the necessary wetland information required herein so long as no wetlands exist on said portion or so long as no wetlands encroach into the buildable area of lots for the proposed preliminary plat.
2. The developer's proposed east to west important local street connection from 200 East directly to the Frontage Road must receive a positive recommendation from the City's traffic engineer regarding its compatibility with the Master Transportation Plan.
3. The property must be rezoned to LR-PUD concurrently with preliminary development plan approval but prior to preliminary plat approval subject to standards set forth in Chapter 27 of the Zoning Ordinance.

On August 3, 2005, the City Council voted to change the zoning to LR (PUD) and to approve the schematic development plan with the following conditions:

1. The applicant must submit the additional information circled on the attached copy of the Farmington City Zoning Ordinance 11-29-106 Preliminary Development Plan
2. The applicant shall submit a notarized property owner's affidavit
3. No preliminary plat approval shall be granted for any phase after 1, 2, and 3 until the applicant has resolved access issues related to 200 East to the satisfaction of the City
4. Preliminary development plan approval to be subject to all conditions of

schematic plan approval.

On December 8, 2005, the Planning Commission was asked to approve the Final (PUD) Master Plan for the PUD and the final plat for Phase 1A. A motion was passed to table consideration of the Final (PUD) Master Plan to allow City Staff and the City Engineer time to review the plans. In addition, the historic structures are to be considered prior to preliminary plat approval on Phase 3, and preservation of emergency flow path for storm water and pedestrian access to 200 East needs to be addressed.

The Corps of Engineers has some issues with approving the mitigation plan for the wetlands shown in Phase 1B and 4 of the PUD. The results of the analysis by the Corps could affect the layout of the proposed lots in the Final (PUD) Master Plan requiring modification of the plan that is currently proposed.

There is not longer a direct east to west important local street connection proposed for the PUD. Access is proposed through side streets that are connection to 200 East. Direct access would be provided off the I-15 East Frontage Road.

Historic structures still need to be considered, but staff recommends it be before approval of Phase 6, not Phase 3.

The proposed emergency flow path has been reviewed and approved by the City Engineer.

END OF PACKET MATERIAL

Recommendation for Final (PUD) Master Plan Approval for a Proposed Planned Unit Development located at approximately 50 West 700 South

David Petersen displayed a site plan for the development. The applicant requested a recommendation for final plat approval for Phase 1A and Final (PUD) Master Plan for the entire development. All phases will be for preliminary/final plan approval. The plans were reviewed and approved by the different reviewing agencies. City Staff recommended approval for the Final (PUD) Master Plan and Final Plat Approval for Phase 1-A.

Jerry Preston said the City Engineer reviewed the information and gave his approval.

Kevin Poff said he felt comfortable approving the items since all of the issues were resolved and there was ample time for City Staff and the Planning Commission to review the information.

Motion

Paul Barker moved that the Planning Commission recommend the City Council approve the Final (PUD) Master Plan subject to all applicable development standards and ordinances and the following:

1. Historic buildings are considered before approval of Phase 6.
2. Pending approval of a wetlands delineation report and mitigation plan by the Corps of Engineers, modification of the Final (PUD) Master Plan based on wetlands that do not receive approval for mitigation may be required.

Kevin Poff seconded the motion, which passed by unanimous vote.

Findings

- The development complies with the Master Plan for area.
- The applicant has resolved the engineering and public works issues.
- The applicant has met the City's requirements.

Recommendation for final plat approval for Rice Farms Estates PUD Phase 1-A, located at approximately 50 West 700 South

Jerry Preston said he would be available to answer any questions the Planning Commission may have.

Motion

Kevin Poff moved that the Planning Commission approve the final plat for the Rice Farms Estates PUD, Phase 1-A subject to all applicable development standards and the following:

1. All recommendations in the soils report are followed during construction of homes.
2. All concerns of City departments and utilities are addressed.
3. The developer sets aside .45 acres with an open space easement until permanent open space is dedicated in future developments.
4. A UPDES Permit from the State of Utah is received and a Storm Water Pollution Prevention Plan containing all requirements of the UPDES permit is provided to the City.
5. The Overall Development Plan for the PUD is approved.
6. The developer shall provide a street tree plan including street trees acceptable to the Planning Commission.

Kevin Poff seconded the motion, which passed by unanimous vote.

Findings

- The development complies with the Master Plan for area.
- The applicant has resolved the engineering and public works issues.
- The applicant has met the City’s requirements.

PUBLIC HEARING: APPLICANTS ARE REQUESTING A SPECIAL EXCEPTION TO ESTABLISH TWO DWELLINGS ON ONE LOT LOCATED AT 77 WEST 600 NORTH IN AN OTR ZONE - ROCKIE DUSTIN/DAVE DIXON (S-7-05) (Agenda Item #4)

Background Information

The Planning Commission conducted a favorable review of this request several weeks ago as a discussion item only. Presently, the property consists of two dwellings on one 1.37 acre un-platted parcel, which abuts a UDOT right-of-way (SR-106). The Zoning Ordinance requires that every dwelling unit shall be located and maintained on a separate building lot.

There is also ample space for third, or “middle lot”, and the City Council previously granted schematic plan approval for such, but it will be very difficult to provide utilities and access to this lot. The water and sewer trunk lines are on the north side of a right-of-way (SR-106) which contains most every utility possible, including fiber optics. The applicant has portrayed to the City that UDOT will not allow the installation of sewer and water laterals, and other utilities, across the right-of-way to serve a third lot. Moreover, UDOT will not allow an additional curb cut for a new dwelling due to the poor site distance along this stretch of the highway. For these and other reasons, the applicant is requesting a special exception to allow two dwellings on one lot.

Apparently, the original portion of the existing westerly home was constructed by Hector Haight, the founding father of Farmington. The applicant proposes to work with the Farmington City Historic Commission to preserve this building.

Previously, the applicant suggested that the new home may look something like his existing home on Compton Bench. A photograph is included for your reference.

The General Plan designation for the property is “Low Density Residential” which typically means 10,000 square foot lots. A portion of the property is also designated “Public/Private Open Space and/or Parks, Very Low Density” due to the close proximity of Farmington Creek.

END OF PACKET MATERIAL

David Petersen displayed an overhead of the Vicinity Map. The Planning Commission previously granted schematic plan approval for the three lots. There are two existing homes on the property. In developing the third lot, UDOT will not approve a curb cut on 600 North due to the limited sight distance. The primary utilities for residential uses are located on the north side of the right of way. It would be problematic to provide laterals in the right-of-way to serve the additional lot or dwelling. The applicant is requesting a special exception to establish two dwellings on one lot and both dwellings will be served by the existing set of laterals. The applicant received a positive response from the Planning Commission in September, 2005. The applicant would like to preserve a portion of the home that was built by Hector Haight. The applicant would like to rent the home but since it would be considered an accessory building, it could only be occupied by family members. **Mr. Petersen** referred to the text that was submitted by Dave Dixon regarding the Proposed Special Exception. He said Joe Judd had voiced his support regarding the development. **Mr. Petersen** recommended that the Planning Commission approve the special exception for two dwellings on one lot.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Dave Dixon (1047 North 100 West) said they will restore the home that was built in the 1970's. They plan to "re-skin" the exterior of the home and to rebuild the driveway. The home will then be listed for sale. They plan to remove the portion of the old Haight home that was added fifteen years ago. They will market the lot as an estate lot subject to the buyer abiding with the OTR restrictions and restoring the old rock home to the City's satisfaction. If a buyer is not found, **Mr. Dixon** will build a home for his personal use. Mr. Palmer, who owns the acreage to the south, has expressed interest in the lot to provide future access.

Karen Davis (180 West 600 North) said she was in favor of the applicant's plans because it would preserve the property in a manner that would be acceptable to the previous owner, Irene Olsen.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

Cory Ritz said the Planning Commission had previously given the applicant their

approval since it would be the best use for the property and would preserve one of Farmington's first homes.

Motion

Cory Ritz moved that the Planning Commission grant the special exception to establish two dwellings on one lot located at 77 West 600 North subject to the following conditions:

1. Review and approval by the Planning Commission of building plans and elevations for the proposed new dwelling;
2. Review and approval of modifications to the Haight home after receiving a recommendation from the Historic Preservation Commission (the Planning Commission may wish to consider the possibility of a landmark designation and/or facade or conservation easement for the structure;
3. Approval is received by UDOT if any of the existing driveways are widened or relocated, or if any work in the right-of-way is necessary or required;
4. Approval is granted by Central Davis Sewer District and the Farmington City Public Works Department to provide service to two dwellings off of one set of laterals;
5. Any use of the accessory dwelling or historic home will be a conditional use.
6. As per paragraph 8 of Section 11-3-045 (Special Exceptions), a special exception which is not exercised within one hundred eighty (180) days shall expire and have no further force or effect.

Paul Barker seconded the motion, which passed by unanimous vote.

David Petersen recommended that the applicant apply for the conditional use permit so the special exception process will have been acted upon.

Findings

- The development will improve a part of historic Farmington that has been in decline.
- The development will preserve a historic structure and will provide a good use for the property.
- The design of the property will prevent additional curb cuts on 600 North.

Kevin Poff moved that the Planning Commission discuss Agenda Item #6 prior to Agenda Item #5. **Cory Ritz** seconded the motion, which passed by unanimous vote.

**DAVIS COUNTY COMPREHENSIVE HILLSIDE MASTER PLAN REVIEW -
DISCUSSION ITEM ONLY (MP-3-05) (Agenda Item #6)**

David Petersen referred to the Davis County: Comprehensive Hillside Master Plan which was included in the packet. The results of a survey relating to the Davis County foothills was also included. He said the City had full sized maps of the area, as well as power points.

The Planning Commission agreed to host an open house and public hearing on February 23, 2006. The open house will be held at 6:00 P.M. County Staff will be present to answer questions. The Planning Commission study session will be held at 6:30 P.M. and the meeting will be held at 7:00 P.M.

Paul Barker said the Dan Jones survey reported that 92% of residents feel it is important to preserve open space in the foothills and to provide parks in the foothills.

Kevin Poff moved that the Planning Commission discuss Agenda Item #5 at a future meeting to allow **Mr. Jeppsen** to be present. **Cory Ritz** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS, CORRESPONDENCE, ETC.

Paul Barker, Rick Wyss, and Andrew Hiller said they would be able to attend the meeting on January 26, 2006, with the City Council, the Trails Committee, and the Historic Preservation Committee. **Cory Ritz** said he would not be able to attend the meeting. The other Planning Commissioners said they would attempt to attend the meeting.

David Petersen said the City would pay the \$40.00 fee if the Planning Commission members wished to attend the Certified Citizen Planner Seminar. He said it would be beneficial for the Planning Commissioners to attend the seminar.

ADJOURNMENT

Cory Ritz moved that the Planning Commission adjourn at 7:57 P.M..

Jim Talbot, Chairman

Farmington City Planning Commission