

FARMINGTON CITY PLANNING COMMISSION

Thursday, February 10, 2005

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Cory Ritz, Commission Members Keith Klundt, Annie Hedberg, John Montgomery, Kevin Poff, and Cindy Roybal, City Planner David Petersen, and Deputy City Recorder Jeane Chipman. Commission Member Jim Talbot was excused.

Chairman Ritz called the meeting to order at 7:00 P.M. **John Montgomery** offered the invocation.

APPROVAL OF MINUTES

Cindy Roybal moved that the Planning Commission approve the minutes of the January 27, 2005. **Kevin Poff** seconded the motion. The Commission voted unanimously in favor.

THE BOYER COMPANY REQUEST FOR FINAL PLAT APPROVAL FOR FARMINGTON RANCHES PHASE 7 CONSISTING OF 20 LOTS ON 34.522 ACRES LOCATED AT APPROXIMATELY 2200 WEST CLARK LANE IN AN AE ZONE AND AN A ZONE (S-22-04) (Agenda Item #2)

Background Information

The Planning Commission granted preliminary plat approval for this proposed subdivision on December 2, 2004. Subject to a number of conditions set forth in the minutes and in the letter to the Boyer company date December 8, 2004. The following list provides information regarding those conditions that have not yet been completed.

1. Review and approval of the plat and improvement drawings by the City Engineer, Public Works department, Fire Department, Central Davis County Sewer District, and Weber Basin Water Conservancy District.

City personnel met with representatives from the Boyer Company on Friday, February 4, 2005 to discuss the improvement drawings for the subdivision. Redline comments were reviewed with the Developer. It was determined that even though the plans still need some work, that it is appropriate for the Planning Commission to consider final plat approval as requested regarding this condition.

2. Review and approval by the City Engineer of a grading and drainage plan showing by appropriate graphic means the proposed grading of the subdivision and a storm

drainage facility plan showing the needed storm drainage facilities with runoff calculations and location, size and outlets of the drainage system.

The same comments that apply to the above referenced condition also apply to this condition.

3. Submit a landscape plan for review and approval by the City for all neighborhood open space areas within the plat.

In a letter to Farmington City, dated December 3, 2004, Dick Moffat states "the only open spaces shown on the plats within Phase 7 are existing power corridors and drainage ditches which are defined as 'upland open space' to remain in a natural state as has been done in Phases 2 and 4, therefore, no landscape plan is needed for the development agreement."

Problems occur when the Developer does not leave upland open space in its natural state such as the areas within the power corridor. Through excavation activity, such as building roads and other improvements, weeds and other non-native plants grow in these disturbed areas. Other problems occur when the developer grades building lots, which again, cause weeds and other non-native materials to proliferate in the undisturbed areas. Both types of situations are not discussed in the development agreement. How does the developer plan to control and maintain the weed problem in these areas?

4. Demonstrate to the City that a wetlands permit has been issued for the Phase 7 construction permitting development of the same.

According to information submitted by the Developer to the City, some of the lots in Phase 7B may contain wetlands. The Developer should verify that wetlands south of Phase 7B do not encroach into lot 716 and 717.

5. Identify the 100-year flood plain on any final plat of the Farmington Ranches Phase 7 Subdivision and provide the lowest habitable elevation at or above the base flood elevation for lots within the flood plain.

The Developer has not accomplished this condition yet.

6. Submit a storm water pollution prevention plan that meets all Farmington City

Ordinances and State NPDES requirements, indicating best management practices for preventing erosion and contamination of the City's storm water system and existing canal.

The Developer has not completed this requirement.

7. Provide a trail connection acceptable to the City between lots 715 and 716 to the cross project trail.

The Developer has not met this condition.

END OF PACKET MATERIAL.

Mr. Petersen introduced the agenda item. He reviewed the conditions required of the developer as presented in the packet material. He said there may be a short term weed problem on property owned by the developer which needed to be addressed, at least until the property is developed into residential property. Also, areas along road improvements not adjacent to currently proposed residences needed to be maintained so that fire hazards do not occur. Mr. Petersen reported that the developer did not want to have a trail connection easement between two of his premier lots. The connection was not on the trail master plan, even though it would connect to a cross project trail.

Dick Moffat (Boyer Company) stated he had met with City Staff and was in agreement with the conditions as had been presented by the City Planner. Nine lots had been deleted from the after meeting with sewer district officials. Mr. Moffat stated that the stated that trail easement between lots 715 and 716 had not been on previous plans. The lots will not be horse lots, and there was a trail head two lots away. When asked, Mr. Moffat stated there would be a 20 foot trail easement under the power corridor. The City will improve that trail. The 20 foot power corridor easement will be the responsibility of the HOA for maintenance.

Mr. Montgomery discussed the necessity of disturbing the ground as little as possible so that natural vegetation will remain healthy and weed problems do not taken over.

Mr. Poff raised the question of whether or not the connection trail should be eliminated. He did not feel that the nearby cul-de-sac would be bothered by people parking to use the trail since there was a trail head so close. He was concerned that pedestrians would be better served by having the connection preserved before home construction is approved.

Ms. Roybal felt that the neighbors would be the ones to use the proposed connection trail but it would be them who would rather the connection was not constructed.

Motion

John Montgomery moved that the Planning Commission recommend the City Council grant final plat approval for Farmington Ranches Phase 7A and 7B located at approximately 2200 West Clark Lane subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. Review and approval of the plat and improvement drawing by the City Engineer, Public Works Department, Fire Department, Central Davis County Sewer District, Weber Basin Water Conservancy District, and the Farmington City Planning Department.
2. Review and approval by the City Engineer of a grading and drainage plan showing, by appropriate graphic means, the proposed grading of the subdivision and/or storm drainage facility plan, showing the nearest storm drainage facilities with run-off calculations and location, size, and outlets of the drainage system.
3. Open space parcels. 7A, 7B, 7C, and 7D contain 24% of the open space requirement necessary for the development. The Developer must show that a pro-rata share of the open space required for these phases of the entire Farmington Ranches subdivision is provided elsewhere within the overall project area.
4. Submit a re-vegetation plan for review and approval by the City for all previous areas that will be disturbed by development activities within the plats.
5. The development is subject to the conditions set forth in Development Agreement 2000-23 between Farmington City and the Boyer company, dated May 3, 2000, and any amendments related thereto.
6. Demonstrate to the City that the plat contains no wetlands.
7. Identify the 100 year flood plain on the final plat as follows, "100 Year Flood Plain." Provide a note elsewhere on the plat indicating the base flood elevation for each lot. Such note shall be verified by an engineer with an engineer's stamp or other alternative means acceptable to the City.
8. Submit a storm water pollution prevention plan containing all information in Part 3 of the UPDES Permit #UTR100885.
9. Comply with all comments provided by the Farmington City Storm Water Official dated February 2, 2005.

10. Provide an easement for the cross-project trail acceptable to Farmington City within the power corridor as shown on the plat.
11. Obtain a letter from the sewer district verifying that the proposed subdivision will not prevent the delivery of adequate sewer service to adjacent property owners, adjoining neighborhoods and the entire district as a whole.
12. Relocate the storm drain easement on the north side of Lot 712 between Lots 712 and 713 and provide a storm drainage facility acceptable to the City Engineer.
13. Provide a drainage easement between Lots 715 and 716 if necessary as determined by the City Engineer.

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

Findings

- The action was in compliance with previous actions by the Planning Commission for earlier Phases of the subdivision.
- The request was consistent with the Master Plan for the area.
- The developer had demonstrated cooperation with City requirements and conditions.

PUBLIC HEARING: HOWARD KENT REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A SUBDIVISION CONSISTING OF 28 LOTS LOCATED ON THE MCKITTRICK PROPERTY AT APPROXIMATELY 800 NORTH 1875 WEST IN AN AE ZONE (S-11-04) (Agenda Item #3)

Background Information

The Planning Commission tabled consideration of the preliminary plat approval for this portion of the subdivision on December 2, 2004, in order to allow time for the developer to gather more information regarding transportation needs for the area. The applicant has met with the City several times and also a group of residents and one of the transportation alternatives discussed to date impact the layout or road configuration of the 28 lots under consideration. However, an improvements agreement between the developer and the City still has not been reached regarding the unsafe railroad crossings.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the background information. There had been discussion of connections with the Legacy North Highway through that area in question. The Legacy alignment had not yet been established, however, the developer had been working to preserve a general corridor with a good faith effort to anticipate the route. As the process developed, several different parcels of land were targeted for potential routes. Because so much land was involved in the targeted areas, the process had become a financial burden for the developer. Because of the indecision of State agencies, it was decided to move the developer's road to the west to circumvent possible Legacy corridors. The new proposed western route, however, was met with opposition from existing property owners. More adjustments had been considered, including reducing the width to 66 feet. The developer had noted that even with all the changes in the road routes, the 28 lots and City park included in the current request had not been impacted. The developer was asking for approval of those 28 lots.

Public Hearing

Chairman Ritz opened the meeting to a public hearing. He invited the applicant to address the Planning Commission.

Howard Kent (developer) said he had been meeting with the City Planner regularly trying to resolve the transportation issues. It was his desire to have the Planning Commission consider approval of the 28 lots which had not been impacted by the route changes. The existing "S" curve portion of the road would be eliminated from the proposed new road route, and that portion of the existing road would be dead-ended. It was planned that the proposed City park included in the subdivision design would be 2.5 acres of improved recreation area. Approving the 28 lots would allow the developer to cooperate with Woodside developers in improving the entire section of road abutting the two subdivisions.

Lane Sweat (696 North 1870 West) stated that in previous applications regarding the property in question there had been obvious problems with transportation planning. He felt that having the small subdivisions approved one at a time would still impact that traffic in the area. The roads are undeveloped, rural roads. The situation was very dangerous because the roads and infrastructure were not in place to support the density being considered. He felt it was not fair to existing residents or future residents not to have safe roads.

Betty Bangeter (712 North 1875 West) asked if there was any long range transportation plan for the area. There needed to be an overall plan for the transportation corridors for the benefit and protection of the neighbors. The more people move to the area, the more dangerous the area will be.

Debbie Barns (748 North 1875 West) wanted to see the layout for the 28 lots. She also had concerns about the traffic routes in the area. She said that the existing homes already create serious traffic problems. With added homes, it will be an even bigger problem

Daryl Clark (682 North 1875 West) felt that some of the changes being proposed by the developer had been good, but he still had concerns. Some of the land being discussed had been in his family since 1848. He described the tremendous growth which had come to the area, and stated that the original road was still the same as it had been for years and years. There was no room for uses such as equestrian, pedestrian, or bikers on the street. He would like to see the roads improved before any subdivisions were improved because there was such a great need. If existing road is blocked, the residents would be trapped. He would like to see more than one access to the area, and he would like to see the streets upgraded and enlarged prior to any more development.

Kyle Stowell (builder of a new residence in the area) felt his neighbors were not necessarily opposed to the development or the increased population, it was the dangerous situation with the traffic planning to which they were responding. Planning needed to be accomplished before even a few more homes were built.

Don Clark (1715 Clark Lane) felt that 80 to 90 percent of the cars on the road were currently from Kaysville. Developers in Kaysville City were building even more homes in that area. The poor traffic planning for Kaysville was negatively impacting the roads in Farmington. Mr. Clark suggested designs that would route Kaysville away from the Farmington roads.

Public Hearing Closed

With no further comments, **Chairman Ritz** closed the public hearing and invited the Commission to consider the issues. Mr. Ritz stated that because Farmington City does not have the funds to improve roads, it must of necessity be up to the developer to finance road improvements. Therefore, subdivisions must be approved before road improvements can be made.

Mr. Petersen stated that was the case not only in Farmington but in all municipalities. It was true that most of the traffic using the roads come from Kaysville. Mr. Petersen explained that if no developments are approved making road improvements possible, the situation will likely keep getting worse. There is a Master Transportation Plan for the area. The plan is, however, being impacted by decisions regarding the Legacy North connections and by property owners's development designs.

Mr. Montgomery wondered by the City was allowing a piecemeal development and not approving subdivisions in a broader design which would handle the entire road development in

the process. There was a very difficult safety problem which had been raised by the citizens and with which he agreed after driving the roads. The area would be developed, and even though there would need to be some sensitivity to the developer, the entire road really needed to be properly designed and improved.

Keith Klundt said that the roads really needed to be improved, not for the few subdivisions going in in Farmington, but for the hundreds of homes already being built in Kaysville. It was incumbent on the Planning Commission to make sure the infrastructure was constructed properly. However, he felt that the current agreements provided for the appropriate infrastructure improvements.

Mr. Petersen stated that the City Council had required the developers to enter into an agreement before any building lots were approved. Mr. Kent was coming before the Planning Commission asking for 28 lots in the area under consideration. The development agreements were being negotiated and would likely be in place in a few weeks.

Some Commission Members felt that the 28 lots would make little difference to the traffic problems, others expressed concern.

Mr. Montgomery felt that a strong message needed to be sent which stated that no more than the 28 lots would be considered for approval until the development agreement was in place providing for construction of appropriate infrastructure.

Ms. Roybal was uncertain whether or not the application should be approved until there were assurances regarding an acceptable road alignment.

Mr. Montgomery suggested that the Planning Commission may want to wait until the agreement development was in place so that routing and construction questions could be answered prior to the approval of any more homes.

In the ensuing discussion, Commission Members considered the fact that if the currently requested small phase of the subdivision was approved, the developer could move forward allowing the potential for road improvements in a more timely manner.

Motion

John Montgomery moved that the Planning Commission grant preliminary plat approval for the northern portion of the McKittrick subdivision consisting of 28 lots located at approximately 800 North 1875 West subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The developer shall enter into a separate improvements agreement similar to the development agreement between Farmington City and Woodside Homes which was entered into by both parties prior to the preliminary plat approval for the Hunter's Creek Subdivision. This agreement will address the access via the minor collector to Burke and the railroad crossing.
2. The developer shall enter into a development agreement to include, among other things, future ownership and maintenance responsibilities for the open space area proposed as part of the northerly group of lots.
3. The developer must prepare improvement drawings including a grading and drainage plan implementing Best Management Practices as set forth in the Farmington City Storm Water Management Plan by the City Engineer, Public Works Department, Planning Department, Fire Department, Central Davis County Sewer Department, and Weber basin.
4. The preliminary plat shall be updated to include the following:
 - a. The name of the subdivision.
 - b. Location, if any, of all isolated trees worthy of preservation.
 - c. The boundaries of areas subject to 100 year flooding or storm water overflow.
 - d. The average lot size.
 - e. Preliminary indication of needed storm drain facilities and preliminary run-off calculations.
 - f. The location of improvements which may be required to be constructed beyond the boundary of the subdivision shall be shown on the subdivision plat or on the vicinity map, as appropriate.
 - g. The words "Preliminary Plat--:Not to Be Recorded" shall be shown on the plat.
 - h. The applicant must submit a soils report based on adequate test borings and excavations prepared by a Civil Engineer specializing in soil mechanics and registered by the State of Utah.

- i. The applicant must submit a maintenance plan as set forth in Section 11-12-160 of the zoning Ordinance.
5. The applicant must preserve, under permanent easement or other means acceptable to the City, a proportionate share of the open space required by the conservation subdivision chapter of the zoning Ordinance.
6. The applicant must set aside an area of land at the northern tip of the subdivision for the future alignment of Legacy North right-of-way.
7. The applicant must obtain all necessary storm water run-off permits from the state.

Keith Klundt seconded the motion, which passed by unanimous vote.

Findings

- In light of the transportation planning, funding, and safety issues, the action is prudent and necessary.
- There had been a precedent set with Woodside developers regarding subdivision approvals.
- Commission Members wanted the record to state their strong concerns regarding the overall transportation plan for the area.

PUBLIC HEARING: GARBETT HOMES REQUEST FOR CONDITIONAL USE AND SITE PLAN APPROVAL TO ADJUST PROPERTY SIGN REQUIREMENTS FOR THE FARMINGTON CROSSING ON SPRING CREEK POND DEVELOPMENT LOCATED IN THE VICINITY OF SHEPARD LANE, SHEPARD CREEK PARKWAY, U.S. 89 AND I-15 (C-1-50) (Agenda Item #4)

Background Information

Standards for property signs which advertise the sale or lease of property or other contemplated improvements are set forth in Section 15-4-100 of the sign ordinance. More specific standards are set forth in paragraph 4d of this section for large subdivisions or Planned Unit Developments consisting of more than 150 units or 10 acres. The last sentence of this paragraph states, "These sign requirements may be adjusted by means of the City's Conditional Use Permit process." Therefore, Garbett Homes has submitted a conditional use application to deviate from the standard requirements.

If the Planning Commission chooses to approve the Garbett Homes request, the following may be reasonable conditions for such approval:

1. Restrict the placement of the signs to 12 months, with an option for the applicant to receive extensions thereafter.
2. When the temporary use ends, the applicant shall restore the site to its original condition.
3. The signs shall be placed in such a way as to not obstruct the safe flow of traffic.

END OF PACKET MATERIAL.

Mr. Petersen introduced the agenda item. He discussed the City's sign ordinance and the possibility for the developer to obtain conditional use permission to allow the signs as requested. Mr. Petersen outlined the conditional use adjustments which would be needed for the proposed signs.

Public Hearing

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

Jacob Balstead (resident of Sandy, Utah, representing the developer) described the location of the proposed signs. All proposed signs locations existed on property owned by the developer. It was planned that the signs would only be in place for 18 months, or possibly 2 to 3 years depending on lot sales. Mr. Balstead said the developer would be happy to comply with the direction of the Planing Commission.

Public Hearing Closed

There being no forthcoming comments, **Chairman Ritz** closed the public hearing.

The Commission members discussed the agenda item, including the following points:

- Commission Members wanted to have the development be successful, but it was likely not necessary to have the number or the size of signs requested.
- The Rose Cove sign should come down as soon as possible.
- Any signs construction within the City should be built to withstand the

Farmington east winds.

- Specific sign size and location was discussed.

[Cindy Roybal was excused at 9:00 P.M.]

Motion

Annie Hedberg moved that the Planning Commission grant conditional use and site plan approval to adjust property sign requirements for the Farmington Crossing on Spring Creek Pond development located in the vicinity of Shepard Lane, Shepard Creek parkway, U.S.89, and I-15 subject to the adjustments in sign sizes and/or locations as redlined by the Planning Commission on the proposed site plan and all applicable Farmington City development standards and ordinances and the following conditions:

1. The placement of the signs shall be restricted to 12 months, with an option for the applicant to receive extensions thereafter.
2. The applicant shall restore the site to its original condition when the temporary use ends.
3. The signs shall be placed in such a way as to not obstruct the safe flow of traffic.

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

Findings

- Commission Members recognized their responsibility to protect the community from undesirable signage and assumed that responsibility while balancing it with an effort not to impede the success of the development.
- Garbett Homes had demonstrated a cooperative effort in working within City requirements and standards.
- The request was consistent with City ordinances through the conditional use process.

CITY COUNCIL REPORT AND MISCELLANEOUS

Mr. Petersen reported that the Richmond Homes requested had been withdrawn and therefore required no consideration by the Commission Members.

In their meeting on February 2, 2005, the City Council approved both requests by Rainey Homes: the exemption which allowed a sales office in a model home outside the boundaries of a subdivision and the waiver for rear yard setbacks for five lots in the Miller Meadows Subdivision.

In discussion of upcoming meetings, it was decided to cancel the Planning Commission meeting scheduled for February 24th and hold the meeting on the previous evening, February 23rd.

Because Mr. Talbot would be out of town for the next several weeks, it was decided to have Annie Hedberg represent the Planning Commission on the NMU committee along with Cindy Roybal.

ADJOURNMENT

John Montgomery moved that the Planning Commission adjourn at 9:20 P.M.

Cory Ritz, Chairman
Farmington City Planning Commission