

FARMINGTON CITY PLANNING COMMISSION

Thursday, March 15, 2007

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, Assistant City Planner Jared Hall, Alternate Planning Commission Members Randy Hillier and David Safeer, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 6:00 P.M. The Planning Commission members and City Planners conducted a field trip to the 2.215 acre parcel which is located at Lund Lane and the Frontage Road. At 6:30 P.M., the Planning Commission returned to City Hall where the following items were reviewed:

Agenda Item #1: Minutes

The Planning Commission reviewed the minutes from the Planning Commission meeting that was held February 15, 2007.

Agenda Item #2: City Council Report

David Petersen reported proceedings of the City Council meeting held March 6, 2007. He covered the following items:

- The City Council approved Randy Head and John McDonald's request to rezone approximately 10 acres located west of 1525 West and North and adjacent to Farmington Ranches Phase III Development from "A" to "AE," but withheld schematic plan approval.
- The City Council granted final plat approval for Farmington Greens, Phase 2a Subdivision.
- The City Council approved a boundary line adjustment between the LDS Church (Steed Creek Chapel) and Holmes Creek Development, LC.
- The City Council had their first reading of the Development Agreement for Willow Creek Subdivision which is located at Lund Lane and I-15 Frontage Road.
- The City Council had their first reading of the Reimbursement Agreement with Jerry Preston regarding Storm Sewer Facilities near Glover's Lane and I-15 Frontage Road.
- The City Council had their first reading of the Farmington Ranches Neighborhood Park Agreements.

Agenda Item #3 - Haskell Homes - Applicant is requesting a recommendation for final plat approval for a five-lot subdivision located at Lund Lane and the Frontage Road on 2.215 acres in the LR zone (S-23-06)

David Petersen said the Cavehollow subdivision frontage road treatments are the exact dimensions as the Centerville frontage road treatments. The treatments on Lund Lane will not look out of place if they are 32 feet.

Chairman Talbot said he would prefer that larger lots be located near the frontage road.

The Planning Commission discussed the issue and agreed that it will not be obvious if the treatments are 32 feet rather than 38 feet.

Agenda Item #4 - PCI #1, LLC - Applicant is requesting Planning Commission recommendation for final plat approval for phases 2B and 2C of Farmington Greens Subdivision at 1525 West and Clark Lane on 23.54 acres in the AE zone (S-15-06)

Jared Hall passed out a copy of the plat that was revised by MC Green which includes three larger lots. City staff recommends that the Planning Commission approve the applicant's request.

David Petersen suggested that the Planning Commission require that the applicant provide an acceptable landscaping plan for the private park.

Agenda Item #5: Public Hearing: D.A.I. - Applicant is requesting preliminary plat approval for the Palmer Estates Subdivision located at 100 West 600 North on 9.66 acres in the OTR and B zones (S-17-06)

Jared Hall informed the Commissioners that the City Engineer, **Paul Hirst**, will be present to address the Rudd Creek issue. The Fire Chief will also be present to address the issues pertaining to the road width.

David Petersen explained that the Fire Chief is requiring that the developer provide a roadway made up of 27' of asphalt and 4' of curb and gutter. The developer is concerned about the amount of trees that will have to be removed if he provides a 31' roadway.

Jared Hall stated that the developer plans to bring photos to the regular meeting to illustrate the number of trees that would have to be removed if the road is widened.

Chairman Talbot asked if the existing floodway will handle the Rudd Creek drainage if debris breaks loose.

Jared Hall explained that the current plan calls for the drainage to flow along the southern end of the Palmer property which could possibly eliminate six lots.

David Petersen pointed out where the detention basin is located. The City Engineer

cannot guarantee that the drainage will not flow toward the Palmer property if the basin overflows. There are certain things the developer can do within the subdivision to resolve the issue. City staff recommends that the Planning Commission table consideration of the issue until it is determined whether the debris flow will alter the lot configuration. He informed the Planning Commission that the Trails Committee is opposed to the trail being relocated.

Agenda Item #6: Public Hearing: Shadow Ridge Development - Applicant is requesting a recommendation for schematic plan approval for Hidden Meadows Subdivision Phase 3 & 4 comprising of 14 lots located at 1300 North Hidden Meadow Way on 10.96 acres in the LR-F zone (S-5-07)

Jared Hall explained that if Phase 4 is altered, the lots in Phase 3 will increase in size. He also explained how the road is configured at the top portion of the development. The construction road is not overly steep but it may be complicated to connect the two roads.

David Petersen said he informed **Chris Martineau** that City staff is recommending that the issue be tabled to allow the Planning Commission to determine whether the two lots that sit on the bluff will effect certain property owners in the area. The developer does not think the two lots will impact the existing property owners. The reviewing agencies have conceptually agreed to the schematic plan. If the Planning Commission so desires, they could grant approval subject to them conducting a field trip to the property.

Jared Hall stated that he visited the property. In his opinion, the two lots on the bluff will not stand out from other homes that have been built in the area.

Agenda Item #7: Public Hearing: Willowbend Partners Inc. - Applicant is requesting a recommendation for schematic plan approval for a 4-lot PUD subdivision located at 1386 South 200 East on 1.6 acres in the R-2 zone (S-16-06)

Jared Hall stated that although the applicant has met the 10% open space requirement, he is not overly impressed with the proposed layout. The developer is pursuing the PUD designation since they want to sell the homes and lots as occupied units. The Fire Chief has not yet approved the proposed layout. He pointed out that the length of the street is not an issue since it is not serving too many units.

[**John Bilton** arrived at 7:00 P.M.]

Agenda Item #8: Public Hearing: Gregory and Nancy VanZweeden - Applicant is requesting preliminary plat approval for a three-lot subdivision located at 150 South 1525 West on 3.17 acres in the AE zone (S-3-07)

Jared Hall stated that there are not issues relating to this application that needs to be discussed prior to the regular meeting.

Agenda Item #9: Public Hearing: Richmond American Homes - Applicant is requesting a temporary use approval for a sales office in a model home, including a small parking area in the Farmington Greens Subdivision, to be located on lots 152 and 155, 1422 West Triple Crown Court (TU-01-07)

Jared Hall reviewed the applicant's request. City staff recommends that the Planning Commission grant approval.

The meeting adjourned at 7:00 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, Assistant City Planner Jared Hall, Alternate Planning Commission Members Randy Hiller and David Safeer, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 7:00 P.M.

APPROVAL OF MINUTES

Cory Ritz moved that the Planning Commission approve the minutes of the February 15, 2007, Planning Commission Meeting. **Paul Barker** seconded the motion. The Commission voted unanimously in favor.

CITY COUNCIL REPORT

The City Council report was given by **David Petersen** during the Planning Commission study session.

HASKELL HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR FINAL PLAT APPROVAL FOR A 5 LOT SUBDIVISION LOCATED AT LUND LANE AND THE FRONTAGE ROAD ON 2.215 ACRES IN THE LR ZONE (Agenda Item #3)

Background Information

Preliminary approval was granted by the Commission on November 8, 2006, with conditions which have been met.

Lund Lane: Lund Lane improvements were to be designed to meet both Farmington and Centerville City standards. This has been partially addressed. City staff is asking for enough pavement to provide two safe travel lanes on Lund Lane and will ask the Commission to make that inclusion a condition of final plat approval.

Improvement Drawings/Technical Reviews: Improvement drawings for the project including grading and drainage plans have been reviewed and approved by all reviewing entities (engineering, planning, public works, fire, water and sewer districts). Only one or two minor notes for corrections were given back along with the approvals.

Frontage Road: The improvements related to the frontage road were to be provided along the entire frontage, and it was specified that the developer would be able to enter into a development agreement with the City to share in the cost of the improvements desired on that frontage. The plat currently provides a 17.5 foot area dedicated to the City (Parcel A) which allows us to have a large side treatment to the frontage road with a wide sidewalk and plenty of landscaping. The development agreement will essentially spell out how much of the cost of improvement will be the developer's and how much will fall to the City.

Development Agreement: The Development Agreement itself is currently in progress. The Agreement must be finalized and recordable with the final plat. Staff and the developer will continue to iron out the details as the plat moves toward recordation.

END OF PACKET MATERIAL.

Jared Hall displayed an overhead of the schematic plan. The developer plans to dedicate a 32' parcel to the City to be used for frontage road improvements which should be an adequate amount of space to provide a buffer for the frontage road traffic and freeway noise. The improvements will be consistent with the existing improvements to the north and south of the property. The City will partner with the developer to share the costs as system improvements. He reviewed the "Suggested Motion" that was included in the Planning Commission packet. City staff recommends that the Planning Commission approve the applicant's request.

Terry Fowler (Haskell Homes Representative) said Haskell Homes is grateful that the City is sharing in the cost of the improvements, but they were surprised to learn that the Development Agreement requires that they provide two safe lanes of travel on Lund Lane. They are willing to continue to work with City staff to resolve the remaining issues.

Kevin Poff questioned whether the City has an agreement with Centerville City since Lund Lane is a shared road.

David Petersen explained that the City owns the portion of Lund Lane that is east of 200 East. Centerville City owns the portion of Lund Lane that is west of 200 East. The cities have

not agreed who will be responsible to maintain the road but they are close to reaching an inter-local agreement. Since this is the first development on Lund Lane, the City Engineer recommends that the developer provide two safe travel lanes.

Chairman Talbot asked if the developer was made aware that the City is requiring that he provide two safe travel lanes.

David Petersen said the developer was unaware of the requirement. The City Manager added the requirement to the Development Agreement since it is not safe to tie into a failing road such as Lund Lane. The road should provide the ability for two cars to pass each other safely.

Chairman Talbot said the improvement area appears to be adequate but he would prefer that the larger lots be located near the frontage road.

Paul Barker questioned why the road width is not defined in the City code.

David Petersen explained that the City code does not provide a standard for side treatments. This property does not have a detention basin so it is up to the City to determine what is fair.

Chairman Talbot asked if the developer agreed to provide the treatments.

David Petersen stated that the developer agreed to provide 170' of improvements on the southern portion of the property. The City agreed to provide 170' of improvements on the northern portion of the property.

Motion

Kevin Poff moved that the Planning Commission recommend final plat approval with the following conditions:

1. All conditions of preliminary plat approval must be met, as well as response to all minor notes/comments from reviewing staff will be addressed.
2. Subject to the finalization of the Development Agreement between the City and developer which must be recordable concurrent with the final plat;
3. Any modifications necessary to the improvement plan for Parcel A along the Frontage Road will be made for the City Council's review of final;
4. Developer will provide sufficient width of asphalt for two safe lanes of travel on Lund Lane, to be approved by the City;

5. All applicable requirements for the City ordinances and other agencies.

Andrew Hiller seconded the motion, which passed by unanimous vote.

Findings

- The treatments will tie in with the other frontage road landscaping.
- Lund Lane will be improved with two safe travel lanes, including an appropriate entry onto the frontage road.
- Additional properties will be able to develop on Lund Lane.
- The developer and City have coordinated to share the costs.

PCI #1, LLC - APPLICANT IS REQUESTING PLANNING COMMISSION RECOMMENDATION FOR FINAL PLAT APPROVAL FOR PHASES 2B AND 2C OF FARMINGTON GREENS SUBDIVISION AT 1525 WEST AND CLARK LANE ON 23.54 ACRES IN THE AE ZONE (S-15-06) (Agenda Item #4)

Background Information

The Commission reviewed Phase 2A and recommended approval at the last regular meeting which was held on February 15, 2007. The preliminary approval that was previously granted was for Phase 2A as a whole and the project has since been split into the current three phases for recording and building purposes. Nothing of substance has changed from the time of preliminary approval to these phased final approval requests.

- ***Technical Reviews:*** Technical reviews are on-going but have not generated any serious issues to date. Most issues for all of Phase 2 (a, b and c) surrounding the construction and improvement drawings were reviewed by the various entities (fire, public works, sewer, water, engineering) as a whole, and those issues have been resolved.
- ***Open Space:*** The open space parcels allotted in these phases of the subdivision need to be planned. City staff is requesting to see a detailed landscaping plan for review and approval prior to recordation.

END OF PACKET MATERIAL.

Jared Hall displayed an overhead of the schematic plan for Phase 2B. He also displayed an overhead of the schematic plan for Phase 2C which includes the proposed changes. The developer is proposing that one lot be removed which would reduce the number of lots facing the park to three. He reviewed the “Background Information” and “Suggested Motion” which were included in the Planning Commission packet. City staff recommends that the Planning

Commission approve the applicant's request. The Planning Commission may wish to include a seventh condition requiring the developer to provide side treatments that are consistent with the Farmington Ranches side treatments on the opposite side of 1525 West.

Steve Akerlow (1322 West Citation Drive, Farmington) said he represents PCI #1, LLC. He believes the applicant is aware of the conditions that are suggested by City staff.

Jared Hall pointed out that the seventh condition was not listed in the "Suggested Motion" but it was a condition for Phase 2 which was previously approved so the applicant should be aware of it.

In response to a question from **John Bilton**, **Jared Hall** stated that the Development Agreement has not expired.

Kevin Poff said he is concerned that the trail easement will become a dark alley between the two fences. He recommended that the area be made visible to promote safety in the area.

Jared Hall stated that the applicant is required to provide a detailed plan so the City can ensure that the trail easement is a safe area.

Motion

John Bilton moved that the Planning Commission approve the final plat for the Farmington Greens PUD Plat 2B and the final plat for the Farmington Greens PUD Plat 2C subject to all applicable Farmington City development standards and ordinances and the following:

1. The setbacks and preliminary elevations or perspectives of all building types proposed for this phase of the Farmington Green Planned Unit Development shall be submitted to the City by the developer. The setbacks and building elevations shall be consistent with the Development Agreement between the developer and Farmington City for this project.
2. The developer shall prepare and submit a consistent street lighting plan, fencing plan, and illuminated house addressing system for review and approval by the City.
3. The developer will provide detailed landscaping plans for the open space parcels on phases 2B and 2C to be reviewed and approved by City staff prior to recording.
4. Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees or easement agreements shall

be provided to the City as required by the Planned Unit Development Chapter of the zoning Ordinance and/or the City Attorney.

5. This final plat approval shall be subject to the Development Agreement made and entered into the 19th day of July 2000, by and between Farmington City and Claims, Inc., and any amendments related thereto.
6. All conditions of preliminary plat approvals must be met.
7. The developer must provide side treatments that are consistent with the Farmington Ranches side treatments on the opposite side of 1525 West.

Cory Ritz seconded the motion, which passed by unanimous vote.

Findings

- Phases 2B and 2C are consistent with Phase 2A which was previously approved.
- Phases 2B and 2C will complete the project.
- The developer has eliminated a lot so the three lots near the park will be larger than originally planned.

PUBLIC HEARING: D.A.I. - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR THE PALMER ESTATES SUBDIVISION LOCATED AT 100 WEST 600 NORTH ON 9.66 ACRES IN THE OTR AND B ZONES (S-17-06) (Agenda Item #5)

Background Information

This project was previously approved for a zoning text change and associated schematic plan by the City. There have been some changes since that time as the developers have sought to overcome some specific issues.

Density: The project is comprised, at this point, of 20 individual lots, all of which are in keeping with the previous approvals. The schematic planning for the project called for the Development to surround the existing Palmer home. Current planning on the project removes the home, but keeps the “ring” aspect of the private lane. It now loops around five lots instead of the Palmer residence.

Access: The access is a point of concern for the fire department. The project is to be served by a private, undedicated right of way. The main portion of the access road is only 20 feet in total width (the “loop” portion). This loop is intended as a one-way, no parking lane. The developer has shown several “pull outs” in an attempt to accommodate concerns that any parking on 20 feet of total right of way really cannot be permitted. The only section of road that is wider

is the immediate entrance off 600 North, which is 28 feet total.

There is one other emergency access route, it is the retention of a 20-foot emergency access (the existing driveway on the Palmer lot) which would remain but be unused and gated. Nevertheless, the Fire Chief is requiring between 20 and 27 feet of unobstructed asphalt and the developer maintains that his requirement is only 20 feet of right-of-way.

Fire Review: The fire department review has rejected the current plan based on the 20-foot total width, citing portions of the international fire code calling for a minimum of 26 feet of asphalt to provide proper access for fire and emergency apparatus. The 20-foot access is intended to provide access to the maximum number of lots and still preserve large trees on the property.

Trails and Relocation: A portion of the Lagoon Trail runs through the north west corner of the Palmer property, through what is slated to be Lot 2. The developers have proposed relocating the trail even further to the edge of the lot to maximize the distance between the trail and what would be the home-site. The Trails Committee had some concerns that this relocation would be a much bigger disturbance than it appears on paper and jeopardizes a number of trees.

A gated access for a pedestrian trail into the project would be provided under this proposal off of Main Street, down the north line of Lot 10.

Rudd Creek Floodway: It appears that the southern portion of the property may be located in the Rudd Creek Floodway. The applicant proposes to redirect flood flows southerly down Main Street instead of westerly across the subject property. The City Engineer is studying this proposal but is not ready with a specific response.

Other Reviews: Other reviews have been completed or are in progress. As a part of schematic plan approval, the developers were required to work with the City Engineer's office regarding any need for floodway across the property, and regarding traffic studies, etc. these issues are being resolved, but as staff stated, the Engineer's office is not prepared to take a formal position on the feasibility of the plan as proposed by the developer at this time. Most issues aside from these engineering, emergency access and potentially the trail relocation appears to be resolved for this stage of development.

END OF PACKET MATERIAL.

Jared Hall informed the members of the Commission that the plan has changed since the applicant received schematic plan approval. He displayed an overhead of the original schematic plan which includes 17 units including the existing Palmer residence. The current plan includes 20 units but the Palmer residence will be removed. The road configuration will remain the same. The biggest point of concern involves the private lane which is not served by a public road. The

lane will be maintained by the Homeowner's Association. He explained that the road is 28' at the property entrance and then narrows to 20'. Pullouts are provided to prevent the access from being blocked. The developers are concerned that if the road is widened, a substantial amount of trees will be lost. The ordinance allows for private lanes to serve subdivisions but the width of the lane is the issue being considered. The Fire Chief has rejected the current proposal.

David Petersen pointed out where the developer would like the trail relocated. The developer approached Lagoon regarding the possibility of relocating the trail to the Lagoon property. If Lagoon does not authorize an easement, the trail will remain on the Palmer property. When the trail was created, the City thought the trail was being constructed on public property. It has since been determined that the City does not have an easement for the existing trail location.

Jared Hall said from a planning perspective, the proposal includes many positive aspects. The City and developer are trying to work through the major issues which include the road widening, Rudd Creek and the trail relocation.

Paul Hirst (CRS Engineers) said he is concerned about the Rudd Creek debris basin and potential flows that are predicted to come down Rudd Canyon. In September 1983, a document was prepared by the Forest Service supervisor that contained information regarding a postmortem on the floodway that occurred in June 1983. The report indicates that approximately 65,000 cubic yards of run out was deposited from the run off area. There was approximately 15,000 cubic yards of material perched in the canyon that could still come down. At that time, the Forest Service recommended that the City construct a debris basin as large as possible (which the City did). After the 2002 fire that occurred in that area, a survey was conducted by the Forest Service which included Rudd Canyon. Based upon that report, there was a heightened concern for Rudd Canyon. The report indicates that the basin will not be capable of handling the amount of water and debris that could be generated if the material were to break off during an extreme rainstorm. If the basin overflows, the run off will flow down gradient from the basin. There is a storm drain in the basin that travels through the Palmer property. The drain is capable of handling a portion of the water but it would not take long for the storm drain pipe to plug and cause overland flow. He explained that it cannot be predicted which direction the flow will travel. He estimates that between 25 and 40% of the flow could travel down 500 North and onto the Palmer property. He strongly recommends that the developer take this information into account. He offered the following recommendations:

- The homes that are east facing on the steep embankment should be restricted from having basements.
- The foundations should be constructed 3 to 4 feet above the existing ground to allow the debris flow to travel around the home.
- A disclosure should be placed on the plat informing future property owners that the properties may be at risk.

Paul Barker questioned whether this property would qualify for a FEMA designation.

Paul Hirst said he would not consider this property a flood plain, but rather a potential hazard. He would prefer that homes not be constructed in that area but if they are, they should be elevated.

Kevin Poff asked how he would answer those who point out that there have been many homes constructed between the basin and the Palmer property.

Paul Hirst said he is trying to remedy a bad situation in a reasonable way. He recommends that the City begin by protecting the new homes.

John Bilton asked if the City Engineer is recommending that all of the foundations on the property be elevated.

Paul Hirst said it is critical that the foundations of the east facing homes be elevated. Notification of the risks should be placed on the plat for the entire subdivision.

Kevin Poff pointed out that there was a mud slide at the top of 500 North approximately one year ago.

Paul Hirst explained that the mud slide that occurred a year ago was an erosion event that is not as threatening as the Rudd Canyon issue. The Forest Service did not identify other areas that are at risk of large masses of material threatening to detach.

Paul Barker asked if the Palmer residence experienced run off in 1983.

Paul Hirst said he did not know whether the Palmer property experienced run off.

Mr. Palmer (from the audience) stated that nothing happened to their property in 1983.

Larry Gregory reported that as the Fire Chief, he takes a yearly helicopter ride across Farmington Canyon, including Rudd Canyon. The Fire Department is also concerned about that area. He explained that developments in Farmington City are required to meet the International Fire Code which is adopted by the State of Utah. He tries to be consistent with every development in the City. He only gets one chance to make a development as safe as possible for the Farmington residents. According to the Code, he is allowed to require a minimum road width of 20 unobstructed feet. He would prefer that the developer provide two ways in and out since a single vehicle is capable of creating an obstruction for the fire department when responding to an emergency. He invited the South Davis Metro Fire Marshall to address the Commission.

Steve Cox (Fire Marshall - South Davis Metro Fire Agency) said he is familiar with the subdivision and the existing road widths. He agrees with the Fire Chief that the minimum road width should be 26 feet which would allow parking on one side of the road. If the road remains 20 feet wide, a single car could impede emergency access. He is concerned that a certain area of the road includes a square corner. He recommended that the left side have a radius like the right side. If the entrance to the property remains 28 feet, it could limit residents from entering or exiting the property in the event of a water break that requires City repair.

Larry Gregory stated that by law, he does not have the right to dilute the Code. He only has one chance to make it right for the citizens who may be at risk.

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

Nathan Shipp (D.A.I. - 406 West South Jordan Parkway, Suite 250) said it is not his intent to build an unsafe subdivision. He addressed the following issues that were raised by City representatives:

Road Width: He has revised the subdivision four times, only for the Fire Chief to require more. They enlarged the subdivision entrance to provide a 28-foot access, which is the City standard. He explained that the road is a meandering one way street. To increase the road width would require them to remove a substantial number of trees. They have provided pop out parking which will accommodate 6 to 8 vehicles, thus keeping the cars from parking on the 20' sections of the road. Over 75% of their road is 24' or greater. They have also provided a secondary access to the site. Both entrances to the project will be gated. He explained that the fire department should not be concerned with the turning radius at the intersection because it is a one way road so motorists will not be turning right. He provided a copy of the Code and explained that by law, he is only required to provide a 20' road width. The road width is only 20' in certain areas to preserve the historical nature of the site.

Rudd Creek: He has met with **Rich Rhodes** (Forest Service) on a number of occasions to discuss the report. The area that was identified for being at risk as a result of the 1983 catastrophe was circled in a rough circle. The circle does not include the Palmer property. The only debris on the Palmer property was placed there as part of the clean up effort. He has interviewed several residents who stated that the mud never came on the Palmer property. **Mr. Rhodes** is not concerned about the Palmer property but he is concerned about the homes on another street in the area. It is concerning that the City Engineer states that they are unprepared to handle the capacity. He suggests they come up with a plan to deal with the flow. Every expert he has talked to has indicated that the Palmer property is only at risk because of the 30' pipe that was placed on the Lagoon and Palmer properties without the approval of the property owners. He recommended that the City relocate the pipe after acquiring the necessary easements. Over four months ago, he asked the City to update their 20 year old emergency action plan which

currently plans for overflow water to be directed to the Palmer property. He believes the storm drainage facilities are capable of handling the run off. After researching the issue with the State Engineer's office, he has not found a study, nor has the City provided one, indicating it is necessary for this property to serve as a debris flow path. He feels it is inappropriate to put fear into people's minds when the facts suggest that they are safe.

Mr. Shipp stated that he is excited to develop this subdivision and believes it will be one of the City's "crown jewel" neighborhoods. In good faith, they have hired an arborist so they can maintain the historical nature of the property. As recommended by City staff, they acquired the property where the City's well house is located. They are only adding one lot to their plan because they added another half acre to the project. He has gone to great lengths to meet the needs of the City. He is willing to meander the trail around the trees but he is not in favor of removing a number of trees from the project. He has not presented a plan to the City in the past five months because he wanted to make sure the plan was done right. He requested that the Planning Commission grant approval.

Gary Rose (48 west 600 North) said he has concerns about the open space areas and flood control. A 30" pipe will not handle the mud. He explained where the debris will travel if the dam breaks. He believes the Trails Committee will be opposed to the proposed trail location.

Richard Ellis (44 East 400 North) said he was a resident at the time of the flood. The water came down 100 East and across 500 North. He is concerned that the large homes will not be consistent with the existing homes in the area. He questioned whether this project conforms to the standards of the OTR zone.

George Chipman (Trails Committee) said in terms of usage, this trail is one of the City's most popular trails. If the trail is relocated, the trail will be relocated closer to Lagoon which will generate increased noise for the trail users and trees would have to be removed in order to accommodate the City's maintenance equipment. He requested that the Planning Commission recommend that the trail remain in its existing location. Relocating the trail would be too great a sacrifice for one lot.

Matt Poulsen (1732 North Main Street) said he designs fire protection for the Davis County School District. From his experience he has found that "worst case scenarios" do happen. This is a beautiful area for homes but the project should be designed to withstand the "worst case scenario."

Tom Owens (Old Mill) said the next best thing to not developing this property would be to embrace this project. The developer is responsible and responsive to Farmington's historical ambience. This a good use of the land and would be a good addition to Main Street.

Public Hearing Closed

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

John Bilton asked why the parking pop out is not located on the narrower portion of the road.

Nathan Shipp explained where the pop outs are located. They are positioned in close proximity to handle the overflow for the entire project. Most of the homes in the development will have 3 to 4 car garages which will provide ample driveway space to accommodate their visitors. The HOA will be responsible to enforce the parking regulations.

In response to a question from **Kevin Poff**, **Nathan Shipp** explained that the reason they are selling the lots instead of the home footprint is to increase marketability. They have found that most homeowners prefer to own the lot and the house.

Kevin Poff reminded the applicant that the Planning Commission has always expressed concerns about the width of the road.

Nathan Shipp stated that he understands that the road width has been a concern from the beginning. He is willing to entertain suggestions that will accommodate the nature of the property.

Paul Barker stated that 70% of the street is 24' or wider. He suggested that the developer reduce the size of the larger lots in order to provide a 28' road width with two travel lanes.

Nathan Shipp explained that there is a section of road that runs to the west of the existing palmer residence. He is concerned about removing the trees since it is such a beautiful area. He showed the Planning Commission a picture of the property and pointed out which trees would have to be removed.

Cory Ritz stated he is not as impressed with the schematic plan as he was with the initial proposal. He questioned why the developer is now proposing that the open space be revised and that the Palmer house be removed.

Nate Shipp stated that they shifted the open space to the north end of the property to provide a landmark design at the entrance. The area on the north corner is still a large open space with a pavilion and amenities which will be more inviting to the residents. They have found that the Palmer residence does not have the value on the open market that they anticipated. They hope the new lot owner will be willing to incorporate certain aspects of the Palmer home into

their design.

In response to a question from **Cory Ritz**, **Nathan Shipp** explained that they are only adding one additional unit since the initial proposal. Their planners were concerned about three homes being located on a steep grade so they relocated one of the lots to the other side.

Cory Ritz said he thinks it is inappropriate for the developer to increase the density since the City has expressed concern about the density of the project across the street from the Palmer property. He is also concerned that the project has a single point of access onto 600 North. It is not wise to blatantly go against the recommendations given by the Fire Chief and the City Engineer.

Kevin Poff stated that the zone text only provides a definition for "private lanes." He asked if there is any other governing text.

David Petersen stated that the only text pertaining to private lanes is located in the Fire Code. Private streets are allowed in PUDs so long as they are approved. It is possible to regulate streets in PUDs.

Chairman Talbot asked City staff how much they have encouraged the developer to change the site plan.

David Petersen said he does not recall a discussion where the developer was asked to "loosen an area" and relocate a lot. The developer was reconfiguring the lots in an attempt to provide a flow path which no longer exists. As part of the schematic plan process, he did inform the developer it would be wise to relocate Lot 14 in order to provide a flow path.

Chairman Talbot stated he is still excited about the development, although there are a few issues that need to be resolved. He said he is less concerned about preserving trees than providing fire safety.

Cory Ritz said it is unacceptable to relocate the trail since this area is the "heart" of the trail system.

In response to a question from **John Bilton**, **Jared Hall** stated that according to the meeting, it appears the developer has completed all of the requirements pertaining to the schematic plan.

John Bilton said he is pleased with the development. It would be helpful to walk the trail prior to forming an opinion on the trail issue. He would like to review documentation pertaining to the debris flow issue so he can understand the City's past and future plans to address the issue.

Nathan Shipp explained his proposal to realign the trail. The trail would be shifted 30' but would not be located closer to Lagoon. The area would be more useable for the property owner. He is willing to consider the input of the Planning Commission.

David Petersen said the item was placed on the agenda since the developer did not receive approval from the Fire Chief and other reviewing agencies. City staff recommends that the Planning Commission formulate a recommendation regarding the road width for the City Council to consider.

Chairman Talbot stated that it is the general consensus of the Planning Commission that the road should be widened but they would like to visit the property to determine how the road can be widened with the least amount of impact to the trees. He recommended that the developer meet with the Fire Chief in an attempt to reach an agreement.

Cory Ritz said he is not as concerned about removing the willow trees since they do not live as long as other types of trees. He said the developer should follow the City's Engineer's recommendation. The new schematic plan does not seem to accommodate the debris flow.

Kevin Poff said it would be helpful to know where the debris flow should be located. He is concerned the City would be held liable if emergency vehicles were unable to access a situation due to the City approving narrow road widths.

Nathan Shipp said he would like to tour the Palmer property with the Planning Commissioners and show them which trees would be effected if the road were widened and where he would like the trail relocated. He would also like to show them specific projects in Salt Lake County that are similar to his proposal.

Motion

John Bilton moved that the Planning Commission table consideration of preliminary plat approval for the Palmer Estates Subdivision in order to allow the Planning Commission to conduct a field trip to the site, and to allow the developer to resolve the following issues: road width, debris flow path and issues relating to the trail. **Cory Ritz** seconded the motion, which passed by unanimous vote.

[**Rick Wyss** was excused at 9:09 P.M. and was replaced by Planning Commission Alternate **David Safeer**]

PUBLIC HEARING: SHADOW RIDGE DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR HIDDEN MEADOWS SUBDIVISION PHASE 3 AND 4 COMPRISING OF 14 LOTS LOCATED AT 1300 NORTH HIDDEN MEADOW WAY ON 10.96 ACRES IN THE LR-4

ZONE (S-5-07) (Agenda Item #6)**Background Information**

Phase 3: All 12 lots in Phase 3 are accessed from a dedicated public right-of-way. The lot areas are well over requirements for the zoning and are essentially well laid out. Storm water drainage and other issues will be relevant because of the nature of the terrain and will be reviewed closely by staff during preliminary and final development.

Phase 4: The two lots comprising the proposed Phase 4 are served by a gated “access” which joins the right-of-way serving Phase 3 at the extreme east end. The access is 40 feet wide, with 26 feet of asphalt shown. It basically runs up a short ridge-line at the top of Phase 3 to provide access to the more buildable areas on top.

The subdivision ordinance generally requires that parcels or lots will have frontage on a dedicated street. There is a provision allowing for access to be from a private street or “other means” but only if the Planning Commission finds that it is necessary because the most logical Development of the land will require it. This section of the ordinance also requires the Commission to make that finding in writing (12-7-030, paragraph 2).

Technical Reviews: The various reviewing departments (engineering, water, sewer, fire, etc.) have all reviewed and signed off on the schematic plan for these two phases as presented without any specific revisions. Planning’s only substantive issue with the project is the question about the appropriateness of the Commission allowing for the access of the lots in Phase 4, the way it is currently laid out.

While the density and use appear to be appropriate for the General Plan and zoning, the access to Lots 41 and 42 (Phase 4) will have to be accomplished as currently planned by a specific determination of the Commission that may have lasting impacts to the area and other future developments. An on-site review by the Commission should occur before that step is taken or considered.

END OF PACKET MATERIAL.

Jared Hall displayed an overhead of the schematic plan and pointed out which areas of the road will be public and which areas will be private. He reviewed the “Background Information.” The fire department and other reviewing agencies have conceptually approved the schematic plan. He suggested that the Planning Commission conduct a field trip to the property to consider the aesthetics of the two lots that are located at the top of Phase 4.

Public Hearing

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

Troy Sanders, Shadow Ridge Development (5151 South 900 East, Salt Lake City) said Phase 3 is a continuation of the first two phases. The utilities for the subdivision were put in place as part of the second phase. He presented a slide presentation which included an aerial photo graphic of the property and pointed where the three phases are located. The proposed road extension will provide a secondary access for emergency vehicles. It is the intent of the applicant to build the two Phase 4 homes at the end of Phase 3. In order to access the upper plateau, they plan to bring a private road to access the lots on a gentle grade. All of the lots are a minimum of 20,000 square feet. The lots on the plateau are one acre. He pointed out where the wetlands and open spaces are located. The engineering and reviewing staff have not found significant issues with the plan.

Dee Winegard, Farmington City Trails (487 East Greystone) stated that the Trails Committee would like a trail easement onto North Compton Road.

David Petersen explained that the North Compton trail connection will be considered at a later date.

Public Hearing Closed

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

John Bilton asked if the private road will create lasting impacts on the area.

David Petersen stated that the Fire Chief has approved the private road. The applicant suggested that the Planning Commission tour the site to determine if the private road and two lots will impact the area. He stated that the residents in the area were notified of the hearing but public opposition was not received.

John Bilton said he visited the area and doesn't share the concern that the lots will create a negative impact on the area. This is an opportunity to ensure that embankment is properly preserved.

In response to a question from **Kevin Poff**, **Paul Hirst** stated that he is accepting of the connection of the two roads. **Kevin Poff** said it may not be wise to connect the roads at the "trouble spot."

Paul Barker suggested that City staff begin the process of creating a standard for road widths in PUDs. The road width requirements for the PUDs considered at this meeting do not

seem to be consistent.

David Petersen explained that the Fire Code standards are based on certain conditions such as signage and the size of the apparatus. There are certain sections of the Code that require the road width to be 26', while other sections require that the road width be 20'. Although certain sections of the code have not been adopted by the City, the City Attorney believes it is enforceable since it is a life safety issue. Shadow Ridge Development has provided the 26' road width and turn around that was requested by the Fire Chief.

David Safeer said this phase will connect the two neighborhoods and will provide an extension for Phase 1. It would be nice if other developers would also provide connections between neighborhoods.

In response to a comment made by **Chairman Talbot, Jared Hall** stated that lots are supposed to front on public or private streets. The lots do face the long driveway which could be considered a private lane.

Motion

John Bilton moved that the Planning Commission approve the Schematic Plan for the Hidden Meadows Subdivision, Phases 3 and 4. The Planning Commission will establish a written finding, as per the ordinance, stating that they are willing to allow the knoll to be accessed by the private street. When the developer appears before the Planning Commission requesting preliminary plat approval, they shall provide a grade analysis and a positive recommendation from City staff regarding the proposed road. **Paul Barker** seconded the motion, which passed by unanimous vote.

Findings

- The two phases will be connected.
- A secondary access will be provided.
- Residents did not express opposition to the schematic plan.
- *The members of the Commission expressed concern as to whether Phase 4 will be viable.*

Motion

Kevin Poff moved that the Planning Commission continue Agenda Items #10 and #11 until the next Planning Commission meeting. **Andrew Hiller** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: WILLOWBEND PARTNERS, INC. - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A 4 LOT PUD SUBDIVISION LOCATED AT 1386 SOUTH 200 EAST ON 1.6 ACRES IN THE R-2 ZONE (S-16-06) (Agenda Item #7)

Background Information

Since first presented to the City, this application has been modified for a planned unit development subdivision. Originally intended as eight twin-homes on four-lots, the developer now wishes to build owner-occupied units. This will in fact make his lots smaller than the 10,000 square feet required by the R-2 zone. In response, the developer has attempted to design a project that will then meet the open space requirements of the planned unit development standards.

Access: Lots and units will share driveways which would be accessed off a 31 foot wide right-of-way (proposed Brynleigh Cove) which extends off of an existing stubbed 150 East. There is no way to run the street through the project completely so a turn-around for fire and emergency access is necessary. A “hammerhead” has been proposed.

Improvements: The sidewalk from 150 East would extend into the project and the developer’s proposal is to meander it through a 35' open space area abutting the road. This open space is to include the meandering sidewalk (4'), several street trees and several benches on the sidewalk in an attempt to make some sort of usable open space on the project.

There are some constraints associated with this aspect of the proposal. First, it is difficult to provide a truly usable open space on a project of this size. Second, the use of the property is restricted by a 40' wide easement that runs the entire length of the property on the north line. All that aside, the open space as proposed has some problems, which may be adjustable. The open space is crossed continuously by driveways, which are all 40 feet wide. This is less than ideal. It is likely that as many times there will be cars parked in the portions of the driveway crossing the sidewalk as well, which is also less than ideal. These things may be tweaked to be more suitable, but staff has nothing further to offer at this point.

Technical Reviews: There have been several comments from technical reviews that should be addressed. Fire has expressed concerns with the length of the street (exceeds City standards for dead ends) and with the width at 31' and the turnaround that has been proposed. Sewer and storm drainage could be problematic. The proposal at this point is to run the sewer line in off 150 East, through the project and then looped back out again through the public utility easements of Lots 17 and 16 of the Hillside Meadow subdivision (existing) to the street at 1420 South. This line would be in addition to the storm drainage for the project that they also propose to run out to 1420 South through those easements. The staff reviewers for those areas have expressed concerns about the easements truly being adequate for both lines to be installed and

maintained.

END OF PACKET MATERIAL.

Jared Hall explained that this is an in-fill project which always creates unique challenges. He displayed an overhead of the vicinity map and schematic plan which includes eight owner-occupied lots. He reviewed the "Background Information" that was included in the Planning Commission packet. He stated that this street conforms with the City's standard for dead-end streets. He explained how the sidewalk will travel through the area. City staff would prefer that the sidewalks be "gentler." The reviewing agencies have all approved the schematic plan, although there may be additional requirements in the future.

Public Hearing

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

Dana Kendrick (Willowbend Partners, Inc. - 139 East South Temple, Suite 400) said it was never their intention for the units to be used as rental properties. The units will be priced between \$275,000 and \$325,000. The lots will be located further back to provide fences for the rear yards. He has met with the residents in the area on a number of occasions. He is not aware of any opposition to the project. He said there appears to be a misunderstanding with the Fire Chief but he is willing to make any changes that are recommended by the City.

Chairman Talbot asked if there will be a separation wall between the two units.

Dana Kendrick stated that each owner will receive a deed for their side of the property. Each unit will be 2,500 square feet. The units will be separated by a sound wall. The legal description will go half way into the sound wall. The rendering now needs to be designed to the footprint.

Public Hearing Closed

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

Paul Hirst said CRS is not pleased with the proposed sewer solution. He would prefer that the sewer travel to the west from the driveways of the abutting flag lots. They reluctantly accepted their plan but suggests that the developer follow his recommendation.

Kevin Poff asked if there is an advantage to providing a hammerhead rather than a cul-de-sac.

Dana Kendrick stated that they do not have a preference whether they use a cul-de-sac or a hammerhead. The hammerhead will require less concrete and will allow for a larger grass area at the end of the roadway. The driveway sizes will be larger than other developments because of the larger setback.

Kevin Poff said it appears it will be difficult for residents who do not live in the subdivision to turn around.

Jared Hall said in his opinion, if the developer pursues the cul-de-sac option, it will give the appearance of a concrete parking lot. It will likely look like an apartment complex rather than a high end project.

In response to a question from **Paul Barker**, **Jared Hall** stated that according to his research, the road does not exceed the City's dead-end street standard.

David Petersen stated that the Planning Commission previously indicated that they would be willing to consider the exception. The City's street width standard is 31'.

John Bilton questioned whether the 40' strip of driveway will be accessible to both units.

Dana Kendrick said they plan to construct a double garage plus a quarter so the driveway can include landscaping in the middle. They are willing to provide contiguous parking if it is the desire of the City.

Cory Ritz questioned whether the application includes the same number of units as it originally did.

Dana Kendrick said they are proposing the same number of units. The proposed modification will allow fences in the back yards.

Chairman Talbot noted that residents from the area were not present opposing the project. His initial concern was that due to the price of the homes, they may not be marketable in that area.

Paul Barker expressed concern that the sewer issues are not resolved.

Dana Kendrick said he is willing to follow the City's recommendation so long as it is not a significant cost increase. The easement will either travel through a yard or through a driveway.

Jared Hall stated that he will evaluate the plat and determine what type of easement exists on the property, in order to determine the best option to address the sewer issue.

Motion

Kevin Poff moved that the Planning Commission approve the schematic plan for Brynleigh Cove pending a resolution of the site plan layout with Planning staff, safety, sewer and engineering reviews. Planning staff will work closely with the developers to find those solutions and make any improvements possible to the layout and open space planning. **John Bilton** seconded the motion, which passed by unanimous vote.

Findings

- This subdivision will provide a solution for a difficult piece of property.
- The developer has addressed the concerns of the residents in the area.
- The units will be owner-occupied.
- The site plan has improved without increasing the number of units.

PUBLIC HEARING: GREGORY AND NANCY VAN ZWEEDEN - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR A THREE-LOT SUBDIVISION LOCATED AT 150 SOUTH 1525 WEST ON 3.17 ACRES IN THE AE ZONE (S-3-07) (Agenda Item #8)

Background Information

The zone change and associated schematic plan for this property was approved by the Planning Commission and City Council in August of 2006. By way of background, this proposal is for a three lot subdivision of undeveloped property in west Farmington. This is a residential subdivision, previously approved by the Commission and City Council for schematic approval. No zone change was a part of this application. Densities as proposed are in keeping with the ordinance and with the general plan.

Access: One lot is to be accessed from 1525 West. The remaining two lots will be accessible from a proposed extension of Bonanza Road, which currently dead-ends at the property. The plans will need to be modified to meet Fire Department comments. Bonanza Road is anticipated to continue on to the south and provide access to additional undeveloped properties. The improvements/extensions of 1525 West and Bonanza Road are conditions of the original schematic approvals.

Technical Reviews: There are several issues regarding grading and sewer, but they are technical in nature and the applicants are currently revising their plans based on those issues in preparation for final plat approval. They do not substantively change the access, layout or uses of the property in question.

Fire/Emergency Access: As mentioned, the Fire Department has concerns regarding the

subdivision. Since Bonanza Road dead-ends with plans for its extension in the future, steps have been taken to provide an alternative turn-around mechanism in the event of fire or other emergency. The subdivision immediately to the north (McOmber, 2002) faced the same situation. In this case, the problem was resolved by requiring a certain distance of the lot's driveway to be reinforced and signage posted not allowing parking in any portion on the extreme west end of the driveway. This in essence provided a hammerhead for emergency vehicles to use. The fire department has not yet specified if this is, again, the preferred method.

Jared Hall passed out a copy of the schematic plan for the property. He reviewed the "Background Information" and "Suggested Motion" which were included in the Planning Commission packet. He explained that as part of the McOmber subdivision approval, the McOmbers were allowed to use their reinforced driveway to provide a turn around for emergency vehicles.

Motion

Kevin Poff moved that the Planning Commission continue past 10:00 P.M. **John Bilton** seconded the motion which passed by unanimous vote.

Public Hearing

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

Nate VanZweeden (697 East 157 South) stated that the soils test is being done but is not yet complete. In previous discussions, the Fire Chief indicated that it would be acceptable for the emergency vehicles to use the driveway to turn around. They will continue to work with the Fire Chief to resolve the issue.

In response to a question from **Cory Ritz**, **David Petersen** explained that Bonanza Road will eventually connect to a private lane which connects to 1525 West. The vacant properties will guide the road improvements.

Kevin Poff suggested that the applicant convey a 15' driveway easement to the City which could be used as a turn around for emergency vehicles.

David Petersen stated that may be a viable solution. He will further research the suggestion.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing.

Motion

Kevin Poff moved that the Planning Commission approve the preliminary plat for the VanZweeden subdivision, subject to all applicable Farmington City Development standards and ordinances and the following:

1. Developer will need to arrange agreements for drainage of these lots onto adjoining properties (as indicated in plans) by contract or other formal agreement prior to final approval and recordation of the subdivision;
2. Developer must resolve issues surrounding provision of certain utilities to the lots (specifically sewer) prior to final approval;
3. Developer must satisfy fire department access requirements before final approval;
4. Modified improvement drawings based on necessary revisions for sewer, drainage and/or fire access will be submitted and approved by the reviewing agencies prior to final review by the Commission;
5. All other applicable requirements and revisions as necessary and noted by staff;
6. Applicant must prepare and submit a soils report complying with Farmington City standards.

Cory Ritz seconded the motion, which passed by unanimous vote.

Findings

- This subdivision will continue a pattern that has already been set in the area and will preserve larger lots.
- Bonanza Drive is the only way to access the two western properties.

PUBLIC HEARING: RICHMOND AMERICAN HOMES - APPLICANT IS REQUESTING A TEMPORARY USE APPROVAL FOR A SALES OFFICE IN A MODEL HOME, INCLUDING A SMALL PARKING AREA IN THE FARMINGTON GREENS SUBDIVISION, TO BE LOCATED ON LOTS 152 AND 155, 1422 WEST TRIPLE CROWN COURT (TU-01-07) (Agenda Item #9)

Background Information

Richmond America’s proposal is not unlike many past instances in which the Commission has allowed the operation of a temporary sales office in a residential zone as a

subdivision builds out. Staff feels confident that if the conditions set forth are met the sales office and associated parking will not have a negative impact on the surrounding community and should be allowed.

Parking Area: The ordinance specifies that an appropriate hard surface should be used for the parking area. This could mean gravel, asphalt or concrete or a combination. In determining what surfacing or combination of surfacing to require, the Planning Commission may wish to consider drainage, the timely implementation of the conditions reverting the lots back to residential development, appearance and general impact. For example, while asphalt or concrete may be more attractive than gravel, they do tend to convey “performance” and therefore may be less appropriate for this particular situation.

END OF PACKET MATERIAL.

Jared Hall said the Planning Commission has approved this type of temporary use in the past. He displayed an overhead of the sales office rendering, as well as the parking plan. He reviewed the “Background Information” and “Suggested Motion” that was included in the Planning Commission packet. He said it is up to the Commission to determine what type of surface the applicant should use for the parking area.

Andrew Hiller stated that Richmond American Homes flies balloons as part of their marketing strategy. He questioned whether the City allows this type of advertising.

David Petersen said the City considers balloons the same way they consider signs, although balloons are not regulated as strictly.

Chairman Talbot suggested that the Commission include a condition in their motion pertaining to the use of balloons at the sales office location.

Public Hearing

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

Thomas Irvin (Richmond American Homes Representative) said he is not involved in the marketing for Richmond American Homes but he will discuss the issue with their marketing specialist. He indicated Richmond American Homes has used materials such as asphalt or gravel for their parking areas. They are willing to use the substance that the Planning Commission deems appropriate.

The members of the Planning Commission agreed that the use of asphalt on the parking area will create a more attractive appearance for the City, as well as the project.

Public Hearing Closed

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

Andrew Hiller informed the Commission and City staff that the existing Richmond American Homes sales office has operating hours from 8 a.m. until 8 p.m. but the interior lights of the model home remain on the entire night. He questioned whether that is allowed.

David Petersen stated that the interior lights should not be on when the sales office is closed. It would be appropriate to leave on exterior security lighting, as is done in a typical residential home.

Motion

Andrew Hiller moved that the Planning Commission approve the temporary use, subject to all applicable codes, Development standards and ordinances and with the following conditions:

1. Permanent signs are prohibited. The size and location of signs must be in compliance with provisions of the zoning ordinance in which the use is conducted. All signs must be removed when the activity ends.
2. No loud speakers or amplifying sound devices shall be used in conjunction with the temporary use.
3. 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.
4. Conduct of the temporary use shall be limited to hours between 8:00 a.m. and 8:00 p.m. with appropriate lighting for the neighborhood.
5. If the office is located in an area intended for a garage, any alterations made to accommodate the office shall be removed and the space converted to function as a garage upon termination of the temporary use.
6. The temporary use of the model home may exist until such time that 95% of the lots in the subdivision are sold, as requested by applicant.
7. The use granted is solely for purposes of a sales office associated with the subdivision in which it is located, and no other commercial activities of any kind

shall be associated with this use permit.

8. The parking area associated with the sales office shall be improved with an asphalt surface and maintained in good condition at all times. The parking area must be graded and improved in such a way that storm drainage and erosion control in the area are not adversely impacted.
9. As with the model home and sales office, the use of the parking area shall be discontinued and the improvements removed to allow the development of the lot for residential purposes when 95% of the lots in the subdivision are sold.
10. Large balloons are not allowed.

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

Findings

- The sales office is consistent with the sales office that was previously approved for the Richmond American Homes development and meets the standard for approval that was previously given.

PUBLIC HEARING: FARMINGTON CITY - CONSIDERATION OF REVISIONS TO THE ZONING ORDINANCE REGARDING STAY OF PROCEEDINGS AFTER APPEALS (ZT-3-07) (Agenda Item #10)

The Planning Commission agreed to continue consideration of this item until the next Planning Commission meeting.

PUBLIC HEARING: FARMINGTON CITY - CONSIDERATION OF A RECOMMENDATION TO AMEND OR REPEAL CHAPTER 12 OF THE ZONING ORDINANCE REGARDING CONSERVATION SUBDIVISIONS AND AMENDMENTS TO CHAPTERS 10 AND 11 OF THE ZONING ORDINANCE REGARDING LOT SIZES AND REFERENCES TO CHAPTER 12 AND/OR CONSERVATION SUBDIVISIONS (ZT-4-07) (Agenda Item #11)

The Planning Commission agreed to continue consideration of this item until the next Planning Commission meeting.

MISCELLANEOUS, CORRESPONDENCE

Chairman Talbot asked how the City is reacting to the pending Haugen property lawsuit.

David Petersen informed the Planning Commission that the insurance company hired **Jody Burnett** to represent the City Council but a meeting has not yet been held.

ADJOURNMENT

John Bilton moved that the Planning Commission adjourn at 10:28 P.M.

Jim Talbot, Chairman
Farmington City Planning Commission