

FARMINGTON CITY PLANNING COMMISSION

Thursday, April 26, 2007

PLANNING COMMISSION/CITY COUNCIL FIELD TRIP

At 5:30 P.M., the Planning Commission members and alternates (Chairman Jim Talbot, John Bilton, Kevin Poff, Paul Barker, Rick Wyss, David Safeer and Randy Hillier) conducted a field trip to the property located at 549 West Bourne Circle with the Mayor and City Council Members Dutson, Young and Hale. City Planner David Petersen and Assistant City Planner Jared Hall were also present. They returned to City Hall at 6:15 P.M.

PLANNING COMMISSION STUDY SESSION

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

Chairman Talbot called the meeting to order at 6:15 P.M. He informed the Planning Commission that the following items were pulled from the Agenda:

3. ***DAI (Public Hearing) - Preliminary PUD Master Plan Approval for Palmer Estates, a 20 lot residential planned unit development on 9.66 acres in the B and OTR zones on property located at 100 West 600 North.***

7. ***Nixon & Nixon, Lock-It-Up Self Storage - (Public Hearing, continued from 4/12/07) - Applicant is requesting Conditional Use Approval to developer Class "A" self storage units on property located at 549 West Bourne Circle, 3.011 acres in the CMU zone.***

The Planning Commission reviewed the following items:

Agenda Item #1: Minutes

The Planning Commission reviewed the minutes from the April 12, 2007, Planning Commission meeting.

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

Jared Hall stated that he has given information about the project to a resident in the area but he has not received any negative comments. City staff recommends that the Planning Commission grant preliminary plat approval.

Agenda Item #5: The Gardner Company: (Public Hearing, continued from April 12, 2007) - Applicant is requesting Preliminary Master Plan, or Preliminary (PUD) Master Plan Approval for a mixed-use development known as the Village at Old Farm and Preliminary Plat Approval for the residential portion related thereto (71 units, single and multi-family). The site is located west of Main Street, east of US 89, south of the Cherry Hill Interchange, and north of the Old Shepard Creek Estates and Old Shepard Commons Subdivisions

The Planning Commission discussed the proposal. **David Safeer** said he would prefer that the project include an additional walkway between the residential and commercial areas. He said he is concerned that right-in/right-out issues have not been resolved.

Jim Talbot stated that if the applicant does not receive approval for the right-in/right-out, it will not effect the housing component but it will be a significant issue for the commercial area.

Agenda Item #6: Trophy Homes Development: Change of Zoning, Schematic Plan Approval - Residential Subdivision on property located at the southwest corner of State Street and 650 West (S-6-07 and Z-2-07)

Cory Ritz stated that a resident in the area asked that he read a letter during the regular meeting since she will not be able to attend. He said the residents in the area would prefer that the project include half acre lots to provide a buffer rather than to have useless open space areas. The City is in need of a trail along the creek. If the open space is located next to the City's property, it will remain unuseable and will require maintenance until the City is able to provide the park.

David Petersen stated that the applicant would have to receive a waiver of the open space requirements in order for all of the lots to be ½ acre in size. He informed the Commissioners that City staff sent out an extensive mailing prior to the meeting to the residents in the area.

Agenda Item #8: Boyer Wheeler Farm LC - Conditional Use Approval to adjust requirements pertaining to temporary property signs in Farmington Ranches Subdivision, at five locations: 93 North Country Bend Road, 1525 West Clark Lane, 1800 West Ranch Road, 2125 Buffalo Road, and across from the entry to Buffalo Ranches at Clark Lane

David Petersen explained that the Boyer Company receives sign allowances because of the size and number of units located in the Farmington Ranches. He explained the purpose of the sign ordinance and how City staff enforces the signage standards within the City. City staff recommends that the Planning Commission grant conditional use approval.

Randy Hillier said it seems unfair to require the developer to place the sign 100' feet away from the street since it is difficult to convey the information from that distance.

Agenda Item #9: Destination Homes: Temporary Use Approval to maintain a sales office in a trailer with a small parking area associated in a residential zone

David Petersen stated that the City Council granted the exemption subject to the Planning Commission's approval. The trailer will be removed from the property no later than July 31, 2007.

The meeting adjourned at 6:55 P.M.

PLANNING COMMISSION REGULAR SESSION

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

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

APPROVAL OF MINUTES

John Bilton moved that the Planning Commission approve the minutes of the April 12, 2007, Planning Commission Meeting. **Paul Barker** seconded the motion with changes as noted. The Commission voted unanimously in favor.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council meeting which was held on April 17, 2007. He covered the following items:

- The City Council granted schematic plan approval for the Meadow View Subdivision (John McDonald and Randy Head).
- The City Council granted schematic plan approval for the Brynleigh Cover PUD (Dana Kendrick-Willow Bend Partners)
- The City Council tabled consideration of Preliminary Master Plan and PUD designation for the "Village at Old Farm" Residential Subdivision.
- The City Council granted Final Plat Approval for Willow Creek Subdivision with related Development Agreement (Guy Haskell - Haskell Homes).

- The City Council granted Final Plat Approval for Rice Farms Estates PUD, Phase IV with related Reimbursement Agreement.

PUBLIC HEARING: PRELIMINARY PUD MASTER PLAN APPROVAL FOR PALMER ESTATES, A 20 LOT RESIDENTIAL PLANNED UNIT DEVELOPMENT ON 9.66 ACRES IN THE B AND OTR ZONES ON PROPERTY LOCATED AT 100 WEST 600 NORTH (S-17-06) (Agenda Item #3)

Motion

Cory Ritz moved that the Planning Commission continue consideration of Preliminary PUD Master Plan approval until May 10, 2007. **Randy Hillier** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: SHADOW RIDGE DEVELOPMENT - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR HIDDEN MEADOWS SUBDIVISION, PHASES 3 & 4 COMPRISING OF 14 LOTS ON 10.96 ACRES IN THE LR-F ZONE, LOCATED AT 1300 NORTH HIDDEN MEADOW WAY (S-5-07) (Agenda Item #4)

Background Information

General: The application received schematic plan approvals from the Commission and from the City Council in March. They have prepared a preliminary plat which has been under review during the first part of April. Reviews have been generally favorable, and staff feels the project is ready for a preliminary plat approval with certain conditions.

Technical reviews: Fire has not added to their schematic plan comments, reiterating only that a 27' access is necessary (26' is shown). Engineering has some concerns about gravity flowing sewer for lots 400 and 401 (phase 4), and is still evaluating storm drainage and on-site detention, factoring in the developable land to the east. Public works has some specific changes, but they regard what will be changes to the improvement drawings for final. Sewer and Water accepted the preliminary as is. Planning review regards clarification of the easements (public utility, and access for Phase 4).

Phase 4 Access: The two lots comprising the proposed phase 4 are served by a shared drive. The access is 40 feet wide, with 26 feet asphalt. It runs up a short ridge-line at the top of phase 3 to provide access to the more build-able 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, par2). The proposal is for the 2 lots in phase 4 to be accessed by a long shared drive with associated easements and rights of access. *The Commission should consider making the necessary specific determination in conjunction with any preliminary approval granted.*

Wetlands: Some areas of wetlands and an environmental easement are incorporated into Phase 3 as part of the overall subdivision. Staff has no direct concerns with these areas, and they have not been negatively reviewed by other technical staff.

END OF PACKET MATERIAL.

David Petersen reviewed the “Background Information” that was included in the Planning Commission packet. City staff recommends that the Planning Commission grant Preliminary Plat Approval subject to the four conditions that were listed in the “Possible Motion” which was also included in the Planning Commission packet.

Public Hearing

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

Chris Martineau (Shadow Ridge Development - 1464 Ridgeline Drive, South Ogden) said they have resolved the grading issues where the private road meets the main road. The road will not be similar to 1400 North, which was the Planning Commission’s concern at a previous meeting. They are aware of the other conditions that must be met and will be working on those in preparation for final plat.

Public Hearing Closed

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

Motion

John Bilton moved that the Planning Commission approve the Preliminary Plat for the Hidden Meadows Subdivision, Phase 3 & 4, with conditions as follows:

1. The access (shared drive) serving Phase 4 must be widened to meet fire departments assessed need for access, and provide a cross section of the planned improvement to that access;
2. The applicant shall make adjustments to answer all other concerns raised in the technical reviews by engineering, public works, fire and planning;

3. The applicant shall provide a soils report, as required by ordinance;
4. The applicant should work closely with planning and engineering staff to resolve any remaining concerns about the viability of Phase 4 in preparation for final plat submissions.

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

Findings

- These phases are consistent with other phases that have previously been approved and are consistent with the General Plan.
- The developer addressed the Planning Commission's concerns regarding the intersection.
- The developer has provided a 27' road, as required by the Fire Chief.
- Applicant is working to address the remaining conditions.

PUBLIC HEARING (CONTINUED FROM APRIL 12, 2007) - THE GARDNER COMPANY - APPLICANT IS REQUESTING PRELIMINARY MASTER PLAN, OR PRELIMINARY (PUD) MASTER PLAN APPROVAL FOR A MIXED USE DEVELOPMENT KNOWN AS THE VILLAGE AT OLD FARM AND PRELIMINARY PLAT APPROVAL FOR THE RESIDENTIAL PORTION RELATED THERETO (71 UNITS, SINGLE AND MULTI-FAMILY). THE SITE IS LOCATED WEST OF MAIN STREET, EAST OF US 89, SOUTH OF THE CHERRY HILL INTERCHANGE, AND NORTH OF THE OLD SHEPARD CREEK ESTATES AND OLD SHEPARD COMMONS SUBDIVISIONS ON APPROXIMATELY 34 ACRES IN THE NMU ZONE (C-2-07 AND S-8-07) (Agenda Item #5)

Background Information

By way of explanation, the Village at Old Farm is interested in platting and building the residential phase of the development first. However, the Commission did not feel comfortable approving the preliminary plats for the residential portion without an approved Master Plan for the entire project. Though noticed for the hearing on April 12th, the materials were not all available and the Commission tabled the item. We now have a level of comfort in bringing the application to the Commission. This report will attempt to given the Commission background to consider both a recommendation to the City Council on the Master Plan of the project, as well as approval for the Preliminary Plat for the residential portion of the site.

General/Distribution of Uses: The project as a whole consists of 71 residential units (33 single family detached and 38 townhouse/condominium units), 30,000 s.f. office space, 92,000 s.f. specialty retail, 34,000 s.f. grocery store and 14,000 s.f. restaurant. The residential portion of the project occupies the south end, commercial to the north, nearer the interchange. There is a point of connection from the residential to the commercial - a pedestrian walkway and plaza- to the east of the planned grocery store site. It is the only connection, pedestrian or otherwise, between the two components.

Residential: The residential portion of the project is accessed by one intersection with Main Street, and two extensions of existing roads in from subdivisions to the south - Fox Glove and Old Shepard Roads. There are three types of residential units proposed, 33 single-family detached, 10 twin homes (20 units), and 6 “mansion” homes (three-unit structures). For the most part the unit types are clustered together in different areas of the project.

A large portion of the multi-family units are located adjacent to Main Street. The Commission felt that in this area minimum setbacks to the residential units should be at least 30 feet. The current planning calls for heavy use of Ash and Sycamore trees in this area, which will further mitigate the impact (the units are oriented to the interior of the project. The perimeter fencing planned is a split 2-rail fence.

Commercial: The commercial area of the project is proposed as a mix of uses ranging from office and restaurant to the grocery store. There are two planned accesses from Main Street. The traffic impact study indicates they should both be served with signals. The developers are currently seeking approval from UDOT for a right-in/right-out access onto Highway 89 on the west side of the project as well.

The Main Street frontage of the Commercial portion of the project includes a large landscaping setback, the continuation of the split rail fencing, a meandering sidewalk and the preservation of the historic Potter home to be included in the landscape area adjacent to the projects north access of Main.

The project plans for a series of signs including two monument signs (at the south access point on Main Street) an archway sign (at the north access point on Main Street, a project sign with a windmill motif (on the frontage with Highway 89), a wall sign (for the grocery store oriented to traffic on Highway 89) and several “shop” signs for the different buildings within the project. Master Plans should address signage in terms of size, location and type to ensure that inappropriate signage does not detract from the planning on the rest of the development.

Technical Reviews: Technical reviews of the project are ongoing. Updated economic and traffic impact studies have been provided and are being reviewed, as well as planning for irrigation, culinary water, landscaping, storm drainage and sewer per the City's schematic plan approvals. The project includes two detention basins; one on the north end of the commercial portion of the project and one on the west frontage of the residential project with Highway 89. Engineering is involved in discussions with the developer regarding the western detention basin. Engineering staff would like to see that basin planned as regional detention for the area. Further reviews of the geo-technical reports, traffic impact and economic impact studies will also occur for any final approvals.

Residential Preliminary Plat:

Although master planned as a whole, the applicant is proposing to subdivide the property and then develop the residential portion of the project first. Having received schematic plan approval from the Planning Commission and City Council, they also need a recommendation from Preliminary Master Plan Approval and Preliminary Plat Approval from the Commission to move forward. Preliminary Plat items, including conditions of Schematic Approval, appear to have been met. There are other issues pending, which are addressed in the technical review section of the report.

END OF PACKET MATERIAL.

David Petersen displayed an aerial photo of the property. After reviewing the utility drawings for the commercial area of the project, the City Engineer has indicated that he would like the detention basin to be more regional in scope than the detention basin that the developer is proposing. The cost will likely be borne by the City since the basin will be accommodating water that is not related to the development. He reviewed the "Possible Motion" which was included in the Planning Commission packet. He also reviewed the conditions that were given by the City Council in January 2006 when they granted Preliminary Master Plan approval. He explained that in the NMU zone, this type of development must be a part of a Planned Center or a PUD. The residential portion of the Master Plan is a PUD. The remaining areas must be part of a Planned Center.

John Bilton said he is concerned that this project is under unified control, therefore the applicant needs to receive Preliminary Master Plan and PUD Master Plan to fall under the Planned Center Development umbrella.

The Planning Commission discussed the issue and agreed it should be addressed as a condition to the motion.

Public Hearing

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

Rulon Gardner (12 South 400 West, Salt Lake City) addressed the following issues:

- ***Unified Control:*** The developer owns all of the land associated with the project. The developer will build the homes on the residential side. There will be a commercial contractor who will build the commercial buildings.
- ***Right-In/Right-Out:*** The right-in/right-out has been approved by UDOT. They are now waiting for approval from the Federal government.
- ***Historic Potter Home:*** UDOT presently owns the Potter Home which is probably more than 50 years old. He is unsure where the home has other historical significance. They are working with UDOT to discuss the options for the home.
- ***Storm Drainage:*** The property continues to receive a significant amount of drainage from the Somerset area. They will continue working with City staff regarding the detention issues.
- ***Traffic Study:*** The traffic study was updated. The findings of that study will assist them in creating the cross sections on Main Street and will also assist them when finalizing the road widths.

Drew Neil (1454 North 900 West) expressed concern that 900 West (which is a narrower street) will be required to handle the traffic of a higher density street while Fox Glove will only handle traffic from a lower density street. He suggested that the plan be redesigned so more of the residential traffic is directed onto Fox Glove.

Carlie Neil (1454 North 900 West) expressed frustration that the project was altered so the process seems to have started over for the City and the residents, but the developer has not had to start over and is actually trying to expedite the process. She reviewed the six conditions that were given by the City for the previous application. She indicated that the traffic on 900 West (which is a narrow street) will be double the amount that was proposed on the previous plan. She said it would be appropriate for the developer to provide a traffic study for 900 West. The developer should provide the City with a written statement from UDOT indicating that they have approved the right-in/right-out. The City should approve the entire plan and not consider the residential and commercial components separately.

Matt Poulsen (1732 North Main) said this same developer was responsible for the storm sewer in the Somerset area which was not done correctly. He asked that the City ensure that this project is done correctly so problems do not arise in the future.

Melissa Lewis (1665 North Somerset Court) said it appears that the number of residential units has increased in the past two weeks from 55 units to 71 units. She asked if the City was aware of the increase.

City staff and the Planning Commission assured the residents that the number of residential units has not changed. There will be 71 for-sale units.

Rulon Gardner said the residents may be counting buildings on the plan which is not the same as counting units. They have always proposed 71 units in the residential area. Their previous application actually had more units per acre than they are currently proposing.

Public Hearing Closed

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

In response to a question from **Chairman Talbot, David Petersen** stated that the City will pay for the Somerset storm water detention deficiency through the utility fees. He is not aware whether the utility fees will increase in the near future.

David Safeer asked the age of the old Potter home.

David Petersen stated that it is his understanding that many years ago, the home was used as a rest station between Salt Lake City and Ogden. It is an adobe building so it is not as structurally sound as later technology. The home is over 50 years old, which is the first threshold.

John Bilton asked what the road width is on 900 West.

David Petersen stated that he believes 900 West is 29 feet, which was the standard size when it was approved. 900 West is actually wider than the standard streets that are currently approved. Fox Glove is a 60 foot wide right-of-way. There are subdivisions in the City that have much greater traffic loads than 900 West will bear but that is not an excuse to overburden any road. The developer has not been required to consider the residential impact to 900 West.

Chairman Talbot stated that 900 West has always been a stub street next to a large amount of vacant ground, which generally means that the road will connect to future development.

David Petersen said the City only considered closing off 900 West when the developer submit his first Master Plan to the City in the 1990's..

In response to a question from **Randy Hillier**, **David Petersen** stated although he has not actually measured 900 West, he believes it is 33 feet wide. The City's current street standard is 31 feet.

David Safeer asked what risk the City may be taking if they approve the residential component of the project and then find that UDOT does not obtain approval for the right-in/right-out.

David Petersen reviewed the findings of the traffic study. If the developer does not receive approval from UDOT, the most significant risk is maybe that the delivery trucks will attempt to use the residential streets to access the grocery store. However, the developer could be required to only allow truck access at a different area early in the morning.

Rulon Gardner stated that the right-in/right-out issue is being misinterpreted. They have received written approval from UDOT (which he will provide to the City). They are now waiting for approval from the Federal government. They have provided the deceleration lane, as required. They also need to verify that an accelerating car can get to 55 miles per hour prior to reaching the over pass.

Chairman Talbot stated that he has worked with UDOT in the past and it is a timely process. In the event the developer does not receive approval from the Federal government, it will not impact the residential component of the project.

Motion

John Bilton moved that the Planning Commission recommend the City Council approve the Preliminary Master Plan and/or Preliminary (PUD) Master Plan for the Village at Old Farm, and that the Planning Commission approve the Preliminary Plat for the residential portion of the development, with the following conditions:

1. The applicant must adequately address the issues of drainage for the property;
2. The applicant must adequately address any recommendations from the City's traffic engineer after a thorough review of the updated impact analysis;
3. The applicant must address the right-in right-out question with UDOT and have a final layout available for final approvals;
4. The applicants should address the site amenities (open spaces, plaza and pedestrian walkway connection through from residential to commercial) in greater detail for Final Master Plan Approvals;

5. The applicant must also comply with all conditions of the previous Preliminary Master Plan Approval granted by the City Council in January 2006;
6. The applicants should assure that the historic preservation of the Potter house is finalized and memorialized as part of the Final Master Plan approval.
7. As the Master Plan proceeds to development, it should be under one unified control and meet the requirements for a Planned Center Development, as set forth in the NMU zone text.

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

Findings

1. The project provides for a mix of single-family and multi-family residential uses together with appropriate scale, compatible commercial development, limited in area, height and materials, as appropriate to serve the nearby neighborhood areas.
2. It encourages walking and bicycling for recreation and daily errands for surrounding areas.
3. It provides for medium density residential development as a buffer between single-family and commercial development.
4. It preserves the residential character of Main Street and protects residential uses within and adjacent to the NMU zone.

PUBLIC HEARING (CONTINUED FROM APRIL 12, 2007) - TROPHY HOMES DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION REGARDING A CHANGE OF ZONING FROM A (AGRICULTURE) TO AE (AGRICULTURAL ESTATE) AND SCHEMATIC PLAN APPROVAL FOR A 36 LOT SUBDIVISION ON APPROXIMATELY 21.43 ACRES LOCATED ON PROPERTY AT THE SOUTHWEST CORNER OF STATE STREET AND 650 WEST (S-6-07 AND Z-2-07) (Agenda Item #6)

Background Information

General: This double request for change of zoning and an associated schematic subdivision plan was tabled at the previous public hearing due to some staff errors in the noticing process. In the meantime, the applicants have slightly re-designed by significantly increasing the size of the lots fronting 650 West, reducing lot sizes in some other areas to accommodate, adding a stub street to

the south of the project to serve any future development and losing one lot in the overall process.

The change in zoning requested is from A (agricultural) to AE (agricultural estate) which may allow for the subdivision as proposed as far as density and lot size. A 6.4 acre portion of the property has been set aside for conservation of open space, including a trail buffer (along 650 West).

Zone Change: The requested change of zoning is in keeping with the general plan of the City in terms of density and use. The general plan designation for this area calls for residential development of “rural residential density”. The plan defines this as yield plan densities ranging between 20,000 square feet per unit and under 5 acres. The developer provided a yield plan showing 31 ½ acre lots on the subject property. The western portions of the property fall into the General Plan’s PPR designation (public & private recreation) so the clustering aspect of the project also fits the plan well.

Layout/Access: The lots range in size from just over 12,000 square feet to just over 26,000 square feet. 6 lots will front the existing 650 West, and the remaining 30, under the current plan, will receive access from a new right-of-way with two access points onto 650 West. The lots are more or less clustered on the east half of the property, and the open space on the west abuts Farmington Creek. The developers, as mentioned, have added a stub street on the south end of the project. If the buffer area adjacent to 650 West is considered a part of the open space, well over 50% of the lots abut or are directly across the street from open space.

Conservation Area: 6.4 acres is set aside abutting Farmington Creek along the west periphery of the project. This represents 30% of the total area of the property. Therefore, the developer is asking for a density bonus of 20% (6 lots, but the developer has proposed an additional 5). Additional land has been slated as a trail buffer along 650 West. The City has an existing trail (Farmington Creek Trail) on the west side of the creek. The developer has expressed a willingness to look at the possibility of bridging the creek and of adding the conservation area to the City’s park system.

Technical Reviews: Technical reviews for the schematic plan have been largely positive, the developers have begun addressing the only real concern which was gravity flow of the sewer improvements. Drainage is always an issue in this area of the City, and the applicants continue to work on their plans for it. The current plan (in narrative) calls for drainage to Farmington Creek, and includes a treatment system.

END OF PACKET MATERIAL.

David Petersen displayed the yield plan for the property. In the AE zone, the developer can receive 31.5 lots so long as they provide a tradeoff. He displayed the developer’s first schematic plan which includes a 20% bonus and 30% open space (or 6.4 acres) which was

positioned along Farmington Creek. The plan also included a trail to connect with the existing trail. The schematic plan meets the open space standard. After receiving public comment at the last meeting, the developer revised his plan by placing ½ acre lots along 650 West, placing 12,000 square foot lots on the interior of the project, relocating the 6.4 acres of open space and providing a stub street to the south. The developer has also eliminated one lot from the plan. In attempt to meet the needs of the residents, the developer provided wider open space areas in front of the homes on 650 West.

David Petersen explained that according to Commissioner Ritz, the residents are in favor of the developer providing ½ acre lots without open space. The ordinance does include waiver provision to provide flexibility. In order to qualify for the waiver, the request would have to be approved by a super majority of the City Council. The developer would also have to provide a tradeoff.

Public Hearing

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

Bill Peperone (President of Trophy Homes Land Development) expressed appreciation to the residents who assisted them in improving the plan. In an attempt to meet the needs of the City and the residents, they provided open space next to the creek which will likely include a bridge over the waterway, they provided nodes of open space along the trail, and provided half acre lots adjacent to the existing neighborhood to provide a buffer. He read from the City ordinance and stated that they believe their plan meets the City standard.

Tauna Homer (586 West 250 South) asked if the City plans to expand 650 West in the future, and if so, how they plan to accommodate the barrow pit.

David Petersen said 650 West will eventually meet the 66' street cross section standards wide street including a sidewalk, park strip, and curb and gutter (which is basically the barrow pit on the west side of the street). In order to accommodate equestrians, the west side of the street will not include side treatments.

Tauna Homer stated that they do not want the half width improved since it will change the character of the neighborhood.

David Petersen stated that the Public Works Department and City Engineer will eventually want a curb and gutter on both sides of the street since asphalt streets fail from the outside in. They can consider alternative cross sections.

Tauna Homer asked who will be responsible to pay for the improvements.

David Petersen stated that the developer will be responsible to provide the curb and asphalt, etc. Some of the lots have extension permits associated with them.

Jay Peterson (219 South 650 West) said the developer has improved the plan but he would still prefer that the property be developed with ½ acre lots.

Donna Whitaker (601 West State Street) said she is pleased that the developer has improved the plan but she is still concerned that the northern road is too close to the intersection. She asked that the developer provide a traffic study to determine the impact the subdivision will have on that intersection. It is likely that the traffic from the development will encounter an uphill climb due to the design of the intersection.

Shayla Shelton (242 South 650 West) said she also sent written comments to the City. She said her property is adjacent to the development. She is concerned that if the new property owners are opposed to the existing farm animals, they will make an effort to change the lifestyle of the existing residents. She would prefer that the lot sizes be ½ acre in size since the open space areas will not benefit the existing residents. She is also concerned about being able to back out of her driveway with the amount of traffic that will be generated from the development.

Cory Ritz read an email that was sent from **Kelly Maxfield** and **Van Bass**. The following remarks were included in the letter:

“I am not concerned necessarily with the number of units in this proposal as I am with the lot sizes of some of the lots. The Planning Commission was very clear in January when the decision was handed down that between Clark Lane and Glover Lane, west of I-15 to 1525 West was considered agricultural zoning and would remain as such. I urge you to be consistent in this request as you were with the prior proposal. Trophy Homes needs to come back with a proposal that places dwellings on one half acre lots, according to the agricultural zoning requirements.”

Public Hearing Closed

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

Cory Ritz questioned whether the open space will be maintained by the HOA or whether it will be left in its natural state.

Bill Peperone stated that they anticipated that the property would be added to the City park. They have not yet considered what the treatments will be.

Cory Ritz pointed out that a Sheep Project (or a project which helps others to learn how to raise sheep) exists in the area which benefits 50 children and provides over 25,000 pounds of meat to the Utah Food Bank. The residents are concerned that if the Trophy Homes development with this density is approved, “the good things will go away”. He said it would be wise to extend ½ acre lots along Shelton’s property. He suggested that the Planning Commission recommend an open space waiver on this property so the developer can build to the yield plan without a strip of unuseable open space on the back side. There could be an equestrian trail on the back side of the property and along 650 West which would meet the needs of the residents and eliminate the number of driveways on 650 West.

Bill Peperone said he believes it would enhance the area if they were allowed to reduce the amount of open space and increase the size of the lots. He expressed concern that he will actually lose lots from the yield plan if he is to provide an equestrian trail.

Cory Ritz said the developer will not lose property along the street since he will not have to provide the sidewalk.

Bill Peperone suggested placing smaller lots on the interior of the project and increasing the size of the trail.

Cory Ritz stated that if smaller lots were placed on the interior of the development in order to meet the yield plan, the property would have to be rezoned to accommodate the ½ acre lots. The neighborhood and perhaps the City would be better served by removing the curb cuts on 650 West since it is a busy and dangerous street.

David Petersen explained that when the area was annexed into the City in 1993, the City allowed for ½ acre lots which would be large enough for horse property, yet the existing ½ acre lots would not be non-conforming. Since that time, it is likely that it has become more difficult to raise a horse on ½ acre since the size of homes has increased significantly. When there were approximately 100 homes in west Farmington, a City official conducted a drive-by survey and found that only 30 of the 100 homes had large animals. He suggested placing acre size lots along the perimeter of the property (which could genuinely be considered horse property) with 1/4 acre lots on the interior. He said he is not opposed to curb cuts on 650 West since the curb cuts may actually slow down traffic on that street.

Cory Ritz said he is asking for creativity to accurately preserve what the neighborhood has while granting concessions to the developer. The residents are aware that a zone change is inevitable but they know a better concept exists than what is being proposed.

David Safeer said that some of the traffic in the area may be coming from the 50 kids who are visiting the Sheep Project.

Cory Ritz stated that the traffic generated by the Sheep Project is not an issue. The larger lots will allow property owners to have large animals on their property and will also protect the neighborhood from unfriendly development.

John Bilton stated that allowing larger lots will preserve the rural lifestyle that currently exists, which is the purpose of the AE zone. The City does not have the ability to absorb the 6.4 acres of open space and maintain its property. He would prefer that the development encompass the 6.4 acres and include an equestrian component.

David Safeer suggested creating a PUD so the development could include community horse corrals, etc.

Cory Ritz said that type of concept would not be successful.

Bill Peperone said they are willing to create a better plan if the City is willing to allow them to vary from the standard. It would be helpful to know that the City conceptually approves of the concept before he goes to the effort to amend the plan.

Chairman Talbot suggested that the concept be proposed to the City Council so the developer can receive input as to whether they will consider the proposal.

Rick Wyss stated that open space is meant to benefit the City as a whole. He questioned why the Commission is considering allowing a few property owners to determine how the open space will be used. Even if ½ acre lots are created, it is private open space. The City should determine whether they are advocating trails and open space or whether they are advocating individual property rights.

Cory Ritz stated that the trails will not be eliminated from the project.

David Safeer said the residents have a valid concern that people may move in who are not accepting of the large animals. He suggested that a compromise be reached where the open space areas could be used for community farming or some other community use.

David Petersen said if the developer is willing to create a plan that meets the needs of the City and residents, the proposal should be presented to the City Council so the developer can know whether or not to proceed.

Motion

Rick Wyss moved that the Planning Commission recommend a change of zoning from A to AE, and table schematic plan approval and recommend that the City Council meet with the developer to discuss the possibility of the developer receiving an open space waiver in exchange

for larger lot sizes. **Randy Hillier** seconded the motion.

Cory Ritz stated that if the Planning Commission recommends a zone change without approving the schematic plan, it may be vesting rights.

David Safeer stated that the property owner does not have vested rights until the City Council approves the rezone, which they may not do since the schematic plan has not been approved. The advantage to approving the zone change is that the City Council will now be considering the request so the developer can receive input as to whether they conceptually approve of the concept.

The motion passed by a 4 to 3 vote.

Bill Peperone stated that he will continue to work with **Commissioner Ritz** and the other residents to create an acceptable plan.

Findings

- The developer is willing to consider amending the schematic plan by increasing the size of the lots.
- The developer is aware that the Planning Commission conceptually approves of modifying the schematic plan to include larger lots, so long as he is able to receive an open space waiver from the City Council.

PUBLIC HEARING: BOYER WHEELER FARM LC - APPLICANT IS REQUESTING A CONDITIONAL USE APPROVAL TO READJUST REQUIREMENTS PERTAINING TO TEMPORARY PROPERTY SIGNS IN FARMINGTON RANCHES SUBDIVISION, AT FIVE LOCATIONS: 1525 WEST CLARK LANE, 1800 WEST RANCH ROAD, 2125 BUFFALO ROAD, ACROSS FROM THE ENTRY TO BUFFALO RANCHES AT CLARK LANE AND 93 NORTH COUNTRY BEND ROAD (C-6-07) (Agenda Item #8)

Background Information

Farmington City staff received a complaint regarding violations related to the project development signs, or property signs, in the Farmington Ranches Subdivision. 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. The Farmington Ranches Subdivision is a large project consisting of about 600 lots on approximately 740 acres. More specific property sign standards for projects of this size are set forth in paragraph 4d. The last sentence of this paragraph states, "These sign requirements may be adjusted by means of the City's Condition Use Permit process". Therefore, the Boyer Company has submitted a Conditional Use application to deviate from the standard requirements.

The following tables shows the five existing property signs in the development and the violations associated with each sign. It is requested that the Planning Commission approve each sign as they now exist.

	Location	Standards (“X” means a violation exists)			
		Maj. St. Frontage	Height: 12 ft.	Area: 128 sf	Setback: 100 ft.
A	93 N. Country Bend Rd.				X
B	1525 W. Clark Lane				X
C	1800 W. Ranch Rd.	X			X
D	2125 Buffalo Rd.	X			X
E	Clark Ln. by Buffalo Ranch	X			X

END OF PACKET MATERIAL.

David Petersen displayed an overhead of the current platted lots in the Farmington Ranches subdivision. He reviewed the “Background Information” and “Possible Motion” which were included in the Planning Commission packet. He also reviewed the City’s sign ordinance and indicated which signs meet the City’s standards. Under the conditional use process, it is possible for the remaining signs to be approved.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

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

In response to a question from **Paul Barker**, **David Petersen** reviewed the sign types that are allowed for a project of this size.

Chairman Talbot asked if the City is concerned about the precedent this may set for future developments.

David Petersen said in the history of the City, there have been few developments with

150 units.

Motion

John Bilton moved that the Planning Commission grant Conditional Use Approval to adjust requirements pertaining to temporary property signs in Farmington Ranches Subdivision, at five locations: 93 North Country Bend Road, 1525 West Clark Lane, 1800 West Ranch Road, 2125 Buffalo Road, and across the entry to Buffalo Ranches at Clark Lane subject to the following conditions:

1. Restrict the placement of the signs to 12 months with an option for the applicant to receive an extension of time from City staff, but under no condition shall a sign remain after the last lot is sold in the phase associated with the particular sign.
2. As each temporary use ends, the applicant shall immediately restore each respective site to its original condition.
3. Signs shall not obstruct the safe flow of traffic.

Randy Hillier seconded the motion, which passed by a 5 to 1 vote.

Findings

1. Farmington Ranches is a large project. The number and location of signs is compatible for such projects.
2. The 100 foot setback is not consistent with the residential characteristics and speed of traffic related to the development.

PUBLIC HEARING: DESTINATION HOMES - APPLICANT IS REQUESTING A TEMPORARY USE APPROVAL FOR A SALES OFFICE TO BE OPERATED FROM A TRAILER INCLUDING A SMALL PARKING AREA IN THE SPRING CREEK SUBDIVISION, TO BE LOCATED ON LOT 101, 938 NORTH 1875 WEST (TU-2-07) (Agenda Item #9)

Background Information

Proposal from Destination Homes: Destination Homes proposes to install a temporary sales office in a trailer on Lot 101 for the Spring Creek Subdivision. The regulations regarding temporary uses specifically prohibit the use of trailers (preferring model homes) for sales offices in residential zoning. However, in several instances the City Council has granted an exemption allowing the Planning Commission to grant the temporary use for a trailer as set forth in Section

11-28-120 (i)(6) of the Zoning Ordinance.

Destination Homes plans to build a model home for use as a temporary sales office on Lot 102, and the trailer would be temporary until the model home could be used. Destination Homes has proposed that they will remove the trailer at such a time as the model home on lot 102 is ready for use, or by July 31, 2007 - the sooner to occur.

City Council (exemption): The regulations regarding temporary uses as they apply to sales offices in residential zoning prohibit the use of trailers *unless the City Council grants an exemption*. City Council heard this item and was provided a draft of this report for reference on April 17, 2007, at their regular meeting. They voted to grant the exemption citing the short time frame as a mitigating factor and with conditions as enumerated in the Planning Commission draft report. They required additionally that the applicants provide a landscaping plan, including provision of several trees to soften the site's impact, to be reviewed and approved by City staff. We have added that condition to those proposed in the draft report the Council cited in their motion.

Parking Area: The ordinance specifies an "appropriate hard surface" be used for the parking area. This could mean gravel, asphalt, concrete or a combination. In most situations in the past the Commission has required that the parking area be asphalted for the duration of its use.

END OF PACKET MATERIAL.

David Petersen displayed an aerial photo and pointed out where the property is located. He said the City has approved several requests such as this in the past. He informed the representative for Destination Homes that if they plan to build a model home with a sales office they will need to submit an application to the City.

Public Hearing

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

The representative for Destination Homes stated that they generally use 3/4" gravel for the parking area. He asked if that is acceptable to the Commission.

David Petersen stated that the City Council indicated that asphalt should be used for the parking area.

Chairman Talbot recommended that the Planning Commission add a condition to their motion prohibiting the use of balloons, banners, and other high flying objects.

Public Hearing Closed

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

Motion

Rick Wyss moved that the Planning Commission approve the temporary use, subject to all applicable codes, development standards ordinances 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. Search lights shall not be permitted.
4. Conduct of the temporary use shall be limited to hours between 8:00 a.m. and 8:00 p.m.
5. Per the application, the sales center will be removed July 31, 2007 or within 15 working days of receiving a Use and Occupancy Permit for a model home on lot 102 - the sooner to occur - and the site shall be returned to its original condition.
6. No portable restroom facilities are allowed on site, however a restroom facility for public use may be allowed inside the trailer.
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 asphalt and maintained in good condition at all times.
9. Applicant shall provide a landscaping plan including trees to be reviewed and approved by Staff.
10. High-flying objects such as flags, blimps, balloons, etc. shall not be flown on the

property.

David Safeer seconded the motion, which passed by unanimous vote.

MISCELLANEOUS

Randy Hillier and **Kevin Poff** were designated to serve on the Historic Downtown Master Plan Committee.

ADJOURNMENT

David Safeer moved that the Planning Commission adjourn at 9:12 p.m.

Jim Talbot, Chairman
Farmington City Planning Commission