

FARMINGTON CITY PLANNING COMMISSION

Thursday, June 9, 2005

PLANNING COMMISSION STUDY SESSION

Present: Chairman Cory Ritz, Commission Members Keith Klundt, Annie Hedberg, Cindy Roybal, and Jim Talbot, City Planner David Petersen, and Recording Secretary Jill Hedberg. Kevin Poff was out of town but participated by telephone.

Chairman Ritz began the discussion at 6:30 P.M. The following items were discussed:

David Petersen arranged a conference call between the Planning Commission Members, Steve Miner of Associated Foods, Jim Clark of Bear West Consulting, and Kevin Poff who was in Oregon.

Mr. Petersen informed Mr. Miner that the Planning Commission was pondering the square footage of a potential facility for a zone text change. He questioned whether 40,000 - 50,000 square feet would be adequate for a grocer in today's market and if it would be adequate in the future.

Steve Miner gave the conference call attendees the following information:

- Associated Food Stores had 400 locations in 7 states. Their stores ranged from 3,000 - 80,000 square feet. Their smaller stores could work in outlining areas where there was not competition from other chain stores. In metropolitan areas, the stores have to be built larger to effectively compete against other grocery stores and super centers.
- Most consumers of the proposed grocery store would reside within a 3 mile radius of the store. The competition within three miles would be Albertsons, Bowmans, and Smiths. Target and Walmart would also have an impact.
- Walmart Superstores are 150,000 - 220,000 square feet. An average super store has 60,000 - 65,000 square feet of grocery space.
- A grocery store could be as little as 40,000 square feet if underground parking were utilized.
- An average Dick Winegar grocery store was 42,000-45,000 square feet.
- In order for a grocery store to be competitive and have a good product mix, it would need to 40,000 - 50,000 square feet. The store would be restricted on general merchandise, health, beauty, cosmetics and seasonal products. A 40,000

square foot store could survive but it would have less profitability. A store with 50,000-55,000 square feet would have a better product mix and could include a pharmacy.

- He suggested allowing sufficient square footage for the grocer to compete effectively.
- Dan's in Layton is a 40,000 square foot store. Neighborhood Walmarts are 40,000 square feet but have not been considered a threat to the Wasatch Front grocers. They are comparable to Walgreens and Rite Aid.
- Harmon's would need approximately 55,000 square feet to include a butcher and bakery on the premises. Harmon's is known for their quality meats, perishables and non-food items. Harmon's would need their store to be 50,000-55,000 square feet in order to be successful.

The Planning Commission Members discussed the following Neighborhood Mixed Use (NMU) text:

- Section 11-20-101 (a): The word "limited" was discussed and it was determined that it was necessary to include the word twice.

- Section 11-20-101(g): The following paragraph was added:

The character of the areas of the City in which the NMU zone may be applied will differ depending on the size and location of the parcel proposed to be re-zoned.

The appropriate proportions and mix of residential and non-residential uses will be determined for each NMU-zoned area at the time the re-zoning application is approved, based on the character of the subject and nearby neighborhoods, in order to ensure that the purposes of the NMU zone are met.

- The words “development” and “project” were replaced with “zone” throughout the document.
- The Planning Commissioners agreed buildings abutting major arterial roadways should not exceed 10,000 gross square feet per floor. Buildings not abutting major arterial roadways and interchanges should be limited to 7,500 square feet.
- Section 11-20-103 (b) The following sentence was added:

Discrete commercial use pads within an NMU zone may be occupied by only one commercial activity.

The Commission Members agreed to change the word “activity” to “structure”.

Jim Talbot said his intent at the previous Planning Commission Meeting was to suggest that a pad be limited to one building, although the building could be subdivided into separate stores. The K-Mart pad (i.e. the Arby’s and Goodyear) did not work because there were two incompatible users.

It was agreed that Farmington stone should be incorporated into Design Standards and that canvas materials should be weather-resistant.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Cory Ritz, Commission Members Keith Klundt, Annie Hedberg, Cindy Roybal, and Jim Talbot, City Planner David Petersen, and Recording Secretary Jill Hedberg. Kevin Poff out of town.

Chairman Ritz called the meeting to order at 7:15 P.M. **Annie Hedberg** offered the invocation.

APPROVAL OF MINUTES

Jim Talbot moved that the Planning Commission approve the minutes of the May 26, 2005, Planning Commission Meeting with changes as noted. **Cindy Roybal** seconded the motion. The Commission voted unanimously in favor.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council meeting which was held on June 1, 2005. He covered the following items:

- The City Council considered the Master Transportation Plan and agreed with all of the Planning Commission's recommendations except for the following items:
 - The City Council stated the Frontage Road was their preference for the BRT alignment.
 - The City Council discussed the intersection at Main Street and the Mountain Road. It was agreed a preference would not be stated until the models had been reviewed.
- The City Council agreed to allow UTA to use the City's vacant parcel along 1075 West at approximately 1500 North for construction of a temporary bus stop pad.

**PUBLIC HEARING: CHRISTIAN JUDD - APPLICANT IS REQUESTING A
RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A PROPOSED
SUBDIVISION CONSISTING OF 3 LOTS ON 1.75 ACRES LOCATED AT 82 WEST 600
NORTH IN THE OTR, LR-F, AND A-F ZONES (Agenda Item #3)**

Background Information

The applicant proposes to create a three-lot subdivision from a 1.54 acre parcel. There is an existing house that will be on one lot which abuts 90 West Street. Access to this lot is off 90 West.

Lot 3 will abut Lot 1 to the west and State Highway 106 to the south. Accessing the lot from SR 106 is a problem because of high traffic counts and proximity to a large curve in the road. It will be difficult to get approval for the access, but it should be attempted. Access to this lot is proposed as a 14' driveway just to the north of Lot 1. This will create a flag lot which is not allowed in the OTR zone.

The original parcel has both OTR and LR zoning. The LR zoning begins just north of the proposed flag lot driveway. The City Attorney has concluded that the flag cannot be allowed in the OTR zone. Therefore, to allow the proposed configuration, the zoning for Lot 3 should be changed to LR, which allows flag lots. Even if the zoning is changed, the flag will need to be

approved by the City Council.

Another possible option would be to widen the “staff” to 85' to meet the minimum lot width requirements in the OTR zone. It would not be considered a flag lot if this was done.

END OF PACKET MATERIAL

David Petersen displayed the Vicinity Map. 600 North bordered the front portion of the property which was zoned OTR. The middle portion of the property was zoned LR. The triangular piece of the property was zoned A. He said a public right of way existed adjacent to the west side of the site. The applicant had requested the flag lot since it is unlikely UDOT will allow another curb cut on S.R. 106. The applicant had proposed that access to the lot be a driveway. The Ordinance stated all driveways must have a direct access to a public street. The Ordinance prohibited flag lots within the OTR zone. He recommended the applicant submit an application to UDOT to have access from S.R. 106. He reviewed the motion alternatives and stated the applicant would have to reappear to the Planning Commission in order to receive plat approval.

Public Hearing

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

address the Commission.

Christian Judd (82 West 600 North) felt the frontage could be made greater than 85'. He preferred having the driveway in the rear of the property. The property would be a single family residence.

Public Hearing Closed

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

Chairman Ritz said the lot scheduled for future development was approximately one acre so the zoning would be large residential.

Cindy Roybal said flag lots had not been approved in the past. The safety issue was more important than the economic advantage.

Chairman Ritz questioned how long flag lots had been disapproved.

David Petersen stated flag lots had been prohibited in the OTR zone. A few Council Members who were against flag lots as a general principle City-wide were still serving on the

City Council.

Motion

Cindy Roybal moved that the Planning Commission approved the Schematic Plan with resolution of the following issues required before Preliminary Plat approval:

1. Application for access off of Highway 106 is made to the Utah Department of Transportation and is denied.
2. The zoning for Lot 3 is changed to LR to allow creation of a flag lot to avoid safety issues caused by access off of Highway 106.
3. The creation of a flag lot is approved by the City Council.

Annie Hedberg seconded the motion, which passed by unanimous vote.

Findings:

- The zoning change was not for financial gain, but to improve the safety of the dangerous road.
- Standards set forth in the ordinance had been followed.

- The zoning would avoid setting a precedent in the OTR zone.

PUBLIC HEARING: SYMPHONY HOMES - APPLICANT IS REQUESTING A RECOMMENDATION TO REZONE 30.92 ACRES LOCATED AT APPROXIMATELY 275 SOUTH 1100 WEST FROM A TO AE, AND A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A SUBDIVISION CONTAINING 53 LOTS RELATED THERETO (Z-3-04). (Agenda Item #4)

Background Information

The rezone request is consistent with the General Plan and other rezone applications recently approved in the area. Moreover, the applicant recently received approval from the City to amend the Farmington Downs West subdivision plat to incorporate Lot 4 of said plat as part of the proposed subdivision.

Any waiver of conservation subdivision standards set forth in Chapter 12 of the Zoning Ordinance must meet the following:

Subject to the provisions set forth herein, any provision of this Chapter may be waived by the City upon a vote of not less than four (4) members of the City Council.

Such waiver(s) shall be granted only in limited circumstances as deemed appropriate and necessary by the City Council. No waiver shall be granted absent a finding of good cause based upon specific special circumstances attached to the property. No waiver should be granted that would be contrary to the public interest or contrary to the underlying intent of this Chapter. Any waiver for the required minimum conservation land dedication shall require comparable compensation, off-site improvement, amenities or other consideration of comparable size, quality and/or value” (Section 11-12-065).

END OF PACKET MATERIAL

David Petersen displayed the vicinity map. The subject property was zoned A. The surrounding properties were A and AE. The applicant was seeking to rezone three parcels. He reviewed the motion alternatives and passed out an updated Schematic Plan. The applicant requested a waiver of a portion of the open space requirement but did not seek the full 20% bonus. Wetlands existed but would likely be mitigated. Last winter, the property owner dug trenches in an attempt to drain the wetlands. The Army Corp. was addressing the matter but Mr. Petersen was unaware of the outcome.

Chairman Ritz said the Farmington Greens subdivision also had wetlands and questioned whether additional wetlands existed.

David Petersen discussed the location of existing wetlands on adjacent properties on the Vicinity Map and further stated there was an existing trail near the development and suggested the applicant provide a trail connection.

Public Hearing

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

Tony Coombs (Symphony Homes representative) said they were requesting the open space waiver so they could provide larger homes, larger lots, a pool, pavilion and restrooms. A trail connection could likely be provided and the 7' overlap issue would be addressed.

Robert Miller (Symphony Homes representative) said the development would provide community areas for the residents of the neighborhood. Their wetlands engineer had conducted studies which showed two of the parcels were dry. There would be an 8.1% density increase in exchange for the pool, trails, and a tot lot.

Chase Bybee (1418 West 475 South) felt existing residents wanted the rural feel rather than amenities which could only be enjoyed by a certain community. He was concerned about the wetland issue and felt it should be explored further. He felt larger lots with open space

should be required and hoped the size of the homes would blend with the existing homes.

Cheryl Farnsworth (287 South 1100 West) said she moved to West Farmington to avoid subdivisions. She gave statistics regarding the amount of trips that would access 1100 West if the proposed developments were approved. She said every home would average 10 trips per day. She said the approval of the zoning and the subdivision would make more than 1,000 vehicle trips per day on that road which was not a through street. She said the increased traffic would create safety issues for the 1100 West residents and motorists. She did not think the Planning Commission should feel pressured to approve the development because of Symphony Home's self-imposed deadline.

Public Hearing Closed

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

Chairman Ritz asked if the street improvements (impact fees, etc.) for 1100 West were being collected for the future.

David Petersen said it would be approximately five years before 1100 West road improvements occurred. He did the following comparison:

Motion	AE		Open Space
1.	24 lots	1 acre	0%
<i>Symphony Homes</i>	<i>53 lots</i>	<i>16,873 sf</i>	<i>13.12%</i>
2.	51 lots	14,280 sf	25%
3.	58 lots	11,667 sf	30%

He said a waiver would have to be granted if the open space were to be eliminated. If the Planning Commission denied Symphony Home's request, the application could be amended and presented again to the Commission and/or Symphony Homes could take their request to the City Council. If the City Council denied the request, the applicant could not reapply for one year.

Cindy Roybal said she favored the larger lots and was pleased the open space was being utilized as a tot lot, although, she felt a precedent would be created if the applicant were granted the open space waiver.

Jim Talbot felt the wetland issue should be resolved. He suggested denying the request until Symphony Homes resolved the issues. He said he would like to see the results of the existing west side developments before granting more approvals.

Annie Hedberg said she was concerned with the wetland issues and did not want to set a precedent by granting the open space waiver.

Chairman Ritz said there were critical issues that needed to be addressed before granting the application. He felt the Planning Commission should continue to enforce the open space requirements.

David Petersen said the most successful open space ventures had been properties that bordered “significant features”. He said he could seek counsel from the City Attorney to determine whether the development could be pursued as a PUD.

Cindy Roybal suggested tabling the issue and pursuing the PUD alternative.

Motion

Keith Klundt moved to table the action regarding the rezone request and requested that City Staff explore the merits of a PUD alternative. **Cindy Roybal** seconded the motion, which passed by unanimous vote.

**PUBLIC HEARING: JOSEPH JARDINE - APPLICANT IS REQUESTING
CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH A GROUND
SIGN AT 57 NORTH MAIN IN A BR ZONE (C-9-05) (Agenda Item #5).**

Background Information

On December 29, 2004, Farmington City issued Dr. David Burnett a sign permit for a ground sign located at 57 North Main, which is located in the BR zone. Dr. Burnett apparently leases the building located at the site from Mr. Joseph Jardine. Dr. Burnett's plans included reuse of an existing metal sign frame. On December 30, 2004, it came to the attention of City officials that reuse of the sign may constitute an invalid use of a nonconforming sign. The City invalidated the sign permit pending further investigation of the nonconforming status of the sign.

Section 15-2-110(7) of the Sign Ordinance expressly prohibits signs located within the public right-of-way. Therefore, the sign is nonconforming because portions of the sign encroach into the Main Street right-of-way. A nonconforming sign cannot be modified except to bring it into conformance with the provisions of the Sign Ordinance. A modification includes, among other things, "reestablishment of a nonconforming sign after having been abandoned for ninety (90) days or more" (15-6-020(3)). The sign has not been used for years. An abandoned sign means "a sign which displays evidence of neglect, no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or a sign for which no legal owner can be found" (15-1-040(1)). Therefore, reuse of the sign at 57 North Main constitutes a violation of the sign ordinance. Notwithstanding this, on February 11, 2005, the City issued a permit for a temporary sign at this location to Mr. Joseph Jardine.

Mr. Jardine submitted an application for a conditional use permit to the Planning Commission requesting approval to reuse the sign. Regarding signs in the BR zone Section 15-

5-020(8) of the sign ordinance states:

Exceptions to the provisions of this Section may be made for signs for office and commercial uses within the Business Residential (B-R) Zone. Such exceptions shall be requested and reviewed in accordance with the conditional use permit process set forth in Chapter 8 of the City Zoning Ordinance. This exception is founded upon the provisions of the Downtown Master Plan for Farmington City. As noted in the Downtown Master Plan, the downtown area of the City contains mixed and diverse uses necessitating and requiring flexibility and discretion in implementing and allowing special deviations from standard requirements of the Zoning Ordinance and other regulations in this area.

END OF PACKET MATERIAL.

David Petersen said the property had a sign that had been unused for a number of years. A sign permit was granted but the initial permit had been invalidated to determine if it were a non-conforming sign. The sign violates the Ordinance since it encroaches into the UDOT right-of-way.

He reviewed the motion alternatives. He said the issue had not been reviewed by UDOT or the City Attorney.

Public Hearing

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

Joseph Jardine (84 West 1150 South) said the sign structure had existed for 25 years. He was only requested to “put a face on the sign”. The City Council had granted approval for the sign in the 1970's. He felt it was critical to have the sign to advertise the business since the building was located away from the street.

Public Hearing Closed

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

David Petersen said the ordinance expressly prohibits signs in the right-of-way. The applicant was granted a temporary use permit which was valid until the case could be heard by the Planning Commission. The sign would have to be moved to be in compliance with the Ordinance since approximately 4 feet is overhanging.

Jim Talbot asked if the sign could be “grand fathered”.

David Petersen said the sign would not qualify since it had not been used in the past 90 days. He said he would seek counsel from the City Attorney.

Motion

Annie Hedberg moved that the Planning Commission table action until an opinion is received from the City Attorney and until the applicant provides information regarding UDOT rules and regulations regarding signs within the public right-of-way. The applicant may utilize the sign until the next Planning Commission meeting. **Keith Klundt** seconded the motion which passed by unanimous vote.

**PUBLIC HEARING: CINGULAR WIRELESS - APPLICANT IS REQUESTING
CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH CELLULAR
PHONE TOWER AT FARMINGTON JUNIOR HIGH SCHOOL NEAR THE
FRONTAGE ROAD (150 SOUTH 200 WEST) IN A BP ZONE (C-6-05) (Agenda Item #6)**

Background Information

This site request is located on the grounds of the Farmington Junior High School. Minutes of a previous meeting discussing towers suggested locating at Farmington Junior High School. The school officials have suggested the location be in the trees, behind the seminary

building to help screen the associated structures (see attached aerial photo). There is no additional landscaping proposed for this tower.

The purpose of this tower is to increase in-building coverage. A coverage area plan has been submitted which shows a gap in coverage between Centerville and Farmington which will be addressed. It also contains a list of existing towers in the area that were analyzed for co-location possibilities, and the reason they were ruled out. The applicant has indicated these are all the possible towers in the area that could be considered.

Section 11-28-190(g) of the Farmington City Code states: "The height limit for a cellular tower is up to 100' or up to 120' if approved as a co-location." There are specific companies that have agreed to co-locate, but the applicant proposes a condition that the tower be designed for a minimum of three carriers to address the concern. Additional carriers would lease tower space from the applicant and land from the school district.

Access to the site will be off of 200 South Street.

The tower will be made of galvanized steel which turns a neutral gray when weathered, although the applicant would be willing to paint the tower, if required.

Fire Department and Building Inspector approval will be sought as part of the building

permit approval process.

END OF PACKET MATERIAL

David Petersen referred to the T-Mobile cell phone tower application that had been reviewed by the Planning Commission approximately one year ago. He said Cingular could not co-locate on existing towers.

Public Hearing

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

David Carter (2971 South 450 West, Bountiful) said he was an independent contractor who had been contracted by Cingular Wireless to place an antennae site. The Jr. High fit Cingular's design criteria. The computer equipment would be housed at the base of the tower. The area was zoned Business Park.

Public Hearing Closed

With no further comments, **Chairman Ritz** closed the public hearing. The Commission

members discussed the issues, including the following points:

Cindy Roybal asked if the school would benefit from the tower.

David Carter said a monthly rent would be paid to the school. Cingular, who would own the tower, would market the air space. The tower would be 120' tall to allow for other carriers.

The Planning Commission Members agreed to leave the pole galvanized steel to make it less noticeable.

Jim Talbot questioned whether T-Mobile would abandon plans to construct the tower that had been approved at Knowlton Elementary in order to co-locate on the Farmington Junior High tower.

David Carter said carriers have a capital spending budget for the towers. If a proposed tower was taking too long to get approval, the budget would be pulled.

Motion

Keith Klundt moved that the Planning Commission approve the application subject to all

applicable City ordinances and development standards and the following conditions:

1. Materials for the tower shall be a neutral color.
2. The Coverage Plan shall be approved by the Planning Commission.
3. Review and approval of this application by the Farmington City Fire Department and Building Inspector. The tower shall be engineered to handle a minimum of three carriers and a wind-load level of 100 miles per hour or higher.
4. The perimeter shall be fenced with a six-foot vinyl coated chain link fence or other fencing approved or required by the Planning Commission.

Cindy Roybal seconded the motion, which passed by unanimous vote.

Findings

- The location is acceptable to the City and the School District.
- The need for a coverage plan is satisfied.

PUBLIC HEARING: JOHN AND CHRISTINA BIESINGER - APPLICANTS ARE REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH A SECONDARY DWELLING (BASEMENT APARTMENT) AT 323 EAST 200 SOUTH IN AN OTR ZONE (C-7-05) (Agenda Item #7)

Background Information

This is a new structure that has been built to IBC standards. The apartment will be on the lower floor with a separate entrance. There is a separate driveway off 300 East for off-site parking. However, the driveway crosses another lot at 185 South 300 East to access the house. The other lot is currently owned by the applicant, but should it be sold, there could be problems accessing the parking. It is recommended that an access easement be recorded across the lot to assure access in the future. It is also recommended that a walkway be provided from the upper driveway around the house to the apartment parking in case there is a problem parking on the lower level.

END OF PACKET MATERIAL

David Petersen displayed a Site Plan. He informed the Commissioners that in order for the structure to conform to the OTR Zoning Ordinance, one of the units must be owner occupied. He suggested an access easement be recorded across the lot to assure access in the future. He reviewed the motion alternatives.

Public Hearing

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

address the Commission.

Josh Biesinger said he wanted to make a lower level apartment for his mother. Three of his neighbors have rentals in a portion of their homes.

Public Hearing Closed

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

David Petersen said he had not received complaints regarding the apartment addition. He said the secondary dwelling had been done tastefully so it would not be obvious if the alteration were made. He informed the Commissioners that the driveway was 20 feet long and was constructed of asphalt and cement

Motion

Jim Talbot moved that the Planning Commission approve the application subject to all applicable City ordinances and development standards including the following conditions:

1. All International Building Code requirements shall be met.

2. The secondary unit shall be occupied exclusively by one family.
3. Either the single family unit or the secondary dwelling unit shall be owner occupied, except as allowed by 11-28-200(3)(j).
4. The CUP shall not be assignable or transferrable upon sale of the single family dwelling or otherwise and shall terminate upon sale or transfer of the property.
5. An access easement shall be recorded across the lot at 185 South 300 East and/or a walkway shall be built from the upper driveway to the lower parking area.

Cindy Roybal seconded the motion, which passed by unanimous vote.

Findings

- Apartments have already been established in the area.
- There had been no protests from neighbors.

PUBLIC HEARING: JON AND KATHLEEN STREADBECK - APPLICANTS ARE REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL FOR AN ATTACHED GARAGE AT 258 NORTH 100 EAST IN AN OTR ZONE (C-8-05) (Agenda Item #8)

Background Information

OTR provisions require that the attached garages which are flush or even with the front face of the home must receive conditional use approval from the Planning Commission. Additionally, all structures requiring a building permit must meet construction design guidelines as set forth in section 11-17-070 of the Farmington City Zoning Ordinance. The Planning Department and/or Planning Commission may request a recommendation from the Farmington City Historic Preservation Commission regarding applications for permitted or conditional uses. It appears that the Streadbeck's single-family home meets setback and/or orientation mass and scale building height, building and roof form and color standards contained in the ordinance.

END OF PACKET MATERIAL

David Petersen said the house would project two feet further into the front yard than the garage. The building elevations were attractive and would blend with the existing neighborhood. He recommended granting conditional use approval for the garage.

Public Hearing

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

Jon Streadbeck's father appeared on his behalf to answer any questions the

Commissioners may have.

Public Hearing Closed

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

The Planning Commission Members agreed that the use complied with the OTR provisions so they would not need to consult with the Historic Committee.

Motion

Cindy Roybal moved that the Planning Commission grant conditional use and site plan approval as proposed, subject to all applicable Farmington City Ordinances and development standards. **Annie Hedberg** seconded the motion, which passed by unanimous vote.

Findings

- The conditional use would comply with the OTR zoning.
- The structure was attractive and would blend with the neighborhood.

**PUBLIC HEARING: JMR LAND AND DEVELOPMENT, RAINEY HOMES -
APPLICANT IS REQUESTING A RECOMMENDATION TO ANNEX 12.9637 ACRES
OF PROPERTY LOCATED BETWEEN 200 EAST AND THE FRONTAGE ROAD,
NORTH OF LUND LANE. THE PLANNING COMMISSION MAY ALSO CONSIDER A
RECOMMENDATION FOR A ZONE DESIGNATION AND SCHEMATIC PLAN
APPROVAL FOR A PROPOSED DEVELOPMENT AT THE SAME LOCATION (A-2-
05) (Agenda Item #9)**

Background Information

The subject property is located within the City's expansion area and should be annexed into Farmington City. However, although the applicant would like to present schematic subdivision plan for the property and request a recommendation regarding a zone designation, no such information has been submitted to the City.

END OF PACKET MATERIAL

David Petersen displayed a Vicinity Map. The area proposed to be annexed was in the expansion area. He had not received the Schematic Plan or Yield Plan but said a zone designation could be granted without reviewing the Plans. He recommended the area be annexed into the City.

Public Hearing

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

Chris Balling (JMR Land & Development, Rainey Homes Representative) said the City boundary cuts through the property to be annexed at the Glover property and Turner property. The Glovers and Turners own over 50% of the 1/3 value of the property included in the annexation area. They would like the property to be annexed even if Rainey Homes did not purchase the land. He passed out surveys, a Yield Plan and a Concept Plan. The Yield Plan included 10,000 square foot lots except where the detention basin was located. The first phase would include 54 lots. The second phase would be the Rice property which would include 55 lots. 10% of the Glover property would be used as open space. He requested the area be zoned LR and a credit be given for the open space.

Bill Wright (415 West Lund Lane, Centerville) said he was concerned that the road was already in disrepair and questioned who would maintain the road if the property were annexed. He asked to view a Site Plan displaying the proposed roads.

Public Hearing Closed

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

Annie Hedberg felt the Planning Commission and City Staff needed additional time to review the Concept Plan, Yield Plan and surveys.

Motion

Jim Talbot moved that the Planning Commission recommend the City Council annex the area as proposed and to zone the property A. The schematic plan would be considered after the Staff had reviewed the recently submitted information. **Cindy Roybal** seconded the motion, which passed by unanimous vote.

Findings

- The property is located in the City's official expansion area.
- The recommendation for the "A" zone is consistent with City policy when a recommendation for some other zone designation is still forthcoming or not ripe.

NEIGHBORHOOD MIXED USE DRAFT CONSIDERATION

The Planning Commission reviewed the NMU draft dated June 9, 2005, and discussed the following items:

Cindy Roybal recommended the square footage cap be 45,000 square feet. She suggested the users near major roadways be limited to 7,500 square feet. Developers requiring additional space could approach the City for approval.

Jim Talbot said he was comfortable with the text because it would work with future developments. He felt the cap should be 45,000 square feet.

Annie Hedberg said the text was well written and was comparable to other NMU text she had reviewed.

Keith Klundt said he approved the text and was eager to recommend it to the City Council.

Chairman Ritz felt the square footage cap should be 40,000 - 50,000 square feet.

David Petersen said many Farmington consumers would like Harmon's in the City. He said the additional 5,000 square feet that Harmon's would require would be the equivalent of a 25 foot strip that was 200 feet long.

The Planning Commission agreed to keep the square footage limited to 45,000 square feet.

The Planning Commission reviewed the alterations that had been made to the text. They agreed to reference “Farmington rock” rather than “Farmington stone” in order to keep the text consistent.

David Petersen said Mayor Connors requested that the Planning Commission consider recommending a policy statement be included in the text of the NMU and CMU ordinance stating the square footage that would be allowed in each zone.

The Planning Commission discussed the Mayor’s request. They felt placing square footage limits on the NMU and CMU zones would be too specific.

Motion

Keith Klundt moved that the Planning Commission recommend the text of Chapter 20 of the Neighborhood Mixed Use (NMU) Zone to the City Council for approval as presented in the latest draft dated June 9, 2005, to include the suggested changes as noted. **Jim Talbot** seconded the motion, which passed by unanimous vote.

GENERAL PLAN AMENDMENT - CHAPTER 10 (Agenda Item #10a)

David Petersen said the NMU, CMU, and TOD had been adopted by the Planning Commission. All of the zoning ordinances had residential components so Chapter 10 would need to be updated.

The Planning Commission agreed to discuss Chapter 10 at the next Planning Commission Meeting so the public hearing could be held in July.

RUMSEY/BLACK BOUNDARY ADJUSTMENT REQUEST (Agenda Item #10b)

David Petersen stated that years ago, a triangle shaped property had been added to Lot 9 of the Oaklane Subdivision to accommodate a driveway which would access a shed. The survey had been done inaccurately so the property owners agreed to move the line further west so the driveway and access to the shed would be on the Rumsey property.

Motion

Annie Hedberg moved to approve the boundary line adjustment between the east boundary of Lot 7 and the west boundary of Lot 9 of the Oak Lane #1 Subdivision Plat, which was recorded the 17th of June, 1963. **Cindy Roybal** seconded the motion, which passed by

unanimous vote.

ADJOURNMENT

Keith Klundt moved that the Planning Commission adjourn at 9:50 P.M.

Cory Ritz, Chairman

Farmington City Planning Commission