

FARMINGTON CITY PLANNING COMMISSION

Thursday, July 12, 2007

PLANNING COMMISSION STUDY SESSION

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

Chairman Talbot called the meeting to order at 6:15 P.M. The following items were reviewed:

Agenda Item #3: Woodside Homes - Applicant is Requesting a Recommendation for Final Plat Approval for Phase 1 of the Farmington Hollow PUD Subdivision located at 1525 West Burke Lane in an R-4 zone (S-15-07)

Chairman Talbot reviewed the applicant's request and the "Suggested Motion" that was included in the Planning Commission packet.

As requested by **Rick Wyss**, **Jared Hall** explained how the traffic will flow in the area. The road configuration will lead motorists away from Shepard Lane.

Rick Wyss suggested that island medians be utilized to force the traffic to flow toward Burke Lane.

Jared Hall said if the Planning Commission so desires, they could include that requirement as a condition of approval. The developer is required by the City to allow the traffic to flow onto Burke Lane but they are not required to force the traffic to flow in that direction.

Rick Wyss said he wants to strongly encourage the traffic flow to travel away from Shepard Lane. He said he attended a meeting where the Sierra Club indicated that the Legacy North interchange that includes the Shepard Lane flyovers will never happen. He questioned whether it is too late to revisit the layout of the Woodside Homes development since the density at the Cottages was predicated on the corridor preservation. There may be a benefit to the City, as well as to the developer to reconsider the layout of that project.

Chairman Talbot said he thinks it is too late to reconsider the layout of the project. It is not likely that UDOT will make their decision regarding the corridor in the near future. The City is content with the fact that they own a portion of the swath that is being preserved. After receiving direction from the City and UDOT, Woodside Homes has spent a significant amount of time and money developing this project.

Jared Hall stated that it will likely be ten to fifteen years before the City knows if that property will be used for the corridor. In the event that property is not needed, the property will likely be used as a park.

Rick Wyss asked Thane Smith if Woodside Homes would want to proceed in another development direction if the property were not needed for the corridor.

Thane Smith said Woodside Homes does not have the flexibility to redesign the project since they have a loan on the property that has been accruing interest for several years. They are in the home building business so they need to begin construction and start selling homes.

In response to a question from **Rick Wyss**, **Thane Smith** said they are disclosing to their customers that this area is being preserved for the Legacy corridor.

Rick Wyss said the developer is probably in favor of the fact that they received a higher density in exchange for the corridor preservation. The City made significant concessions to preserve the corridor.

Thane Smith said they did not proceed with their project until UDOT indicated that this is the preferred corridor. This project is in the City's Master Plan. The density was approved based on the corridor preservation.

Rick Wyss asked how the Legacy Highway is effecting Woodside Homes' other developments.

Thane Smith said they built their development based on information that UDOT would be constructing a two-lane highway. UDOT has now expanded the highway to four-lanes. They need to proceed with this development. For financial purposes, they need to proceed with this development.

Agenda Item #4: Gardner Development - Applicant is requesting a recommendation for Final Master Plan (or Final (PUD) Master Plan) approval for the Village at Old Farm located at 1600 North Main consisting of approximately 34 acres in the NMU zone, and for Final Plat approval for Phase 2 of the residential portion related thereto (S-8-07, S-11-07)

Chairman Talbot explained that at the previous Planning Commission meeting, the biggest issue was the drainage. It now appears that the drainage issue has been resolved.

Jared Hall explained that the developer's engineer and the City engineer have reached an agreement regarding the drainage. He pointed out where the detention ponds will be located to handle the project's water, as well as the water from the Somerset area. City staff is comfortable recommending approval for Phase 2.

The Planning Commission suggested that City staff provide developers with additional information so they are aware of all of the City's development standards.

Agenda Item #5- Aaron Thatcher and Agenda Item #6- Rainey Homes:

Chairman Talbot reported that these agenda items do not have significant issues that need to be addressed by the Planning Commission prior to the regular session.

Agenda Item #7: Public Hearing: America West Development - Applicant is requesting a recommendation for a change of zoning from A (Agriculture) to TOD (Transit Oriented Development for approximately 35 acres of property located at the southeast corner of Burke Lane and 1525 West Street and approximately 15 acres of property located at the southwest corner of Clark Lane and 1100 West Street (Z-12-06)

Chairman Talbot reported that the applicant, **Ron Martinez**, requested that the Planning Commission continue consideration of this item until he has resolved some of the issues that were addressed in the Planning Commission packet. He believes that **Mr. Martinez** is capable of developing a quality project but he would like to see that the Davis County market can support a project like Station Park prior to rezoning additional properties.

Agenda Item #8 - Public Hearing: Richmond American Homes- Applicant is requesting a Temporary Use Approval to allow the location of a temporary sales office in a model home on property in the AE zone at 383 North 1875 West (TU-4-07)

Jared Hall stated that the conditions of approval are similar to other model homes that have been approved. He did add a condition stating that if flags/flag poles are used, they must be reviewed and approved by the Planning Commission as a modification of the Conditional Use. The Commission's review shall include but not be limited to size, height, location and lighting.

Agenda Item #9: Public Hearing: Farmington City - Applicant is requesting a recommendation to the City Council to amend Chapter 31, Flood Damage Prevention Ordinance, of the Farmington City Zoning Ordinance. The purpose of the changes is to update language in the ordinance to comply with federal requirements (ZT-6-07)

Jared Hall stated that the Planning Commission and City Council previously approved the amendments to Chapter 31. Since that time, FEMA has notified the City that other changes are necessary in order for the Ordinance to comply with their standards. The changes are recommended by City staff, as well as the City Attorney.

The meeting adjourned at 7:00 P.M.

PLANNING COMMISSION REGULAR SESSION

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

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

APPROVAL OF MINUTES

John Bilton moved that the Planning Commission approve the minutes of the June 28, 2007, Planning Commission Meeting. **Paul Barker** seconded the motion. The Commission voted unanimously in favor. **Kevin Poff** abstained since he was not present at that meeting.

CITY COUNCIL REPORT

Jared Hall reported the proceedings of the City Council meeting which was held on July 10, 2007. He covered the following items:

- The City Council granted Garbett Homes’ request to realign the perimeter trail at the Farmington Preserve project and to locate the trail head near Maverik. As requested by the City Council, Garbett Homes agreed to meet with an architectural committee to discuss the new building elevations for the northerly phase of the Farmington Crossing.

The Planning Commission indicated that they would like to revisit the building elevation issue with Garbett Homes. Certain Planning Commission members stated that it seems inappropriate for the City to determine whether a certain building type is attractive.

- The City Council granted Final Plat approval for the 3 lot Van Zweden Subdivision which is located south of the McOmber Subdivision at 1525 West.
- The City Council had their 1st reading of the Development Agreement for “Old Farm.”
- The City Council approved the Conservation Easement for Phases I & II of the Farmington Meadow Subdivision.

WOODSIDE HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR FINAL PLAT APPROVAL FOR PHASE 1 OF THE FARMINGTON HOLLOW PUD SUBDIVISION LOCATED AT 1525 WEST BURKE LANE IN AN R-4 ZONE (S-15-07) (Agenda Item #3)

Background Information

At their meeting on June 28, 2007, the Planning Commission granted Preliminary Plat approval to the Farmington Hollow Subdivision. At that time, the review was already being conducted on the Final Plat for Phase 1 of the project.

The Commission had conditioned that the applicant was to reconfigure the street patterns on lot layouts in the southern portion of the project to allow the Major Collection to directly transition or connect into Burke Lane. Those changes have not been made, but the first phase of the project for approval will not include that area. The Commission also required the submittal, review and approval of Improvement Drawings (which was also underway at the time of the hearing). These have been done and approved by the various reviewing agencies.

END OF PACKET MATERIAL.

Jared Hall displayed an aerial map and pointed out where the property is located. He explained how the traffic will likely flow through the area. City staff recommends that the Planning Commission recommend Phase 2 Final Plat approval to the City Council subject to the applicant meeting the six conditions that were outlined in the Planning Commission packet.

Kevin Poff asked the developer if the swath of property that is being preserved for the Legacy corridor will become City property in the event it is not needed by UDOT.

Thane Smith said most of the swath is owned by the City. There was a boundary line agreement involving the seven acre piece. Woodside Homes controls the one acre parcel that is located on the far end of the property.

Kevin Poff questioned whether Woodside Homes would consider deeding the property to the City if UDOT does not need it for the corridor.

Thane Smith said they would be willing to consider deeding the property to the City since the property would make a great park. During previous discussions with the City, it was suggested that the property be used as a park until UDOT determines where their corridor will be located. The City was concerned about providing the park then taking it away if the property is needed for the Legacy project.

Kevin Poff said he is concerned that if the property is deeded to UDOT, it will not be well maintained.

Motion

Rick Wyss moved that the Planning Commission recommend approval of the Phase 1 Final Plat to the City Council, subject to all applicable Farmington City development standards and ordinances and the following:

1. The applicant must comply with all conditions of Preliminary (PUD) Master Plan approval granted by the City Council on February 6, 2007, Preliminary Plat and all other approvals;
2. The applicant must reconfigure the street patterns on lot layouts in the southern portion of the Project to direct and strongly encourage the Major Collection to directly transition or connect into Burke Lane;
3. The applicant shall enter into an acceptable development agreement with the City to cover all aspects of the project.
4. The applicant must receive Final Master Plan approval for the entire project with a recommendation from the Planning Commission prior to or concurrent with the City Council's consideration of Final approvals.

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

Findings

- Woodside Homes has been willing to work with the City by providing for the UDOT flyover, altering the stream widths and treatments, etc.
- Woodside Homes has contributed to the City's transportation system by providing access to Burke Lane.
- This project is consistent with the City's Master Plan.

GARDNER DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION FOR FINAL MASTER PLAN (OR FINAL (PUD) MASTER PLAN) APPROVAL FOR THE VILLAGE AT OLD FARM LOCATED AT 1600 NORTH MAIN CONSISTING OF APPROXIMATELY 34 ACRES IN THE NMU ZONE, AND FOR FINAL PLAT APPROVAL FOR PHASE 2 OF THE RESIDENTIAL PORTION RELATED THERETO (S-8-07, S-11-07) (Agenda Item #4)

Background Information

The Planning Commission tabled this request at the regular meeting on June 28, 2007 due to an unresolved drainage question between project and City engineers. The engineers did meet again to discuss and study the problem and it now appears that a solution has been reached without compromise of the City's 100 year detention standard, and that is acceptable to the developers.

Drainage: The developers have proposed to add two detention ponds in a large area of open space adjacent to Main Street on the north end of the project. While these basins will be upgrade from the site itself, the City has water drainage from the Somerset area that needs to be detained. These two basins will detain water from Somerset (which would have had to flow through the project and be detained downstream) and matching drainage from the site itself will be detained downstream in its place. In addition, some increase in depth in the main detention pond at the extreme southwest corner of the property is possible and helps to mitigate the needed volumes.

Summary: As staff discussed with the Commission in the previous report and at the meeting, the other remaining issues deal primarily with the northern half of the development and staff has not problems in recommending approvals with resolution of those issues as conditions. Staff is prepared to suggest that the Planning Commission recommend approval and forward to City Council with the conditions outlined in the last report, and with the addition of a condition relating to the drainage.

END OF PACKET MATERIAL.

Jared Hall displayed the Site Plan for the Village at Old Farm and pointed out where Phase 2 is located and where the detention basins will be constructed. He reviewed the "Background Information" that was included in the Planning Commission packet. The future of the historic Ally Rose house will be addressed during the Final Plat process for that portion of the project. The Historic Preservation Commission conducted a full review of the house. A report outlining their findings will be given to the City in the near future. He reviewed the "Suggested Motion" that was included in the Planning Commission packet. City staff recommends approval of the applicant's request for Final Master Plan and Phase 2 Final Plat.

[**Cory Ritz** arrived at 7:15 p.m.]

David Dixon (1047 North 100 West) said he is pleased that the two parties were able to reach an agreement regarding the drainage.

Kevin Poff said the developer previously committed to provide decorative screening and landscaping, as requested by the property owners in the area. If the detention basin is constructed on this portion of the property, will it still be possible to provide the landscaping and screening?

Dave Dixon said the property that **Mr. Poff** is referring to is 150'. The detention basin will only take up 50' so they will still be able to provide the landscaping and screening. Gardner Development never committed to provide a tall berm but they will provide generous landscaping.

Motion

Paul Barker moved that the Planning Commission recommend approval of the request for Final Master Plan and Phase 2 Final Plat with the following conditions:

1. The Developer must prepare the modified plans and receive a formal approval from the City Engineer for the Final Plat and Final Master Plan memorializing the storm-water detention for the site;
2. The Developer must cooperate with the City fully in determining an appropriate status for the Historic Alley Rose House and its use and/or restoration;
3. The Developer must provide more detail for staff review of the open space and other site amenities prior to recording;
4. The Developer must receive full approval from UDOT for the access on Highway 89;
5. A Development Agreement between the City and Developer must be prepared, reviewed and approved so as to be recorded concurrently with the Final Plat for the 2nd Phase of the project;
6. The Developer must meet each condition of all preliminary plat approvals, including but not limited to Preliminary (PUD) Master Plan/Planned Center approval and Preliminary Plat approval.

Randy Hillier seconded the motion, which passed by unanimous vote.

Findings

- The developed site will function as a key component of regional drainage;
- The pending issues will not impact development of the residential portion of the property;
- The intent of the General Plan and NMU zoning area being met by the project.

- The applicant is willing to provide the detention basin as well as the landscaping/screening.

PUBLIC HEARING: AARON THATCHER - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC APPROVAL TO RECORD A METES AND BOUNDS SUBDIVISION FOR A LOT SPLIT ON PROPERTY LOCATED AT 1311 WEST 475 SOUTH IN THE AE ZONE (S-14-07) (Agenda Item #5)

Background Information

General: The applicant is proposing to subdivide an existing lot of 2.31 acres into two new lots. He proposes to do this by metes & bounds description only. Since the subdivision is simple and does not require the dedication of new public rights-of-way, this is allowable.

Lots: The applicant proposes to divide into two lots, one with 1.00 acres and the other with 1.31 acres. The larger lot would have 127 feet of frontage on 475 South, the smaller 100 feet (100 feet of frontage is the standard requirement in the AE zone for regular subdivisions). The lots both also meet or exceed the area requirement of 1 acre.

Access/Improvements: The property is undeveloped, but fronts an improved street, 475 South. The utilities have been stubbed and all indications are that building on the property should not be problematic. The schematic proposal is to place the two new lots side by side with both fronting 475 South.

Technical Reviews: The reviewing agencies have all returned comments and have no significant concerns with the schematic plan to split this property.

END OF PACKET MATERIAL.

Jared Hall displayed an aerial photo and pointed out where the property is located. He explained that the property will be split north to south. One portion of the property will be one acre. The other portion of the property will be 1.31 acres. He reviewed the “Background Information” and “Suggested Motion” which were 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.

Aaron Thatcher (434 Quail Flight, Farmington) said he is available to answer any questions the Planning Commission may have.

Public Hearing Closed

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

Motion

Kevin Poff moved that the Planning Commission recommend approval of the schematic plan and allow the subdivision of this property to occur by metes & bounds description with the following conditions:

1. The applicant must meet all development standards of the City;
2. The applicant must provide a legal and correct survey to City standards to be reviewed and approved by the City Engineer in preparation for the recording of the legal instrument of subdivision;
3. The applicant must meet any outstanding requirements of the SID (Special Improvement District) created for the area for both parcels.

John Bilton seconded the motion, which passed by unanimous vote.

Findings

- The proposed schematic plan is in keeping with the zoning and the City's General Plan.
- This subdivision is consistent with the development that is occurring to the east of this property.
- The three lots will be at least one acre in size which is consistent with other properties in west Farmington

PUBLIC HEARING: RAINEY HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR A CHANGE OF ZONING FROM LR TO AA ON PROPERTY LOCATED AT APPROXIMATELY 1600 SOUTH AND FRONTAGE ROAD IN THE RECENTLY APPROVED TUSCANY VILLAGE SUBDIVISION (Z-4-07) (Agenda Item #6)

Background Information

General: The land under application here is a part of the recently approved Tuscan Village Subdivision in south Farmington, stretching from the Frontage Road to 200 East. The land has all been zoned LR, but the City has a requirement that any land below the 4218 elevation contour line be zoned AA, agricultural. Portions of the conservation land that was set aside in this

project sit below the 4218 line (adjacent to the Frontage Road) and must be zoned AA to meet all the conditions of approval that were given.

This change of zoning does not in any way impact the subdivision, and has in fact been planned for in the process for some time.

END OF PACKET MATERIAL.

Jared Hall reviewed the “Background Information” and “Suggested Motion” which were included in the Planning Commission packet.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

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

Motion

Kevin Poff moved that the Planning Commission recommend approval of the zone change to the City Council with the following condition and findings:

1. The applicant must prepare an appropriate description of the land to be rezoned.

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

Findings

- The proposed change of zoning is in keeping with the City’s General Plan.
- The rezoned land will be part of a conservation easement and will not impact the subdivision.

PUBLIC HEARING: AMERICA WEST DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION FOR A CHANGE OF ZONING FROM A (AGRICULTURE) TO TOD (TRANSIT ORIENTED DEVELOPMENT) FOR APPROXIMATELY 35 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BURKE LANE AND 1525 WEST STREET AND APPROXIMATELY 15 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLARK LANE AND 1100 WEST STREET (Z-12-06)

The applicant, Ron Martinez, requested that the Planning Commission continue this agenda item.

PUBLIC HEARING: RICHMOND AMERICAN HOMES - APPLICANT IS REQUESTING A TEMPORARY USE APPROVAL TO ALLOW THE LOCATION OF A TEMPORARY SALES OFFICE IN A MODEL HOME ON PROPERTY IN THE AE ZONE AT 383 NORTH 1875 WEST (TU-4-07) (Agenda Item #8)

Background Information

Richmond American Homes proposes to build a model home to house a temporary sales office on Lot 203 of the Spring Creek Estates Phase 2 Subdivision at 683 North 1875 West in the AE zone. Model homes with a temporary sales office require a Temporary Use Approval from the Planning Commission.

The proposal includes plans for a temporary parking lot (seven spaces) on Lot 205, adjacent. Richmond American proposes to station one sales representative at the model home between the hours of 11:00 a.m. and 7:00 p.m. in the summer (through October) and from 10:00 a.m. to 6:00 p.m. in the winter (October through April). They propose to offer the model home for sale when 95% of the lots in the subdivision have been sold.

END OF PACKET MATERIAL.

Jared Hall displayed a Site Plan. He pointed out where the sales office and parking area will be located. City staff suggests that the applicant be required to landscape the sales office property, as well as the parking areas. He displayed a rendering of the sales office/model home that the applicant plans to construct. He then reviewed the “Suggested Motion” which was included in the Planning Commission packet.

The members of the Planning Commission agreed that the parking area should be paved.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

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

Motion

Randy Hillier 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 use, 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. Flags and flagpoles, if used, must be reviewed and approved by the Commission as a modification of the Conditional Use. The Commission's review shall include but not be limited to size, height, location and lighting;
5. Conduct of the temporary use shall be limited in all cases to hours between 8:00 a.m. and 8:00 p.m.;
6. No portable restroom facilities are allowed on site. Restrooms must be provided inside the model home/sales office;
7. All conditions for the model home lot shall apply to Lot 205, the temporary parking, as well;
8. 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.
9. The parking lot surface must be paved.

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

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO THE CITY COUNCIL TO AMEND CHAPTER 31, FLOOD DAMAGE PREVENTION ORDINANCE OF THE FARMINGTON CITY ZONING ORDINANCE. THE PURPOSE OF THE CHANGES IS TO UPDATE LANGUAGE IN THE ORDINANCE TO COMPLY WITH FEDERAL REQUIREMENTS (ZT-6-07) (Agenda Item #9)

Jared Hall said at a previous meeting, the Planning Commission recommended that the

City Council adopt this Ordinance, which the City Council did. Since that time, FEMA has reviewed the adopted Ordinance and found that it does not comply with their standards. Therefore, the Ordinance was amended and is again being considered by the Planning Commission. City staff and the City Attorney recommend that the Planning Commission recommend that the City Council amend Chapter 31 which is the Flood Damage Prevention Ordinance of the Farmington City Zoning Ordinance.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

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

Motion

Rick Wyss moved that the Planning Commission recommend to the City Council to amend Chapter 31, Flood Damage Prevention Ordinance, of the Farmington City Zoning Ordinance. **Paul Barker** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS

The Planning Commission discussed the America West Development application. Concerns were expressed that the applicant may intend to max out the allowable density for that zone. It was suggested that the City take precautions when rezoning properties so they are not forced to allow a use, such as Wal-mart, as was the case in Centerville City.

Legacy North Meeting - August 9, 2007

Jared Hall informed the Planning Commission that the Legacy North Public Hearing will be held on August 9th.

ADJOURNMENT

Kevin Poff moved that the Planning Commission adjourn at 7:50 p.m.

*Jim Talbot, Chairman
Farmington City Planning Commission*