

FARMINGTON CITY PLANNING COMMISSION

Thursday, August 11, 2005

PLANNING COMMISSION REGULAR SESSION

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

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

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes of the July 28, 2005, Planning Commission meeting. **Cindy Roybal** seconded the motion, which passed by unanimous vote. Annie Hedberg abstained due to her absence at the meeting.

Cindy Roybal moved that the Planning Commission approve the minutes of the August, 2, 2005, Special Planning Commission meeting with changes as noted. **Annie Hedberg** seconded the motion, which passed by unanimous vote. Jim Talbot abstained due to his absence at the meeting.

CITY COUNCIL REPORT (Agenda Item #2)

David Petersen reported the proceedings of the City Council meeting which was held on August 3, 2005. He covered the following items:

- The City Council tabled Symphony Homes schematic plan and rezone request for 32.92 acres of property located at approximately 275 South 1100 West.
- The City Council rezoned 32.3 acres of property located at 50 West 700 South from "LR" and "AE" to "LR (PUD)" subject to the four conditions outlined in the letter dated July 29, 2005 to Jerry Preston. In addition, preservation of the historic structures were to be considered prior to preliminary plat approval on Phase 3 and preservation of emergency flow path for storm water and pedestrian access to 200 East.
- The City Council adopted an ordinance amending Chapter 27 of the Farmington City Zoning Ordinance regarding Planned Unit Developments (PUDs) within the City, including changes to open space and minimum parcel size standards and the development review process and on 27-3 (5) add after storm water "drainage and grading issues".

- The City Council approved the plat amendment as had been presented and any other necessary actions with one requirement that pressurized irrigation water be taken to each of those parcels so that there will be water available along both strips.
- The City Council considered Mr. Bradford's plan to subdivide a portion of the Old City Shop Site. The City Council was not in favor of conceptually authorizing the sale of the City's land. The Development Subcommittee planned to meet with the developers to hear their presentation and to give direction and guidance.

THE BOYER COMPANY (PUBLIC HEARING) - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL AND A RECOMMENDATION FOR FINAL PLAT APPROVAL FOR PHASE 6 OF THE FARMINGTON RANCHES SUBDIVISION CONSISTING OF 39 LOTS ON 17.93 ACRES LOCATED AT APPROXIMATELY 2100 WEST 350 NORTH IN AN AE ZONE (S-17-05) (Agenda Item #3)

Background Information

The Planning Commission originally approved the request of preliminary plat approval of September 26, 2002, which also included phases 4 and 5. Both phase 4 and 5 eventually received final plat approval and were recorded and have since been developed. Meanwhile, all approvals for phase 6 have long since expired. The motion for final plat approval is similar to the motions approved previously for phases 4 and 5.

END OF PACKET MATERIAL.

David Petersen reviewed the background information with the Planning Commission. He said the plat for phase 6 was similar to the Farmington Ranches phases which had received plat approval on September 26, 2002. The following conditions would no longer be necessary:

- Condition #7, stated on the letter dated October 2, 2002, from David Petersen to Dick Moffat, would no longer be necessary since a lot had been eliminated.
- Condition #4 would no longer be necessary since the diversion had been installed.

He reviewed the motion alternatives with the Planning Commission.

Public Hearing

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

Dick Moffat of the Boyer Company said the plat request was consistent with the original Master Plan and Development Agreement.

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 storm drainage for phase 6 would not be a concern since it was higher than the other phases and was not further west than the other phases. Conditions 1 and 3 were inserted as a reinforcement to the conditions listed in 2002.

Dick Moffat said the drawings were resubmitted using the elevations recommended by Ken Klinker.

Motion

Jim Talbot moved that the Planning Commission grant preliminary plat approval as requested with the same conditions established on September 26, 2002, subject to all applicable Farmington City standards and ordinances and the following:

1. Add the following language to condition 2: “The grading plan shall consist of, among other things, an overall plan for the subdivision including an individual lot by lot grading plan consistent with said overall plan.
2. Eliminate Condition 7.
3. Add the following condition: “Preparation of final improvement and other drawings must comply with requirements established by the Farmington City Stormwater Official and the City Engineer.”

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

Jim Talbot moved that the Planning Commission recommend to the City Council that final plat approval be granted for the Farmington Ranches Subdivision, Phase 6, subject to all applicable Farmington City development standards, ordinances, and the following conditions:

1. Conditions of preliminary plat approval.
2. The developer shall obtain a flood control permit from Davis County and submit a copy of the permit to the City for the City files.
3. Review and approval fo the final plat and improvement drawings, including a grading and drainage plan which includes best storm water management practices and complies with the Farmington City StormWater Management Plan, by the City Engineer, Farmington Storm Water Official, Public Works Department, Fire Department, Central Davis County Sewer District and Weber Basin Conservancy District.
4. Submit for review by the City covenants, conditions and restrictions for this Phase of the project.
5. Final plat approval of Phase 6 shall be subject to all requirements and conditions as set forth in the Farmington Ranches Development Agreement (Agreement 2000-23) and any amendments related thereto.

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

Findings

- The developer complied with the City standards and ordinances.
- Similar plats had previously been approved.
- The plat was consistent with the City’s Master Plan.

LANDFORM L.L.C., FRANK IVORY (PUBLIC HEARING) - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR PHASE 2 OF THE SILVERWOOD SUBDIVISION CONSISTING OF 13 LOTS ON 5.704 ACRES LOCATED AT APPROXIMATELY 1500 NORTH 1750 WEST IN AN LR ZONE (S-15-05) (Agenda Item #4)

Background Information

On May 12, 2005, the Planning Commission recommended that the City Council annex the subject property, which is adjacent to the Silverwood Subdivision recently approved by the City. The zoning was designated LR. The developer of this subdivision is providing a trail from the Frontage Road over to the Haight Creek draw to a point located in the cul-de-sac of the proposed subdivision. This trail meets the goals of the Farmington City Trail Master Plan. The trail has been walked by staff and a member of the Farmington Trails Committee.

On June 15, 2005, the City Council voted to approve the annexation of this property and the schematic plan subject to the conditions set forth by the Planning Commission.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map showing the property which had recently been annexed. He also displayed a Subdivision Plan showing the path of the proposed trail. He reviewed the suggested motions and conditions. He said the lots were large and were in keeping with the developments to the south.

[Paul Barker arrived at 7:25 P.M.]

Public Hearing

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

Frank Ivory (6631 Juliet Way) said the plan he was presenting was more detailed than the previous plan the Planning Commission had reviewed. The conservation easement would be relocated to the ravine. The trail would be incorporated as an easement. The lots would be a minimum of 10,000 square feet which he hoped would encourage the construction of larger homes.

Rick Wyss (1442 North 1670 West) said his home was east of the Silverwood Subdivision. He was concerned about the drainage of the development since the ravine was already being used by an existing Ivory development and was known to overflow during rain storms. He said the overflowing ravine should be considered a safety hazard since children would play in the high waters. He was also concerned that the dedicated public walkways would become a public thoroughfare.

Jerry Godfrey (1438 North 1670 West) said after Hess Farms was developed, it was discovered that the drainage ran up hill to Mr. Clark's property. If the Silverwood Subdivision utilized the same ravine as Hess Farms, there would be a considerable amount of flooding. He was also concerned for the safety of the children.

Gayle Potter (1418 North 1700 West) questioned how the drainage would be handled for the Silverwood Subdivision. His property was at the base of the hill and would be greatly affected by the drainage problems.

George Chipman (433 South 10 West) said he was a representative for the Farmington Trails Committee and thought the trail would be a positive amenity to the development. He questioned where the continuous trail would lead and asked if additional easements would be located further down the trail.

Public Hearing Closed

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

Frank Ivory explained how the subdivision's drainage system would work. He said he would be responsible to handle the water that was created from his development but could not solve the previous water issues caused by the upstream system.

Dave Byrd (Byrd and Associates) said the phase 1 detention basin would be used to hold their storm water. The detention basin would gradually release the water back into the natural drainage system.

David Petersen pointed out where Paul Hirst had recommended that the detention basin be located in Phase I. The water would leave the detention basin and would be metered onto UDOT property. It would then access the creek near the sewer facility. The drainage would bypass Mr. Potter's property.

The trail would run adjacent to the ravine and would be separated from the existing property owners. It would provide a pedestrian connection to the Frontage Road. He hoped the development would prevent youth from being near the ravine.

Cindy Roybal asked who owned the ravine.

David Petersen said the property owners owned separate portions of the ravine.

Cindy Roybal suggested that the trail be kept separate from the existing properties.

David Petersen said interested Planning Commission members could visit the ravine. He said the largest lots were at the south end of the development.

Frank Ivory said John Jeppson was keeping the three southern lots.

Chairman Ritz asked if there was a possibility for a trail connection in the future.

David Petersen said the trail connection would only be taken further if a property owner was willing to provide access. The two lots at the end of the subdivision needed a conservation easement so the property could not be re-subdivided. It would also protect the property owners to the south and to the east.

Frank Ivory said the conservation easement would have slight modifications.

Cindy Roybal asked if the detention basin would be capable of containing all of the subdivisions runoff.

David Petersen said the storm water would hit the detention basin and would bypass the ravine. The basin was designed to handle the run off of all three properties.

Kevin Poff questioned if some of the smaller lots would require variances to become buildable.

Mr. Ivory said the lots could be accommodated using their custom rambler plans or by the placement of the garage. He said phase 2 would actually be easier to develop than the first phase.

Chairman Ritz questioned whether the conditions would provide adequate coverage for the City.

David Petersen said some of the conditions were included as a prelude to the final improvement drawings.

Motion

Jim Talbot moved that the Planning Commission approve the Preliminary Plat for the Silverwood Subdivision Phase II subject to all applicable development standards and ordinances and the following:

1. Lots 7 and 8 are developed as conservancy lots addressing all requirements in the Farmington City Zoning Ordinance.
2. A Sensitive Area Designation Plan will be provided as required in Farmington City Zoning Ordinance 11-12-080.
3. A petition to vacate lot 25 of the Oakridge Farms Subdivision is submitted prior to final plat approval.
4. A soils report is provided before final plat approval.
5. A grading plan is provided showing details of structures (berms, swales, etc.) that will be required for individual lots to provide necessary drainage to streets or approved collection areas.
6. Drainage easements where flow is identified across adjacent lots are labeled and clearly marked to distinguish them from utility easements.
7. A complete storm water pollution prevention plan (SWPPP) containing all information required by the state is submitted before construction begins.
8. The developer provides a list of comments from the City of Kaysville. If there are not comments, they should have a letter from the City stating same.
9. The transition from Farmington to Kaysville streets shall meet the approval of the Farmington City Engineer.
10. All engineering comments submitted by the City Engineer on July 19, 2005, will be incorporated into the subdivision design.
11. The underdrain should not connect into the Kaysville underdrain system as shown.
12. Provide the house plan that will fit on lot 12.

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

Findings

- The developer had addressed the detention issues.
- The developer was accepting of the conditions that were outlined by City Staff.
- The development was consistent with the General Plan.

David Petersen gave the Planning Commission members a letter from John Jeppson which requested that Lot 25, Oakridge Farms Subdivision, be vacated to become part of the proposed Silverwood Subdivision Phase 2. Mr. Petersen said the matter could be addressed later in the meeting.

RANAE DAY AND J.R. WARNER (PUBLIC HEARING) - APPLICANTS ARE REQUESTING SCHEMATIC PLAN APPROVAL FOR A 2 LOTS SUBDIVISION ON 2.8 ACRES LOCATED AT APPROXIMATELY 1750 WEST 675 NORTH IN AN AE ZONE (S-20-05) (Agenda Item #5)

Background Information

The applicants would like to create two lots from 2.8+ acre parcel of land. Since metes and bounds lot splits are not longer legal, they must go through the minor subdivision approval process.

The 1.4182 acre lot has a ditch running completely across it preventing access to the north side of the lot without piping the ditch. The developer proposes a 16' easement to allow access to the lot north of the ditch. It is anticipated that a buyer may want to build a home north of the ditch. Current regulations state all driveways must have direct access to public street. Access across an easement is not considered direct access. Because there is room to the south of the ditch to build a house, this should not prevent approval of the subdivision.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map. A lot split had been previously approved by the Planning Commission on the western side of the property. The property owner was now requesting another lot split creating two one acre lots. Spring Creek runs through the property. It would be difficult to access a home if it were constructed on the northern portion of the easterly lot, although the applicant is proposing that the City allow the respective future lot owners to grant a reciprocal access easement from the westerly lot to the easterly lot. The City's zoning text was being revised which may allow for a driveway to be pulled from one platted lot to another platted lot. The Planning Commission would review the amendment in the near future. City Staff felt the final plat approval should be granted.

Public Hearing

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

J.R. Warner (128650 Via La Costa Way) said Mr. Petersen had adequately explained his request.

Public Hearing Closed

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

Paul Barker asked if the neighbor had approved of the driveway easement.

Mr. Warner pointed out the neighbor in the audience and said he had agreed to the easement.

Motion

Keith Klundt moved that the Planning Commission recommend that the City Council approve the schematic plan for the proposed minor subdivision (a lot split) subject to all applicable Farmington City development standards and ordinances and the following:

1. Currently, the designated ingress and egress and utility easement will not be usable for a residential driveway.
2. An Infrastructure Extension Agreement is recorded for both parcels to be created.

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

Findings

- The lots would be consistent with existing developments
- There had not been opposition received from the neighbors.

GARBETT HOMES - APPLICANTS IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR THE NORTHERLY PHASE OF THE FARMINGTON CROSS PUD CONSISTING OF 200+ DWELLING UNITS ON 22.4 ACRES SOUTH OF SHEPARD LANE ADJACENT TO THE SHEPARD CREEK PARKWAY IN A C ZONE (S-14-05) (Agenda Item #6)

Background Information

This agenda item was reviewed at a public hearing in the last Planning Commission meeting on July 14, 2005 and again before the Planning Commission without a public hearing on July 28, 2005. The Planning Commission approved a southerly phase, but tabled action of the northerly phase (see enclosed letters to Garbett Homes dated July 26, 2005 and August 8, 2005). The latest schematic plan prepared by Garbett Homes for the northerly phase is enclosed for your consideration.

END OF PACKET MATERIAL.

David Petersen displayed the Vicinity Map. He said the Planning Commission had recommended approval of the “southerly” phase but had tabled action on the northerly phase because they were concerned that the applicant had proposed housing to Shepard Lane. They were also concerned that the plan did not include enough adequate parking spaces.

Noel Ballstaedt of Garbett Homes said the schematic plan now included commercial property near Shepard Lane as well as additional parking spaces. Mr. Ballstaedt stated the plan in the packet inadvertently labeled the commercial property for a future church site. He said the number of parking spaces was greater than any of their other developments.

Tyler Kirk (3115 East Lion Lane) said Sandy City had required the largest parking ratio which was 2.75 parking spaces per unit. The northerly phase of Farmington Cross would include 3 parking spaces per unit. He said the plan included 86 additional parking spaces which did not include the driveway as a parking space.

Jim Talbot said the proposed commercial property in the northwest corner of the project seemed inappropriate for a church site since it was located next to Maverick.

Mr. Ballstaedt said he did not know whether the L.D.S. Church would accept the parcel for a church site.

Jim Talbot said the Planning Commission had indicated to Garbett Homes during a previous meeting that they preferred that properties along Shepard Lane remain commercial. He did not consider a church to be a commercial use.

Mr. Kirk addressed the access points on the proposed commercial site. A road had not been planned. Approximately 120 square feet of the Garbett property was designated for the roundabout. The right in / right out had been approved by UDOT.

Mr. Poff asked why the roundabout had been altered on the plan.

Noel Ballstaedt said the roundabout was conceptual since the use for the commercial piece had not yet been determined.

Paul Barker recommended that the proposed site remain commercial. He did not think the site would be an appropriate location for a church.

Motion

Cindy Roybal moved that the Planning Commission recommend that the City Council grant schematic plan approval for the northerly phase of the Farmington Crossing PUD on the property located south of Shepard Lane adjacent to the Shepard Creek Parkway with the following conditions:

1. The density for the development shall not exceed 14 units per acre.
2. All units shall be limited to “for sale” or “owner occupied” dwelling units. No rental dwelling units shall be permitted.
3. All phases of Farmington Crossing, including Phase 1, must be rezoned to CMU.
4. The applicant shall reserve the northwest portion of the property west of the Maverick store for commercial/retail purposes for a time period mutually acceptable to the City and the applicant. The applicant shall actively pursue commercial uses for the site.

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

Findings

- The developer complied with the City’s requests.
- The northerly phase was consistent with the City’s General Plan.
- The previously approved phases appeared to be progressing in a positive manner.

[Chairman Ritz was excused at 8:30 P.M. Ms. Roybal continued the meeting in her capacity as Vice Chairman]

UTAH LANDQUEST LLC, TODD BRADFORD (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION TO REZONE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF 200 EASE AND 200 SOUTH FROM A TO R-4, AND A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A SUBDIVISION RELATED THERETO (Z-4-05) (Agenda Item #7)

Background Information

The Planning Commission reviewed this item on July 14, 2005, and voted to table further consideration until Mr. Bradford receives the consent of the City Council to continue preparing plans for portions of City Property. The City Council informed Mr. Bradford not to show building lots on City property, but joint parking areas may be possible. They also informed him that the City was willing to explore creative funding mechanisms if necessary to help preserve the Steed mansion and the original Steed rock home.

The applicant prepared the enclosed plans prior to receiving input from the Council and they still show lots on City property. Nevertheless, even though the Planning Commission may not have enough information to offer a recommendation regarding the rezone request, the applicant is moving in the right direction and comments from the Planning Commission and public are valuable as he continues to revise his plans as directed by the City Council.

END OF PACKET MATERIAL.

David Petersen said the City Council did not approve of the plans including lots on City property. The developer had prepared a new schematic plan. Property owners within 300' of the proposed development were notified of the hearing. The applicant requested the approval of the Planning Commission before progressing further.

Public Hearing

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

Todd Bradford (Utah Landquest LLC) said the initial drawings had been created using input from City Staff but the City Council did not approve of the lots on the City's property. The development would be an empty nest community for residents who were 55+. Rentals would not be allowed. The homes would be constructed using stucco, rock and brick. The homes would start at \$250,000. The rock building could be relocated safely without taking the structure apart. He planned for the white house to be remodeled for a residential use.

Garff Cannon (235 South 200 East) said the developer had been very accommodating. He was relieved rentals and multi-family housing would not be allowed on the property. He requested that the rezone be granted on a conditional basis to protect the area from becoming multi-housing if the current plan was not successful. He was concerned with the small lots and the large amount of residents in a small area. He hoped to maintain the integrity of the neighborhood.

Brent Bishop (293 South Joy Drive) said he did not view the proposed drawings as patio homes since they had two levels. He was concerned the increased traffic would create safety hazards for the school children in the area. He suggested that two lots be eliminated to provide additional green space. He did not think it was necessary for the developer to incorporate the Steed mansion into the subdivision. He asked that the rezone be granted on a conditional basis.

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 suggested the Planning Commission recommend that the City Council grant a conditional rezone with a reverter clause. He said the Steed mansion had sound structural integrity and he recommended that Farmington's history be preserved.

Paul Barker asked if Farmington's history would be preserved if the home were renovated.

David Petersen said the home only needed repairs such as paint, windows, and possibly a new roof. The floors were structurally sound with hard wood under the carpeting. A tax credit could be obtained to properly remodel the interior.

Annie Hedberg recommended that the historic home be preserved.

Paul Barker asked if Mr. Bradford would be involved with the refurbish.

Mr. Bradford said he would like to receive RDA funds to aid in the refurbish. He planned to keep the mansion as a residence which would be marketed for approximately \$750,000.

Cindy Roybal questioned how the flag lot would be handled.

David Petersen said the City Staff was accepting of the flag lot since the developer did not maximize the density and was willing to preserve the Steed mansion.

Kevin Poff said he would like the rock house relocated near the Steed home rather than taking parking space at Woodland Park. He questioned whether the proposed road would access too close to an existing intersection.

David Petersen said he would research the road placement but liked the fact that the proposed road did not create an alley or access to 200 East.

Motion

Keith Klundt moved that the Planning Commission recommend that the City Council rezone the property located on the southwest corner of 200 East and 200 South from A to R-4, and recommended schematic plan approval. If the applicant does not record a subdivision plat acceptable to the City within 12 months, the zone designation of R-4 shall revert back to A.

Annie Hedberg seconded the motion. The motion passed by a 4 to 1 vote. **Jim Talbot** abstained.

Findings

- The development would be a good use for the property.
- The developer incorporated the Planning Commission's recommendations into the Schematic Plan.
- The development accommodates the historic homes.

[Chairman Ritz returned at 8:55 P.M.]

FARMINGTON CITY (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION TO ADOPT A HILLSIDE MASTER PLAN AS AN ELEMENT OF THE FARMINGTON CITY GENERAL PLAN (MP-3-05) (Agenda Item #8)

Background Information

According to a letter dated June 9, 2005 from Mayor Joe Johnson, the Davis County Council of Governments unanimously approved the Davis County Comprehensive Hillside Master Plan. The Hillside Plan is the culmination of an 18 month process that included a public survey conducted by Dan Jones and Associates, three public workshops, and input from local city representatives. At this time, COG Chairman Joe Johnson and Committee Chairman Rick Miller request that every community review this plan and consider one of the following options:

1. If the community currently includes areas discussed in the Plan, or has the potential to annex such areas, that the Plan be adopted as part of the community's general plan.

2. If the community doesn't include areas directly affected by the Plan, that is pass a resolution supporting it.

END OF PACKET MATERIAL.

David Petersen said he had served on the committee in the past. He said the text was short and simple but it would be beneficial for the Planning Commission to view more detailed maps than were included in the packet.

Motion

Kevin Poff moved that the Planning Commission table the Hillside Master Plan discussion until the next meeting to allow the Planning Commission to review large, colored maps of the area. **Annie Hedberg** seconded the motion which passed by unanimous vote.

FARMINGTON CITY (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND CHAPTER 11 OF THE GENERAL PLAN REGARDING COMMERCIAL DEVELOPMENT (MP-6-05) (Agenda Item #9)

Background Information

The Planning Commission previously provided a recommendation regarding amendments to Chapter 11 of the General last Spring. The City Council amended this Chapter on July 7, 2004. Now the City is preparing to enter into a Master Development Agreement (MDA) with Rich Haws, who controls a substantial amount of land in the area master planned for Transportation Mixed Uses (TMU). It has become evident to City Staff that a few changes must be made to Chapter 11 in order to better facilitate Mr. Haws' Station Park development. The enclosed draft changes were prepared by Todd Godfrey of the City Attorney's office and Marc Johnson of CIVITAS.

END OF PACKET MATERIAL.

David Petersen reviewed the General Land Use Plan and the Transportation Mixed Use area on the General Plan map. An RDA area was established and a budget was approved. An agreement needed to be entered into between the City and Mr. Haws which would make the development process run smoother. The City's Attorney felt property surrounding Station Park should be held to the same high standards as Station Park. The TOD would be the end product to be approved by the City Council. The Planning Commission would review and approve the Master Development Guidelines.

He distributed copies of Chapter 11 and reviewed the red lined items for the Planning Commission's consideration.

Rich Haws said the marketability of Station Park would increase if it were larger and had a common design. He said he had 100,000 square foot users interested in the project. He felt the core area could handle a large store within walking distance of the commuter rail.

The Planning Commission discussed the difference between a department store and a big box. It was agreed that a big box could be defined by the acreage needed for parking.

Rich Haws said the text needed qualifying conditions inserted which would prevent Farmington from having issues like Centerville. The General Plan would need to be consistent with the specific land use zone. He said the City needed the ability to deny a big box.

The Planning Commission agreed that the big box issue needed to be addressed and suggested that the City Attorney review the handwritten changes to the text.

Public Hearing

Chairman Ritz opened the meeting to a public hearing.

Public Hearing Closed

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

Kevin Poff said the text needed to insure the surrounding neighborhoods would have adequate traffic flow.

Motion

Cindy Roybal moved that the Planning Commission table consideration of Chapter 11 discussion until their recommendations were reviewed and written as part of the text by the City Attorney. **Keith Klundt** seconded the motion, which passed by unanimous vote.

P&F FOOD SERVICE, KENT FOOTE (PUBLIC HEARING) - APPLICANT IS REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL TO RELOCATE AND INCREASE THE HEIGHT OF THE ARBY'S SIGN LOCATED ON THE NORTHWEST CORNER OF SHEPARD LANE AND US 89 IN A C ZONE (C-12-05) (Agenda Item #10)

Background Information

The existing Arby's/Goodyear sign is a Ground Sign as defined by the Sign Ordinance; it is approximately 40 feet in height (this height has not been verified) and was approved as part of the Conditional Use Permit #C-5-92. Now the applicant is proposing to relocate the sign 39' to the east and increase the height to 60'. Regarding Ground Signs in Commercial zones, Section 15-5-030(4)(e) of the Sign Ordinance states:

The maximum height of Ground Signs at the minimum setback shall be 20 feet above the elevation of the top of curb nearest to the sign. This height may be increased to a maximum of 40 feet if the sign is set back an additional 1.5 feet for each foot of height over 20 feet. These standards may be reviewed by the Planning Commission in conjunction with a Conditional Use Application and may be adjusted either up or down.

The applicant submitted a conditional use application to accompany his request. The Planning Commission must review all such applications by the standards set forth in Section 11-8-105 of the Zoning Ordinance (see enclosure). UDOT recently raised the finished grade of US 89 adjacent to the Arby's property approximately 27 feet thereby dropping the overall height of the sign from the travel lanes of US 89 by an equivalent amount. This represents a significant change to the overall character of the site.

END OF PACKET MATERIAL.

David Petersen displayed the Site Plan for the existing Arby's. They would like to relocate the sign to the east 39 feet. The proposed sign would not have the Goodyear logo. The Planning Commission could adjust the height standards if a Conditional Use application was submitted. He reviewed the Conditional Use Standards with the Planning Commission emphasizing the fourth standard which reads:

The proposed use shall be compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing and proposed development.

He reviewed the motion alternatives and suggested that the Goodyear sign issue be resolved.

Public Hearing

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

Randy Bitt (Young Electric Sign) said he was a representative for Arby's. Burt Brothers had indicated to him that they did not want to participate in the new signage since their customers were generated from other sources. Due to the stores financial strain, they did not plan to use a monument sign either. He said Arby's did not have exposure to motorists coming from the north but if the sign were high enough, motorists coming from the south could view the sign. Due to the decreased sales caused by the Highway 89 construction, Arby's asked to be granted the sign height increase.

Paul Barker questioned the extent of Arby's decline since the Highway 89 construction.

Mr. Bitt said Mr. Foote, the owner of Arby's, would have access to that information.

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 said she would like to help the property owners on Highway 89. She suggested Arby's be advertised on UDOT's exit sign. She reminded Mr. Bitt that any sign would need to be constructed to handle Farmington's high winds.

Mr. Bitt said the sign would be built to handle winds over 100 miles per hour.

Jim Talbot said Arby's should be allowed to raise their sign due to their hardships caused by the Highway 89 construction. He made the following points:

1. Arby's and Goodyear share one lot so only one pole should be granted.
2. It should be determined whether Arby's should have their own sign or whether there should be a shopping center sign which would include all of the tenants.

David Petersen said Goodyear had submitted a request in 1995 to have a sign pole separate from Arby's. The request was denied.

Jim Talbot said the owner of Burt Brothers had indicated that he would like a sign on his roof. He suggested contacting the Burt Brothers building owner to obtain a written release for the pole sign.

Motion

Jim Talbot moved that the Planning Commission table consideration of the sign request until further discussions had taken place with the Goodyear property owner and Burt Brothers. Any attempt to remove the Goodyear sign from the existing structure must receive the written consent of the owner of the Burt Brothers property and such consent shall be received by Farmington City. **Keith Klundt** seconded the motion, which passed by unanimous vote.

MARK DAVIDSON - APPLICANT IS REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL FOR TWO OFFICE BUILDINGS (APPROXIMATELY 10,000 S.F. TOTAL SPACE) ON 1.788 ACRES LOCATED AT 314 SOUTH 200 WEST IN A BP ZONE (C-10-05) (Agenda Item #11)

Mark Davidson asked to be removed from the agenda.

FARMINGTON CITY (PUBLIC HEARING) - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND CHAPTER 18 OF THE ZONING ORDINANCE REGARDING TRANSPORTATION ORIENTED DEVELOPMENTS (ZT-3-05) (Agenda Item #12)

Background Information

The Planning Commission previously provided a recommendation regarding the TOD zone text on August 27, 2004. The City Council enacted this Chapter on October 6, 2004. Now the City is preparing to enter into a Master Development Agreement (MDA) with Rich Haws, who controls a substantial amount of land in the area master planned for Transportation Mixed Uses. It has become evident to City Staff that the TOD ordinance must be amended in order to better facilitate Mr. Haws' Station Park development. The enclosed draft changes were prepared by Todd Godfrey of the City Attorney's office and Marc Johnson of CIVITAS.

END OF PACKET MATERIAL.

David Petersen referred to the following draft changes:

- **Page 6, Paragraph 7.** He felt it may be acceptable to alter the core area.
- **Page 10, Paragraph 10, Second Paragraph.** He suggested including the verbage “permitted use”.
- **Page 12, Paragraph h.** This text change would require the update of Title 15.
- **Page 13, Paragraph 4.** The percentages were not consistent in this paragraph. Mr. Haws agreed to the higher percentages.

David Petersen recommended approving the changes since they would enhance the TOD zone.

Public Hearing

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

Rich Haws (1869 Bella Vista) suggested that his group and the Planning Commission take additional time to review the alterations. He had the following recommendations for the text:

- **11-18-104 - Permitted and Conditional Uses**
He suggested allowing additional square footage for fitness facilities in the core since he had a tenant who was interested but would require more than 65,000 square feet.
- **11-18-05 - Dimensional Standards**
He suggested that the Planning Director and/or the SARC be the Administrative Agency.
- He requested that the concluding paragraph state that in the event of a conflict between the TOD Zoning Ordinance and the MDG/Camp, the MDG/Camp would be the master document.

David Petersen said the City Attorney would likely be opposed to the MDG being the master document. He compared a CC&R to the MDG/CAMP and said they were both private documents that should not have power over the City’s ordinances.

The Planning Commission discussed the possibility of allowing the MDG to be granted the final power so long as the Planning Commission/City Council had the power to veto decisions if necessary. Mr. Haws and the Planning Commission agreed to allow the Attorneys for both parties to resolve the matter.

Public Hearing Closed

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

Motion

Kevin Poff moved that the Planning Commission table the discussion regarding Chapter 18 of the Zoning Ordinance to allow the City Attorney and Station Park Attorney to discuss the matter further. **Jim Talbot** seconded the motion, which passed by unanimous vote.

Motion

Kevin Poff moved that the Planning Commission continue the meeting past 10:00 P.M. **Paul Barker** seconded the motion, which passed by unanimous vote.

WOODSIDE HOMES SHEPARD EAST HOUSING PROJECT DISCUSSION (Agenda Item #13)

Nate Pugsley of Woodside Homes (39 East Eagle Ridge Drive, North Salt Lake) discussed the Woodside Homes property. One portion of the property was master planned for Class "A"/business park uses and the other portion was designated for rural residential uses. UDOT had requested that a portion of the land be purchased as a future interchange for Legacy North. The Interchange would be 40-50 feet high and would be 300 feet wide at the point where it encroached into the property. The right of way would be 146 feet wide and would include four traffic lanes and a center turn lane at the westerly edge of the property. Woodside Homes had initially planned to develop the area with homes priced in the \$400,000 range but with the off-ramp, they would no longer be marketable. He requested higher density for the development and discussed the housing possibilities for the R-4 zone. He said Woodside Homes was currently in negotiations with Mr. Haws, who would like more roof tops in the area, regarding the possibility of including the development in the TMU. He said the housing density would increase if the TMU zone were extended to Shepard Lane.

Mr. Haws said a meeting would be held on August 16, 2005 to further discuss the possibilities. He invited any interested Commission Members to attend.

Thayne Smith (Woodside Homes) said the proposed development would be a first class Master Planned community which would provide housing for various lifestyles. The development would include a pool, a club house and pedestrian trails. The proposed development would accommodate the following:

- The latest Legacy North Highway right-of-way alignment which would taper from 300 feet to 146 feet.
- Elevated pedestrian tunnel
- Attached housing near Legacy Highway and the UTA corridors
- Future business park

Mr. Smith said the gas easement would be used for the road. The railroad corridor, which is owned by UTA, would be buffered by “mansion-type” multiple family dwellings. Legacy Highway would be buffered by rural housing. The northern portion of the development would include 5,000 square foot lots that would be alley-loaded. The lower portion of the development would include the pool and clubhouse. The development would be walkable and would include paths across the UTA corridor. He displayed photos of a similar Woodside development which included the Cottage home, Mansion-style dwelling, and the Row housing. He said similar developments in North Salt Lake were priced between \$125,000-\$180,000.

Cindy Roybal questioned the status of the UDOT flyover/Interchange.

Nate Pugsley said UDOT was interested in constructing the flyover but the funding was not available. A right-of-way could be negotiated. He said the UDOT construction timetable was 25-30 years.

Chairman Ritz said UDOT’s plans would force increased housing density but Shepard Lane could not handle the traffic impact.

Nate Pugsley said negotiations were occurring with Rich Haws to develop an additional road if key properties could be acquired.

David Petersen reviewed the alternatives for Burke Lane which would provide a cost savings at the UTA railroad track crossing. He reminded the Planning Commission members of the needs of the Burke Lane residents. He questioned the status of the wetland delineation process.

Nate Pugsley said the wetland lineation would not be a problem due to the Supreme Court’s recent decision regarding isolated wetlands. He said the Bailey/Christensen land to the east of 1525 West would remain dirt unless certain properties could be acquired.

The Planning Commission suggested alleviating traffic problems that would be placed on West Farmington.

David Petersen said the TOD zone was made up of a core area and a secondary area. If the zone were to extend to Shepard Lane, there would be a possibility of a tertiary section, which would require a General Plan amendment.

Chairman Ritz suggested that the development be included under the TMU umbrella, rather than the R-4 zone which would set a precedent for the west side.

LOT 25 OF OAKRIDGE FARMS SUBDIVISION

Motion

Keith Klundt moved that the Planning Commission recommend an amendment to the Oakridge Farms subdivision plat which would vacate Lot 25 to become part of the proposed Silverwood Subdivision Phase 2 plat. **Kevin Poff** seconded the motion, which passed by unanimous vote.

MORTUARY/FUNERAL HOME

David Petersen displayed a picture of the canopy that had been added to the Russon Brothers Funeral Home. He said the canopy was not part of the original plan so a building permit should have been obtained.

The Planning Commission agreed the canopy was a positive addition to the building and directed Staff to redline the approved site plan accordingly and issue a building permit.

ADJOURNMENT

Annie Hedberg moved that the Planning Commission adjourn at 10:45 P.M.

*Cory Ritz, Chairman
Farmington City Planning Commission*