

FARMINGTON CITY PLANNING COMMISSION

Thursday, September 13, 2007

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, Planning Commission Secretary Melissa Jackson, Recording Secretary Kami Mahan, Alternate Planning Commission Members Randy Hillier, David Safeer and City Attorney Todd Godfrey were in attendance.

Chairman Talbot called the meeting to order at 6:07 P.M. The following items were reviewed:

Agenda Item #1: Minutes

The Planning Commission reviewed the minutes of the August 23, 2007 Planning Commission meeting. **Kevin Poff** suggested that on page 16, when **Cory Ritz** made a motion and no one made a second, the record should show the first motion failed for lack of a second.

Martinez Property Discussion

David Petersen introduced the subject of the Ron Martinez property. The owner had requested that the zoning be changed to TOD, and the Planning Commission previously asked for more information.

There was an extended discussion of the request for re-zoning, the proposed use of the property, the development of nearby areas such as Station Park, and the legal options available to the City. City Attorney **Todd Godfrey** said that it is difficult for a developer to market a mixed use area ahead of having the zoning in place, which also makes it difficult for the owners to state ahead of the re-zoning exactly what they would do. Developers will not commit to anything until the zoning is in place. The TOD zone has a stringent approval process with a project master plan, but Martinez can't effectively market his property until the zoning is decided.

The marketability of the property was discussed. **Chairman Talbot** expressed concern that too many properties with TOD zoning, such as CenterCal and others, will create too much competition for the same big box tenants. In response to a question of an applicant's legal right to have a re-zone granted, **Todd Godfrey** said there theoretically may be such a right where it is recommended by the City's master Plan. However, court decisions thus far in the state support a municipalities discretion to rezone property contrary to the General Plan.

Cory Ritz said that the broad outline of the proposal is known, with graduating levels of density. Part of the area will have a very high density, which will put some people between two high densities.

[**David Safeer** arrived at 6:20 p.m.]

The legality of denying the re-zone was discussed. **Todd Godfrey** cautioned against preferring one property owner over another. The City can regulate but not control; the City does not own the property. There was a discussion that the property has poor access, and **Todd Godfrey** said that if a re-zone request will overburden infrastructure, that is a legal basis for denial, unless the developer can be required to build the necessary infrastructure.

A previous re-zoning denial was made because the City didn't have enough information and the owner insisted on a decision that night. **Mr. Martinez** had not yet submitted an application for the City to amend the general plan. There was a general discussion of the situation, with the City Attorney answering questions from Commission members.

Agenda Item #3: (Public Hearing): Trophy Land Development - Applicant is requesting a recommendation for Schematic Plan approval for the proposed Whist Creek subdivision, consisting of 28 lots on 21.43 acres in a proposed AE zone on property at the southwest corner of 650 West and State Street. (S-6-06)

David Petersen explained that the Planning Commission has already recommended that this property be re-zoned AE. Now the schematic plan is being considered. There are 28 lots on a dead end street, which requires an exception because 24 is the maximum allowed by ordinance. However, staff recommends that an exception be granted because this situation resulted from the applicant complying with the City's request to have lots front an interior street.

The intended park in that area will have two roads, but development of the park is still seven or eight years away. **David Petersen** explained that the proposed road leading to the park that is partly on someone else's property, and the City has been working with these property owners. It is an extra wide road coming into the park so that there can be large 12' wide park strips.

Agenda Item #4: (Public Hearing) - Rodney Griffin - Applicant is requesting a recommendation for Schematic Plan approval for the proposed Nicholl's Nook PUD Subdivision, consisting of 13 units on 2.05 acres in the R-4 zone on property located at 35 South 100 West, (properties east and west of 100 West). (S-2-07)

David Petersen displayed and explained an aerial photograph of the area. The proposed development will replace unused greenhouses. The density will exceed limits set by ordinance, and the applicant is proposing owner occupied, attached, 1 ½ story units. This proposal was reviewed a couple of years ago, but was not approved at that time.

Agenda Item #5: (Public Hearing) - Farmington City - Applicant is requesting consideration of a proposal to amend the zoning ordinance regarding accessory building in side-yards in the OTR zone (ZT-8-07)

The Planning Commission agree to remove this item.

Agenda Item #6: Miscellaneous, Correspondence

Scenic Byways Discussion-

Potentials - Legacy North Connector Discussion-

Mayor Harbertson was present to discuss the Legacy Parkway North Connector. The question of whether another public hearing is necessary was discussed. Following the earlier public hearing the matter was tabled.

At the next City Council meeting Tim Taylor will be presenting the results of his independent traffic study for the City. UDOT will not be present, and no vote will be taken. It is a public meeting but not a public hearing. The Mayor invited the Planning Commission to attend on Tuesday, September 18th.

Training, Dec. 5, 2007, by the National APA Discussion-

Westech Engineering, Expansion Plans Discussion-

Other-

The meeting adjourned at 6 59 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, Planning Secretary Melissa Jackson, Recording Secretary Kami Mahan. Alternate Planning Commission Members Randy Hillier and David Safeer.

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

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes with changes discussed in the Study Session, of the August 23, 2007, Planning Commission Meeting. John Bilton seconded the motion. The Commission voted unanimously in favor, except for **Andrew Hiller**, who abstained since he was not present at that meeting.

CITY COUNCIL REPORT

David Petersen reported the proceedings of the City Council Meeting which was held on September 4, 2007. He covered the following items:

- The City Council tabled the UTOPIA issue pending further investigation.
- The City Council granted the request to rezone the school property near Farmington Junior High to LR;
- The City Council gave final plat approval to Palmer Estates PUD.
- The City Council gave final plat approval to Hidden Meadows Subdivision Phases 3 & 4.
- The City Council granted the request for boundary line adjustment for lots 20 and 21 and parcel 07-027-040 in Sunset Hills #2 Subdivision.
- The City Council voted to follow two of the recommendations made by the Planning Commission on Tuscany Village Subdivision. These two items concerned landscaping, and having the City split the cost of the unsized water line.

PUBLIC HEARING: TROPHY LAND DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR THE PROPOSED WHIST CREEK SUBDIVISION, CONSISTING OF 28 LOTS ON 21.43 ACRES IN A PROPOSED AE ZONE ON PROPERTY AT THE SOUTHWEST CORNER OF 650 WEST AND STATE STREET. (S-6-07) (Agenda Item #3)

Background Information

Review: The Planning Commission first reviewed an application for Zone Change and Schematic Plan for this project in April. At that time, the Commission recommended the change of zoning (from A to AE) but tabled the schematic plan. The zone change recommendation was forwarded to the City Council, who in turn tabled the zone change and directed the applicants to obtain a recommendation for schematic plan approval from the Commission. The applicants redesigned and came back to the Commission with a plan that needed a waiver for required conservation open space. The City Attorney determined that the waiver could be granted if the City were to receive something of comparable value. The Commission then directed that the developers work to obtain an agreement with the City, thereby allowing for the waiver.

Current Plan: Over July and August the developers and city staff worked both together and with adjoining property owners to make the current plan a viable option. The latest schematic includes 28 lots, all over ½ acre (36,790 s.f. – 21,320 s.f.). There is no longer any plan for conservation land on the project. Instead, a 109,853 s.f. parcel of open space at the SW corner on Farmington Creek is to be dedicated to the City and added to a planned city park.

Additionally, the newest plan calls for a road at the south end of the project, which will provide future access to the city park. 60% of the right-of-way will be dedicated by the developers, the remaining portion to come from the adjacent property owners (with whom the developers have been working). The developers will construct the entire right-of-way, which will include an entrance area (14,709 sf immediately to the south of the entrance) and 12 ft. wide park-strips for street trees on both sides.

Waiver of Conservation Space: City administration felt that the relocation of the road to give access to the park, the dedication of the additional land for the park and the willingness of the developers to construct the entirety of the right-of-way as a part of their development would constitute the necessary “equal value” to allow for the waiver of conservation open space.

Subdivision Access: Under the subdivision regulations, subdivisions with more than 24 lots should be served by more than one point of access. All lots in the proposed schematic plan (28) in the subdivision front on the interior road. Originally, lots 1-7 fronted 650 West. In relocating the road to accommodate access to the city park, and after receiving input from the city and community, the developers reoriented those lots to the interior road, in turn violating the provision in chapter 7 allowing only 24.

Under the ordinance, the City Council can grant an exception to this rule if the Planning Commission finds that the exception does not unreasonably inhibit the City’s ability to provide emergency and other services. The Planning Commission may recommend that the City Council grant an exception to the rule *as a separate motion*. A copy of the section mentioned here is attached as supplemental.

END OF PACKET MATERIAL

David Petersen explained that the City Council has not yet acted on the Planning Commission's recommendation to rezone the property to AE even though a Public Hearing was held. The Council is still in the process of reviewing on the schematic plan. The developer is following the Planning Commission's recommendations and working with the residents.

Mr. Petersen displayed an overhead map of the property and pointed out how the open space portion of the property will be part of the park property in the future. Even though the development does not fit the open space requirements in the AE zone, the City Council believes a waiver is justified due to the extra wide right of way. **Mr. Petersen** explained the history of the development.

Adam Langford (Trophy Land Development - 758 South 400 East, Orem) said he has been before the Planning Commission previously, and that he believes they have addressed all of the pertinent issues.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited public comment.

Public Hearing Opened

Tauna Homer (586 West 250 South, Farmington) commended the developer, the City, Planning Commission and citizens. This development has been an example of how everyone can have input and make things work to serve everyone's needs. She appreciates everyone being willing to do this, and the City for being willing to make some concessions. She thinks it is a good plan and recommends the Planning Commission pass the issue through.

Public Hearing Closed

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

John Bilton raised the issue of a privacy fencing along 650 West, and this was discussed.

Chairman Talbot suggested addressing fencing in the CC&R's. David Petersen also suggested the Commission could discuss fencing issues during the preliminary plat review.

Motion

Kevin Poff moved that the Planning Commission recommend that the City Council

grant an exception to the requirement for a second point of access for the Whist Creek Subdivision as outlined the City's ordinances, Chapter 7, Section 4c.0

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

Findings

1. The excess number of lots without a second access will not impact the City's ability to provide emergency services.

Motion

Paul Barker moved to recommend approval of the Whist Creek Schematic Plan to the City Council, including the granting of a waiver to the conservation open space requirement subject to the following:

1. The preliminary plan should include details for the landscaping of the entrance feature of the road at the south of the project;
2. The developers will continue to work with staff and the adjacent property owners to finalize all terms of the agreement regarding the road at the south of the property;
3. The developers shall continue to work with the city planning and other staff to resolve any issues of utility provision, drainage, etc. in preparation for a preliminary plat;
4. **The developer shall include in the CC&R's for the project a provision that must provide for a common fence along 650 West Street.**

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

Findings

1. The plan provides access to a regional city park;
2. The developers have worked with the adjacent property owners to make that access possible;
3. The planned access will also facilitate future development in the area;
4. The developers are providing a dedication of a significant parcel to a regional city

park which will greatly enhance the area;

5. The developers have been sensitive to the surrounding neighborhood in their designs, and responded to the comments and needs of the area in a positive way.
6. The exception for not requiring a second access is granted because the developers have responded to the City's request that the driveways be on the interior street rather than exiting onto 650 West.

PUBLIC HEARING: RODNEY GRIFFIN - APPLICANT IS REQUESTING RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR THE PROPOSED NICHOLL'S NOOK PUD SUBDIVISION, CONSISTING OF 13 UNITS ON 2.05 ACRES IN THE R-4 ZONE ON PROPERTY LOCATED AT 35 SOUTH 100 WEST, (PROPERTIES EAST AND WEST OF 100 WEST). (S-2-07) (Agenda Item #4)

Background Information

Overview: The schematic proposal is for a Planned Unit Development on the greenhouse properties on the east and west side of 100 West at about 35 South, about 2.05 acres in all. The applicant is proposing a series of two-family attached structures on commonly held land, and one detached unit totaling 13. The applicant has expressed that he plans to build and market the project to seniors. Elevations (attached as supplemental) are planned to be lower-profile. This is beneficial in marketing to seniors, but also helps with in-fill projects, where impact to existing neighbors is always an issue.

Zoning / General Plan: The zoning on the property is R-4, and will support the proposed density of just over 7 units to the acre in this subdivision if the City determines it is appropriate for the area. The General Plan calls for Medium Density and Mixed Use Business in this area as well. The subdivision as planned also appears to be essentially in-line with the General Plan.

Infrastructure / Streets: The right-of-way planned for the project is 30 feet wide, curb to curb. This means essentially the minimum of 26 feet of asphalt and curb and gutter on each side. There are no park-strips or sidewalks planned for the right-of-way. The housing units are planned to have double garages, and front setbacks are sufficient to allow some parking to occur in the driveways (often this is not the case with in-fill projects, so it is helpful here). There is not any plan at this point for additional parking areas within the PUD itself. The streets planned will not allow for on-street parking on both sides, so the Commission should consider whether the City should require parking stalls to be added to the project in some way. The streets are wide enough for fire access, and water should be

sufficient to supply the required hydrants with pressure. With respect to utilities, reviews thus far have determined that the applicant will be required to upgrade the sewer line in 100 West, and will likely be required to install a new storm-drain line running from the project to where it can connect in State Street just west of 100 West. These are the most significant infrastructure problems that have come to light thus far.

Other: A general concern with PUD in-fill development such as this is how the project affects the general neighborhood. What impacts will the look of more dense housing have on the street scape or on the block interiors? Will the additional units cause serious disruption with parking on the local streets, congestion, etc.? Additionally, staff feels that the Planning Commission should consider the following in review: Is the density appropriate for the area and for the project itself (with respect to the site characteristics, organization)? Are the access roads acceptable without sidewalks and park strips? Does parking need to be added to the project, and are there specific improvements that could be made to the layout (i.e. “flipping” the west ½ of the project to create better street visuals) and the open space.

END OF PACKET MATERIAL

David Petersen displayed an overhead map of the property, as well as an aerial photo. City Staff approves of the fact that most of the units are one and a half stories, so it is not too tall. He pointed out that the entrance needs to be an attractive focal point and not a blank wall.

Mr. Petersen pointed out that it may be wise to flip the cull-de-sac, so that the homes have a southern exposure, which is preferable. Right now there is vacant land next to the cull-de-sac, and future development of that property needs to be considered. Flipping the cull-de-sac also has merit because it will allow the view from 100 West to be more of homes rather than garages.

In response to a question by **Chairman Talbot**, **David Petersen** said he did not think the idea of flipping the cull-de-sac has been discussed yet with the applicant. He referred to pictures of the property various angles and pointed out that the developer tried to mirror Jerry Preston’s development by the fire station. The road in Preston’s development was flipped and it has about the same number of units on a similar size property.

In response to questioning, **Mr. Petersen** pointed out that the layouts of the streets allow for fire trucks and other utility vehicles. He also said that official feedback from the fire chief thus far is positive.

Public Hearing

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

Public Hearing Opened

Rodney Griffin (24 North 1050 West, Kaysville) gave a brief history of his development proposal. He said that he has tried to be responsive to concerns from neighbors and has considered input from the City. In response to particular concern about avoiding the development from becoming rental property, he is planning to have owner occupied, twin type, rambler style homes with main floor living. He believes these will be attractive to retired people. The units can also have basements or upper floors. Each of the reviewing agencies have suggested 3 infrastructure issues to be addressed:

1. There needs to be an additional upgrade to the sewer system from the development out to State Street along 100 West.
2. The development needs to provide adequate water for fire protection by increasing the water mains to 8 inch.
3. In order to provide proper drainage, there will be an additional requirement for run off protection. Run off will go either to a retention basin on the property, or can be re-routed to the storm drain on State Street from the gutter if it is deemed adequate. It may be necessary to add an additional storm drain from 100 West out to State Street.

Mr. Griffin addressed 3 issues of property lines:

1. The fence line of a parcel owned by Cheryl Elliott is not on the legal boundary line. In order to meet the needs of the development, the developer proposes to re-align the boundary line with the fence line.
2. On an overhead map of the property, **Mr. Griffin** pointed out that the back property line of the adjacent Blair Jones parcel is presently a long panhandle, and said that the property owners are willing to trade equal square footage with the developer and have this area squared off. This would give the owners a more usable back yard.
3. **Mr Griffin** pointed out on an overhead aerial photo of property currently owned by the City, adjacent to the City park. He would like to square off this area to meet the needs of the development, and proposes that the City consider trading a portion of this property for services of equal value.

In response to a question about what services he had in mind, **Mr. Griffin** responded that

he could use the resources of the contractor to move the large playground fence further north if it is the City's intent to expand the playground area. Another option would be to do additional work on 100 West that would improve the City's infrastructure in addition to what the development requires beyond the requirement for the sewer and water line.

In response to questions by **Chairman Talbot, David Petersen** said these issues, as well as issues of sewer, water, and drainage could be addressed in a development agreement between Rodney Griffin and the City. **Paul Barker** questioned whether additional upgrades to the utilities are necessary to accommodate the project.

Rodney Griffin said that the sewer line from the swimming pool to the cull-de-sac is small, and in the past has flooded basement of residents on 100 West. Remedial prevention procedures have since been put in place for draining the pool that prevent flooding. **Mr. Griffin** said that City officials have indicated that improvements to the sewer line to the cul-de-sac would be advantageous for the existing homes, but are not necessary for this development.

Chairman Talbot questioned whether this might be a City issue, and stated that these considerations would need to be addressed in the development agreement.

Concerning the subject of fire protection, **Rodney Griffin** said the fire department has two means of providing access for emergency vehicles, which are the cul-de-sac and the "hammerhead". **Mr. Griffin** believes it would be an excellent spot for a community dumpster, which would be paid for and maintained by the HOA. The area as shown on the plat has enough length to satisfy the hammerhead requirement.

The similarities to the Jerry Preston development, as pertains to fire department access, were discussed. In response to a clarification by **Chairman Talbot, Rodney Griffin** reiterated that the hammerhead does fit the requirement of 100 feet.

Kevin Poff raised the issue of whether the area would receive garbage service by the City or other means, and this was discussed.

John Bilton asked if the soil in the greenhouse areas has been tested for pesticides or harmful residues. **Mr Griffin** replied that testing has not been done yet, but after contacting the County Health Department about the property's history, he was informed that there was no history regarding health issues in their records. He was also told there were no records of health problems with the greenhouse area by the Jr. High.

Mr. Griffin said he plans to have soil testing done according to City requirements. He explained that the soil used to grow plants was not plowed in, and is still above ground. **David Petersen** pointed out that pesticides used above ground do not have a long life, and that the issue will receive further review.

John Bilton asked about the issue of flipping the cull-de-sac on the west side of the property. **Mr. Griffin** replied that the property is not symmetrical, and that the current plan of having it face west saves 15 feet of property that would not be useful if flipped. He is willing to change it if necessary. **Mr. Griffin** also pointed out that the upper level of the backs of the homes have no exterior windows that would overlook the back yards of the existing residents. Because of this he does not believe that the property owners of his development, nor the existing residents, will be concerned about the cul-de-sac as it is now planned. This is the case throughout the entire project. **Mr. Griffin** stated that he is willing to work through the issue.

Paul Barker asked for clarification on guest parking/visitor parking, relative to the the Jerry Preston property. **Chairman Talbot** pointed out that the development has double car garages and longer driveways. **Rodney Griffin** added that the present ordinance requires 2.3 parking spaces per dwelling unit. The double garage plus the driveway provides space for 4 cars per unit, which he believes adequately addresses parking. He also drew attention to the parking spaces, as well as the landscaping in the triangle part of the approach.

David Petersen pointed out that **Mr. Griffin** does have space to create guest parking. After discussing the issue, the Planning Commission agreed that the street is wide enough to allow guest parking on the street.

Henry Werner (127 W. State Street, Farmington) referred to the overhead map of the area and pointed out his property, which backs on to the proposed development. He believes it makes more sense for the layout of the development to remain the way it is. He has a shop at the back of his property, and there is only a 6 ½ ft. space between his property and the property line. If the cul-de-sac was flipped, he believes the backs of the buildings would be too close to his property line. He also expressed concern about what would separate his property from the development.

David Petersen responded that there is a proposal for a fence, and that there would be a buffer strip.

Mr. Werner reiterated that he likes the present plan and does not want it changed.

Brad Bornemeier (54 South Main, Farmington) said he owns property where the developer wants to move the property line 18 feet. He asked if there needed to be a zoning change to allow the developer to proceed. **Chairman Talbot** said the property is already properly zoned. **Mr. Bornemeier** stated that one of the reasons he moved here was that it was an historical area. He pointed out that he does not see much difference between rental units and twin home owner occupied units. He also stated that the charm and feeling of the historical area will be lost and feels this project does not fit. He does not see what would stop owners from renting out their units.

Mr. Bornemeier said that he would not want a dumpster along the property line. He also expressed agreement with **John Bilton** concerning the possibility of hazardous waste. He stated that he wants a soil study done before digging, and pointed out that just because the soil is safe in one area, does not mean it would be safe in another.

Steve Thomas (65 West State Street, Farmington) asked about the location of the dumpster, and stated that his preference would be for the residents of the development to have individual garbage cans. He inquired about the proximity of the buildings to the property line, and asked what type of fencing would be used.

Public Hearing Closed

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

Paul Barker asked about the setback of the homes backing on to the developer's property line. **David Petersen** left the meeting to clarify the setback and later stated that the setbacks are 12 feet on both the sides and back.

Kevin Poff stated that dumpsters are for commercial areas, and that this development would be better served to have traditional city garbage services. In response to concerns about pesticides raised by citizens in the Public Hearing, **Mr. Poff** also said that soil tests should be done before the development proceeded. He said that in effect, this development should make the pesticide situation safer.

Paul Barker said that in all likelihood there would be a Phase 1 environmental audit before financing occurred. **Chairman Talbot** said that normally this would be a City requirement, but the loan agency would definitely require an environmental Phase 1 audit and a soils test. **Chairman Talbot** asked what the City would require, and **David Petersen** responded that all subdivisions and PUD's would require a soils report. He said he would ask the City Engineer to advise on the issue. **Cory Ritz** emphasized the importance of following through on this issue.

Rodney Griffin stated that fencing was an issue in town meetings 2 years ago. Even though there are historic homes, there are various other styles of homes in this area. He pointed out that in order to market something profitable, it is necessary to go with what is currently popular, and that vinyl fencing is probably what the residents and neighbors would prefer. He proposed a 6 foot privacy fence. **Mr. Griffin** also stated that the pitches of the roofs are similar to the rest of neighborhood, which is what the Historical Commission wanted.

The Commission discussed the pros and cons of vinyl fencing, and the need to look at other fencing in the area.

Mr. Griffin acknowledged the concerns about soil testing and the historical quality of the area. He said he thinks he has addressed all of the possible issues, including traffic, safety and noise.

In response to a question by **Kevin Poff**, the applicant responded that he met two years ago with three quarters of the residents in two separate meetings, and that only one person was significantly opposed due to traffic concern. **Mr. Poff** suggested meeting with them again for the benefit of those who have come into the neighborhood since then.

Paul Barker said that the City has discouraged rental units, and asked whether rentals could be discouraged or prohibited in the CC&R's and **Mr. Griffin** said he would consider it. **Rick Wyss** stated that the City does not have the right to prohibit rentals as a condition of approval or denial. **Mr. Griffin** said it is his intention for the homes to be owner occupied.

Motion

Andrew Hiller moved that the Planning Commission recommend approval of the schematic plan to the City Council with the following conditions:

1. The preliminary plan must include details for the common open space planned;
2. The developer shall work with staff to provide the necessary planning for utility provision in all areas;
3. The developer shall consider adding parking to the interior of the project.
4. The developer shall prepare draft CC&R's for the project.
5. The safety of the soil conditions will be verified.

Rick Wyss seconded the motion, which passed by unanimous vote.

Findings

1. The development is consistent with the zoning for the area.
2. Having a well done PUD will be an improvement to the neighborhood.
3. The developer is willing to work with the neighbors to address their concerns.
4. This development is very similar to the proposal made two years ago that the Planning Commission favored.

5. This development is an in-fill situation to replace greenhouses, and would enhance the appearance of the area.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING CONSIDERATION OF A PROPOSAL TO AMEND THE ZONING ORDINANCE REGARDING ACCESSORY BUILDINGS IN SIDE-YARDS IN THE OTR ZONE (ZT-8-07) (Agenda Item #5)

This item was withdrawn from the Agenda.

OTHER BUSINESS:

Scenic Byways Discussion -

David Petersen said the City is working out a corridor management plan with Legacy highway. They are ready to present a first draft to the City Council and Planning Commission. The consultant they have been working with is meeting with several other cities as well. There will be a joint meeting of the City Council and Planning Commission, possibly on October 11th or October 25th.

Potentials - Legacy North Connector Discussion -

David Petersen informed the Commission that there will be a joint meeting to discuss the Legacy North Corridor. It will be a public meeting, but not a public hearing, to be held on October 18th at 7:45 p.m. Tim Taylor will be making a presentation. Information will be given when available.

Training, Dec. 5, 2007, by the National APA Discussion -

David Petersen said there will be American Planning Association training on December 5th or January 16th. He reviewed the material explaining the training. Possible attendance was discussed. It is possible that the training may be done at home on the internet, and staff will find out if this can be done.

Discussion on Freeway Sound Walls -

David Petersen displayed an overhead of an aerial photo of Kaysville and Farmington freeway corridor, and explained that some Kaysville residents have been extremely upset after

being informed that they do not qualify for a sound wall. **Mr. Petersen** said that Richard Lenz, a former sound engineer who worked with NDOT (Nevada) and candidate for Kaysville City Council, performed his own study which contrasted with the UDOT study. It now appears that the affected residents may receive a sound wall.

Chairman Talbot raised the issue of the effectiveness of sound walls, and the Planning Commission discussed this. The meeting between Kaysville and UDOT is the same evening as the joint City Council and Planning Commission meeting, so representatives City staff will be sent to take notes.

Westech Engineering, Expansion Plans Discussion -

David Petersen explained that Westech wants to add a second building on the north side of their existing building. The plans will be reviewed by City staff.

Other -

David Petersen explained that Jonathon Hughes owns land by the silos off of Glovers Lane where the cell phone tower with Doppler radar is located. He wants some allowances on the land, and it is recommended that two members from each of the City Council and Planning Commission meet with them to see what their plans are. He wants clustered density, which may be out of character for the area. **Cory Ritz** said that he was informed by City Manager **Max Forbush** that there may be mitigating circumstances. Two Commission members are needed on Monday morning. **John Bilton** and **Cory Ritz** will be attending.

Paul Barker commented that the appearance of the sound wall on the Farmington/Centerville border is commendable.

ADJOURNMENT

Chairman Jim Talbot made a motion to adjourn at 8:40 p.m. **Rick Wyss** seconded the motion, which passed by a unanimous vote.

*Jim Talbot, Chairman
Farmington City Planning Commission*