

# FARMINGTON CITY PLANNING COMMISSION

Thursday, September 27, 2007

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## 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 Recording Secretary Kami Mahan, Alternate Planning Commission Members Randy Hillier and David Safeer, and Elizabeth Angyal.

**Chairman Talbot** called the meeting to order at 5:40 p.m. The following items were reviewed:

### Agenda Item #1: Minutes

The Planning Commission reviewed the minutes of the August 9, 2007, and September 13, 2007 Commission meetings.

### Agenda Item #2: City Council Report

David Petersen reported the proceedings of the City Council meeting which was held on September 18, 2007. He covered the following items:

- The City Council voted to amend Section 11-11-030 of the Zoning Ordinance by eliminating Two Family Dwellings as a Conditional Use in the LR, S, and LS zones.
- The City Council approved the schematic plan and the Ordinance rezoning the Trophy Homes development site.
- The City Council reviewed the report presented by Tim Taylor, an independent traffic engineer hired by the City, regarding his “Legacy North to Legacy Connection Evaluation Study”.
- The City Council granted the Waiver for the Boundary Line Adjustment for the Brass Comb property, and also asked City staff to make a report of the existing conditions at the business.

**Agenda Item #3: UDOT - Applicant is requesting consideration of an amendment to the Master Transportation Plan, an element of the General Plan, to include, among other things, allowing a “Legacy North Connection” to traverse through west Farmington from I-15 to the Davis County Fairgrounds and then adjacent to the UTA right -of-way to northwest Farmington. (MP-1-07). Results from a study by the City’s independent traffic engineer regarding this matter may be found at [www.farmington.utah.gov](http://www.farmington.utah.gov).**

Chairman Talbot said that it is time to move forward on this issue, and that the Commission needs to act based solely on the application, and not necessarily on what Tim Taylor presented in his study. Mr. Talbot said he does not want to open up further public discussion.

Andrew Hiller said that he does not agree with amending the Master Plan. He would like the motions presented one at a time, since he missed the Taylor presentation and would like more information. He believes the route should be kept close to the existing corridor

Chairman Talbot said he would prefer the issue be resolved in one motion. There will be opportunity for public comment at a future date, as well as an open house for the community.

**Agenda Item #4: Ray Thompson - (Public Hearing) - Applicant is requesting a recommendation for Schematic Plan approval for the proposed McBride Subdivision, consisting of 3 lots on 2.14 acres in an AE zone on property located at 320 W. 650 W. (S-16-07)**

David Petersen referred to the map in the packet and pointed out misprints concerning the proposed lots. He said this is actually a lot split.

**Agenda Item #5: North Park Development, et al - (Public Hearing) - Applicant is requesting a recommendation for a change of zoning from A-F, LR-F, R-4 and R-8 to OTR and LR-F on portions of the properties located at approximately 82 West 600 North, 16 West 600 North and 802 North 25 East, and schematic plan approval for a subdivision related thereto. (Z-11-07, and S-23-07)**

David Petersen explained the history of this development. The previous proposal was denied by the City Council because they did not want, among other things, to set a future precedent for attached dwellings on the bend of the road or high density around the pond. In response to this, the developers and the owners were unsuccessful and a lawsuit was filed. Now, however, an agreement has been reached with developer Terry Deru, who is willing to drop the litigation on the basis of this proposal.

**John Bilton** pointed out that the City is getting open space next to the planned City park. **Chairman Talbot** said that all of the parties are getting something positive out of this plan so everyone wins. **David Petersen** said that the City has appropriated money for the open space.

**Agenda Item #7: Centercal - (Public Hearing) - Applicant is requesting a recommendation for a Change of Zoning from A to TOD on parcels totaling 11.59 acres located at the NW corner of Park and Clark Lanes. (Z-8-07, Z-9-07)**

**Chairman Talbot** said that this proposal is across the street from, but not a part of, the Station Park Development, and that there is not a Schematic plan associated with the proposal.

**Elizabeth Angyal**, a representative of CenterCal, responded that management has only a tentative site plan. In response to a question from **David Safeer**, **Ms. Angyal** said that the purpose of the TOD is to protect the investment on the east side of the development. The 12 acres are a key piece of property, and there are concerns that other tenants would have businesses which would detract from Station Park.

**Ms. Angyal** said that CenterCal has done its due diligence on this property, including the geo-technical and environmental studies. CenterCal has a site plan prepared but would like to wait to present it until after the rezone.

**Chairman Talbot** said that there is an issue about access to properties to the west of this proposal, and that other properties should not be landlocked. Other Commission members agreed. **Mr. Talbot** pointed out to the Commission that, as per Todd Godfrey's counsel, any denial of this proposed rezone would need to be based on the facts and ordinances, not on intent. **David Petersen** said that the denial given to development on nearby lands was due to wetlands problems. The lack of access to the Martinez property off of Clark Lane was discussed.

There was a discussion about what development is intended for Station Park, the use of these parcels, and access and transportation through the area. **Cory Ritz** said he would be more comfortable if the landowners of the area met before the Commission voted on rezoning.

[**Kevin Poff** arrived at 5:30 p.m.]

The work session adjourned at 6:55 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, Alternate Planning Commission Members Randy Hillier and David Safeer, and Recording Secretary Kami Mahan.

**Chairman Talbot** called the meeting to order at 7:05 P.M. **John Bilton** offered the invocation.

**APPROVAL OF MINUTES (Agenda Item #1)**

The City Council reviewed the minutes for the Planning Commission meeting held September 13, 2007 and August 9, 2007. **Kevin Poff** pointed out that on page 8, item 6, in the minutes of September 13<sup>th</sup>, the wording needs to reflect that the driveways on the proposed plan were moved at the City's request.

**Kevin Poff** moved that the Planning Commission approve the minutes of the September 13, 2007, Planning Commission Meeting, with changes as noted. **John Bilton** seconded the motion, which passed unanimously.

**Cory Ritz** moved to approve the minutes of August 9, 2007. **Andrew Hiller** seconded the motion, which passed unanimously.

**CITY COUNCIL REPORT (Agenda Item #2)**

The City Council report was given during the Planning Commission study session.

**UDOT - APPLICANT IS REQUESTING CONSIDERATION OF AN AMENDMENT TO THE MAST TRANSPORTATION PLAN, AN ELEMENT OF THE GENERAL PLAN, TO INCLUDE, AMONG OTHER THINGS, ALLOWING A "LEGACY NORTH CONNECTION" TO TRAVERSE THROUGH WEST FARMINGTON FROM I-15 TO THE DAVIS COUNTY FAIRGROUNDS AND THEN ADJACENT TO THE UTA RIGHT-OF-WAY TO NORTHWEST FARMINGTON. (M-1-07) (Agenda Item #3)**

**Background Information**

**Tim Taylor** presented the results of his study regarding the above referenced UDOT request at a joint public meeting of the Planning Commission and City Council on September 18,

2007. Members of a subcommittee were also on hand to review Mr. Taylor's findings (note: the Council organized the subcommittee, which included residents from west Farmington, to provide input regarding Mr. Taylor's study). After the presentation, the first aforementioned motion was discussed by the Commission as one possible option for consideration.

#### END OF PACKET MATERIAL

**Chairman Talbot** informed the audience that this meeting was not a public hearing. He said that Farmington City had contracted with Tim Taylor of WCED Engineers for an independent study to insure that UDOT's standards were in line with what the City had in mind. At the last meeting more information was wanted before acting on the UDOT request, so this study was requested. A joint meeting to hear the study's findings was held with the Planning Commission and City Council. **Chairman Talbot** said the study findings would not be reviewed in this meeting.

**David Petersen** displayed an overhead of UDOT's four alternatives through Farmington, including their preferred Route 3. **Cory Ritz** pointed out that Tim Taylor's assessment was that none of the alternatives was an overall benefit to Farmington. **Mr. Ritz** said that waiting to make a decision will leave a cloud over the City, and that it is a benefit to keep regional facilities out of neighborhoods and put them in an area that does not destroy the city. **Mr. Ritz** said that it is incumbent on the City Council to be proactive to protect the City.

**Kevin Poff** stated that the subject has been discussed at length, and that the route UDOT has suggested is bad for Farmington, as it will take out homes and further segment the community. He said only Option 4 is somewhat acceptable because there are already existing corridors in the area. **Mr. Poff** said that the best option is a shoreline route, which is the only option not seriously damaging to the City.

**John Bilton** said he agreed with **Mr. Ritz** and **Mr. Poff**, and that other options and new information may be presented by Tim Taylor in the future. **Mr. Bilton** said Option 3 has been carefully considered, and a right-of-way does exist. Ultimately the corridor will go where UDOT decides. However, **Mr. Bilton** said that Option 3 is not the best option.

**Andrew Hiller** agreed that Option 3 is not an option for Farmington. Option 4 has the least impact for residents, but it is premature to select another option without further environmental and other studies.

**Paul Barker** said the shoreline route will come at a heavy cost to the environment, and will have great opposition from environmentalists. He initially favored a closer look at a running leg parallel to I-15, but Tim Taylor indicated that this option would be problematic and

expensive. **Mr. Barker** said he now favors a shoreline route.

**Rick Wyss** said that from a taxpayers standpoint, he appreciates UDOT's effort to examine this issue now in consideration of future development. It makes sense to do it now rather than to wait fifteen years. **Mr. Wyss** said that the shoreline route is the best option.

**Chairman Talbot** invited the applicant to address the Commission.

**Rex Harris**, a preconstruction engineer for UDOT - Region 1, said that UDOT stands behind Option 3 as its recommendation. He thanked the City and Planning Commission for their careful study of the issues. He said that there are transportation concerns that need to be addressed in some way. UDOT's intent was not to establish an actual roadway at this time, but to preserve a corridor. All options could be viable, and regardless of the outcome of further studies, UDOT will continue to study the alternatives.

**Mr. Harris** stated that much will depend on Farmington's future plans and designs, and that the City can still plan residential areas and communities. The actual UDOT route to be selected will be determined by environmental studies. He said he is aware that the corridor bisects the City.

**Chairman Talbot** said that the Planning Commission wants to fulfill their responsibilities to the residents, and that it is time to send a recommendation to the City Council so it can be further discussed. He pointed out that additional information will be posted on the City's website regarding Tim Taylor's study. **Mr. Talbot** said that an open house should be planned with Tim Taylor for residents to go over the findings that do not pertain to previously presented options.

### **Motion**

**Cory Ritz** made a motion to recommend to the City Council that (1) the UDOT request to amend the Master Transportation Plan be denied; (2) the Master Transportation Plan be amended to include the shoreline route as the preferred option for the Legacy North connector in Farmington; and (3) to organize and schedule an open house for the entire community to allow Tim Taylor, the City's independent traffic engineer to present the findings of his study regarding UDOT's request and other matters.

The motion was seconded by **Kevin Poff**. The motion passed by a vote of 6 to 1, with **Andrew Hiller** voting in the negative.

**Andrew Hiller** explained that it is not prudent as a Commission to amend the Master

Plan without a public hearing on the shoreline route. **Kevin Poff** suggested that a separate public hearing be held on the Master Plan. **David Petersen** said that the City Council will review this recommendation tentatively on October 2<sup>nd</sup>.

**Chairman Talbot** said that the Commission will recommend a public open house on the Taylor report, and that a public hearing on a shoreline route should be delayed until after it has been held.

### **Motion**

**Kevin Poff** made a motion to hold a public hearing on the shoreline route. The motion was seconded by **Andrew Hiller**. The motion failed by a vote of 2 to 5, with **Kevin Poff** and **Andrew Hiller** voting in the affirmative, and **Paul Barker, Chairman Talbot, John Bilton, Cory Ritz,** and **Rick Wyss** voting in the negative.

**David Petersen** said that the Taylor report is available on the City's website and that a public open house to hear his report may be announced in the City newsletter for November or early December.

### **PUBLIC HEARING: RAY THOMPSON - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR THE PROPOSED MCBRIDE SUBDIVISION, CONSISTING OF 3 LOTS ON 2.14 ACRES IN AN AE ZONE ON PROPERTY LOCATED AT 320 SOUTH 650 WEST. (S-16-07) WEST, (PROPERTIES EAST AND WEST OF 100 WEST). (S-2-07) (Agenda Item #4)**

### **Background Information**

**General:** The application is for a lot-split on a 1.14 acre parcel owned by Pat McBride. Mr. McBride also owns more land adjacent and further west, but only the parcel fronting 650 W. is covered under this application. The split would result in two parcels, both just over ½ acre. The existing home would sit on the newly created southern lot, leaving the new north lot vacant to be built on. Both have appropriate frontage for the AE zone (requirement is 100 feet) and appropriate setbacks for the front, rear and side yards for the existing home are not negatively impacted by the split.

**Future Right-of-Way and Extension Agreement:** There is currently a private 30 foot wide limited access area on this property (and the adjacent parcels to the north) serving the properties west of 650 W. This access is necessary, and should be preserved. The applicant understands that the future development of his more westerly parcels depends on the creation of a road, as do

other property holders in the area. Staff recommends that the Commission require the property to dedicate the 30 feet for the road as a condition of subdivision approval. No improvements to that dedication are planned at this time, but an extension agreement should be recorded.

**Waiver:** Staff recommends that a waiver for required open space (to allow the ½ acre lots in the AE zone) be recommended by the Planning Commission. This is an infill property, associated with other vacant parcels. Additionally, these issues (base zoning and Chapter 12, conservation subdivision requirements) are under review by the City currently.

END OF PACKET MATERIAL

**David Petersen** displayed an overhead of a map of the property, and explained that this is simply a lot split. He explained the need to dedicate 30 feet for a roadway on the north end of the property to be joined with 30 feet dedicated by an adjacent landowner a few years ago. He recommended approval with conditions as stated in the Staff report.

### **Public Hearing**

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

**Donna Blonquist** (6 North 325 East) said she owns the property adjacent to the McBride property. She said she is already giving up 29 feet of her property to the Trophy Homes Subdivision and that she is not willing to give up more property for another road.

### **Public Hearing Closed**

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

**David Petersen** pointed out the Blonquist parcel on the map. He explained that a possible U-shaped street will help the Blonquists by giving them frontage for four future lots, and avoiding the need for them to install a cul-de-sac. He said the Blonquists have no plans for immediate development, and that the proposed street stops at the Blonquist property line.

**Kevin Poff** asked whether an AE zone prohibits a lot split because the lots are only a half acre. **David Petersen** replied that the City recommends a waiver of the half acre requirement for the reasons stated in the Staff report.

**David Petersen** said that there is an easement across the proposed street and the Blonquist property to access the future City park. He said it would be in the interest of everyone to have this road dedicated as a public street, but this will have to wait for future developments.

### **Motion**

**Kevin Poff** made a motion to recommend to the City Council Schematic Plan approval of the proposed lot split of the McBride Subdivision, together with a waiver of the conservation open space requirement, with the following conditions:

1. The applicant will continue to work with staff to create a preliminary plat;
2. 30 feet on the north property line shall be dedicated as a future right-of-way, and said dedication shall be recorded with the plat;
3. Any new home constructed as a result of this subdivision which fronts 650 West will have a circular driveway (or comparable method) allowing entry onto 650 West without backing into the right-of-way.

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

### **Findings**

1. The subdivision is in keeping with the General Plan's rural residential densities;
2. The subdivision will help to formalize the needed future road dedication to the west;
3. The proposed schematic subdivision is in keeping with and enhances the character of the surrounding area.

A fourth finding was added at the suggestion of **Kevin Poff**:

4. The proposed schematic division preserves the minimum half acre lot size, which was the size in the AE zone prior to the adoption of conservation subdivision ordinance.

**PUBLIC HEARING: NORTH PARK DEVELOPMENT, ET AL - APPLICANT IS REQUESTING A RECOMMENDATION FOR A CHANGE OF ZONING FROM A-F, LR-F, R-4 AND R-8 TO OTR AND LR-F ON PORTIONS OF THE PROPERTIES LOCATED AT APPROXIMATELY 82 WEST 600 NORTH, 16 WEST 600 NORTH AND 802 NORTH 25 EAST, AND SCHEMATIC PLAN APPROVAL FOR A SUBDIVISION RELATED THERETO. (Z-11-07) (Agenda Item #5)**

**Background Information**

The City Council denied applications Z-14-06 and S-24-06 from North Park Development on February 20, 2007, whereby they requested that the City rezone approximately 10 acres comprising land near and including property at 16 West 600 North and a schematic plan for a 36 lot PUD at the same location. Section 11-6-070 of the Zoning Ordinance states:

Disapproval of an application to amend the Planning and Zoning Ordinance or Zoning Map shall preclude the filing of another application to amend such ordinances or map regarding the same property, or any portion thereof, to the same zone classification within one (1) year of the date of the final disapproval of the application by the City Council, unless the Planning Commission determines that there has been a substantial change in the circumstances to merit consideration of a second application prior to the expiration of such time.

Over the last several months the City, developer and property owners forged a compromise which resulted in the attached schematic plan consisting of 25 lots on 11.74 acres. For planning purposes, key elements of this compromise include, among other things, the following:

1. The property owners/developers shall enter into a development agreement including but not limited to the following:
2. No attached dwelling units.
3. All lots fronting 600 North must remain or be rezoned OTR and shall be subject to the standards of the said zone.
4. Developer shall providing berms, landscaping, fencing and other treatments acceptable to the City along the entire 600 North frontage including the Hansen parcel.
5. Interior roads shall contain side treatments, such as trees.
6. Dwellings within the project shall meet certain architectural and construction

standards as set forth in the development agreement.

7. Developer shall convey .73 acres to the City located at the northern tip of the property to be protected by conservation easement in perpetuity as open space.
8. The parties involved acknowledge that the .73 acres of open space does not meet the minimum 10% open space requirement for conservation subdivisions. Nevertheless the City agrees to grant a waiver for the remaining open space requirement so long as the developer provides/fulfills improvements and other items to the satisfaction of the City.
9. For certain considerations from the City developer agrees to dedicate to the City 1.27 + acres north of the northerly cul-de-sac.
10. Lot 19 shall be an estate lot with a limited building envelope whereby other portions of the lot shall remain open.
11. The right-of-way of the south to north local street within in the project shall be narrower at the northerly end and terminate at the estate lot but access for emergency and public maintenance vehicles shall be provided to Rock Mill Lane.
12. City will vacate the western portion of Rock Mill Lane and developer agrees to provide drainage improvements including but not limited curb and gutter the entire length of the lane.
13. The project shall include the old Judd property for now (this property is now owned by Tom Owens).

Presently, the southern half of the Owens property is zoned R-4. On May 11, 1993, the Planning Commission approved a conditional use application enabling Tom Owens to operate or maintain an office use on his property. Mr. Owens is willing to have his property rezoned to LR-F so long as he retains the right for this office use under the conditional use approval. The conditional use approval should run with the land and the City should work with Mr. Owens so that he does not lose this right even though his property may possibly be rezoned to LR.

END OF PACKET MATERIAL

**Chairman Talbot** stated that the applicants are the City and North Park Development.

**David Petersen** referred to an overhead map of the property and explained which properties are to have their zoning changed. He illustrated the changes with before and after

maps, and said that this proposal will simplify the zoning in the area. He also showed the schematic plan, and said that the City Council had previously denied approval of a previous zone change request and schematic plan which resulted in a lawsuit which is still pending. This new proposal is the result of a negotiated plan worked out by the parties.

**Mr. Petersen** explained the terms of the proposal in detail, including the dedication of open space to the City, and the waiver of the ten percent open space requirement in exchange for berms, trees, landscaping and fencing. The houses will have a specific high quality style. The plan preserves open area around the old mill site, and around the reservoir for access for fire fighting.

**Mr. Petersen** said that he said that Tom Owens is to keep his existing office space use. He reviewed each of the 14 conditions set out in the Staff report.

**Terry Deru** (99 Cove Lane, Kaysville) reviewed the benefits of the proposed rezoning. He said the Judd and Hansen homes will be preserved, and showed photographs of the intended berms, landscaping, and “authentic European” theme of the home styles.

**Rick Wyss** asked if **Mr. Deru** would agree with an 18 month rather than 12 month requirement. **Mr. Deru** said he would, but would prefer having no time limit. **Mr. Deru** said this proposal is the result of a herculean settlement effort in the lawsuit.

### **Public Hearing**

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

**Larry Haugen** (94 East 500 North) said that he has one major problem with rezoning this area. There is a nearby dike that is inadequate, and people should not be encouraged by zoning to think that they can build houses under it. He suggested the area be pulled out of the proposal and the remainder approved.

**Joel Anderson** (no address given) said he lives across the street from the area being rezoned. He said he is worried about high home prices and that the City should stop having spot zones. He agrees with fixing the zoning “mess”.

**John Bradshaw** (250 North 100 East) said he thought it was decided to leave his area zoned agricultural. He said he was disappointed in Larry Haugen’s comments.

### **Public Hearing Closed**

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

**David Petersen** said that the Bradshaw property referred to by Larry Haugen is not part of this application. **Chairman Talbot** asked if the dike has been an issue in past City Councils or Planning Commissions. **Mr. Petersen** responded that he does not know the soundness of the dike, which may be considered later if development occurs. He also explained that in this development the City Council did not want attached dwellings.

**Kevin Poff** said, in answer to an earlier question by **Mr. Deru** about why a time limit is necessary on the zone change, that the Planning Commission trusts Mr. Deru, but may not be able to trust the next developer. The Commission may work with another time frame.

**Kevin Poff** asked if the fire chief approves of the smaller cul-de-sac, and **David Petersen** said that the cul-de-sac is standard size and the fire chief approves it. **Mr. Poff** asked about the flag lot on the cul-de-sac and **Mr. Petersen** said that the flag lot was necessary due to the topography.

In response to a question from **Kevin Poff**, **Terry Deru** discussed the view, berm and landscaping along 600 North. **Kevin Poff** said he thought it was a mistake for the homes to not face 600 North.

**Paul Barker** asked what time frame is needed to begin development. **Terry Deru** said that he intends to start work next spring, but hopes for a longer time limit.

In response to a question by **Cory Ritz**, **Mr. Deru** clarified that there is no cul-de-sac near 90 West because the street will go through for future development. He also explained that Lot 19 completely surrounds the north cul-de-sac.

### **Motion**

**Rick Wyss** made a motion to recommend that the City Council approve the rezone as illustrated in the maps set forth in the Staff report subject to the affected property owners entering into a development agreement. This agreement shall include but not be limited to conditions of schematic plan approval for a subdivision related thereto, and Tom Owens shall retain the right for an office use on his property as set for the in the approval of conditional use application C-2-93 by the City on March 11, 1993. However, the twelve month reverter proposal was not included in the motion. This motion includes approval of the Schematic plan. This motion is subject to the following conditions:

1. No attached dwelling units.
2. All lots fronting 600 North must remain or be rezoned OTR and shall be subject to the standards of the said zone.
3. Developer shall provide berms, landscaping, fencing and other treatments acceptable to the City along the entire 600 North frontage including the Hansen parcel.
4. Interior roads shall contain side treatments, such as trees.
5. Dwellings within the project shall meet certain architectural and construction standards as set forth in the development agreement.
6. Developer shall convey .73 acres to the City located at the norther tip of the property to be protected by conservation easement in perpetuity as open space.
7. The parties involved acknowledge that the .73 acres of open space does not meet the minimum 10% open space requirement for conservation subdivisions. Nevertheless the City agrees to grant a waiver for the remaining open space requirement so long at the developer completes the foregoing items 3, 4, and 5 to the satisfaction of the City.
8. For certain considerations from the City, developer agrees to dedicate to the City 1.27 + acres north of the northerly cul-de-sac as open space.
9. Lot 19 shall be an estate lot with a limited building envelope whereby other portions of the lot shall remain open.
10. The right-of-way of the south to north local street within in the project shall be narrower at the northerly end and terminate at the estate lot, but access for emergency and public maintenance vehicles shall be provided to Rock Mill Lane.
11. City will vacate the western portion of Rock Mill Lane and developer agrees to provide drainage improvements including but not limited curb and gutter the entire length of the lane.
12. The project shall include the old Judd property for now (this property is now owned by Tom Owens).
13. The Judd and Hansen home must not be demolished as a result of this development. City staff must quantify criteria to demonstrate that the demolition of the old Haugen home and the adobe home existing ons site does not set a negative precedent.

14. The property owners/developers shall enter into a development agreement with the City to include but not be limited to the aforementioned conditions.

**John Bilton** seconded the motion, the motion passed by a vote of 5 to 1, **Kevin Poff** did not vote.

**Findings:**

- a. The successful negotiations between the developer and the City thus far represents a substantial change in circumstances to merit consideration of a second application prior to the expiration of the one year time limit as per Section 11-6-070 of the Zoning Ordinance.
- b. Main Street (S.R. 106) is the only continuous north/south street in Farmington east of I-15 and U.S. 89. No local through street alternatives exist to accompany this major collector near the 600 North/Farmington Creek crossing. The final street configuration on the subject property shows a through street to 90 West. This will allow for the possibility of another route for local traffic as an alternate to SR 106.
- c. The City's number one well is situated on the south side of 600 North near Farmington Creek. Residential development is an appropriate use in the well head's protection area.
- d. The old Richards Mill is one of the most historic buildings in Farmington and northern Utah. The open space proposed represents an appropriate use of the land necessary to maintain the setting for the mill.
- e. The open space will help appropriate agencies fight fires that may occur in the central and northern Farmington areas because it provides an acceptable FAA fly-over zone to allow helicopters to dip water from Farmington Pond. This represents the only such water source for the area.
- f. The proposed development of the subject property may provide an acceptable "window" on Main Street/600 North. This is consistent with recent findings of a city initiated visioning committee which ranked the responsibility to preserve and enhance central historic Farmington as a top community priority. This recommendation is consistent with priorities or policies in the General Plan and versions of the General Plan adopted over the past 30 years.

Additionally, and unlike highways in other communities, Farmington's Main Street north of 600 North and S.R. 106 south of 200 South represent a residential highway with

similar characteristics to the residential Main Street in Central Farmington. Moreover, over the years the City has expended its resources to maintain peninsulas and strips of landscaped right-of-way in the vicinity of 600 North and Main Street. The schematic plan is consistent with these precedents.

- g. The proposal incorporates and leaves intact the old Judd home and the Hansen home which set a positive precedent for the area. It is proposed that the old Haugen home and the adobe home will be removed but these are of lesser quality.
- h. The proposed twelve month reverter clause on the rezone is not necessary, because a straight rezone is in the best interest of the City.

The finding in paragraph “h” was added at the suggestion of **Cory Ritz** in order to be consistent with the motion’s specific exclusion of the proposed twelve month reverter clause.

**PUBLIC HEARING - FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION FOR A CHANGE OF ZONING FROM A TO AE ON PROPERTY LOCATED APPROXIMATELY 240 SOUTH, WEST OF 650 WEST, AND SCHEMATIC PLAN APPROVAL FOR A SUBDIVISION RELATED THERETO. (Z-15-07) (Agenda Item #6)**

**Background Information**

**General:** The Blonquist property is adjacent to the south end of the Whist Creek subdivision, which just received schematic approvals and a change of zoning from A to AE. The Blonquist’s, one of the adjacent property owners, are dedicating a portion of their land for a new road accessing their property, Whist Creek, and Farmington’s city park to the west.

**Zone Change:** Trophy Land will be making the full improvements to the road as a part of their subdivision approval. The Blonquists have cooperated with the dedication for the road, but are not ready to subdivide at this time. Because of their necessary involvement with the road and their cooperation, City staff felt it was the right time to adjust the zoning on their property to the AE designation.

**Potential Subdivision:** In connection with this zone change, staff has produced and attached a rough schematic layout for the possible subdivision of the Blonquist three acre parcel into four lots. In the event that the Blonquists are interested in pursuing subdivision in the more near future, staff noticed for both the change of zoning *and* schematic subdivision. The subdivision of this property into 4 lots as we have shown is easily facilitated by the new roads already proposed. However, the 4 lot plan attached would require a waiver from the City’s requirement for

conservation land. Because the conservation subdivision ordinance (chapter 12) is currently under study for revision, and because this is an infill/interior parcel, staff feels that it would be advisable for the Commission and City to grant a waiver and allow the proposed subdivision.

END OF PACKET MATERIAL

**David Petersen** said that the City is recommending that this parcel be rezoned to AE and that it will benefit the Blonquists, and that it is consistent with the current plan.

### **Public Hearing**

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

**Donna Blonquist** (8 North 325 East ) said that she feels blindsided about the proposals on the evening's Agenda. She said her family is actively using the ground for horses and has no plans for immediate development. She favors the rezone of her property, but is opposed to the Schematic plan. She said she is concerned about an increase in taxes.

### **Public Hearing Closed**

**Chairman Talbot** closed the public hearing, and the Commission discussed the issues, including the following points:

**David Petersen** said that the City is agreeable to rezoning the property without a Schematic plan because he does not see the property developing for some time. **Kevin Poff** said the Schematic plan will not force development. Upon further questioning by the Commission, **Ms. Blonquist** said that she does favor both the rezone and the Schematic plan if she does not have to commit any land to a road now. Her husband stated that he agreed with this.

**Chairman Talbot** said that the Staff report concerned the rezone only, and not the Schematic plan. **David Petersen** said that the Agenda includes the Schematic plan as well. He also stated that the AE zone is the proper zone for that area.

**Rick Wyss** asked why the City is proposing a Schematic plan when the owner is not asking for one. **David Petersen** answered that the City was trying to accommodate the Blonquists.

### **Motion**

**Rick Wyss** made a motion to recommend to the City Council approval of the rezone from A to AE, but not the Schematic plan. **Chairman Talbot** said he would agree except that the Blonquists support the Schematic plan, and it is on the agenda, so it should be included.

**Rick Wyss** made an amended motion to recommend to the City Council approval of the rezone from A to AE, on the property located at approximately 240 South, west of 650 West, and that the Commission recommend approval of the Schematic Plan for the Blonquist subdivision, including a waiver of the requirement to provide conservation open space with the following conditions:

1. The applicants must work with City staff to prepare an acceptable preliminary plat;
2. The applicants must work with city staff to provide acceptable provision of utilities and access to all proposed lots;

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

### **Findings**

1. The change of zoning is in keeping with the General Plan;
2. The change of zoning is an outgrowth of the furthering of City-wide goals related to the park in the area and an adjacent subdivision;
3. The density of the schematic subdivision plan is in keeping with the General Plan designation (rural residential);
4. The proposed schematic subdivision is in keeping with and enhances the character of the surrounding area.

### **Motion**

**John Bilton** made a motion to switch the order of Agenda Items 7 and 8. **Cory Ritz** seconded the motion, which passed unanimously.

**PUBLIC HEARING - CENTERCAL - APPLICANT IS REQUESTING APPROVAL FOR PLACEMENT OF A TEMPORARY OFFICE IN A CONSTRUCTION TRAILER ON THE SITE OF THE PROPOSED STATION PARK DEVELOPMENT IN THE TOD ZONE, LOCATED SOUTH AND EAST OF PARK LANE, NORTH OF CLARK LANE**

**AND WEST OF INTERSTATE 15. (TU-4-07) (Agenda Item #8)****Background Information**

CenterCal is requesting permission to place a construction trailer housing a temporary office on the NW corner of State and 650 West, a 4.3 acre parcel connected to the Station Park site. The full 4.3 acres would not be improved for use, only a portion. Under the zoning ordinances, the Planning Commission can allow a temporary office and construction trailer as a conditional use (11-28-120).

The plan for the site is fairly basic. CenterCal will gravel a portion, provide some light drainage provisions for that improvement (ditches and silt fence) spaces for parking, and a single access in and out of the area. The access is onto 100 North (the road serving Farmington City's Public Works building.) and not onto State Street.

Staff feels the site improvements currently planned are sufficient to allow the temporary use for the office and construction trailer. However, the planned improvements are not sufficient for more extensive use as a contractor's yard. Moreover, a contractor's yard is not possible under this application. Staff suggests that the conditions of approval should preclude any heavier storage uses than a construction office would typically carry.

END OF PACKET MATERIAL

**Paul Barker** recused himself due to a potential conflict of interest. Planning Commission member **Randy Hillier** took his place for Agenda Items 7 and 8.

**David Petersen** displayed an overhead map of the area and said that the City is recommending approval of a construction trailer and office in the construction trailer on the Centercal site at Station Park. He displayed a picture of the proposed trailer. He said the site is large enough to accommodate a trailer, but not to use the area as a contractor's yard. He recommended approval subject to the conditions in the Staff report.

**Public Hearing**

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

**Public Hearing Closed**

With no forthcoming comments, **Chairman Talbot** closed the public hearing. He invited the applicant to address the Commission.

**Elizabeth Angyal**, a CenterCal representative from California, said that she had discussed the placement of the trailer with City officials. She said that the area would have a pea gravel parking lot.

**Rick \_\_\_\_** (1198 North 600 East, Bountiful) explained that the trailer would be 54 by 34 feet, and would be used for offices, meeting rooms, a planning room and a receptionist. It would have lavatories and would have surface drainage for storm water.

### **Motion**

**John Bilton** made a motion to recommend that the City Council grant a conditional use approval to place a temporary office construction trailer on the site of the proposed Station Park, subject to the following conditions:

1. The site is to be used for the specified purposes of construction offices and nothing more under the auspices of this conditional use approval;
2. The site shall be well maintained, free of debris or “junk” materials
3. The developers shall provide the necessary information and work with city staff to ensure that the temporary use of the site does not have a negative effect on storm-water drainage or other public interests;
4. Access to the site is restricted to 100 North. State Street and 650 West are not to be used for access to the trailer site.

**Randy Hillier** second the motion, which was approved by a unanimous vote.

### **Findings**

1. The site is appropriately located to cause minimal impact to the surrounding area while it is in use;
2. The site has been designed to be used appropriately with respect to utility connections, drainage and grading;
3. Access is off a local, less traveled street.

**Chairman Talbot** suggested that, although it was not part of the motion, the applicant should provide an asphalt parking area. He pointed out that when other developers have applied for a mobile home sales office, the Commission has asked for asphalt parking.

**PUBLIC HEARING - CENTERCAL - APPLICANT IS REQUESTING A RECOMMENDATION FOR A CHANGE OF ZONING FROM A TO TOD ON PARCELS TOTALING 11.59 ACRES LOCATED AT THE NW CORNER OF PARK AND CLARK LANES. (Z-8-07, Z-9-07) (Agenda Item #7)**

**Background Information**

The applicant is seeking a change of zoning to the TOD designation on a combination of parcels currently in two different ownerships. The applicant has contracts on both pieces, and has stated in the application form that the intended uses are commercial. To date, no site plans or schematic master plans have been submitted to accompany these applications.

**General Plan:** The City's General Plan for land use would support the requested change of zoning. Currently, the area is called out as TMU, Transportation Mixed Use.

**Other Considerations:** In considering a change of zoning to the TOD, and for purposes of providing some cursory direction to the applicants regarding the associated conceptual proposals, the Commission should consider several factors including but not limited to:

- 1. Land Uses: The types of commercial proposed and their appropriate relation to the project and the area need to be available for consideration. It is assumable that the proposals here will tie to and be compatible with the core at Station Park. The Commission has recently reviewed other zone change requests in the area, indicating the interests of multiple developers. The use of the designation should accommodate projects which complement each other and relate well as a whole.*
- 2. Wetlands: According to UDOT mapping data, there may be significant wetlands in the area. A wetland study should be performed to assess the type of development and density that is appropriate for the land.*
- 3. Access: The properties could have access from both Park Land and Clark Lane directly. How that access is achieved and where it is placed is of critical concern in the planning process.*
- 4. Secondary Access: Any secondary access would be achieved through properties not in the applicant's ownership. Staff feels that project planning in the TMU hub of the city should*

be sensitive to other potential and current developments, allowing for maximum connectivity and the overall success of the area as a commercial and transit hub. This simply cannot be achieved with communication and cross-referencing in the planning process between developers and the controlling government entities (Farmington, UDOT, UTA).

5. *Concept Utility Provision:* The planning department typically has development applications reviewed by technical staff (the Development Review Committee). In reviewing other proposals in the area (west of Park Lane, north of Clark and south of Burke) they have expressed concerns about utility provision (specifically sewer and storm-water) in this area.

END OF PACKET MATERIAL

**David Petersen** displayed an overhead map and explained that this proposal is to change the zoning of two parcels of land along Park Lane from A to TOD. He recommended approval.

**Chairman Talbot** invited the applicant to address the Commission

**Elizabeth Angyal** said that CenterCal has this land under contract. She said that the geotechnical work, the phase one environmental analysis, and the title work have been done, and now the zoning needs to be addressed. **Ms. Angyal** said that the proposed zoning is in keeping with the General Plan, and that this land is a key piece in protecting CenterCal's nearby Station Park development. She explained that she could have brought a proposed site plan forward but decided against it since it may need to change after transportation studies are completed. She said she will submit a site plan in the future.

### **Public Hearing**

**Chairman Talbot** opened the meeting to a public hearing.

### **Public Hearing Closed**

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

**Kevin Poff** asked if this parcel would be included automatically in the Station Park development agreement, and **David Petersen** replied that it would be a separate issue.

**John Bilton** asked about access to the neighboring land west of these two parcels. **Elizabeth Angyal** replied that she cannot speak for the property owners on this point.

**Kevin Poff** said that transportation plans show access to the west parcel from Park Lane, and that a new configuration may change Park and Clark Lanes. He said that it would not be good to end up with isolated pieces of property. Other developments do not create islands that cannot be accessed. It is good planning for the City and for neighborhoods to avoid landlocked parcels.

**Elizabeth Angyal** said that if the property is rezoned, they do not know what the access will be to the west. CenterCal is taking a risk on the property because circumstances may change.

**David Petersen** pointed out that one recommendation from UDOT is to change the alignment of Park Lane across this parcel, and that Tim Taylor agreed. **Chairman Talbot** said that if CenterCal blocked access to the Evans' property it still may not be landlocked with access from Clark Lane. He did not think the City would allow any landlocked property.

**Cory Ritz** said that precedent exists for voting this proposal either up or down. This property will eventually be zoned TOD anyway. It is a key piece of land which must be considered for the overall area.

In answer to a question from **Kevin Poff**, **David Petersen** said that a nearby parcel of land was denied a rezone by the City Council because of wetlands issues. He said there appears to be little or no wetland issues on these properties.

**Chairman Talbot** asked if the TOD zoning requirements are strong enough to protect interior lands, and **David Petersen** replied that they probably are. **Mr. Petersen** explained that this proposal does not leap-frog ahead of development. **Kevin Poff** asked if this rezone would affect the Martinez property, and **Mr. Petersen** answered that the landowner next in line must develop before this can benefit the land next in line. CenterCal may not develop for some time.

**Chairman Talbot** said that the transportation issue is a valid reason to deny this rezone.

### **Motion**

**Kevin Poff** made a motion to recommend to the City Council that it approve a change of zoning from A to TOD on parcels totaling 11.59 acres located at the northwest corner of Park and Clark Lanes.

**Randy Hillier** seconded the motion. The motion failed by a vote of 3 to 4. **Kevin Poff, Randy Hillier** and **John Bilton** voted in the affirmative; **Andrew Hiller, Jim Talbot, Cory Ritz** and **Rick Wyss** voted in the negative.

**Motion**

**Cory Ritz** made a motion to table the proposed rezone until more information on access, traffic, and transportation is available, and for Staff to look at an overall plan for these issues.

**Kevin Poff** seconded the motion, which passed unanimously.

**Findings:**

1. Not enough information is available to approve the rezoning of this property.
2. The City needs to a better understanding of the big picture for that area, including access, traffic flow, and transportation.

**Elizabeth Angyal** asked for clarification of the meaning of the vote, and **David Petersen** asked if a site plan was wanted. **Chairman Talbot** said that an ultimate granting of the rezone request is likely, but other owners need to be informed of the issues of access and traffic. **Kevin Poff** said there was a downtown master plan prepared with involvement from all owners, and the same should be done in this area, so that it is for the benefit of all.

Commissioner **Paul Barker** resumed his seat, and alternate **Randy Hillier** stepped down.

**MISCELLANEOUS, CORRESPONDENCE (Agenda Item #9)**

**a. WEST TECH SITE PLAN -**

**David Petersen** explained that there is a new site plan proposed on the West Tech building, with a new building behind the current one. **Paul Barker** said that the architecture of the two should be similar, with the new one matching the old one.

**Motion**

**Andrew Hiller** made a motion for this site plan to be handled and approved by Staff. **Kevin Poff** seconded the motion, which passed unanimously.

**b. OTHER -**

**David Petersen** explained the following points:

1. On October 11th the Planning Commission will get a site plan for a new police station at the site of the old shop.

2. A 22 acre parcel of land between Farmington and Kaysville has historically been in the Farmington annexation plan for the future. Now Kaysville may include it in their plan, and Farmington has protested. Jared Hall attended the Kaysville meeting and reports that the land has been removed from the Kaysville plan. The Farmington City cemetery is running out of land, and this parcel may one day be used for that purpose.

3. Proposals from consultants have been received for the downtown master plan. One will be selected soon.

4. Larry and Lynette Elliott have given the City a letter about the closeness of a proposed nature path to their home. With the installation of a berm and fence, they now agree with the proposal.

5. A letter was sent to David Dixon and Jono Gardner about a roundabout driveway at their two family dwelling on Main Street. The driveway has too much concrete, and should be an ordinary circular driveway with landscaping in the middle. Gardner responded that they had already decided to do this.

6. There is an URMA Planners Workshop with Jody Burnett coming up. It is four hours long on different days. Planning Commission members are invited to attend at City expense.

**Chairman Talbot** said that there may be several vacancies coming up on the Planning Commission. **Cory Ritz** is running for City Council, and others are having their terms expire. **David Petersen** said that Mayor Harbertson will be meeting with those whose terms are ending. He also said that there may be a change in members of the Board of Adjustment.

## **ADJOURNMENT**

**Rick Wyss** moved to adjourn. **Andrew Hiller** seconded the motion, which passed unanimously. The meeting adjourned at 9:31 p.m.

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*Jim Talbot, Chairman  
Farmington City Planning Commission*