

FARMINGTON CITY PLANNING COMMISSION

Wednesday, November 8, 2006

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Kevin Poff, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Paul Barker and Andrew Hiller were excused.

David Petersen called the meeting to order at 5:30 P.M. **Chairman Talbot** arrived at 5:52 P.M. **Rick Wyss** arrived at 6:28 P.M.

Representatives from Center-Cal (**Tom Ellison, Jean Paul Wardy, Alan Benjamin, and Elizabeth Angyal**) were present to discuss issues relating to Station Park. They displayed a concept plan and site plan for the Commissioner's to review.

The Planning Commission offered the following suggestions to improve the development:

Chairman Talbot suggested that the development include a truck route to separate the trucks from the regular motorists/pedestrians. He also suggested that the development be allowed adequate signage. The development is a "jewel" and should not be hidden.

Cory Ritz suggested that the trail be included in the preliminary transportation analysis.

Kevin Poff suggested that the development create an environment where the public can use the property as a gathering place. He is concerned that the area may become congested like certain areas in Layton City that are located near commercial developments. He strongly urged the developers to provide adequate access and to time the traffic signals to allow the traffic to flow through the area. He felt it would be a disservice to not include the commuter rail station as a component of the development.

Jean Paul Wardy said if the development is to include a station, UTA requires that parking be provided near the building, which may cause parking conflicts with the retail spaces.

The Planning Commissioners discussed the overall style of the development. They suggested that the architecture reflect a small town feel rather than the southwest or urban designs that have been used by the developer at other locations.

David Petersen reviewed the possible motions for Agenda Items 8a and 8b. The Planning Commission and Center-Cal representatives agreed to continue Agenda Item 8b to allow time for exhibits and drafts to be presented to the City.

The Planning Commission agreed to hold a joint meeting with the City Council on November 21, 2006, to offer their recommendation.

Due to the fact that **Harv Jeppson** asked that his item be pulled from the agenda, the Planning Commission agreed to move the items relating to Center-Cal to Agenda Item #4.

The Planning Commission reviewed the Agenda and discussed the following items:

Agenda Item #2: City Council Report

David Petersen reported the proceedings of the City Council meeting which was held on November 7, 2006. He covered the following items:

- The City Council considered Jerod Jeppson's schematic plan. They agreed a stub should be provided to the Clark property.
- The City Council approved the plat amendment vacating Lot 307 of Mountainside Plat "F" subdivision and re-platting the same.
- Tom Smith, Davis County Public Works, gave a presentation regarding the proposed Davis County tax increase to be used for flood control projects.
- The City Council tabled consideration of Garbett Homes request for final plat approval for "The Cottages at Shepard Creek North"/Final PUD Master Plan Approval/Draft 1st Amendment to Development Agreement.
- The City Council tabled consideration of Symphony Homes request for final plat approval for "Chestnut Farms" subdivision.
- Harv Jeppson withdrew his application for the Leonard Lane subdivision boundary adjustment.

Mr. Petersen informed the Commissioners that a work session is scheduled with the City Council/Planning Commission to allow Wasatch Front Regional Council to present long range regional transportation alternatives on November 9, 2006.

Agenda Item #3: Public Hearing: Haskell Homes/Guy Haskell - Applicant is requesting preliminary plat approval for the Willow Creek subdivision consisting of 5 lots on 2.215 acres located on the northeast corner of Lund Lane and the Frontage Road in an LR zone

David Petersen reviewed the possible motions which were included in the Commissioner's packets. He explained that the City may enter into an agreement with the developer to share the cost of the Lund Lane improvements since the 5 lot subdivision would not otherwise be financially feasible. City staff recommends granting approval.

Agenda Item #5: Public Hearing: Farmington City - Applicant is requesting a recommendation to amend the Trail Master Plan, an element of the General Plan

David Petersen informed the Commissioners that **George Chipman** will present the proposed amendments to the Trail Master Plan.

Rick Wyss said there have been two residents who have contacted him expressing concerns that the proposed trail map shows trails going through developed residential property. If the amendments are approved without the residents giving their approval, there is a possibility that their property values may be diminished.

Agenda Item #6: Public Hearing: Charlie Hunsaker - Applicant is requesting conditional use and site plan approval to construct and operate a gas station on the northwest corner of Park Lane and Lagoon Drive in a CMU zone

David Petersen said **Charlie Hunsaker** is anticipating that his request will be tabled until his application is combined with the Nixon & Nixon application as a planned center development.

Agenda Item #7: Public Hearing: Farmington City - Applicant is requesting recommendation to enact a new chapter of the Zoning Ordinance titled “Urban Forestry Ordinance”

The Planning Commission agreed to consider the “Urban Forestry Ordinance” at a future meeting.

The meeting adjourned at 7:00 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Kevin Poff, Cory Ritz, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg. Paul Barker and Andrew Hiller were excused.

Chairman Talbot called the meeting to order at 7:10 P.M. A Planning Commission member offered the invocation.

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes of the October 26, 2006, Planning Commission Meeting with changes as noted. **Cory Ritz** seconded the motion. The Commission voted unanimously in favor.

Cory Ritz was excused at 7:15 P.M.

CITY COUNCIL REPORT

The report was given during the Planning Commission study session.

Motion

Kevin Poff moved that the Planning Commission consider Agenda Item #8 prior to Agenda Item #3. **John Bilton** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CENTERCAL PROPERTIES LLC - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND SECTIONS OF CHAPTER 18 OF THE ZONING ORDINANCE REGARDING “TRANSPORTATION ORIENTED DEVELOPMENT ZONES” (ZT-14-06) (Agenda Item #8a)

David Petersen invited **Tom Ellison**, the Attorney for Center-Cal to address the Commission.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

Tom Ellison (201 South Main, Salt Lake City) reviewed the proposed amendments to Chapter 18 of the Transportation Oriented Development zones.

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

Kevin Poff pointed out that there was a numbering error. The error was reviewed and corrected by **Tom Ellison**.

Kevin Poff questioned whether the TOD Ordinance defines the areas in relation to the distance from the station.

David Petersen read the definition for “core area” from Chapter 11 and from the General Plan. He also read the definition for “secondary area,” as found in the General Plan. City staff recommends that the Commission approve the changes, as presented.

Motion

Kevin Poff moved that the Planning Commission recommend to amend sections of Chapter 18 of the zoning Ordinance regarding Transportation Oriented Development zones, as presented. **John Bilton** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CENTERCAL PROPERTIES LLC - APPLICANT IS REQUESTING A RECOMMENDATION FOR PROJECT MASTER PLAN APPROVAL FOR THE PROPOSED STATION PARK MIXED USE DEVELOPMENT CONSISTING OF 97.89 ACRES AND LOCATED WEST OF I-15, EAST OF PARK LANE, AND NORTH OF CLARK LANE (M-9-06) (Agenda Item #8b)

Chairman Talbot said the Planning Commission and CenterCal representatives discussed the possibility of continuing the item until November 21, 2006. He questioned whether there were any individuals in the audience who were present for the Center-Cal hearing. He did not receive a response.

Motion

Kevin Poff moved that the Planning Commission continue the public hearing for this agenda Item 8b until November 21, 2006, to allow the entire package to be presented to the public and the Planning Commission. **John Bilton** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: HASKELL HOMES/GUY HASKELL - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR THE WILLOW CREEK SUBDIVISION CONSISTING OF 5 LOTS ON 2.215 ACRES LOCATED ON THE NORTHEAST CORNER OF LUND LANE AND THE FRONTAGE ROAD IN AN LR ZONE (S-34-05) (Agenda Item #3)

David Petersen said the engineers for Farmington and Centerville City have been resolving issues relating to Lund Lane improvements. They have created a plan to provide improvements from the Frontage Road to 200 East. City staff recommends approving the applicant's request subject to the five conditions that are outlined in the Planning Commission staff report.

Public Hearing

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

Guy Haskell said he agreed with the presentation that was given by **David Petersen**.

Public Hearing Closed

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

Motion

Kevin Poff moved that the Planning Commission grant preliminary plat approval subject to all applicable Farmington City development standards and ordinances and the following:

1. The applicant must comply with conditions of schematic plan approval.
2. Lund Lane improvements must meet standards acceptable to both Farmington and Centerville City. The Lund Lane street cross-section must be modified to match the cross-section prepared by both cities.
3. Improvement drawings for the project, including grading and drainage plans, must be reviewed and approved by the City Engineer, Public Works Department, Fire Department, Planning Department, Benchland Water District, and Central Davis Sewer District.
4. Provide storm water flow paths, drainage easements and calculations as stated on the preliminary plat checklist prepared by City staff.
5. In addition to providing curb, gutter, and sidewalk, along the entire Lund Lane frontage, the developer must provide pavement at a width acceptable to the City. Moreover, the applicant shall also provide the same improvements, except the entire sidewalk, along the full length of the boundary of the project as it abuts the Frontage Road. Notwithstanding the foregoing, the Developer may enter into an agreement with the City whereby the City will share in the cost of said improvements.

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

Findings

- Lund Lane and the Frontage Road will be improved as a result of the development.
- The proposed lot size in the development are consistent with the General Plan.

PUBLIC HEARING: HARV JEPSON - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND THE LEONARD LANE PUD BY RECEIVING APPROVAL FOR A LOT SPLIT SUBDIVISION BY METES AND BOUNDS IN AN R-2 ZONE (S-23-06) (Agenda Item #4)

The applicant withdrew his application.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND THE TRAIL MASTER PLAN, AN ELEMENT OF THE GENERAL PLAN (MP-2-06) (Agenda Item #5)

David Petersen explained that the latest version of the Trail Master Plan was approved in 2003. The trails committee requested a more detailed Trail Master Plan that includes trail names, new trails, and trail realignments. He also reviewed the existing trails and the trails that are proposed for the National Forest Service area above Farmington City including the inter-state trail which is designed to travel from New Mexico to Canada. The changes are recommended by the Trails Committee.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

George Chipman (433 South 10 West) said the goal is to have a trail that can be accessed by every resident in the City so they are more likely to be used. The trails provide access for school students, access to the mountains, as well as recreational activities. The Trails Committee recommends that the Planning Commission approve the amendments to the Trail Master Plan, as presented.

Public Hearing Closed

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

Kevin Poff asked if the Forest Service needs to review and approve the trails that are located on the forest service land.

George Chipman said the Trails Committee notifies the Forest Service of the proposed improvements each season.

The Planning Commission expressed their concerns that the map includes trails that are located on private, developed properties. There was concern that the proposed trails may diminish property values by being shown on the Master Trail Plan. Private property owners should be given the same notification and consideration that is given to the National Forest Service. It was suggested that City staff/Trails Committee conduct a comprehensive analysis of the trails system to eliminate trails that travel through developed properties.

David Petersen explained that there may be legal risks involved if the City were to attempt to construct trails on private property without the permission of the owner. He suggested that the City's mapping software be used to assist the Trails Committee in determining which

trails should be eliminated.

Chairman Talbot said he thinks it is inappropriate for the City to require developers to include the trails in their developments.

David Petersen explained that the City offers incentives such as increased density, to the developers in exchange for a trail easement. If the developer is not willing to provide the trail easement, the City then attempts to relocate the trail. Just because a trail is included on the Master Trail Plan does not mean that the trail will be constructed. A trail is considered a method of transportation and the City has the authority to plan for the trails. The City has exceeded the State requirement for notifying residents of the Master Trail Plan amendments. According to a community wide survey, the trails are considered one of the City's main assets.

George Chipman informed the Commissioners that the Trails Committee has a policy that they will not condemn properties to be used for a trail. He acknowledged that the Master Trail Plan should be studied to determine which trails travel through privately-owned, developed properties, or property owners should be made aware that their properties are included on the plan.

Motion

John Bilton moved that the Planning Commission recommend that the Trail Master Plan be amended subject to the removal of trail sections that cross developed properties, and the inference that those property owners may be obligated to provide a trail. **Rick Wyss** seconded the motion, which passed by unanimous vote.

Findings

- The Trail Master Plan amendment and attached condition will prevent individual property owners from feeling obligated to give up property to be used for a trail.
- An opportunity exists for the Trails Committee to determine which properties are undeveloped when creating the Trail Master Plan.
- An effort is being made to connect the trails throughout the City.
- The trail system will offer a mode of transportation, as well as be an asset to the City.

**PUBLIC HEARING: CHARLIE HUNSAKER - APPLICANT IS REQUESTING
CONDITIONAL USE AND SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE
A GAS STATION ON THE NORTHWEST CORNER OF PARK LANE AND LAGOON
DRIVE IN A CMU ZONE (C-11-06) (Agenda Item #6)**

Background Information

The proposed gas station is located in a CMU zone and must be reviewed as a Planned Center Development (PCD) or as a Planned Unit Development (PUD). The CMU chapter of the Zoning Ordinance defines a Planned Center Development as:

An area of land, under unified control, master-planned for development of a mix of land uses that are internally complementary and are compatible with and complement surrounding land uses by utilizing effective site, structure, circulation and landscaping design in a coordinated manner.

It may be possible to technically consider the gas station lot as a PCD since the definition does not prescribe a minimum size for such developments. However, the City will be much better served if standards are enacted to create a PCD of the entire Farmington Fields subdivision.

In addition to the PCD issue, the Planning Commission and/or the applicant must resolve the following:

1. Improvement drawings for the project, including grading and drainage plans, must be reviewed and approved by the City Engineer, Public Works Department, Fire Department, Planning Department, Benchland Water District, and Central Davis Sewer District.
2. Did the developer provide an acceptable easement for the sidewalk on the east side of the property?
3. Is parking adequate? Chapter 32 of the Zoning Ordinance calls for 4 parking spaces per 1000 square feet of floor area for "Intensive Commercial Businesses, Retail Stores and shops." This results in 24 spaces for the 5,868 square foot building (note: the total square footage would drop if the floor space which comprises the carwash is deducted from the total). However, a gas station may have different parking needs than a "shop." The first paragraph of Section 11-32-104 states:

Required off-street parking shall be provided for each land use as listed below. For any use not listed, the requirements for the most nearly similar use which is listed shall apply. The Planning Commission shall determine which listed use is most nearly similar. In special cases where it is determined that there is not a similar use, the Planning Commission, in confutation with the developer, shall establish the minimum parking space requirement:

4. The applicant has provided an attractive building which includes an element of Farmington Rock. Are these elevations acceptable to the Planning Commission?
5. The lighting for a similar gas station located downtown is overbearing. Can the developer assure the City that this will not happen at this location?
6. Does the applicant have plans for a sign other than the wall signs on the building facade?

END OF PACKET MATERIAL.

David Petersen displayed an overhead of the Vicinity Map and pointed out where the property is located. He also displayed an overhead of the Site Plan. He reviewed the “Background Information.” He also reviewed the history of the property and explained that the previous property owner, **Greg Bell**, included a gas station in his concept plan. He informed the Commissioner’s that the application falls in the same category as the Nixon & Nixon storage unit proposal. He recommended that the Planning Commission table the request to allow the applicant to work with the other Farmington Fields subdivision property owners to create a planned center development.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

David Dixon (1047 North 100 West) said he is representing **Charlie Hunsaker**, who was unable to attend the public hearing. He passed out colored renderings of the proposed gas station and displayed a rendering/landscaping plan. He addressed the following points:

Sidewalk Location: The property owner plans to construct the sidewalk on his property in order to accommodate the UDOT encroachment.

Exterior: The building will be made up of farm-like components such as a silo, and structures that resemble a farm house and a shed. Quality materials will be used such as “weathering steel.”

Parking: The gas station will include 3 1/3 parking stalls per 1,000 square feet. The basis for square footage will include the storage rooms, but will exclude the car wash. He compared the parking allowance to that of other gas stations in the area. By typical standards, they are generous yet adequate.

Lighting: Shoe-boxed light poles will be used on the property. The canopy will be custom-made to meet the City’s requirements.

Planned Center Development/Planned Unit Development Requirement: He read the zoning ordinance which refers to “unified control.” He explained that **Mr. Hunsaker** does not have control of the other properties in the subdivision. The property could be considered an island since it is surrounded by roads. It is not possible for the use to extend any further.

Mr. Dixon asked that the Planning Commission consider granting approval subject to certain restrictions, as well as the review of City staff.

Matthew Rasmussen (Weber Basin Water Representative) informed the Planning Commission and City staff that the property is located within close proximity (approximately 500 feet) to a culinary water well. They consider the property to be a “B-zone” which means that extra precautions should be taken to protect the well from contamination.

As requested by **Chairman Talbot**, **Mr. Rasmussen** said he would contact City staff and the property owner to let them know the specific precautions that should be taken to protect the well.

David Dixon indicted that the tank has a double wall. They could also arm the vault with an alarm to notify the gas station attendant if there is a problem with the tank.

Sue Hunsaker (1929 Bella Vista Drive) said the tanks have double-lining and will be tested on an annual basis by the State. She said Chevron has improved their lighting by providing smaller spanners, as well as less lighting in the canopy. She requested that the Planning Commission approve their request since their Chevron approval is only valid for a certain amount of time. They would like to begin construction immediately so their business can be operational during the busy summer months.

Public Hearing Closed

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

Chairman Talbot pointed out that any time constraints the applicant may be faced with were not caused by the Planning Commission or City staff.

Kevin Poff questioned whether the request can be considered outside of a planned unit development. When the Planning Commission considered the Nixon & Nixon proposal, the City Attorney advised the Commission that the application must come in as a planned unit development or a planned center development.

David Petersen referred to a memo he wrote to the Mayor and City Council on November 3, 2006. He read the following paragraphs:

..., the City may wish to require, among other things, the following:

1. *Master Plan recorded against the subdivision to be at least in narrative form. Elements of this plan may address, among other things:*
 - a. *The visual importance of Park Lane and recommendations in building design, signage, and landscaping related thereto;*
 - b. *Description of land use concepts (i.e., anticipated structures, ranges of square footage and general location, parking concepts, public and/or private open space concept, etc.) including a table showing anticipated percentages of land occupied by buildings, hard surface areas, landscaping, wetlands, roads, and so forth.*
 - c. *Transportation - exterior concepts - how will Lagoon Drive be extended to the north and how will this subdivision help accomplish this? What about exterior connections for pedestrians and transit?; and - interior concept - auto and pedestrian and transit?*
 - d. *Description of storm water drainage and water quality systems, major utilities, open space or land use issues and discussion of how such issues will be addressed as development proceeds.*
 - e. *Description of any contemplated development standards at the periphery the PUD or PCD to promote compatibility between the PUD or PCD and adjoining properties.*
 - f. *Estimated sequence and estimated timing (where known) of project development.*
2. *Master Development Guidelines, compatible with the purposes of the CMU zone and the General Plan, for the entire subdivision which may be in the form of CC&Rs and/or some other acceptable mechanism to ensure consistent building design, use of exterior material, building entries, exterior storage and equipment, landscaping, parking, paving, signage, outdoor lighting, fencing, retaining walls, etc.*
3. *Development Agreement with the City to memorialize the aforementioned criteria.*

Mr. Petersen said it may be possible to grant approval subject to **Charlie Hunsaker**

and **Greg Bell** creating a PCD since they would make up the majority of the property owners.

Chairman Talbot said although the Planning Commission agrees a gas station is a good use for the property, the City Attorney's advice should be followed or a precedent may be set for other property owners in the area.

David Dixon said he would be willing to draft CC&R's for the subdivision but he is concerned that the standards may not be acceptable to **Mr. Nixon** and **Mr. Bell**.

The Planning Commission discussed the CMU zone guidelines. It was agreed that the text referring to "unified control" needs to be clarified but the Commission needs to follow the advice given by the City Attorney.

Chairman Talbot informed **Mr. Dixon** that he does not think the proposed parking plan is adequate.

David Dixon said half of the patrons will be pump-users, but he is willing to stripe additional stalls to meet the City's parking requirements.

Motion

Kevin Poff moved that the Planning Commission table consideration of conditional use and site plan approval based upon the direction given that the CMU zone requires all applications to be considered as either a Planned Center Development or a Planned Unit Development. **Rick Wyss** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING RECOMMENDATION TO ENACT A NEW CHAPTER OF THE ZONING ORDINANCE TITLED "URBAN FORESTRY ORDINANCE" (ZT-11-06) (Agenda Item #7)

Motion

Kevin Poff moved that the Planning Commission consider the "Urban Forestry Ordinance" at a future meeting. **John Bilton** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS

Ron & Kit Greenwell Request

The applicant requested that the discussion not occur at this time.

Garbett Homes Color Proposal

The Planning Commissioners reviewed the color scheme for the Garbett Homes development and agreed they were acceptable.

ADJOURNMENT

Rick Wyss moved that the Planning Commission adjourn at 9:20 P.M.

Jim Talbot, Chairman
Farmington City Planning Commission