

# **SPECIAL MEETING & STUDY SESSION FOR THE FARMINGTON CITY PLANNING COMMISSION**

Monday, December 19, 2005

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## **PLANNING COMMISSION REGULAR SESSION**

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

**Chairman Ritz** called the meeting to order at 5:30 P.M.

**GARBETT HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR A PUD DESIGNATION ON PROPERTY PRESENTLY ZONED C (COMMERCIAL) LOCATED WEST OF U.S. 89, NORTH OF I-15, EAST OF THE SHEPARD CREEK PARKWAY, AND SOUTH OF THE DEVELOPMENT KNOWN AS FARMINGTON CROSSING AT SPRING CREEK POND PLANNED UNIT DEVELOPMENT, AND PRELIMINARY PLAT APPROVAL AND A RECOMMENDATION FOR PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR A DEVELOPMENT RELATED THERETO (S-28-05).**

**GARBETT HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR A PUD DESIGNATION ON PROPERTY PRESENTLY ZONED C (COMMERCIAL) LOCATED WEST OF U.S. 89, EAST OF THE SHEPARD CREEK PARKWAY, SOUTH OF SHEPARD LANE, AND NORTH OF THE DEVELOPMENT KNOWN AS FARMINGTON CROSSING AT SPRING CREEK POND PLANNED UNIT DEVELOPMENT, AND PRELIMINARY PLAT APPROVAL AND A RECOMMENDATION FOR PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR A DEVELOPMENT RELATED THERETO (S-30-05) (Agenda Item #1)**

### **Background Information**

The Planning Commission last considered this request on Thursday, December 8, 2005, and approved a motion to continue the same in order to allow time for staff to prepare a motion for Planning Commission consideration.

The Garbett Homes request includes three parts:

1. Recommendation for PUD designation;
2. Recommendation for preliminary development plan (or Preliminary (PUD) Master Plan) approval [note: due to a recent amendment to Chapter 27 of the Zoning Ordinance, the name of the first part of the PUD process was recently changed to “Preliminary (PUD) Master Plan”]; and

3. Preliminary Plat approval.

Under a PUD application, the PUD process and the subdivision process are normally considered together. Nevertheless, the “PUD” designation constitutes a change in the zoning map and as such is considered the same as a rezone application. Section 11-27-090 of the Zoning Ordinance states:

The City Council shall review the application for a Planned Unit Development designation to be added as a suffix to an underlying zone. The City Council shall also review and take action of the Preliminary (PUD) Master Plan at a public hearing in accordance with Chapter 6 of this Ordinance.

A preliminary plat document is required as part of the Preliminary (PUD) Master Plan submittal if the “entire Planned Unit Development is being subdivided in no more than one phase or plat, as required in the Farmington City Subdivision Standards showing the layout of all lots” (Section 11-27-060 (d) (8)). The south part of the Farmington Crossing PUD is being considered in two phases. Furthermore, even if only one phase were involved, as in the north phase, staff believes it may be premature for the Planning Commission to consider preliminary plat approval until the City Council has “rezoned” the property by changing the underlying zone from “C” to “C (PUD)”, and concurrently approves the Preliminary (PUD) Master Plan related thereto.

In considering a Preliminary (PUD) Master Plan, the Planning Commission must be able to make the following findings as set forth in Section 11-27-070 of the Zoning Ordinance:

(a) That the proposed layout will provide a more pleasant and attractive living environment than a conventional development established under the strict applications of the provisions of the underlying zones. The Planning Commission shall consider the architectural design of the buildings and their relationship on the site and their relationship to development beyond the boundaries of the proposed Planned Unit Development. The Planning Commission shall consider the landscaping and screening as related to the several uses within the proposed Planned Unit Development and as a means of its integration into its surroundings.

(b) That the proposed Planned Unit Development will create no detriment to property adjacent to the Planned Unit Development and to this end the Planning Commission may require that the uses of least intensity or greatest compatibility be arranged around the boundaries of the project. The Planning Commission may require that yard and height requirements for the adjacent zone apply on the periphery of the Planned Unit Development.

(c) That the proposed Planned Unit Development will provide more efficient use of the land and more usable open space than a conventional development permitted in the underlying zone. The Planning Commission shall consider the residential density of the proposed development and its distribution.

(d) That the increased density allowed within the Planned Unit Development will be compensated by better site design and by the provision of increased amenities, common open space, and recreational facilities. To insure this requirement is achieved, site plans and other plans should be prepared by design professionals.  
Discussed PUDs - makes it able to have residential in a commercial zone.

(e) That any variation allowed from the development standards of the underlying zone will not increase hazards to the health, safety, or general welfare of the residents of the proposed Planned Unit Development. Based on its action on the Preliminary (PUD) Master Plan, the Planning Commission shall make recommendations to the City Council. A recommendation for approval of the Preliminary (PUD) Master Plan shall also include a list of recommendations for deviation from the requirements of the underlying zone requirements.

END OF PACKET MATERIAL.

**Chairman Ritz** said the PUD designation was added to meet the technical requirements of the Ordinance.

**Paul Hirst** said he suggested that the drainage plan for the Garbett Homes subdivision be the same drainage plan that was accepted in 1996 when Dick Prowse owned the property. He said the proposed drainage options were acceptable for the interim but there were several other options that were being considered for the long term. The City was working with Davis County so the Garbett Homes storm drainage would coincide with the County's overall detention basin which will include the drainage of several developments including The Village at Old Farm and Spring Creek. The water patterns are currently being analyzed to determine the drainage impact of each development.

**Jim Talbot** asked if properties parallel to K-Mart would drain into the County's system.

**Paul Hirst** said the majority of the water would come from east of I-15. He walked the property with **David Petersen** to ensure there would not be a net impact to the existing property owners near the Garbett Homes development.

**Keith Klundt** asked when construction would begin for the northerly and southerly phases.

**Paul Hirst** said Phase 1 was nearly complete. In order to begin construction on the southerly phase, the swell would need to be ready for construction which may or may not need to occur.

**Noel Balstaedt** said Maverik's drainage was being held in the ditch near their store. When Maverik relocates to the adjacent property, they will be responsible for their own drainage.

**Keith Klundt** asked if the temporary detention basin on the center of the property would be adequate.

**Paul Hirst** said he felt it was a desperate move by Garbett Homes. It was a concept solution but there would need to be a better solution in the future.

**Chairman Ritz** said the interim plan would also work for the long-term if necessary.

**Cindy Roybal** said the area would be enhanced if the pond were made larger with flowing water.

**Noel Balstaedt** said the water flows in and out of the pond but does not cross the Kirkham property.

**Paul Hirst** said the water that would drain into the swell would be gravity driven.

**Cindy Roybal** said in order for Garbett Homes to donate the church site, the application would need to be approved by the end of 2005.

**Jim Talbot** said it would benefit the developer if the donation were made before the end of the year but the LDS Church would still accept the donation if it were made in 2006.

**Cory Ritz** said the motion was only a recommendation and it would not be recorded until all of the conditions were met.

**Noel Balstaedt** said Garbett Homes did not want to dedicate the ground unless the conditions were met. He did not think the Church would be ready to accept the donation before the end of 2005.

**Jim Talbot** said the Planning Commission was in favor of the proposed church site. He was concerned about approving phases that were not ready for construction. He suggested that Garbett Homes apply for one phase at a time.

[**David Petersen** arrived at 5:50 P.M.]

**Noel Balstaedt** said Phase 1 was made up of 115 homes, of which there were only 15 still available. Garbett Homes had originally applied for the southerly phase which was delayed due to a situation with the existing property owners. If both phases received approval, Garbett Homes would still plat the southerly phase first.

**David Petersen** reviewed Condition #10 of the “Suggested Motion” which states the following:

10. *Development of the site proposed for a church building and parcels reserved for non-residential uses adjacent to Shepard Lane shall be considered by the City under separate conditional use and/or site plan applications.*

**Noel Balstaedt** said they had received an offer for one of the commercial parcels. The other commercial parcel would be the location of the new Maverik convenience store.

**Paul Barker** referred to the letter from Randy Klein of the Trails Committee who suggested that “The 4-foot non-paved strip could be created in addition to a 10-foot wide paved surface, or the 10-foot wide paved surface could be reduced to an 8-foot width with the permission of the County or other users.”

The Planning Commission discussed the request and agreed that a paved surface would be better for pedestrians, horses and City maintenance.

[**Kevin Poff** arrived at 6:05 P.M.]

**Noel Balstaedt** said Davis County requested that the trail be 10' wide.

**Cindy Roybal** said she was concerned that the trail would be too wide and would be used as a “mini-road”.

The Planning Commission discussed the trail width and agreed it should be 10' wide but from the church site to the north, the trail should be 6' wide.

### **Motion**

**Keith Klundt** moved that the Planning Commission recommend that the City Council add the “PUD” suffix to the underlying zone and approve the Preliminary (PUD) Master Plan for the south and north phases of the proposed Farmington Crossing PUD subject to all applicable ordinances and development standards and the following conditions:

1. Granting of the PUD suffix and approving the Preliminary (PUD) Master Plan shall not occur until:

a. The applicant and Davis County finalize their evaluation and provide the necessary storm water run off and storm water detention solutions for this project which are also acceptable to the City. As part of this evaluation, the applicant must demonstrate that the channelization of Shepard Creek and all other off-site storm water flows entering the project area create no detriment to property adjacent to the proposed planned unit development, this includes but is not limited to the applicant (or the County) obtaining necessary stream alteration permits from the State. After the applicant completes the evaluation, finalizes the information, and receives a recommendation prepared by the City Engineer, the applicant is responsible for notifying the City's Planning Department when the application is ready to go to the City Council.

b. The applicant obtains preliminary plat approval for the respective phase of the Farmington Crossing project ready for City Council consideration.

2. Any approval of the development is subject to the Development Agreement between Farmington City and PBA dated October, 1996, and all other agreements related thereto.

3. All final improvement drawings for the project, including, among other things, a grading and drainage plan, a SWPPP (Storm Water Pollution Prevention Plan), and an address and street numbering system plan, must be reviewed and approved by the City Engineer, Public Works Department, Fire Department, Planning Department, Davis County Flood Control, Central Davis Sewer District, and Weber Basin Water Conservancy District.

4. Due to the proximity of Shepard Creek to the project, the applicant must obtain a flood control permit from Davis County Flood Control.

5. The applicant must receive preliminary plat approval prior to or concurrent with approval of the Final (PUD) Master Plan.

6. It is contemplated that the development will proceed on a phased basis. The developer must show these phases on the Preliminary (PUD) Master Plan. The lotting in the proposed phases must address various issues including but not limited to access, drainage, and trail issues.

7. A schedule indicating the approximate date when construction of the planned unit development will begin should be part of the information accompanying the Preliminary (PUD) Master Plan.

8. The Preliminary (PUD) Master Plan must show a tabulation of the following: total number by type of dwelling units; total acreage of the site and the percentages that are to be designated for various uses, i.e., parking, open space, streets, residential, etc.; growth and net dwelling unit densities; and an estimate of the project population.

9. The applicant should show a landscaping plan indicating the treatment of materials used for private and common open space.

10. Development of the site proposed for a church building and parcels reserved for non-residential uses adjacent to Shepard Lane shall be considered by the City under separate conditional use and/or site plan applications.

**Paul Barker** seconded the motion, which passed by unanimous vote. **Cindy Roybal** abstained from the vote.

### PLANNING COMMISSION ELECTIONS

**David Petersen** said the City Council members suggested that the Planning Commission wait to hold their elections until January 2006. **Mayor Connors** did not think it was appropriate for him to appoint a new Chairman and suggested that it be left to **Mayor Elect Scott Harbertson**. **David Petersen** said it may be difficult to hold the elections after the new year since two of the 2005 Planning Commissioners would no longer be on the Commission.

**Kevin Poff** said it would not be in the best interest of the City for the Mayor to appoint the Chairman.

A vote was taken as to whether the Planning Commission should select a new Chairman or whether it should be left as a Mayoral appointment. The Planning Commission agreed by unanimous vote that they would select the Chairman.

**Chairman Ritz** said his term had ended so the position would be filled by Rick Wyss. **Cindy Roybal's** term had also ended but there was still a year left due to David Hales resigning early from the Commission a few years ago to serve on the City Council. This remaining year would be filled by **Andrew Hiller**. **Chairman Ritz** said he was asked to fulfill the remaining three years of **Annie Hedberg's** term.

**Keith Klundt** nominated Jim Talbot to be the Planning Commission Chairman. The nomination passed by unanimous vote.

**Kevin Poff** nominated **Keith Klundt** to be the Planning Commission Vice-Chairman. The nomination passed by unanimous vote.

**David Petersen** said there was also a Board of Adjustment position that needed to be filled.

**Chairman Ritz** suggested that **Kevin Poff** or **Paul Barker** fill the position. The Planning Commission voted unanimously in favor of **Kevin Poff** serving on the Board of Adjustment since he had prior experience and was willing to do so.

### **ADJOURNMENT**

**Keith Klundt** moved that the Planning Commission adjourn at 6:25 P.M.

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*Cory Ritz, Chairman*  
*Farmington City Planning Commission*