

FARMINGTON CITY PLANNING COMMISSION

Thursday, January 3, 2008

PLANNING COMMISSION STUDY SESSION

Present: Chairman Kevin Poff, Commission Members John Bilton, Paul Barker, Randy Hillier, Steve Andersen, Craig Kartchner, City Planner David Petersen, Recording Secretary Kami Mahan, and Alternate Planning Commission Member Jim Young.

Chairman Poff called the meeting to order at 6:17 p.m. The following items were reviewed:

Agenda Item #1: Minutes

David Petersen stated that the minutes were not yet ready for approval.

Agenda Item #2: City Council Report

David Petersen reported the proceedings of the City Council meetings which were held on December 6th and December 11th, 2007. He covered the following items:

- The City Council approved the Spring Creek Estates Master Plan. **Mr. Petersen** explained the reasons for the approval.
- The City Council approved the secondary dwelling proposal. **Mr. Petersen** explained to the new members of the Commission the meaning of secondary dwellings, accessory buildings, and LR zones.
- The City Council approved Richard Lindsley's request for a two-lot subdivision.
- The City Council rezoned the 15-acre triangular parcel of the Martinez property.
- The City Council approved the Tuscany Village agreement.
- The City Council granted a credit of \$2.00 per square foot to Nate Shipp for a parcel of Palmer Estates in exchange for impact fees.

Chairman Poff invited the members of the Planning Commission to introduce themselves.

North Park Development LC - Reconsideration of the Planning Commission's Preliminary Plat Approval granted December 6TH, 2007 for the Canyon Park Subdivision, Consisting of

25 Lots on 11.6 Acres of land located at approximately 25 West 600 North in the LR-F And OTR Zones. (S-23-07) (Agenda Item #3)

David Petersen referred Commission members to the “Background Information” in the packet. He reviewed this item and explained the proposed changes of the preliminary plat in some detail. It was pointed out that the street names of 90 West and 100 West are used interchangeably.

The Commission discussed the “crash gate,” and the benefits of improving the road. **Chairman Poff** and **Mr. Petersen** clarified how to present the motions. **Steve Andersen** suggested changing the wording of “improvement thereof” in Condition #9 (pg 1 of the staff report) to “improvement of the road.”

Mr. Petersen explained issues raised by the Commission regarding the reasons for the changes, the parking situation on the street, the east right-of-way, drainage, curb and gutter, construction of the road, and Staff’s recommendation. **Mr. Petersen** also explained the funding scheme for the development.

[**Rick Wyss** arrived at the meeting at 6:50 p.m.]

Chairman Poff said that **David Petersen** will supply pertinent information on the development to the Commissioners.

The meeting adjourned at 7:00 p.m.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Kevin Poff, Commission Members John Bilton, Paul Barker, Rick Wyss, Randy Hillier, Steve Andersen, Craig Kartchner, City Planner David Petersen, Recording Secretary Kami Mahan, Alternate Planning Commission Member Jim Young.

Chairman Poff called the meeting to order at 7:08 p.m. He welcomed and introduced the new members of the Planning Commission, **Steve Andersen, Craig Kartchner**, and Alternate member **Jim Young**.

Chairman Poff offered the invocation.

APPROVAL OF MINUTES (Agenda Item #1)

Chairman Poff stated that there were no minutes to approve.

CITY COUNCIL REPORT (Agenda Item #2)

Chairman Poff said that the City Council report was presented during the study session.

NORTH PARK DEVELOPMENT LC - RECONSIDERATION OF THE PLANNING COMMISSION'S PRELIMINARY PLAT APPROVAL GRANTED DECEMBER 6TH, 2007 FOR THE CANYON PARK SUBDIVISION, CONSISTING OF 25 LOTS ON 11.6 ACRES OF LAND LOCATED AT APPROXIMATELY 25 WEST 600 NORTH IN THE LR-F AND OTR ZONES. (S-23-07) (Agenda Item #3)

Chairman Poff introduced this Agenda item, and **David Petersen** referred to the overhead aerial map and pointed out the subject property. He explained the proposal as contained in the staff report of the Commission packet. **Mr. Petersen** demonstrated on the whiteboard the cross-section of the stub street, and reviewed the reasons for the proposed new right-of-way.

Mr. Petersen also reviewed the "Suggested Motions" from the staff report, and **Steve Andersen's** wording change proposed during a work session of Condition #9, from "improvement thereof" to "improvement of the road."

Chairman Poff opened the matter up to the Commission for their consideration. **Steve Andersen** raised the issue of an above-ground spring which could be a problem. **David Petersen** pointed out the "boggy" area on the overhead map and said this issue would be addressed at the next level of approval.

Mr. Petersen showed the location of a long lot on the property and explained where the right-of-way will join with the adjacent property. He said that the road may need to be moved slightly in the future, and suggested adding a sentence to Condition #9 of the motion with respect to this issue.

In response to questions from Commission members, **Mr. Petersen** clarified issues regarding the potential alignment of the road, and the procedure of having streetlights installed in the development.

Motion

Randy Hillier made a motion that the Planning Commission reconsider their previous motion for preliminary plat approval for the Canyon Park Subdivision granted on December 6, 2007. **John Bilton** seconded the motion, which passed unanimously.

Motion

John Bilton moved that the Planning Commission modify their previous motion for preliminary plat approval by amending Condition #9, to be re-worded as follows:

9. A stub street is planned to connect to 90 West Street, however, construction traffic access shall be prohibited on 90 West Street during all phases of the project construction except during actual construction or improvement of the street. 90 West Street must be improved from the north side (including the intersection) of said stub street to and including the intersection with 600 North Street and brought up to city street standards at the same time all other improvements are constructed for the subdivision. Based on existing and future traffic flows (and other criterial) the City Engineer and UDOT shall determine whether or not ingress and egress from 600 North to 90 West Street must be restricted to right turns only, if so, the intersection must be designed appropriately as approved by UDOT and Farmington City. The stub street must reasonably align with a possible future road that may head to the north and northwest abutting near the north boundary of one of the following two parcels identified by the Davis County Tax I.D. #'s 07-014-0033 or 07-014-0034.

The motion was seconded by **Steve Andersen**, and passed unanimously.

Motion

Paul Barker moved that the Planning Commission recommend the City Council approve a modified cross-section for 90 West Street from east to west as follows: 2.5 feet curb and gutter, 27 feet asphalt, 2.5 feet curb and gutter, 8 foot sidewalks (beginning at back of curb), 2 feet unimproved area to the western right-of-way line. Installation of the 8 foot wide sidewalk shall be deferred until adjacent parcels are further developed, the Bradshaw property is developed, or the City constructs the sidewalk. In the meantime parking shall be prohibited on the west side of 90 West Street and a western portion of the asphalt pavement area shall be marked and reserved exclusively for pedestrians. It is further recommended that the entire existing 90 West Street between the intersection of the stub street and the intersection at 600 North be reconstructed to meet City standards. The City should be responsible for installing the sub-grade and road base, and relocating the westerly 90 West/600 North curb return. The Developer shall be responsible for the initial excavation of the street, underground utilities, sanitary sewer, culinary and secondary water, and storm drain (if applicable), curb and gutter on both sides of the street, and the full width and depth of the asphalt overlay consistent with City standards.

The motion was seconded by **Randy Hillier** and passed unanimously.

Findings:

- 90 West Street provides a necessary second point of access to the project and as per Section 12-8-020 of the Subdivision Ordinance, the “Subdivider shall improve, or agree to improve all streets, pedestrian ways or easements in the subdivision and on streets which abut, or serve as access to, the subdivision.”
- 90 West Street is an established semi-paved 42 foot wide local street right-of-way which predates existing City standards. The City’s current local street standard consists of a 55 wide right-of-way and its cross-section includes 27 feet of asphalt and a 2.5 foot curb/gutter, 7.5 foot park strip and 4 foot wide sidewalk on both sides of the street. The aforementioned recommended modified cross-section for 90 West street provides the standard asphalt and curb and gutter widths and ample area for a future pedestrian way on the west side of the street connecting the Farmington Creek trail directly to 600 North.
- It is fair that others, besides the applicant, participate in the construction of 90 West Street because this street benefits nearby properties in the vicinity in addition to the Canyon Park project. Hence, it is recommended that the City participate and it is not recommended that the applicant nor the City improve 90 West Street north of the intersection with the stub street.
- The proposed sidewalk does not abut the Canyon Park property and when compared to similar circumstances it is not uncommon that others should be responsible for its construction.
- Not widening the 90 West right of way further east maintains the historic nature of the area.
- Local area owners and the developer have been consulted and seem to be in agreement with the proposal.

FARMINGTON CITY - (PUBLIC HEARING): APPLICANT IS REQUESTING A RECOMMENDATION FROM THE PLANNING COMMISSION TO ADOPT A LEGACY PARKWAY SCENIC BYWAY MASTER PLAN AS AN ELEMENT OF THE CITY’S GENERAL PLAN (MP-2-07) (Agenda Item #4)

Chairman Poff introduced this Agenda item, and **David Petersen** explained the history of the Legacy Highway proposal. He said that Farmington, Salt Lake City, Centerville, West Bountiful, Woods Cross, North Salt Lake, and Davis County met to determine a corridor management plan. A major concern of the cities was signage. It is being proposed that each city

adopt an overlay to go with their segment of the corridor, and consistency will be needed. However, the corridor master plan must be adopted prior to the overlay.

In response to a question by **Chairman Poff, Mr. Petersen** referred to Page 9 of the Scenic Byway Master Plan report in the Commission packet and clarified the areas being considered for the Byway, as well as the process of approval.

Steve Andersen asked about the existence of trail heads, and **Mr. Petersen** showed trail head locations on the overhead aerial map. At the request of **Craig Kartchner, Mr. Petersen** traced the left corridor of the Byway and stated that it may be necessary to make some zoning changes along the corridor later in the approval process.

Chairman Poff asked about pedestrian access along the Park Lane Bridge. **David Petersen** said that UDOT has not planned pedestrian access for now, and the City has no present funding to provide for this. Possible options for pedestrians was discussed, including a UTA shuttle to Lagoon. **Mr. Petersen** said that UTA has an “enhancement package” planned for the commuter rail site.

Mr. Petersen reviewed a brief history of CenterCal for the new Commission members.

In response to issues raised by **John Bilton, David Petersen** said that the Scenic Byway designation would be built on national criteria, which states that local signage requirements must be met by the developer.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing at 7:45 p.m.

Public Hearing Closed

There were no public comments, and **Chairman Poff** closed the public hearing at 7:45 p.m.

In response to a question by **Craig Kartchner** it was clarified that the Scenic Byway is not related to UDOT’s proposed “North Legacy” transportation corridor.

Motion

Rick Wyss moved to recommend that the City Council adopt a Legacy Parkway Scenic Byway Master Plan as an element of the City’s General Plan. **Randy Hillier** seconded the motion, which passed unanimously.

WOODSIDE HOMES - (PUBLIC HEARING): APPLICANT IS REQUESTING CONDITIONAL USE APPROVAL FOR THE PLACEMENT OF TEMPORARY PROPERTY SIGNS FOR THE HUNTERS CREEK SUBDIVISION (C-21-07). (Agenda Item #5)

David Petersen pointed out the property on the overhead aerial map, and said the size of the subdivision is extensive. He explained the applicant's wish to add a monument sign, and said the ordinance change was approved last year. **Mr. Petersen** referred to the pictures and elevation drawings in the Commission packet, and said that Staff is recommending approval.

Steve Andersen pointed out that the Agenda listed the application as a request for a temporary sign. **David Petersen** stated that the Agenda was wrong, and the request is for a permanent sign.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing at 7:50 p.m. and invited comment.

Public Hearing Closed

With no public comments, **Chairman Poff** closed the public hearing at 7:50 p.m. and turned the matter over to the Commission for discussion.

Chairman Poff questioned if future entrance signs were planned for Farmington City, and whether this would affect the applicant's request for a separate sign. **David Petersen** explained the location of present Farmington City signs and said perhaps this could be an issue in the future.

Steve Andersen asked if the proposed monument sign was within allowable size limits. **John Bilton** stated that the size requirement did not change, that an ordinance change was approved for certain situations requesting two signs. **Rick Wyss** said this issue was discussed at length at the last Planning Commission meeting, and the applicant's arguments were enough to warrant changing the ordinance. Commission members briefly discussed the sign's possible enhancement to Farmington.

It was explained that the original ordinance allowed one sign per development, and the ordinance was changed to allow consideration of a second monument sign if appropriate criteria were met.

Motion

Randy Hillier moved that the Planning Commission grant Conditional Use approval for the placement of a second property sign at the Hunters Creek subdivision with the following

conditions:

1. The care and maintenance of the sign and accompanying landscaping must be added to the responsibilities of the Hunters Creek HOA.
2. The sign must be incorporated into the open space with trees and landscaping.
3. Any lighting of the sign must not in any way cause a nuisance.
4. The sign must be placed in such a way as to preserve the clear view of the intersection at 950 North and Sharpshooter Drive.
5. The sign must meet all standards and regulations of the sign ordinance not modified specifically by this conditional use approval.

The motion was seconded by **Rick Wyss**, and passed by a vote of 6-1, with **Steve Andersen** voting against.

Findings:

- The Hunters Creek subdivision does have two distinct entrances, and represents a reasonable use of this provision;
- The sign is incorporated into the open space area and is well designed

FARMINGTON POINTE LC (PUBLIC HEARING): APPLICANT IS REQUESTING CONDITIONAL USE APPROVAL FOR ANEW DAY-CARE FACILITY (KINDERCARE) TO BE LOCATED AT 1050 WEST Shepard LANE IN THE C ZONE. (C-12-07) (Agenda Item #6)

Chairman Poff briefly introduced this item. **David Petersen** referred to the overhead aerial map of the area, and explained the location of the proposed Kindercare. He distributed newly received elevation drawings to the Commission members and explained some details of the proposal. **Mr. Petersen** said that parking seems generous, and Staff is recommending approval if the Commission determines that the conditional use is appropriate to the area.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing at 8:05 p.m. and invited the applicant to address the Commission.

Scott Allen, (Eagle Point Financial Group, 15 East 2200 South, Bountiful) introduced himself and **Don Harrington**, and said they have provided information to the City regarding hours of operation and the estimated number of employees and children. He explained the developer's intent to ensure cross access to neighboring businesses and shared parking.

Don Harrington, (Construction Manager for Kindercare, 650 Northeast Holiday, — Learning Corporation) stated that he was representing Kindercare, which is a privately owned nationwide corporation. In response to questions from the Commission members, **Mr. Harrington** said he was not aware of any Kindercare establishments that were closed in the Salt Lake area due to lack of patronage, and that they only dedicate themselves to a site when they are confident it will succeed. Kindercare will be licenced to care for approximately 128 children, from infant to school age.

Mr. Harrington said the operations people who would be present at the next public hearing could answer further questions regarding demographics served by Kindercare, after-school care and other issues.

Mr. Harrington explained that the centers are typically busiest at the beginning and ending of the workday as parents drop off and pick up their children. He stated that there will be about fifteen employees parking in the parking lot.

Steve Andersen raised the issue of stacking of vehicles during busy times. **David Petersen** said the four- way stop in the area was installed to handle traffic from Kaysville and Cherry Hill, and that it has been very adequate. There is not enough room for a roundabout, but a grant has been received to install a traffic light. The traffic light has been approved and funding is available.

Public Hearing Closed

Chairman Poff closed the Public Hearing at 8:13 p.m.

Paul Barker asked for clarification on the proposed curb cuts, and **David Petersen** explained the standard on curb cuts in the present ordinance. **Chairman Poff** expressed reservations concerning access onto Shepard Lane and the increasing traffic which would occur. He suggested reconfiguring the proposal to create a curb cut off of Shepard Creek Parkway on the south end of the property.

Randy Hillier pointed out possible problems with the island on Shepard Creek Parkway, and **Mr. Poff** replied that u-turns are common in that area. **Steve Andersen** expressed approval of the overall plan, but is concerned about people merging into busy traffic and agrees with rotating

the curb cut. **Mr. Poff** said there appeared to be room to reposition a proposed playground and access. He said he would rather have a curb cut in the island than traffic entering/exiting Shepard Lane, and that a significant number of people will have to make a u-turn anyway during heavy traffic.

David Petersen showed the length of the proposed curb cut on the overhead map. **Don Harrington** said an adjustment can be made to get the cut further from the corner. The Commission discussed the future increase in traffic, and potential alternative locations for the curb cuts. **Rick Wyss** said that this issue probably did not need to be resolved at this meeting, and the Commission discussed possible options for a motion.

Motion

Rick Wyss moved that the Planning Commission grant Conditional Use approval for the proposed Kinder Care facility at 1050 W. Shepard Lane with the following conditions,

1. The site plan and improvement drawings, including but not limited to a grading and drainage plan and a traffic circulation plan, must be reviewed and approved by the City Engineer, Public Works, Planning, and Fire Departments, Central Davis Sewer District, Benchland Water District, and the City's traffic engineer if necessary.
2. Upon review and approval of the site plan by the aforementioned agencies, the site plan shall be reviewed and approved by the Planning Commission. Any conditions of the approved site plan shall also become conditions of the conditional use permit. For this review the site plan must be accompanied by:
 - a. More detailed architectural plans showing a greater indication of the materials and colors to be used. These plans shall include, among other things, height of structures and indicate screening of roof-based mechanical equipment, dumpsters, etc. The development shall be designed to include, as a part of the exterior facade of the building or as architectural elements in the landscape, an element of "Farmington Rock";
 - b. A detailed landscaping plan meeting the requirements of Chapter 7 of the Zoning Ordinance must be provided for review and approval;
 - c. A lighting plan which shall illustrate the type and location of lighting proposed for structures, walkways, and parking lots. Lighting shall be designed, located, and directed so as to eliminate glare and minimize

- reflection of light into neighboring properties;
- d. Screening as per ordinance;
 - e. A Sign plan indicating the location, height, and appearance of signs upon the site and the effects upon parking, ingress and egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
3. The access to the property must be identified clearly by the site plan, and the City may restrict ingress and egress to the site to “right-in”/”right-out” only;
 4. The site plan shall include a table indicating the total area of the site and the percentage of that total which is occupied by structures, by parking and service areas, and by landscaping. For multiple-family residential developments the table shall also include the proposed density in terms of the number of dwelling units per acre;
 5. Hours of operation must be restricted to between 6:00 a.m. and 8:00 p.m.;
 6. The proposed use must comply with all other standards and regulations of the zoning ordinance and other applicable city codes;
 7. Kindercare must strongly consider alternate access points that would not impact Shepard Lane.

Steve Andersen seconded the motion, which passed by a unanimous vote.

Findings:

- The proposed use is in keeping with the intent and purposes of the zoning ordinance.
- The proposed use is in keeping with the intent and purpose of the General Plan.
- The proposed use provides a general neighborhood oriented service which benefits the local area.

Rick Wyss reminded the Commission about the recommendation for an on/off ramp to I-15 from Shepard Lane by the City-hired Engineer who was hired to consult on the north Legacy

Highway, and said that because of this, the current proposal is impractical. The Commission briefly discussed implications of future development and increasing traffic in the area of Shepard Lane.

MISCELLANEOUS, CORRESPONDENCE, ETC. (Agenda Item #7)

- a. BOA representative election

Chairman Poff explained that one member of the Planning Commission is to be a voting member of the Board of Adjustment, and asked for nominations. **Craig Kartchner** nominated **Randy Hillier**. The time commitment and responsibilities of the Board were discussed. It was determined that the BOA representative needs to be a member of the Commission, and not an Alternate. **Paul Barker** raised the issue of liability protection for BOA members.

Motion

Craig Kartchner moved to nominate **Randy Hillier** as a member of the Board of Adjustment. **John Bilton** seconded the motion, which passed unanimously.

- b. Chapter 18 zone text changes (Note: this was not discussed by the Commission)
- c. Smith street vacation proposal

David Petersen referred to a hand-drawn map in the Commission packet and pointed out Mr. Dale Smith's property. He explained that Mr. Smith has requested an accessory building, which was previously an art studio, but in reality is an apartment. The building predated the zoning ordinance. There have been some street vacations in the area. Mr. Smith proposes a new property line to accommodate an apartment/gallery on a separate lot.

Mr. Petersen asked the Commission if this issue should be pursued by Staff by having a variance declared with the Board of Adjustment, or if the applicant is requesting too much.

[**Rick Wyss** left momentarily]

Mr. Smith's possible intention with the property was discussed. **Mr. Petersen** said the house has been added onto several times. **Chairman Poff** questioned the benefit to the City if a vacation is granted. **Randy Hillier** said the affected property would be of no use to the City anyway.

David Petersen explained how the vacation would impact the property, and said that similar vacations are common. Some Commission members expressed wariness of granting a vacation that gains nothing for the City. It was brought up that there may be some minor tax benefits for the City. **Chairman Poff** emphasized the lack of real benefit to the City, and pointed out that the lot configuration would be odd and several aspects of the proposal are non-compliant. The issue of setting a bad precedent for future street vacation requests was raised.

Mr. Hillier said he understood the position of giving away “something for nothing,” but reiterated that the City would not do anything with the property in any case, and that the owner would have to pay taxes on the property. **John Bilton** expressed concern for neighboring residents’ opinions, and potential development problems in the distant future. Other Commission members agreed. Setback requirements and the owner’s options were discussed. **Paul Barker** said that the Commission needs to look out for both the community, as well as the property rights of the individual.

David Petersen said that the Commission members can attend a Planner’s Workshop at the City’s expense. **Chairman Poff** stated that Utah Trust also has seminars that are very informative.

David Petersen referred to the information in the packet regarding basketball standards, and suggested it be reviewed by the Commission members.

ADJOURNMENT

Steve Andersen moved to adjourn the meeting. **Craig Kartchner** seconded the motion, which passed unanimously.

The meeting adjourned at 8:45 p.m.

***Kevin Poff, Chairman
Farmington City Planning Commission***