

FARMINGTON CITY PLANNING COMMISSION

Thursday, January 17, 2008

PLANNING COMMISSION STUDY SESSION

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

Chairman Poff called the meeting to order at 6: 30 p.m. The following items were reviewed:

Agenda Item #1 : Minutes

It was questioned whether a quorum from the last Planning Commission was needed to approve the minutes, and **Jared Hall** said there were sufficient members present to give an approval.

On Page 13 of the minutes of December 6, 2007, there was some question as to which “Mr. Hall” (Jared Hall or Brady Hall) was being referred to in the fifth paragraph, and it was clarified that this was a reference to **Jared Hall**.

Agenda Item #2: City Council Report

Jared Hall reported the proceedings from the January 11, 2007 City Council meeting:

- The City Council will most likely approve the recommendation for a modified cross section for 90 West Street.

The Commission briefly discussed the discrepancy of the same street being referred to as both 90 West and 100 West).

- There was a Special City Council meeting held December 20, 2007 regarding the UDOT Scenic Byway proposal.
- **John Bilton** asked about the status of basketball standards, and **Jared Hall** said the issue is still being worked on. Only a few residents have not complied with requirements.

Willowbend Partners, LC- (Public Hearing): - Applicant is requesting preliminary Plat Approval for the Brynleigh Cove PUD Subdivision, consisting of 8 lots on 1.6 acres of land located at 1386 South 200 East in the R2 zone. Applicant further requests Reaffirmation of the Planning Commission’s recommendation for Final Plat Approval given on December 7, 2008. (S-16-06) (Agenda Item #3)

Jared Hall explained that in reviewing the documents for this development, it was discovered that Final Plat approval had not been formally given. A few details of the development were discussed.

LDS Church - (Public Hearing): - Applicant is requesting Conditional Use Approval for construction of a new LDS Chapel on property located in the Farmington Crossing PUD, generally East of Shepard Creek Parkway , West of US 89 and South of Shepard Lane in the C(PUD) Zone. (C-22-07) (Agenda Item #4)

Jared Hall reviewed the “Background Information” of this request. There was a general discussion of the Planning Commission with regard to fencing for the property, particularly concerning legal liability, safety, practicality, type of fencing, and the need for the fencing to blend in well with the surrounding property and environment.

It was suggested that Condition #5 in the “Possible Motion” be modified, and wording of the motion was discussed. Access to Highway 89 from the church and the Garbett development was discussed briefly.

The meeting adjourned at 7:00 p.m.

PLANNING COMMISSION REGULAR SESSION

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

[Commission members **Paul Barker** and **Rick Wyss** were absent, and Alternate member

Jim Young sat on the Commission.]

Chairman Poff called the meeting to order at 7:06 p.m. **John Bilton** offered the invocation.

In response to an inquiry from some Commission members, **Jared Hall** said that the W-9 tax forms are needed every year, and this issue was briefly addressed.

APPROVAL OF MINUTES (Agenda Item #1)

The Commission reviewed the minutes of the December 6, 2007 and January 3, 2008 Planning Commission meetings.

Motion

John Bilton moved to approve the minutes of the December 6, 2007 and January 3, 2008 Planning Commission meetings, with the understanding that **Jared Hall** would verify the accuracy of certain information. **Craig Kartchner** seconded the motion, which passed unanimously.

CITY COUNCIL REPORT (Agenda Item #2)

Chairman Poff stated that the City Council report was given during the Commission study session.

WILLOWBEND PARTNERS, LC - (PUBLIC HEARING): - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR THE BRYNLEIGH COVE PUD SUBDIVISION, CONSISTING OF 8 LOTS ON 1.6 ACRES OF LAND LOCATED AT 1386 SOUTH 200 EAST IN THE R2 ZONE. APPLICANT FURTHER REQUESTS REAFFIRMATION OF THE PLANNING COMMISSION'S RECOMMENDATION FOR FINAL PLAT APPROVAL GIVEN ON DECEMBER 7, 2008. (S-16-06) (Agenda Item #3)

Chairman Poff briefly introduced this Agenda item, and **Jared Hall** said the topic was reviewed during the study session. He said that the application was not completely processed, and Preliminary Plat approval was still officially needed.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing. There were no comments.

Public Hearing Closed.

Chairman Poff closed the public hearing.

Motion:

Steve Andersen moved to approve the Preliminary Plat for the Brynleigh Cove PUD with the following conditions:

1. Applicant shall comply with all conditions of previous approvals.
2. Final improvement drawings, including a grading and drainage plan, must be reviewed and approved by the City Engineer, Fire Department, Public Works Department, CDS, and Benchland Irrigation.
3. Applicant shall continue to work with city staff to make any necessary corrections to the plat.

4. Applicant shall submit draft CC&Rs to the city for review. Such documents will adequately address the maintenance of all common open space on the project.
5. Applicant shall submit final building elevations of the units to the Planning Dept. for review and approvals by the Planning Commission and City Council.
6. Applicant shall provide a detailed plan for the common open space to the Planning Department for review and approval prior to recording. Such plan shall include the addition of a solid fence along the entirety of the south property line, no less than 6 feet in height. Plans shall also include details for the staining and /or pattern of concrete for the sidewalk and drive approaches where they cross the common open space.
7. The applicant must complete the following as set forth in the Preliminary Plat Checklists:
 - a. A tabulation of the project's open space (common) areas, hard surfaces, buildable areas etc.
 - b. Elevations of the fence to be provided
 - c. Soils Report

John Bilton seconded the motion, which was unanimously approved.

Findings:

1. The subdivision as proposed is in keeping with the zoning designations and provides units for ownership as opposed to rentals.
2. The PUD aspect helps to ensure better maintenance of the units and therefore the neighborhood.
3. The developer has made good efforts to respond to staff and city concerns about the density and proximity to already developed neighborhoods.
4. **The preliminary approval was believed to have been previously granted.**

Motion

Steve Andersen moved to re-affirm the recommendation for Final Plat approval given on December 7th, 2007, with the conditions stated in the previous motion. The motion was seconded by **John Bilton**, and passed unanimously.

Findings:

The Commission determined that the same Findings apply to this motion as to the previous motion.

**LDS CHURCH - (PUBLIC HEARING): - APPLICANT IS REQUESTING
CONDITIONAL USE APPROVAL FOR CONSTRUCTION OF A NEW LDS CHAPEL
ON PROPERTY LOCATED IN THE FARMINGTON CROSSING PUD, GENERALLY
EAST OF SHEPARD CREEK PARKWAY , WEST OF US 89 AND SOUTH OF
SHEPARD LANE IN THE C(PUD) ZONE. (C-22-07) (Agenda Item #4)**

Jared Hall briefly reviewed this request. He said that Staff is recommending approval with the conditions stated in the Staff report. **Mr. Hall** reviewed each condition individually, and said that modifications to Condition #5 should be made with regard to fencing, as was discussed during the study session.

Public Hearing Opened

Chairman Poff opened the public hearing and invited the applicant to address the Commission.

Jared Hall referred to the overhead landscaping map of the property and said that there was concern that the parking lot of the church property did not have sufficient lighting on the north end. He asked Architect **Lafe Harris** to provide more details of the proposed lights on the building.

Lafe Harris (Butler Harris Davey Architects, 2061 East Murray Holiday Road, Salt Lake City) pointed out on the overhead map the areas where lights are proposed, and he explained their design. He said that normally the church prefers significant lighting only in areas that are screened from visibility. Because there may be streetlights on the road at the north end of the property, additional lighting is probably not necessary. **Mr. Harris** said the building is not set to be constructed this year, but placement of the lights will probably be known before the next step in the approval process.

John Bilton asked if the current proposal contains the same amount of Farmington rock as the Hunter's Creek church building. **Mr. Harris** said this building is larger because it is a stake center. There will be rock on five areas of the sides of the building rather than only one larger area and on the mechanical enclosures as in Hunter's Creek. The total area of rock will be at least as large, or larger than, the areas of rock on the Hunter's Creek building.

In response to questions by the Commissioners, **Mr. Harris** pointed out on the elevation drawings the location of the rock on the building. He said that brick will cover the bottom portion of the building, with metal siding above, which is typical of the standard plan of the church. Brick

color has not yet been determined. No rock is planned for the main entrance. The percentage of rock on this building is approximately the same as for other church buildings. Stake centers have more mechanical enclosures in the back.

Chairman Poff and **John Bilton** pointed out that in buildings further from the downtown area, the City has been less insistent on the amount of Farmington rock required than in OTR areas. **Mr. Harris** clarified that the mechanical enclosures are typically brick, and sometimes a four-foot privacy vinyl fence is installed. One of four particular plans are chosen by the Stake president after input is received by the Planning Commission.

Mr. Harris said the church prefers the average LDS meetinghouse to have a six-foot tall privacy fence surrounding the property because of safety, access, and privacy issues. In this case a gate with a safety isle is proposed on the south to the adjacent development to allow for access without having to cross through busy traffic. There is also concern about cars driving onto the landscaping of the property on a private drive.

Mr. Harris said the dumpster and pavilion are not public facilities, so providing access control because of liability is a big concern. There are also safety issues regarding the nearby stream. To alleviate them, they would like to change from privacy slats to a more open type of fencing such as chain link with vinyl coating, which is more compatible with the area.

Public Hearing Closed

Chairman Poff closed the public hearing and said that the Commission was agreeable to the fact that the pavilion space needs enclosing. However, they had concerns with an enclosed fence along the east side because of (1) problems with safety by creating isolation with a solid fence along the trail, and (2) liability issues are still being discussed by the City and County which may affect where other fences go. **Mr. Poff** said that the City and County are currently considering this issue with regard to the stream and pond, and it is not yet known how this will be resolved.

Mr. Poff said the City did not want a walking trail surrounded by two large fences. He asked **Mr. Harris** if a postponement of the fencing decision until other issues were resolved would be a problem. **Mr. Harris** said receiving the Conditional Use permit was currently the most important issue.

Chairman Poff turned the matter over to the Commission for discussion.

Craig Kartchner stated that chain link fencing is not in keeping with other fencing in the area, and that there were other options. **Steve Andersen** said that fencing should blend in so the uniqueness of the area could be preserved. **Chairman Poff** asked about the possibility of using shrubbery or landscaping rather than fencing. **Mr. Harris** said that because landscaping changes significantly over time, and because of the need to be water wise, landscaping alone would not be appropriate.

Steve Andersen asked what other fencing alternatives the church has used. **Mr. Harris** replied that vinyl rail fencing has been used in the Farmington Ranches area, and that open vertical slats would be better. Wrought iron has also been used, but this is rare. Commission members discussed various fencing options. It was determined that fencing could be addressed later in the approval process.

In response to a question by **Chairman Poff, Jared Hall** said the time line of decisions made by the County on these issues is unpredictable. He said there is more concern with liability regarding the pond than with the trail. The City's position is that accepting liability for the trail would be adequate. There will need to be compromise.

Craig Kartchner stated that the proposed fence would be incongruent with the rest of the neighborhood, and he questioned the need for a privacy fence on the south end of the property due to the area being in a dead end neighborhood. **Mr. Harris** explained that it creates a problem for neighboring residents when they have headlights from the church parking lot shining into their homes at night.

Motion

John Bilton moved that the Planning Commission grant conditional use approval for a new LDS chapel in the Farmington Crossing PUD at Shepard Church Drive and Spring Creek Lane, subject to the conditions stated below, but with Condition #5 being modified as follows:

1. Improvement drawings for the site, including a grading and drainage plan and storm water management plan, shall be reviewed and approved by the Farmington City Engineer, Planning Department, Public Works Department, Fire Department, Weber Basin Water Conservancy District, and Central Davis Sewer District.
2. The applicant must meet, or fulfill, all of the unmet requirements or comments from the reviewing agencies.
3. 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. The development shall be designed to include, as a part of the exterior facade of the building and 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;

- 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 while providing security to the project area;
- d. Screening as per ordinance;
4. The developer must abide by all tenets of the development agreement between Farmington City and Garbett Homes regarding the planning and construction of the slip ramp access to US 89.
5. The City will investigate with the County the fencing options along the border of the stream, City Staff will review legal liability issues with the City Attorney, and a section of privacy fencing will be provided on the southeast corner for the bowery and volleyball court, blending to a more open and congruent feel with the neighborhood. All of these issues are reserved for resolution in the site plan approval process.

The motion was seconded by **Craig Kartchner**, and was unanimously approved.

Findings:

1. It is consistent with the Farmington Crossing (PUD) Master Plan.
2. There is need for such a use in the area.
3. The proposed chapel provides tie-ins to the neighborhood sidewalks and trail systems, relating well to the surrounding use and community and furthering the goals of the General Plan.
4. The fence issue will have an immense impact on the trail, as well as on the church property and the overall feel of the area.

Randy Hillier commented that privacy fencing on the south side of the property may affect the open feel of the area.

There was a brief discussion concerning the responsibility for the cost of fencing. **Craig Kartchner** expressed disapproval of the use of siding on mechanical enclosures or the church building. The Commission's authority regarding applicants' "personal taste" in choices of architectural materials was briefly addressed. **Mr. Harris** clarified that siding will only be used on the back (south) portion of the building.

Miscellaneous, correspondence, etc.

a. URMA training DVD -

The Planning Commission members viewed a training DVD.

b. Chapter 18 zone text changes

Jared Hall referred to an overhead map of Farmington and pointed out the location of current TOD zoning. **Chairman Poff** and **Jared Hall** explained to the new Commission members the meaning of, purposes for, and various types of TOD zoning. **Mr. Hall** clarified that the area shown on the map was to illustrate current Master planning. He said that the amount of TOD-zoned land is significant, and there is presently no cap on the size of retail stores. He asked the Commission to consider if this issue should be changed.

Mr. Hall referred the Commission to Page 6, Item #6 of the Transportation Oriented Development (TOD) Zoning Ordinance. The size of retail stores such as K Mart and Walmart were discussed.

Chairman Poff said that if a Conditional Use permit is granted, the conditions should be spelled out in the permit. **Jared Hall** said that specific reasons need to be addressed when a particular request is denied by the City. **Chairman Poff** pointed out that the proper language is needed in the ordinance to address increasing development in the future. Current zone text will stand unless changes are initiated prior to applications by large retail stores.

Chairman Poff said that the City is within its legal limits to postpone an application if an amendment process is in motion. Starting the process will protect the City's interest. **Jared Hall** said there is no density set for residential uses in the core development area.

It was pointed out that there was input from CenterCal, much research by Staff and the Planning Commission, and consultation with experts as past zoning decisions were made for this area. **Jared Hall** said he was not opposed to high density in the core, but if the Commission wanted to reduce the density, it should be done now.

Chairman Poff said that while zoning limits are being set, it is important to point out that the use of the land is now different than previously, and higher density may very well be appropriate. However, high density is sometimes worrisome, and specific conditions may need to be applied.

Chairman Poff encouraged the members of the Commission to become familiar with these issues, and be prepared to discuss them in the near future. **Steve Andersen** emphasized that the City has six months to protect itself while these issues are being reviewed. **Jared Hall** said it needs to be considered that CenterCal may be ready to move forward on its development.

John Bilton expressed concern over the legal issues, and said that Mr. Martinez may end up not being the developer of the CenterCal property. He stated that there is some expediency to

getting these matters resolved. **Chairman Poff** reiterated the need for the Commission to become familiar with the text and to be prepared to make some possible recommendations as to whether or not action should be taken on the TOD zone at the next meeting. He said a recap of the history of the CenterCal project would be in order for the next meeting for those who are new. **Jared Hall** said he would prepare for this.

c. Future training opportunities

Chairman Poff called attention to the information about the Utah Local Government's Trust Planning Seminar contained in the Commission packet, and said the training seminars address liability and planning issues, and are worth attending.

[**Randy Hillier** left the meeting at 8:00 p.m.]

d. Handbook for Planning Commissions & Land Use Authorities

The handbook was briefly discussed by the Commission members.

e. Frontage Road bike lane proposal

Jared Hall said that the City is trying to match the Centerville bike lane, and that currently there is flexibility on the frontage road to accommodate this. **Chairman Poff** asked about the tie-in to BRT (Bus Rapid Transit), and **Mr. Hall** explained that consultants have determined there is not enough ridership to warrant BRT, so "enhanced bus service" is being proposed.

f. January 22, 2008 joint CC/PC Agenda item

Jared Hall said a quorum from the Planning Commission is needed for the January 22nd meeting regarding Station Park, to be held at 5:30 p.m. during the first part of the work session. **Jared Hall** said he would copy the Agenda for the meeting and send it to the Commissioners.

Other

Jared Hall said that more zone text items will be coming before the Commission because of the current slowdown of development. **Mr. Hall** detailed a few of the issues under consideration.

Chairman Poff asked **Jared Hall** to prepare zone texts for the Commission members.

ADJOURNMENT

John Bilton moved to adjourn. **Steve Andersen** seconded the motion, which passed unanimously. The meeting adjourned at 8:53 p.m.

Kevin Poff, Chairman
Farmington City Planning Commission