

FARMINGTON CITY PLANNING COMMISSION MEETING

Thursday, January 28, 2010

PLANNING COMMISSION STUDY/WORK SESSION

***Present:** Chairman Jim Young, Commission members Steven Andersen, Rick Draper, Randy Hillier, Michael Wagstaff, and Nelsen Michaelson, Alternate Commission member Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Vice Chairman Craig Kartchner and alternate Commission member Brett Anderson were excused.*

(Agenda Item #4) - Haws Companies/Willmore Development - (Public Hearing) – Applicant is requesting approval of a Project Master Plan (PMP) for 33 acres of property located at approximately 500 North 1000 West to be known as Park Lane Commons and a recommendation for a development agreement as set forth in Section 11-18-114 of the Farmington City Code (PMP-1-09).

Glenn Symes gave a brief background of this item and explained that the alternative approval process is applicable in this case because there are more than 25 acres in the development. He said SPARC approved the proposal with the condition that an easement for Grand Avenue be established which will guarantee pedestrian and bicycle access. **Steve Andersen**, the Planning Commission member serving on SPARC, said another concern is the utility road. Both the City Council and SPARC recommended that the road be a dedicated right-of-way as it has always been. Other issues of concern were whether or not the access would be paved, if there would be two or three points of access, the proposed 20-foot sidewalks through the main pedestrian area and the transition from the wide sidewalks to more narrow sidewalks in the residential areas. **Mr. Symes** reminded the Commission that the developers will need to obtain site plan approval within the PMP and that more specific details will be included on the site plan.

David Petersen said staff believes this is a great location for this type of residential housing, and that from a planning standpoint it is an excellent project. **Glenn Symes** confirmed his comments and said it is everything the City desired with the Station Park development which has been delayed by the economy. **Chairman Young** agreed and said this is the largest, most important development in the history of Farmington, and this future expansion of the City's tax base is a vital piece of the City's future. He commended staff, SPARC, and the City Council for the hundreds of hours invested in this development.

PLANNING COMMISSION REGULAR SESSION

***Present:** Chairman Jim Young, Commission members Steven Andersen, Rick Draper, Randy Hillier, Michael Wagstaff, and Nelsen Michaelson, Alternate Commission member Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Vice Chairman Craig Kartchner and alternate Commission member Brett Anderson were excused.*

Chairman Young opened the meeting at 7:00 p.m. **Steve Andersen** offered the invocation.

Approval of Minutes - (Agenda Item #1)

Motion

Michael Wagstaff made a motion to approve the minutes of the January 14, 2010 Planning Commission meeting. The motion was seconded by **Nelsen Michaelson** and approved by Commission members **Randy Hillier**, **Michael Wagstaff**, and **Michael Nilson**. Commissioners **Steve Andersen** and **Rick Draper** abstained because they did not attend the meeting.

City Council Report - (Agenda Item #2)

Glenn Symes reported that there were no Planning Commission agenda items at the previous City Council meeting.

Motion

Rick Draper made a motion to review Agenda Item #6 directly following Agenda Item #2. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

Jerry Preston – Applicant is requesting a recommendation of approval for street standards not listed regarding the radius of a cul-de-sac located in Rice Farms Phase 5 (M-1-10). (Agenda Item #6)

Background Information

David Petersen said this cul-de-sac located in Rice Farms is one of dozens throughout Farmington with a radius of 50 feet. When the overall development received preliminary plat approval, this was the standard radius at the time. The City's Subdivision Ordinance states that the City Council, upon receiving a recommendation from the Planning Commission, may approve a non-standard radius. Following a brief discussion, the Commission agreed that staff should obtain input from the Farmington City Fire Chief regarding this request.

Motion

Rick Draper made a motion that the Planning Commission recommend approval for a street standard not listed regarding the radius of a cul-de-sac in the Rice Farms Estates Phase 5 development, subject to approval from the Farmington City Fire Chief. **Randy Hillier** seconded the motion, and it was unanimously approved.

SLI – (Public Hearing) – Applicant is requesting a recommendation of approval of a final plat for the Spring Creek Estates Phase 3-A. The subdivision is located at approximately 550 North 1875 West and contains 17 lots on approximately 13 acres (S-1-10). (Agenda Item #3)

Background Information

Mr. Symes said the original Spring Creek Estates Subdivision consisted of 169 single-family residential lots. The first two phases were approved and built. The third phase consisted of 89 lots but was not finished because of the economy. This request from the applicant would break Phase 3 into several smaller phases. This application is for the first of these smaller phases and consists of 17 lots. He also explained that this is a conservation subdivision which requires a development agreement to be finalized and recorded with the plat.

Motion

Steve Andersen made a motion that the Planning Commission recommend approval of a final plat for the Spring Creek Estates Phase 3-A subdivision with the following conditions:

1. The applicant work with the City's Development Review Committee to address any outstanding issues related to the final plat including but not limited to planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant work with staff to finalize and present to the City Council a development agreement for the Spring Creek Estates subdivision.

Rick Draper seconded the motion, and it was unanimously approved.

Findings for Approval

1. The proposed final plat is consistent with the approved preliminary plat.
2. The proposed subdivision meets all the requirements for approval of a final plat.

Haws Companies/Willmore Development - (Public Hearing) – Applicant is requesting approval of a Project Master Plan (PMP) for 33 acres of property located at approximately 500 North 1000 West to be known as Park Lane Commons and a recommendation for a development agreement as set forth in Section 11-18-114 of the Farmington City Code (PMP-1-09). (Agenda Item #4)

Background Information

David Petersen said this item and agenda item #5 will overlap in several areas. He explained that the Park Lane Commons PMP will be a benefit to the City because it will allow all 33 acres to be included under Section 114 which will allow smaller pieces such as Park Lane Village to be developed under the same PMP. Another benefit will be the extension of the promenade road to the tunnel under Park Lane which will connect the transit stop to the mixed-use area.

Public Hearing Opened

Chairman Young opened the public hearing at 7:20 p.m. and requested that **Rich Haws** and **Ernie Willmore** present information regarding their development.

Rich Haws, president of Haws Development, gave a brief history of the development. He said the project began in 1996, and at that time it was considered an economic development area. However, with the installation of Legacy Parkway and the Park Lane interchange and the addition of UTA's commuter rail line

and train station, access to the west side of Farmington was created. This resulted in a great opportunity for the developers in the area. His company sold a piece of property to CenterCal, and they designed a project called Station Park which was delayed because of the economy. **Mr. Haws** said the first phase, Park Lane Commons, is being discussed tonight. He said the road system changed slightly because of the Conoco gas lines which cannot have vertical buildings built on top of them. He referred to the new PMP exhibit and to the schematic plat map which include both TOD (transit-oriented development) and TMU (transit mixed-use) elements including business parks, and medium-density residential and commercial areas. He then introduced the various companies and people who are involved in the Park Lane Village Phase 1 development:

1. ICO—**Clark Ivory**, Chairman, **Kirt Harmon**, Senior construction Manager, and **Jim Seaberg**, President. **Mr. Seaberg** spoke briefly and said their company will be the construction managers of this project. The company has no debt, they have a strong commitment to the project, and they are proud to be selected by Haws Development.
2. Forsgren Associates Inc.
3. Willmore Development—**Ernie Willmore**, partner and **Henry Schwendiman**, partner. **Mr. Willmore** gave a brief history of his company and said they have an extensive background in income property lending, development and asset management. He believes the development will be high quality with a strong sense of neighborhood and walkability. He described the unique butterfly design which has a walkway through the center with avenues, circulation and direct access to the units, parking spaces in the back and visibility all the way to the transit core. There will also be a 5000 square foot clubhouse, park, playground, and splash park. Construction will begin in May of 2010, and the completion date will be September 2011. He said the timing on this development would not be affected by the economy because it is not a phased development. They believe their product, which consists of one, two, and three bedroom apartments, will be competitive and provide affordable options.

Mr. Haws gave the following summary of impact fee credits:

- \$2.5 million of impact fees from Phase 1
- A catalyst for Farmington City's tax base and future development
- Improves and helps pay for Station Parkway
- Sets image and standard to this entire area
- Credits for upgrades and construction of the Legacy trail, traffic items and water lines

He also presented the following items which are important in the development agreement:

1. Approve the project master plan
2. Allocate credits for impact fees—traffic/water/trail
3. City to provide water loop—developer to front costs
4. Fees set at the date of the approved development agreement
5. City to start (February 28, 2010) and complete (Sept. 19, 2010) Station Parkway on schedule
6. City to support conceptual plan for sewer plan
7. Time tables – Critical for HUD Financing

There was additional discussion regarding the size of the park, the number of trees, the type of roofing material and other design elements which will be incorporated into the development.

Public Hearing Closed

The public hearing was closed at 8:20 p.m.

David Petersen distributed copies of the development agreement for Park Lane Commons and discussed the changes. After a brief discussion, the Commission agreed that the developers and the City Attorney need to work together to come to an agreement on the amount of impact fees. It was also suggested that the wording in paragraph 3, subsection ii, be more specific and that the phrase “in accordance with City ordinances” be added.

Motion

Steve Andersen made a motion that the Planning Commission approve the proposed Project Master Plan for Park Lane Commons consisting of approximately 33 acres located between Park Lane and Burke Lane west of I-15 and east of the future Station Parkway collector road with the PMP consisting of a proposed amendment to the adopted Regulating Plan as indicated on the plans as well as a development agreement to be approved by the City Council. He further moved that the Planning Commission recommend approval of the development agreement subject to the applicant and the City Attorney finalizing paragraph 5, the bonding issue, City Council approval of the rezone and other changes and/or additions as recommended by staff. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

Findings for Approval

1. The realignment of the promenade road is beneficial and provides a strong connection to the transit station from the mixed-use district.
2. The development agreement will provide the City with the ability to ensure the intent of the Mixed-use Districts ordinance is met while allowing a developer the flexibility to meet specific market and site constraints.
3. Permitting smaller developments within the Park Lane Commons PMP allows the City to master plan the area with a single master developer and creates a higher likelihood of design consistency and modal connectivity within the area than may otherwise be achieved.
4. The PMP meets the review criteria set forth in Section 11-18-108(d).

Haws Companies/Willmore Development – (Public Hearing) – Applicant is requesting a Project Master Plan (PMP) and schematic subdivision plan for approximately 17 acres of property to be known as Park Lane Village and located within the proposed Park Lane Commons PMP area. The PMP is specific to an apartment community containing 324 units. The applicant is also requesting a recommendation for a development agreement for Park Lane Village as set forth in Section 11-18-114 of the Farmington City Code. Within this application, the applicant is requesting a recommendation of approval for street standards not listed to an alternative cross section for two roads associated with the project area (PMP-1-09). (Agenda Item #5)

Background Information

Glenn Symes said this request included four separate items which would require motions:

1. Project master plan shows the design of the project using standards in Chapter 18 of the Regulating Plan. There are some deviations from the ordinance which are addressed in the development agreement.
2. The development agreement includes more detail with regard to standards, design, City and developer responsibilities, etc.
3. Street standards not listed include issues regarding two private roads within the development.
4. The schematic plan includes the Park Lane Village development parcel, the dedication of Grand Avenue between Station Parkway and Park Lane Village, Broadway, Richard's Way, a trail adjacent to the Union Pacific tracks and the no-build easement for the private roadways within the Park Lane Village development area.

Public Hearing Opened and Closed

Chairman Young opened the public hearing at 8:45 p.m. There was no one to speak regarding this item, and the public hearing was closed at 8:45 p.m.

David Petersen distributed an updated copy of the development agreement and reviewed the various changes. There was a lengthy discussion regarding the issues involved with the agreement.

Mr. Haws said they anticipate having approval on financing from HUD and City Council approval by Feb. 5th.

Motion

At 9:58 p.m. **Michael Wagstaff** made a motion to recess for 5 minutes. **Nelsen Michaelson** seconded the motion, and it was unanimously approved.

Motion

Park Lane Village PMP

Randy Hillier made a motion that the Planning Commission approve the Project Master Plan for the Park Lane Village consisting of approximately 17 acres located at approximately 500 North 1000 West for an apartment community consisting of 324 units with the following conditions:

1. The applicant continues to work with the City to finalize a public access easement for Grand Avenue between Broadway and the trail property.
2. The applicant must obtain site plan approval for the Park Lane Village project.
3. A development agreement must be finalized and approved by the City Council for the Park Lane Village PMP.
4. The property must be rezoned to TMU (Transit-mixed Use) from A (Agricultural).
5. The applicant must continue to work with the City's Development Review Committee and any other necessary agency to finalize all plans for required infrastructure, easements and other improvements including but not limited to culinary water, fire flow requirements, secondary water, sewer and storm water management.

6. Private streets must be designed and constructed to City standards.

Rick Draper seconded the motion, and it was unanimously approved.

Park Lane Village Development Agreement

Motion

Randy Hillier made a motion that the Planning Commission recommend approval of the development agreement for the Park Lane Village project with the condition that City staff, the City Attorney and the applicant work together to solve any conflicts they may have and come to an agreement on this issue.

Michael Wagstaff seconded the motion, and it was unanimously approved

Motion

Steve Andersen made a motion to approve the draft of the development agreement with the changes which were discussed tonight. **Michael Wagstaff** seconded the motion, and it was unanimously approved.

Motion

Street Standards Not Listed

Rick Draper made a motion that the Planning Commission recommend approval of the proposed street standards not listed for the future streets known as Broadway and Grand Avenue within the Park Lane Commons development area. **Randy Hillier** seconded the motion, and it was unanimously approved.

Motion

Schematic Subdivision Plan

Michael Nilson made a motion that the Planning Commission recommend approval of a schematic subdivision plan for the Park Lane Village subdivision, contingent on a definition of the non-inhabitable space. **Nelsen Michaelson** seconded the motion, and it was unanimously approved.

Findings for Approval

Park Lane Village PMP

1. The proposed Project Master Plan meets the intent and goals of the Mixed-use Districts by creating a pedestrian-friendly environment through the siting and character of the improvements and structures. The design and placement of the buildings provides the opportunity for pedestrian activity and interaction of private and common space.
2. The proposed Project Master Plan meets the intent of the Transit Mixed-use District by creating a project that promotes walkability and enhances the desirability of transit use, allowing

residents, workers and shoppers the ability to walk to transit and other destinations within the district. The proximity of the Park Lane Village project to the transit stop and the underpass connecting both sides of Park Lane allows residents the ability to easily and safely access transit and the Station Park commercial development.

3. The funding structure for this project creates an opportunity for the City to have a project that is managed well and maintained to a high standard.
4. The design and layout of this project creates a strong connection between the mixed-use districts and the transit station by realigning Grand Avenue.

Street Standards Not Listed

1. The placement of the Conoco pipeline requires a realignment of the Regulating Plan in the project area. The requirement of a 100 foot wide no-build area creates a unique circumstance in which the City's street standards are unable to accommodate.
2. The side treatments for the portion of Grand Avenue between Station Parkway and Broadway creates an acceptable transition between the requirements of the promenade street classification west of Station Parkway and the neighborhood road classification east of Broadway. The wider sidewalks create a consistent pathway for both pedestrians and bicyclists through this transition area. The widths of the travel lanes have been reviewed and are found to be acceptable to handle the traffic and traffic movements that result from the design of the adjoining intersections.

Schematic Subdivision Plan

1. The schematic subdivision plan is consistent with the PMPs and the development agreement for both the Park Lane Commons and Park Lane Village area.
2. The no-build easements provide an assurance that no structure can be built within the portion of the Park Lane Village project designated as roadways without a formal plat amendment approval.

Motion

Rick Draper made a motion to continue the meeting past 10:00 p.m. **Michael Nilson** seconded the motion, and it was unanimously approved.

Haws Companies/Willmore Development – (Public Hearing) – Applicant is requesting a recommendation of approval for a rezone from A (Agricultural) to TMU (Transit Mixed-Use) on approximately 33 acres of property associated with the Park Lane Commons PMP (Z-4-09). (Agenda Item #7)

Background Information

Glenn Symes informed the Commission that the 33 acres specified in Park Lane Commons are the same 33 acres in this agenda item.

Public Hearing Opened and Closed

Chairman Young opened the public hearing at 10:10 p.m. There was no one to speak regarding this item, and the public hearing was closed at 10:10 p.m.

Motion

Nelsen Michaelson made a motion that the Planning Commission recommend approval of a requested zone change from A (Agricultural) to TMU (Transit Mixed-use) on approximately 33 acres of property associated with the Park Lane Commons Project Master Plan located at approximately 500 North 1000 West. The motion was seconded by **Rick Draper** and was unanimously approved.

Findings for Approval

1. The requested zone change is consistent with the General Plan and the Regulating Plan for the area.
2. The requested zone change is associated with the requested Project Master Plan for Park Lane Commons. The PMP is consistent with the provisions under Section 114 of Chapter 18 and would be consistent with the requested zone.

Miscellaneous, correspondence, etc. (Agenda Item #8)

Glenn Symes told the Commissioners to contact him if they needed a disclosure statement.

ADJOURNMENT

Motion

Steve Andersen made a motion to adjourn the meeting. **Nelsen Michaelson** seconded the motion which was unanimously approved. The meeting was adjourned at 10:20 p.m.

Jim Young, Chairman
Farmington City Planning Commission