

FARMINGTON CITY
PLANNING COMMISSION MEETING
March 1, 2012

WORK SESSION

***Present:** Chairman Michael Nilson, Commission Members Rick Draper, Kris Kaufman, Brigham Mellor, Bob Murri, Michael Wagstaff, Alternate Commission Members Brad Dutson and Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Member Brett Anderson was excused.*

Chairman Nilson began the meeting at 6:05 p.m., and Commission Members asked the Recording Secretary to provide more details when an important issue is discussed. They referred to the lengthy comments from the public at the previous meeting and asked the Chairman to inform the residents of the 3-minute time limit for remarks. They commented about the rude behavior of several residents, and **Kris Kaufman** said that caused him to lose sympathy for their situation.

#3 – Candland Olsen – Applicant is requesting a recommendation for Schematic Plan approval for the Farmington Creek Estates Subdivision Phase 3A encompassing 3.38 acres and consisting of 1 lot located at approximately 800 West Glover Lane in an AE zone (S-2-12)

David Petersen reminded the Commission of the section he read from the City Code at the previous meeting and said the City Attorney referred to another section: **10-9a-609.5. Vacating a street, right-of-way, or easement:** (2) If a petition is submitted containing a request to vacate some or all of a street, right-of-way, or easement, the legislative body shall hold a public hearing in accordance with Section 10-9a-208 and determine whether: (a) “good cause exists for the vacation; and (b) the public interest or any person will be materially injured by the proposed vacation”. The City Attorney said he does not think the intent of the state law is that a plat can never be vacated or amended if there is a public easement involved. **Michael Wagstaff** said he hoped that the City Attorney would provide specific examples of both “good cause” and “materially injured”, but **Mr. Petersen** said he did not.

Mr. Petersen explained a letter he wrote to the Army Corps of Engineers which stated that this parcel was intended to be open space because of the PUD with an easement over the top of it. At the time, **Blake Matthews** was trying to mitigate wetlands in the area, because the Corps said he encroached on wetlands elsewhere in the subdivision and was trying to mitigate the wetlands to parcel #3. He did not own the property and did not offer to increase or enhance the wetlands. The Corps rejected his efforts because it did not meet their needs for a mitigation area. The City’s Development Review Committee (DRC) reviewed the current proposal and said they can work around the drainage easement. **Kris Kaufman** confirmed that the Commission needs to meet both statutes: “good cause” and “materially injured”. **Rick Draper** commented that the adjacent property owners have a vested interest in this request because it was represented to them that the three acres was permanent open space. There was further discussion regarding the statutes, the CC&Rs, and the rights of the adjacent property owners.

#4 – Symphony Homes – Applicant is requesting a recommendation for Schematic Plan approval for the Chestnut Farms PUD Subdivision Phase 2 encompassing 19.71 acres and consisting of 31 lots located at approximately 300 South 1350 West in an A zone (possibly soon to be an AE PUD zone) and Master Plan Approval for subsequent phases (S-16-11)

Christy Alexander said staff met with the developer and the Jung family, and the Jung family does not want the road stubbed to their property. Because of that decision, Symphony does not want to stub the road because they will not receive an additional lot. Staff located a 2005 master plan which shows 475 South as a through street and a 375 South street going west to 1525 West where the wetlands are located. There was discussion about whether or not the City should follow the 2005 plan. **David Petersen** said several changes were made on page 3 of

his memo, and he handed out a replacement page and said the changes were minimal but important. He also distributed letters from the CDSD, Public Works Department, City Engineer, Traffic Engineer and the Fire Department in which they state their reasons for wanting 475 South to become a through street. He referred to the memo he wrote and explained that he separated the motion for the Chestnut Farms/475 S. Street Master Plan into 3 sub-motions and 1 main motion. There were comments regarding whether or not the City should follow the 2005 plan, the number of cul de sacs in Chestnut Farms, the possibility of changing the ordinance regarding street lengths, whether or not to do the extension, the Jung stub street, and if 475 S. should be a through street. **Michael Nilson** said that because the members of the Commission were appointed rather than elected, they need to determine the best solution for the City as a whole.

#5 – Craig Holmes – (Public Hearing) – Applicant is requesting approval of a conditional use permit for a neighbor-hood U-haul Rental Dealership as part of its current Windshield Repair business in a BR zone (C-1-12)

Christy Alexander said the applicant applied for a business license for the operation of a U-Haul Rental Dealership but must first obtain a conditional use permit, and because this use is not specifically listed in the zone text, the applicant must apply for a zone text change. She said the DRC and the Historic Commission reviewed the proposal, and **Chairman Alyssa Revel** is against it and does not want a U-Haul Dealership in this location. **David Petersen** explained that in the early 1990s the zoning was changed to business residential, and an auto repair shop opened prior to this and became a non-conforming use. A few years later, **Mr. Holmes** applied for a windshield repair shop, and a non-conforming use can be substituted for a less impactful non-conforming use, and his business was approved. Staff advised **Mr. Holmes** to apply for the permit which would require a mailing to surrounding homes/business and a chance for the Commission to receive input from the public, and he could then apply for a zone text amendment.

#6 – Elite Craft Homes – (Public Hearing) – Applicant is requesting approval of a conditional use permit for property, directional, and monument signs to be placed near the Rice Farms Estates Subdivision in an LR PUD zone (C-2-12)

Christy Alexander explained that the sign will be a double-faced, 64-foot property sign which will direct potential buyers to the Rice Farms Subdivision. The City's Sign Ordinance requires a conditional use permit for a sign when it is at a location other than the entrance to the subdivision. They also plan to place directional signs on different locations within the Subdivision. **Rick Draper** asked if the City should consider a text amendment which would allow two monument signs rather than one. **David Petersen** said that would be a good idea, and the sign ordinance is ever changing. **Michael Wagstaff** discovered that the findings included in the staff report for this item are not correct—they are for another subdivision, and staff said they would provide the correct findings.

REGULAR SESSION

***Present:** Chairman Michael Nilson, Commission Members Rick Draper, Kris Kaufman, Brigham Mellor, Bob Murri, Michael Wagstaff, Alternate Commission Members Brad Dutson and Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Member Brett Anderson was excused, and Rick Draper left the meeting at 7:30 p.m.*

Chairman Nilson began the meeting at 7:10 p.m., and **Bob Murri** offered the opening prayer.

#1 – Minutes

Motion:

Michael Wagstaff made a motion to approve the Minutes of the February 16, 2012 Planning Commission Meeting and to instruct the recording secretary to include more details of the discussion prior to a motion. **Kris**

Kaufman seconded the motion which was approved by Commission Members **Kaufman, Mellor, Murri, Nilson,** and **Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

#2 – City Council Report

David Petersen reported that there were no Planning Commission related items at the Council meeting held February 21, 2012.

SUBDIVISION APPLICATIONS:

#3 – Candland Olsen – Applicant is requesting a recommendation for Schematic Plan approval for the Farmington Creek Estates Subdivision Phase 3A encompassing 3.38 acres and consisting of 1 lot located at approximately 800 West Glovers Lane in an AE zone (S-2-12)

Christy Alexander explained that **Mr. Olsen** was planning to have four lots in Phase 4 but now plans to move one lot to his open space parcel, and he has exactly that much space to spare. Following the public hearing at the last meeting, there were several items of concern. **David Petersen** addressed these items:

1. The State Code, Section 10-9a-609 states: “(1) (b) no public street, right-of-way, or easement has been vacated or amended.” The City Attorney does not believe this applies to this situation. One should be able to amend a plat and/or easement if necessary, and the legislative body should have that ability. The section of the Code that relates more to this situation is in Section 10-9a-609.5: “(2) (a) good cause exists for the vacation; and (b) the public interest or any person will be materially injured by the proposed vacation.” The City Attorney did not provide examples.
2. **Blake Matthews** submitted a request to the Army Corps of Engineers asking if he could mitigate wetlands in this area—they denied the request because: (a) he did not own the property or have a mitigation plan, and (b) it has to be more permanently protected. A storm drainage easement and the fact that it was part of a City requirement for a PUD did not meet the Corps’ thresholds so it does not pertain to this situation.

Mr. Petersen said the open space was required for PUD approval, and the City has a storm drainage easement over the entire parcel. **Chairman Nilson** asked for comments/discussion from the Planning Commission.

Michael Wagstaff said it is the Commission’s job to interpret “good cause” and “materially injured”. Good cause may be the property owner’s right to maximize or use his property, but “materially injured” is more difficult to measure. **Mack McDonald** asked if the owner submitted a use for the parcel to the Corps, and whether or not the Corps would allow a perpetual wetland easement on the property, and **David Petersen** said it could be possible. **Mr. McDonald** said the only thing he deems as “good cause” to vacate the easement is financial hardship, which does not qualify in his mind. **Brigham Mellor** said one argument to consider is that Lot 332 was the only lot surrounded by two other lots, and it was dramatically lower priced. Lot 319 on the map is the closest circumstance to the current proposal. If the homeowners bought into this development believing this area would be open space, they would be materially injured by this proposal. **Brad Dutson** said there should be some reliance placed on the CC&Rs because the homeowners relied on that information when they purchased their homes. He asked if more of this open space area could be developed in the future, and **David Petersen** replied that it could not. **Kris Kaufman** said he is struggling with “material injury” being applied subjectively to property values, and if the lot is allowed, it may cause actual physical problems for the surrounding area such as drainage or blocking the neighbors’ view or sunlight, but there is no evidence—such as an appraiser’s opinion—that it will decrease property values. He would not be comfortable using that as a reason to say that the applicant cannot develop his own private property, and from his perspective, the applicant has met the “good cause,” and the Commission needs to focus on whether or not there was material injury. **Michael Nilson** agreed and said the property owner is abiding by all the City Ordinances and the State Code.

Motion:

Mack McDonald made a motion to recommend that the City Council not approve the Schematic Plan for the Farmington Creek Estates Phase 3A Subdivision. The reasons for denial are that the parcel was platted as open space and should remain as open space as stated in the CC&Rs and as reflected in a letter from the Army Corps of Engineers. The motion was seconded by **Brad Dutson**, and a roll call vote was taken. Commission Members **Mellor**, **Murri**, and **Nilson**, and Alternate Commission Members **Dutson** and **McDonald** approved the motion. Commission Members **Kaufman** and **Wagstaff** did not approve the motion.

#4 – Symphony Homes – Applicant is requesting a recommendation for Schematic Plan approval for the Chestnut Farms PUD Subdivision Phase 2 encompassing 19.71 acres and consisting of 31 lots located at approximately 300 South 1350 West in an A zone (possibly soon to be an AE PUD zone) and Master Plan Approval for subsequent phases (S-16-11)

Sub-motion One

David Petersen said this item was tabled on February 16th to allow Symphony Homes to provide a Master Plan for this area. He referred to the Master Street Plan and pointed out potential connections including the LDS Chapel and the Bangerter property. Staff was directed to expand the master plan to 1100 West, 1525 West, the Bangerter property, and the open space which includes Farmington Greens Phase 4, and this Plan is a general idea of what could happen in the future. There are three issues on this plan: (1) the Jung connection; (2) the extension of 475 South; and (3) the 2005 Master Plan. He referred to the memo in the staff report and read the findings of Sub-motion One.

City Engineer **Tammy North** said the storm drain for 475 South runs to the back of the cul-de-sac. The curb and gutter are cut out, the sidewalk is depressed, and the water runs over the curb and gutter and into a retention basin. The retention basin was always meant to be a temporary situation until a storm drain system is installed in the area. **Mack McDonald** said there appears to be a trail. **Ms. North** said it is not a trail—it is a depression where the water runs, and the vacant lot to the north is a temporary retention basin.

Public Works Inspector **Abe Wangsgard** said they prefer that all water lines run under a street and are looped which helps prevent stagnant water. Currently, a large amount of water is lost because it backs up in the retention basin and will not flow to the west, and in the winter the street is an ice sheet. A sewer line runs in the same location, and State Code requires a 10-foot separation between water and sewer lines. It is also important to have a hard surface for the City and the CSDS to access the lines, and the street would be plowed and maintained by the City. The Water Department could deal with the existing cul-de-sac, but it would be less than ideal.

Mack McDonald said he appreciated the information provided in the staff report, including the letters and input, and said all of this information will direct his decision. **Bob Murri** said he completely agrees and feels that the impact on the entire City needs to be considered. It needs to be cost effective for the City to maintain and enhance the City's connectivity.

Motion:

Michael Wagstaff made a motion that the Planning Commission approve as part of the Chestnut Farms/475 South street master plan a westerly connection extending 475 South (the "Extension") to a north-to-south street proposed by the developer. **Mack McDonald** seconded the motion which was approved by Commission Members **Kaufman**, **Mellor**, **Murri**, **Nilson**, and **Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

Findings for Approval:

1. If the Extension does not occur, it may result in lots fronting both the existing 475 S. cul-de-sac and the proposed north-to-south street. Section 12-7-020(1) of the Subdivision Ordinance states: “Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions”. It appears that topographic or other unusual conditions that would prevent the Extension do not exist.
2. If the Extension does not occur, it will result in a violation of Section 12-7-020(2) which states, “The width of each block shall be sufficient for an ultimate layout of two (2) tiers of lots therein of a size required by the provisions of this Title, unless the general layout of the vicinity, lines of ownership, topographical conditions or locations of arterial streets or freeways justify or make necessary a variation from this requirement”. It appears that the exceptions to this requirement do not exist.
3. Section 12-7-020(3) states, “The maximum length of blocks shall be one thousand (1000) feet, and the minimum length of blocks shall be four hundred (400) feet. In blocks over eight hundred (800) feet in length, a dedicated walkway through the block, at approximately the center of the block, may be required. Such walkways shall not be less than ten (10) feet in width”. The approximate distance of the block on the east side of the proposed north to south street on Symphony property from 300 South Street to 475 South Street is about 1000 feet, and the approximate distance from the Extension to the street planned on the south side of the LDS Church is about 750 feet. If the Extension does not occur, it may result in a violation of the Ordinance because the block length will be 1750 feet.
4. The City’s Development Review Committee (DRC) provided the following:
 - a. A sanitary sewer line exists in the proposed alignment of the Extension. The Central Davis Sewer District requires an all-weather surface for maintenance and cleaning and prefers a paved street over its sewer line.
 - b. The Farmington City Public Works Department and City Engineer will require a water line in the area encompassed by the Extension, and they requested that the City locate the water line in a paved street right-of-way
 - c. Public Works and the City Engineer informed the City that a storm sewer line/facility will also be located in the Extension, and they state this as a reason that it should be a paved right-of-way.
 - d. Public Works states that the Extension will result in one less cul-de-sac for snow plows, garbage, and fire trucks in the City which will allow more efficient delivery of these services to the public [note: the DRC maintains that cul-de-sacs make for cumbersome turnarounds for large vehicles as opposed to straight streets].
 - e. The Fire Department states that a through street, or the Extension, will increase the efficiency of delivery of emergency service.
5. The City’s traffic engineer recommends the Extension because connecting streets will reduce overall local traffic speed and increase safety for pedestrians and children more so than if streets remain dead-ends, and the Extension will evenly distribute traffic within the neighborhood.
6. The Symphony Homes 2005 Master Plan for Chestnut Farms, previously approved by the City, shows the Extension.

Sub-motion Two

David Petersen read each of the findings for approval for Sub-motion 2 as listed in the staff report, and said the Jung family enjoys the peace and quiet, open space, and farming and do not want the threat of development. **Kris Kaufman** asked what the block length would be if the Jung Stub Street does not go through but 375 South does, and **Mr. Petersen** said it would be approximately 1200 feet. The Jungs or a future developer would pay for the street, and there was further discussion regarding having a stub street on paper only.

Motion:

Kris Kaufman made a motion that the Planning Commission approve a stub street to the Jung property (“Jung Stub Street”) based on the findings as set forth. **Brigham Mellor** seconded the motion which was approved

by Commission Members **Kaufman, Mellor, Murri, Nilson, and Wagstaff** and Alternate Commission Members **Dutson and McDonald**.

Findings for Approval:

1. Section 12-7-040(4)(b) states: “Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts”.
2. Topography or other physical conditions do not prevent the developer from stubbing a street to the Jung property.
3. The Jung Stub Street provides the most advantageous future development of adjacent tracts. Wetlands running north to south divide the Jung property east to west. The east portion of the property is developable, and in the event the US Army Corps of Engineers prevents any encroachment of the wetlands in the future, the property may still be fully developed to the east from the stub street and to the west from 1525 West.
4. The Jung’s do not desire to develop now or in the future, but in the event that years from now, Jung heirs or assigns desire to develop, the option is available. In the meantime, the Jung’s will continue to have full use and enjoyment of all of their property as they deem appropriate as owners.
5. The first sentence of Section 12-7-020(3) states: “The maximum length of blocks shall be one thousand (1000) feet, and the minimum length of blocks shall be four hundred (400) feet”. The distance from Citation Drive to the proposed street south of the existing LDS Stake Center is approximately 2900 feet. Although wetlands in the area dictate that the eventual distances between blocks in this area may never comply with the ordinance, a possible extension of the Jung Stub Street to 1525 West will result in a block face distance from Citation Drive to this street of approximately 900 feet, which is consistent with the ordinance.
6. The City’s Traffic Engineer maintains that a possible Jung Stub Street connection will result in better local traffic circulation in the area.
7. The Jung Stub Street may become an important connection if a 375 South Street is not extended as discussed in another sub-motion set forth herein.
8. A home now exists on parcel 08-074-0032 (1 acre) which is centered/surrounded by parcel 08-074-0033 (4 acres). Both parcels are owned by the Jung family. If the Jung Stub Street is extended to 1525 West in the future, the extension can be designed to veer north and miss the home while still allowing development of reasonably sized lots on both sides of said extension without involving another property owner because the Jung family also owns the adjacent 5-acre parcel (08-074-0022) on the north side of 08-074-0033.

Sub-motion Three

David Petersen said this sub-motion is to determine whether or not 375 South should go through, and he read the findings for approval (or denial) from the staff report. **Bob Murri** asked about the likelihood of the Army Corps of Engineers allowing the road to go through this area at some point in the future.

Robert Miller, owner of Symphony Homes, said they completed a wetlands analysis, and the road crosses existing wetlands, but they have not taken steps to mitigate the area. The Corps usually asks for a specific need to be identified, so if they apply, they would need evidence from the City showing the need for the road to go through the wetlands--that would be part of the mitigation.

Michael Nilson said when a future road is installed south of the stake center, there will be a super block. **Bob Murri** asked about the likelihood of the Army Corps of Engineers allowing the road to go through this area at some point in the future, and **Mack McDonald** asked about the agricultural crossing on the Jung property. **Mr.**

Petersen said the crossing is used for farm equipment, and he was told by wetlands specialists that it is easier to widen an existing crossing than to obtain a new crossing.

Motion:

Mack McDonald made a motion that the Planning Commission approve a 375 South Street connecting a proposed north to south street to 1525 West Street (“375 South”). The motion was seconded by **Michael Wagstaff** and approved by Commission Members **Kaufman, Mellor, Murri, Nilson,** and **Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

Findings for Approval:

1. 375 South will increase and improve inter-connectivity to 1525 West.
2. 375 South was shown on the 2005 Chestnut Farms master plan previously approved by the City.
3. Wetlands may exist in the area, but the developer previously planned to mitigate these wetlands.

Main Motion

Michael Wagstaff made a motion that the Planning Commission approve the Chestnut Farms/475 South Street master plan incorporating the results and findings of the sub-motions as set forth herein. **Bob Murri** seconded the motion which was approved by Commission Members **Kaufman, Mellor, Murri, Nilson,** and **Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

Findings for Approval:

1. The Subdivision Ordinance requires a master street plan prior to consideration of a subdivision application (12-7-040(4)).
2. The plan provides inter-connectivity within the neighborhood by evenly dispersing local traffic north to south and east to west.
3. The plan demonstrates how the neighborhood may connect to the Bangerter property thus enhancing neighborhood inter-connectivity and local traffic dispersion.
4. The City Traffic Engineer, Tim Taylor, provided a positive recommendation regarding the plan.

Schematic Plan Approval

Motion:

Kris Kaufman made a motion that the Planning Commission recommend that the City Council approve the Schematic Plan for the Chestnut Farms Phase 2 P.U.D. Subdivision subject to all applicable Farmington City ordinances and development standards and conditions 1-3 with an additional Condition #4 and Findings 1-3. **Mack McDonald** seconded the motion which was approved by Commission Members **Kaufman, Mellor, Murri, Nilson,** and **Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

Conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Schematic Plan prior to Preliminary Plat approval;
2. The applicant must show documentation of secondary water shares prior to Preliminary Plat approval;
3. The applicant must receive approvals of the Preliminary Plat from the Planning Commission and Final Plat from the City Council to record the proposed subdivision.

4. The Jung Stub Street and the stub street connecting 375 South Street to 1525 West Street will be shown when Preliminary Plat approval is requested.

Findings for Approval:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including:
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the AE (PUD) zone;
 - c. Description and preliminary layout of utilities and other services required;
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Schematic Plan submittal is consistent with all necessary requirements for a Schematic Plan as found in Chapter 3 of the City's Subdivision Ordinance.

CONDITIONAL USE APPLICATIONS:

#5 – Craig Holmes – (Public Hearing) – Applicant is requesting approval of a conditional use permit for a neighbor-hood U-haul Rental Dealership as part of its current Windshield Repair business in a BR zone (C-1-12)

Christy Alexander said City staff noticed that the applicant was parking U-Hauls at his Windshield Repair business and discovered that he did not have a business license. When he applied for the license, he was told that he is required to have a conditional use permit. A U-haul dealership is not specifically listed as a use in the ordinance, but gas stations, small auto dealerships, and car washes are allowed uses in this zone. Staff decided to hold a public hearing to receive feedback from residents. **Alyssa Revel**, Chairman of the Historic Commission, does not think this business would be conducive to historic Main Street and suggested that the City change some of the uses listed in the ordinance. Staff recommended tabling this request to allow time for a zone text change which would include this as a conditional use, and they recommended that no U-Haul truck or trailer parking be allowed on Main Street.

Craig Holmes, 97 N. Main Street, asked the Commission to grant him a permit for the U-Haul business. He submitted a small sketch of his property and said 2-3 trucks will be parked behind his building, 2 will be parked in front of his building, and several trailers will be kept inside the building. He would be happy to change something if there was a better plan. The trailers inside the building are fairly small and can easily be removed from the building. He has a small sign which advertises the business, but the trucks provide most of the advertising. He has three indoor bays in his facility, small trailers are stored inside the building, and he controls the inventory. **Mark Brezoff** is the only neighbor who would be directly affected, and he is fine with the proposal. The business just south of his business sits empty most of the time.

Cliff Lackman, U-Haul Area Field Manager, 55 E. 3900 S., Salt Lake City, said the Corporate Office controls the number of vehicles that are dropped off at a certain location. U-Haul has been in business for 60 years, and many of their offices are located on Main Streets throughout America. Most of their advertising and customer base comes from the internet, and this business will bring people into the downtown area and generate sales tax revenue for the City. He said there are several options for parking—on the premises, on 100 N. or on Main Street.

Public Hearing:

Michael Nilson opened the public hearing at 8:35 p.m. There were no public comments, and the hearing was closed. **Christy Alexander** confirmed that notices were mailed to residents within 300 feet of the business and that **Mr. Holmes** paid an application fee. **Mack McDonald** said the public has already approved the uses included in the Ordinance, but **David Petersen** replied that it is difficult to think of every use, and in Chapter 4 of the

Ordinance an applicant is allowed to make a determination for a use not listed. It could also be appealed to the Board of Adjustment. However He said Chapter 4 does not apply in this case because auto, truck, recreational vehicle, and equipment sales and rental use are uses identified elsewhere in the Zoning Ordinance. He said the zone text amendment process has a public hearing but there is no mailing. **Michael Wagstaff** asked if there were any thoughts about mitigating the “U-haul-ness” of the business with landscaping, etc., and **Mr. Holmes** said there are two large sycamore trees on Main Street in front of his building.

Motion:

Michael Wagstaff made a motion to table the request for a conditional use permit for a U-haul Rental Dealership business at 215 East 300 North. The motion was seconded by **Bob Murri** and approved by Commission Members **Kaufman, Mellor, Murri, Nilson, and Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

#6 – Elite Craft Homes – (Public Hearing) – Applicant is requesting approval of a conditional use permit for property, directional, and monument signs to be placed near the Rice Farms Estates Subdivision in an LR PUD zone (C-2-12)

Christy Alexander explained that the sign will be a double faced, 64-foot property sign which will direct potential buyers to the Rice Farms Subdivision. The City’s Sign Ordinance requires a conditional use permit when the sign is at a location other than the entrance to the subdivision. The applicant also plans to place directional signs on various lots which will assist people as they search for the correct lots.

Ron Hiller, 1833 South Cherry Drive, is a salesman at Rice Farms, and many potential buyers and real estate agents have been unable to find the Subdivision. The majority of sales are retired Farmington residents looking for one floor living. There are three sections to the development—attached housing units, single family homes including the model home area, and one lot in Phase 4.

Motion:

Brigham Mellor made a motion to approve the conditional use for a promotional property sign located at approximately 750 South 200 East subject to all applicable codes, development standards and ordinances and with the following conditions:

1. The applicant shall comply with all aspects of the sign ordinance not specifically excepted by this action of the Planning Commission, including regulations for temporary signs, etc.
2. The use granted is solely for the purpose of the placement of a promotional project sign for the Rice Farms Subdivision, and no other signs shall be allowed in its place.
3. The project sign may be used until the last lot in the subdivision is sold.
4. No lighting shall be allowed to illuminate the sign.
5. Placement of the sign shall comply with all setback standards for the LR (PUD) zone and shall follow the standards to comply with Clear View at intersection.

The motion was seconded by **Michael Wagstaff** and approved by Commission Members **Kaufman, Mellor, Murri, Nilson, and Wagstaff** and Alternate Commission Members **Dutson** and **McDonald**.

Motion:

Michael Wagstaff made a motion to approve the conditional use for two directional property signs 18.75 square feet in size to be located at approximately Lots 509 and 516 in the Rice Farms Subdivision subject to all applicable codes, development standards and ordinances and with the following conditions:

1. The applicant shall comply with all aspects of the sign ordinance not specifically excepted by this action of the Planning Commission, including regulations for temporary signs, etc.
2. The use granted is solely for the purpose of the placement of two directional signs for the Rice Farms Subdivision, and no other signs shall be allowed in their place.
3. No lighting shall be allowed to illuminate the sign.
4. Placement of the sign shall comply with all setback standards for the LR (PUD) zone and shall follow the standards to comply with Clear View at intersections.

Michael Wagstaff amended the motion to specify that the signs will begin on Lots 509 and 519 and may be moved to other empty lots as needed. The motion was seconded by **Bob Murri** and approved by Commission Members **Kaufman, Mellor, Murri, Nilson, and Wagstaff** and Alternate Commission Members **Dutson and McDonald**.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community because it will contribute to the success of Elite Craft Homes' marketing for lots within the Rice Farms Subdivision.
2. If the conditions of approval are met, the proposed use will comply with all regulations and conditions in the Farmington City Sign Ordinance for this particular use.
3. Signage inconsistent with the sign ordinance is not compatible with goals, policies, and principles of the Comprehensive General Plan, and associating compliance of all signs in the Rice Farms Subdivision will ensure that the goals of the General Plan are met.

OTHER BUSINESS

The Commission directed staff to explore a text change regarding monument signs and change the requirement from one sign to two.

Motion:

At 9:10 p.m. **Michael Wagstaff** made a motion to adjourn the meeting which was approved by Commission Members **Kaufman, Mellor, Murri, Nilson, and Wagstaff** and Alternate Commission Members **Dutson and McDonald**.

Michael Nilson, Chairman
Farmington City Planning Commission