

**FARMINGTON CITY
PLANNING COMMISSION MEETING
March 6, 2014**

STUDY SESSION

Present: Chairman Brett Anderson, Commissioners Heather Barnum, Brad Dutson, Kent Hinckley, Kris Kaufman, Mack McDonald and Rebecca Wayment, Alternate Commissioner Karoilyn Lehn, Community Development Director David Petersen and Recording Secretary Lara Johnson. Alternate Commissioner Michael Nilson and Associate City Planner Eric Anderson were excused.

David Petersen explained during the City Council retreat, concerns with the Conservation Subdivision Ordinance were discussed. He provided the Commission a table summarizing the history of past subdivision discussions, as well as a list of pros and cons of changing the ordinance with regards to conservation subdivisions. The Commission and staff discussed possible solutions. A possible draft to the ordinance will be brought before the Commission soon.

Item #3. Scott Balling – Recommendation for Final (PUD) Master Plan, Final Plat Phase 1 and Rezone the Property for Kestrel Bay Estates.

David Petersen explained that everything is ready for final approval. The property owners, however, do not want the property rezoned from AE and R-8 to R until the very last step. David Petersen suggested to the Commission that although it is not typical, it may be best to do a conditional rezone in the motion that will only be effective once the Final Plat is recorded.

Item #4. Farmington City – Conditional Use and Site Plan Approval for Public Works Building Expansion

David Petersen explained currently the building is overcrowded and in need of additional space. When the Public Works building was first constructed, it was made to allow for additional expansion. He explained the ROW (right-of-way) along the building. Only a portion of the ROW will be vacated until CenterCal develops the adjacent property in which they may need some of the ROW. If not, the City may finalize vacation of the ROW at that time. Also, David Petersen provided the Commission with a revised site plan. The old plan showed the parking lot's aisle as 22' wide which did not meet the City's minimum aisle width of 24'. To solve this, the revised plan shows angled parking stalls which will result in the City more than exceeding the required width.

Item #5. Ben Leaver – Conditional Use and Site Plan Approval for a Dental Office at 1495 N 1075 W

David Petersen explained the history of this piece of property. He explained it used to be larger in size, but due to UDOT acquiring some of it and the construction of a gas line through it, it has become a small, awkwardly shaped parcel. Dr. Leaver hired an architect to help him design a building that will fit. He has already met with the Board of Adjustments to obtain a variance for the setbacks. Staff and the Commission agreed this would be a good fit for this property.

David Petersen also added that due to political caucus meetings, the City Council and Planning Commission meetings need to be moved to March 19, 2014.

REGULAR SESSION

***Present:** Chairman Brett Anderson, Commissioners Heather Barnum, Brad Dutson, Kent Hinckley, Kris Kaufman, Mack McDonald and Rebecca Wayment, Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen and Recording Secretary Lara Johnson. Alternate Commissioner Michael Nilson and Associate City Planner Eric Anderson were excused.*

#1. Minutes

Mack McDonald made a motion to approve the Minutes from the February 20, 2014 Planning Commission meeting with the amendment to include the property address of Indulgent Foods under Item #5. **Rebecca Wayment** seconded the motion which was unanimously approved.

#2. City Council Report

David Petersen gave a report from the City Council retreat on March 1, 2014. He explained the Commission discussed concerns with conservation subdivisions during the Study Session. During the City Council meeting on March 4, 2014, the City Council swore in the new Youth City Council members. The City Council also approved the miscellaneous zone/subdivision text changes and the plat amendment, minor plat approval and development agreement (TDR) for the Meadow View Subdivision.

SUBDIVISION/PUD/REZONE APPLICATION

#3. Scott Balling – Applicant is requesting a recommendation for Final (PUD) Master Plan (51 lots), and Final Plat Phase (30 of 50 lots), for the Kestrel Bay Estates Planned Unit Development on 8.68 acres located at 500 South 200 West and a recommendation to rezone the property from AE and R-8 to R (PUD). (S-5-13 and Z-2-13)

David Petersen showed the location of the property; the applicant's plan is consistent with Preliminary Plat and Preliminary (PUD) Master Plan. He walked through the included supplemental information as provided in the staff report. Staff also reviewed and approved the applicant's landscaping plan. **David Petersen** also added that as discussed in the Study Session, he asked the property owners' feelings toward a "conditional rezone," meaning no zone change will occur until the Final Plat records. Both the property owners and the applicant are comfortable with the rezone being conditional. **Brett Anderson** asked if the "conditional rezone" wording be included in the motion or as a condition to the motion. **David Petersen** stated it needs to be listed in the motion.

Kris Kaufman asked, based on a recent Planning Commission meeting discussion regarding flat lots, if the flag lots in the development share a driveway. If so, he asked if staff had any concerns with the driveway being shared. **David Petersen** stated that yes, the 2 flag lots share a driveway, but each lot still has its own "stem" so in the event the property owners wanted, there is enough space to create two separate driveways.

Scott Balling, 1995 N. 100 E., Centerville, said they are excited to begin construction and feels this development will be a great addition to the community. He stated a sign advertising the project has recently been posted and there has been a lot of interest shown in it already.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend that the City Council approve the Kestrel Bay Final (PUD) Master Plan (50 lots), the Final Plat Phase 1 (30 of the 50 lots) and rezone the property from AE and R-8 to R (PUD), conditioned upon recording the plat, subject to all applicable Farmington City ordinances and development standards and the following:

1. The final plat and final improvements drawings for the project, including a final drainage plan and landscape plan (on and off-site), shall be approved by the City Engineer, Public Works Department, Storm Water Official, Benchland Irrigation, CDCD, the Fire Department and the Community Development Department;
2. Buildings for the project shall follow the elevations set forth herein which shall be part of the approved Final (PUD) Master Plan;
3. This approval is subject to all conditions of the preliminary plat and Preliminary (PUD) Master Plan approval;
4. The applicant shall follow all requirements and provisions of agreements previously entered into with the City and County regarding the flood plain and storm water.

Mack McDonald seconded the motion which was unanimously approved.

Findings for Approval:

1. The Final Plat/Final (PUD) Master Plan are largely consistent with the City's Master Transportation Plan which is a part of the General Plan, through its creation of 450 South connection to the Frontage Road, although this connection is less than desirable in its staggered alignment.
2. Under its current zoning, this proposed subdivision couldn't have as many single family residences, however, it could have 32 multi-family units. The proposed alternative, with approval of the requested zone change, would create a preferable development than low density single family residential mixed with a high density multi-family residential component.
3. There is a growing need for "active senior communities" in Farmington, a need that is currently underserved. As the population grows older, there is projected to be a growing demand for this type of housing option.
4. The proposed Final (PUD) Master Plan is in substantial compliance with the Preliminary (PUD) Master Plan.
5. The applicant has been working with the City, County and UDOT to resolve the storm-water issues and entered into an agreement regarding the same.

CONDITIONAL USE/SITE PLAN APPLICATIONS

Item #4. Farmington City (Public Hearing) – Applicant is requesting conditional use and site plan approval to expand the Public Works building, upgrade the parking lot and provide a storage building on 4.29 acres located at 720 West 100 North in a TMU zone. (C-1-14)

David Petersen explained the need for the expansion of the Public Works building. He also added that during peak registration times for community sports and activities, the building becomes even more overcrowded. The addition will allow for two entrances, which will help accommodate those registration times, and will be approximately 3,000 s.f. **David Petersen** stated it is not good to have parking stalls located in designated ROW; staff is requesting the ROW be vacated just until the end of the stalls. That will also allow the southern property owner flexibility during their development fronting the ROW. In the event that property owner does not need it for frontage requirements, the City will then have the flexibility to vacate the remaining ROW. He also added that the parking stalls will be angled and will have a one-way approach through the parking lot. **David Petersen** said the expansion will also include an additional garaging area.

Walt Hokanson, Farmington City Public Works Director, stated that during registration times, the office has to basically shut down as there are too many people in the building. The expansion will have a separate entrance for Public Works and a designated area for Parks and Rec and for those registering. He explained some of the items that are being stored in the Public Works' current storage area at 650 W. The City recently sold this building and must vacate the premises. Moving the storage areas from the current location to the new garaging area will be a good opportunity to clean many of the items out. **Walt Hokanson** said they will begin construction on the new storage sheds first. He explained the storage sheds will also provide an additional buffer to neighboring businesses. He also said there are plans to improve surrounding landscaping.

Kent Hinckley asked where the frontage will be if the City eventually vacates all of the ROW. **David Petersen** said a cul-de-sac may be put in, so not all of it will be vacated, or there is ROW on the east side of the building.

There is ditch near the parking lot. **Brett Anderson** expressed concern that cars may fall into the ditch while backing up. He asked if a retaining wall or other safety measures need to be taken. **Walt Hokanson** said he would like to pipe the water and completely remove the ditch.

Brett Anderson opened the public hearing at 7:37 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:37 p.m.

Kris Kaufman asked if it would be beneficial to make piping the ditch a condition. **David Petersen** said all City standards have been met as is, but if the Commission would like to, they could recommend to the City Council to pipe the ditch. To assist with the cost of piping the ditch, **Walt Hokanson** said he is working with the adjacent property owner, CenterCal, to possibly purchase the pipe and then allow Public Works to install it.

Heather Barnum also added that the Commission needs to include the angled parking of the parking lot in the motion. **David Petersen** agreed, the motion needs to list that the Commission is including the substituted site plan that was provided to the Commission during the Study Session.

Motion:

Heather Barnum made a motion that the Planning Commission approve the conditional use and site plan as substituted on March 6, 2014 during the Study Session by David Petersen for the expansion of the Public Works Building, including an upgraded parking area and a storage building,

subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The building expansion shall match the existing building in materials and architectural detail;
2. The 100 North right-of-way (ROW) will be vacated to the City to accommodate the parking upgrade only to the point to ensure all parking stalls shall be located outside the ROW. The southern parking aisle may be included as part of the ROW;
3. The portion of the ROW not vacated shall remain until land to the south is developed. At that time, the City shall determine whether or not to vacate the entire ROW. If the ROW eventually remains intact, the City will consider modification to its standard street cross sections pursuant to Section 12-8-100 of the Subdivision Ordinance;
4. City Staff shall prepare and implement a landscaping plan for reconfigured portions of the parking area;
5. Recommend that the ditch be piped.

Mack McDonald seconded the motion which was unanimously approved.

Findings for Approval

1. The site plan that was substituted during the Planning Commission meeting is in conformance with the ordinances and standards of the underlying zone.
2. The same architect that originally designed the building is also doing the expansion and is going to conform to the existing building architecturally.
3. The expansion is much needed and the City fully supports the site plan.
4. The existing parking area is a nonconforming use.
5. The property to the south abuts State Street and 650 West. Nevertheless, a decision to wait as to whether or not to vacate all of 100 North ROW until said property is developed may provide greater flexibility to the owner.

Item #5. Ben Leaver (Public Hearing) – Applicant is requesting a conditional use and site plan approval to build a dental office on .55 acres for property located at approximately 1495 North 1075 West in an R-4 Zone. (C-2-14)

David Petersen provided a history of the property; it is zoned R-4 and offices are a conditional use within the zone. The property used to be larger, but UDOT took a significant portion during the construction of Highway 89 and then the gas company put a petroleum line through it causing the buildable area to be very small. Dr. Leaver, a dentist currently practicing in Farmington, would like to build a dental office on it. **David Petersen** provided new elevations of the building. The applicant has already met with the Board of Adjustment to approve a variance for the setbacks.

The applicant was present, but did not have any comments for the Commission.

Brett Anderson opened the public hearing at 7:45 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:45 p.m.

Brett Anderson stated he feels it is a good use of the property and does not have any issues with it. The Commissioners agreed.

Motion:

Rebecca Wayment made a motion that the Planning Commission approve the conditional use and site plan application, enabling Dr. Leaver to build a dental office subject to all applicable Farmington City ordinances and development standards and the following:

1. Building set back distances shall be no less than approved by the BOA;
2. The City must consider rezoning the northerly parcel to R-4;
3. Final site plan, improvement drawings, drainage plans and landscaping plans shall be reviewed and approved by the City Engineer, Public Works Department, City Storm Water Official, Community Development Department, Benchland Water, CDS and the Fire Department and any condition of these final approvals shall also be conditions on the Conditional Use Permit.
4. The applicant is encouraged to obtain cross parking access/easements with the property owner to the south.

Mack McDonald seconded the motion which was unanimously approved.

Findings for Approval

1. The proposed office is consistent with the office to the south and will not impact the rhythm of 1075 West negatively.
2. The proposed office conforms to all applicable standards and ordinances with the exception of the setback, which the applicant received BOA approval for a setback variance.
3. The proposed site plan is consistent with the underlying General Plan designation.
4. The rezone will ensure consistency with the zone designation to the south.

ZONE TEXT CHANGE APPLICATION

Item #6. Farmington City (Public Hearing) – Applicant is requesting a recommendation to change the side setbacks for conservation subdivision in the R and LR zones. (ZT-2-14)

David Petersen explained the City's ordinances allows for 60' lot widths on the east side of Farmington. It does not, however, allow for any adjustments on the setbacks. Staff wanted to look at revising the ordinance to allow for some relief in setbacks, but has not had a chance to address it until recently when Ovation Homes ran into problems with it. **David Petersen** also clarified the staff report, the proposed minimum side yard setback requirement is 5' on one side with a total of 13'.

Brett Anderson opened the public hearing at 7:50 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:50 p.m.

Kent Hinckley asked why the Commission is not addressing the rewriting of side setbacks with the Ovation Homes subdivision. **David Petersen** said that Ovation Homes will be creating their "active adult product" on the east side of their subdivision. Ovation Homes was denied approval for a PUD, but if the ordinance is revised as proposed, their section of the subdivision can be built without

having to again try for PUD. **Kent Hinckley** is not comfortable revising the setbacks to something this small as there are already a lot of waivers that can be obtained for a conservation subdivision that allows for significantly smaller lot sizes.

Brett Anderson feels that based on past discussions with the community over various projects, many are concerned with an increase in density. He asked in staff's experience, if the community is concerned with the small backs of lots or the side to side. **David Petersen** said neither, the community is usually concerned with the total number of roof tops.

Rebecca Wayment asked what a developer does if they are in need of 5' setbacks; are they requesting variances from the Board of Adjustments. **David Petersen** said developers will go the PUD route if they need smaller setbacks.

Mack McDonald is concerned that amending the ordinance at this time will set a precedent that the Commission is willing to make changes for a developer. **David Petersen** agreed, but also added it is something staff has wanted to change for a while. **Rebecca Wayment** feels that if smaller setbacks are allowed within a PUD, she would like to see something different for the conventional subdivisions.

David Petersen said since staff has been considering this for a while, the setback concerns Ovation Homes has just brought the issue to the forefront. After the Commissioners discussion, he would feel comfortable amending the ordinance to read only lots that are 60' in width would be allowed the smaller setbacks, otherwise the setbacks will remain 10' and 10'. **David Petersen** said Ovation Homes most likely will be bringing their Preliminary Plat for approval at the next Planning Commission meeting. He suggested tabling the item until the applicant is here to answer questions and he can revise the text to read smaller setback adjustments tied to a specific lot width.

Commissioners agreed that there could potentially be unattended consequences of amending the setbacks for all conventional subdivisions. The Commissioners want to be careful to review the possible change separate from the developer's goals. **David Petersen** suggested tabling the item. If the applicant does come on the March 19, 2014 Planning Commission meeting with their Preliminary Plat, they can choose to run concurrently with the potential zone text change.

Motion:

Kent Hinckley made a motion that the Planning Commission table this amendment to the zoning ordinance. **Brad Dutson** seconded the motion which was unanimously approved.

ADJOURNMENT

Motion:

At 8:08 p.m., **Mack McDonald** made a motion to adjourn the meeting which was unanimously approved.



Brett Anderson, Chairman

Planning Commission Minutes – March 6, 2014

Farmington City Planning Commission