

FARMINGTON CITY
PLANNING COMMISSION MEETING
April 12, 2012

WORK SESSION

***Present:** Chairman Michael Nilson, Commissioners Rick Draper, Kris Kaufman, and Bob Murri, Alternate Commissioner Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, Parks & Recreation Director Neil Miller, City Council Member John Bilton, and Recording Secretary Cynthia DeCoursey. Commissioners Brett Anderson, Brigham Mellor, and Michael Wagstaff and Alternate Commissioner Brad Dutson were excused.*

#2 – Brad Pack – (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the Legacy Estates Subdivision encompassing 9.4 acres and consisting of 7 lots located at approximately 487 West Glover Lane in an AE zone. (S-4-12)

The Commission discussed several concerns with regard to this application, including the length of the dead-end street, the possibility of a flag lot, and impacts/concerns for homeowners in the area.

#4 – Farmington City – (Public Hearing) – Applicant is requesting approval of a conditional use permit to expand the sports/playing fields at the Davis School District Bus Park property located at approximately 400 West Glover Lane in an AE zone. (C-5-12)

Neil Miller presented details associated with this proposal, and the Commission discussed the cost of the fields, parking issues, when the new high school might be constructed.

REGULAR SESSION

***Present:** Chairman Michael Nilson, Commissioners Rick Draper, Kris Kaufman, and Bob Murri, Alternate Commissioner Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, Parks & Recreation Director Neil Miller, City Council Member John Bilton, and Recording Secretary Cynthia DeCoursey. Commissioners Brett Anderson, Brigham Mellor, and Michael Wagstaff and Alternate Commissioner Brad Dutson were excused.*

Chairman Nilson began the meeting at 7:05 p.m., and Bob Murri offered an opening prayer.

#1 – City Council Report

There were no City Council meetings to report on.

SUBDIVISION APPLICATIONS:

#2 – Brad Pack – (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the Legacy Estates Subdivision encompassing 9.4 acres and consisting of 7 lots located at approximately 487 West Glover Lane in an AE zone. (S-4-12)

Christy Alexander said the lots will be one acre or larger, and Phase 1 will include the northern three lots. There will be a publicly dedicated road with proper widths, side treatments and turnarounds. One concern is that the proposed road is 67 feet short of the City's 1000-foot regulation. The developer will be required to install curb

and gutter, but the sidewalk and street dedication on the west side of the road will be completed by property owners as they develop their land.

Carla Pack Peay, 684 West 910 North, West Bountiful, is a partner with her brother, **Brad Pack**, on this Subdivision, and they are seeking approval of the street extension prior to continuing with a more detailed plan.

Public Hearing:

Chairman Nilson opened the Public Hearing at 7:10 p.m.

John KraczeK, 1037 South 650 West, said his property is located near the turn in the road, and he was pleased that the **Packs** have chosen to place the road on the existing Doberman Way.

Jackie Hardy, 325 West Glovers Lane, asked if this development will abut her property line and if a sewer line would be stubbed in to her property. **David Petersen** said he would study the elevations and discuss the matter with the Sewer District.

Karlene Mower, 1063 South 650 West, lives near Doberman Road and asked if the new road would provide access to her property—she was told it would not.

The Public Hearing was closed at 7:25 p.m.

Discussion:

Chairman Nilson said there is no definition in the City’s Ordinance stating where a road begins and ends. Following a brief discussion, the Commission determined that these are nice lots which would enhance the area and the community, and the applicant has met all of the requirements.

Motion:

Rick Draper made a motion to recommend that the City Council approve a schematic plan for the Legacy Estates Subdivision consisting of seven (7) lots in two (2) phases on approximately 9.4 acres of property located at approximately 487 West Glover Lane with the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to a schematic approval.
2. The applicant must have approval of an extension to a dead-end road as set forth in Title 12, Chapter 7 of the Farmington City Subdivision ordinance if it is determined that such an extension is required for the proposed roadway layout.
3. Any issues related to the approval of a potential flag lot must be addressed with the approval of the minor subdivision plat associated with Phase 2 of this project.
4. A specific definition of street length (where it begins and ends) will be added to the City Ordinance.

The motion was seconded by **Mack McDonald** and approved by Commissioners **Draper, Kaufman, Murri,** and **Nilson**, and Alternate Commissioner **McDonald**.

Findings for Approval:

1. The proposed 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 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.

#3 – Frank McCullough – Applicant is requesting a recommendation for Final (PUD) Master Plan approval for the Villa Susanna PUD Subdivision encompassing .88 acres and consisting of 5 lots located at approximately 1400 North Main Street in a LR-F zone. (S-3-11)

Christy Alexander said nothing has changed since the Commission approved the Final Plat at their previous meeting. The applicant will need to obtain a right-of-way street vacation from the City Council.

Discussion:

Commissioners expressed concern about safety—residents in this new Subdivision would be accessing a busy, steep street, and a yield or stop sign may be necessary for exiting the Subdivision. **Frank McCullough** said the residents would not be backing out onto 1400 North, and most of the cars coming down 1400 North have already slowed down to access Main Street. He and the Commission agreed that parking should not be allowed on this section of 1400 North. **David Petersen** suggested a sign stating the grade of the hill and a caution to slow down, but **Mr. McCullough** suggested that a mile per hour sign posted just prior to the steep section of the road would have a better result because it would be enforceable.

Motion:

Mack McDonald made a motion to recommend that the City Council approve the proposed Final (PUD) Master Plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Final (PUD) Master Plan approval and finalize a Development Agreement;
2. More information about the proposed dwellings must be provided to the City at building permit application, including, but not limited to, information about architectural details to ensure that garages do not dominate the parking area, that porches are accentuated, that the rear and side elevations will display an attractive “front” to Main Street and 1400 North, and that the design contributes to justifying a density bonus for the 5th lot. These architectural details must be approved by City staff and the Planning Commission prior to the issuance of a building permit which will address several concerns regarding signage and visibility.
3. The Farmington City Council must approve the street vacation surrounding the property along Main Street and 1400 North before receiving Final (PUD) Master Plan approval.

The motion was seconded by **Bob Murri** and approved by Commissioners **Draper, Kaufman, Murri,** and **Nilson,** and Alternate Commissioner **McDonald.**

Findings for Approval:

1. The proposed layout will provide a more pleasant and attractive living environment than a conventional development established under the strict applications of the provisions of the underlying zones.
2. The proposed Planned Unit Development (PUD) will create no detriment to property adjacent to it.
3. The proposed PUD will provide more efficient use of the land and more usable open space than a conventional development permitted in the underlying zone.

4. The increased density allowed within the PUD will be compensated by better site design and by the provision of increased amenities and common open space.
5. Any variation allowed from the development standards of the underlying zone will not increase hazards to the health, safety, or general welfare of the residents of the proposed PUD.

Motion:

Kris Kaufman made a motion to advise the Police and Public Works Departments to install a speed limit sign on 1400 North and/or signage regarding the steep grade in conjunction with the Villa Susana Subdivision. **Bob Murri** seconded the motion which was approved by Commissioners **Draper, Kaufman, Murri, and Nilson**, and Alternate Commissioner **McDonald**.

CONDITIONAL USE APPLICATIONS

#4 – Farmington City – (Public Hearing) – Applicant is requesting approval of a conditional use permit to expand the sports/playing fields at the Davis School District (DSD) Bus Park property located at approximately 400 West Glover Lane in an AE zone. (C-5-12)

David Petersen explained that the DSD acquired this 50-acre parcel in 1998 to build a new high school. Various factors—including the slow economy and lagging demographics—postponed their plans. In 2004 the City granted approval for a bus compound on a portion of the property, and both parties entered into an inter-local agreement for a public park next to the bus compound, a public restroom facility, and allowing the City to utilize a portion of the property for its sports programs. The location of the bus compound has saved the District a significant amount of money. The DSD is predicting that they will bond for the school in 2017, and it is likely that the new school will be built by 2019. In the meantime, Parks & Recreation Director **Neil Miller** thought of this plan which will expand the number of playing fields available to Farmington residents and is a wise use of tax dollars.

Public Hearing:

Chairman Nilson opened the Public Hearing at 7:55 p.m.

Karl Asay, 850 South 650 West, is concerned about the parking situation and said that during rugby games he and his neighbors were unable to access their driveways. Both 650 West and Glovers Lane are narrow streets and become problematic when people park on both sides of the streets. He asked if additional public parking is being created with this plan. There is currently an area of the park which is popular for dogs, and the owners do not clean up the waste. Homeowners in the area dump their garbage, and the bowery is deteriorating.

Della Ashby, 403 Miller Way, said there is a 4-foot wide strip of property behind her back fence that is totally unkempt and includes a barbed wire fence which is in disrepair. She asked who owns the strip of property and who is responsible to maintain it.

David Petersen said the strip of land is owned by the **Rigby** family. When they began Phase 1 of the Miller Meadows Subdivision, the first surveyor made a mistake which was caught by the second surveyor, and they have been working with the DSD towards a resolution. The City hopes it the issue will be resolved soon.

John Bilton, 1163 Alice Lane, Farmington City Council member, said he and the other Council members are in full support of this proposal.

The Public Hearing was closed at 8:15 p.m.

Discussion:

The Commission discussed possible options for parking, installing additional dog waste stations, solving the issue of the 4-foot strip between the playing fields and the backyards of adjacent homes, and trails in the area. When asked if the trail between homes could be paved, **David Petersen** said it could not, but there is one in a different location which will connect to the Legacy Trail which may be paved at some point. He did not know if the DSD would keep the current walking trail around the fields.

Motion:

Kris Kaufman made a motion to approve the request for a conditional use permit to expand the sports/playing fields at the Davis School District Bus Park property subject to all applicable Farmington City standards and ordinances and the following conditions:

1. The interlocal agreement between the city and the Davis School District must be amended to show the park expansion.
2. Landscape plans shall comply with standards set forth in Chapter 7 of the zoning Ordinance and shall be approved by City staff.
3. All conditions of any site plan approval by City staff shall also be conditions of the conditional use permit.

The motion was seconded by **Rick Draper** and approved by Commissioners **Draper, Kaufman, Murri,** and **Nilson**, and Alternate Commissioner **McDonald**.

Findings for Approval:

1. The proposed use of the particular location is necessary and/or desirable to provide a service or facility which will contribute to the general well being of the community.
 - The population of the City continues to grow, particularly among school-age children.
 - Recreation programs are over capacity and are now cut short due to the lack of field space.
 - The 10-acre expansion will meet the needs of increasing demand.
 - The state and country are experiencing a growing obesity epidemic, which problem is most acute among the rising generation, and development of fields will provide more opportunities for people to exercise.
2. The proposed use shall comply with the regulations and conditions in the Zoning Ordinance for such use.
3. The proposed use shall conform to the goals, policies, and governing principles of the Comprehensive Plan for Farmington City. The City's General Plan provides, among other things, the following regarding parks, recreation, and open space:
 - Park development in West Farmington should keep pace with development.
 - Explore joint use of recreation facilities with the Davis School District.
 - Broaden recreational opportunities and programs for all citizens
 - Maintain Farmington as a cohesive community.
4. The proposed use shall be compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing and proposed developments:
 - Access to the site is off of Glover Lane, a major collector identified on the City's Master Transportation Plan, and 650 West (a minor collector) also provides access to the general area. No local streets are negatively impacted by the expansion.
 - A large park and bus compound now exist at the site.
 - The Legacy Trail is readily accessible to the area.
 - The School District has made it known (since 1998) that the intended use for the site is a high school. All persons moving in since that date may or should have been aware of this projected use.
 - A high school will much more greatly impact the area than a park.
 - The current proposal will encompass land which is no larger in area than areas which are normally programmed for sports uses which accompany high schools.

- The proposed park use is compatible with the projected high school use.
5. Adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation is available or may be provided. Also, the site is located near the Glover Lane overpass which provides access to east Farmington.
 6. Such use shall not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A proposed use shall be considered detrimental:
 - a. If it will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;
 - b. If it will unreasonably interfere with the lawful use of surrounding property; or
 - c. If it will create a need for essential municipal services which cannot be reasonably met.

ZONING TEXT CHANGES

#5 – Farmington City – Applicant is requesting a recommendation of approval to amend the zoning text, establishing additional criteria for smoke shops within the City. (ZT-3-11)

Christy Alexander said the State recently passed House Bill 95 which regulates tobacco retailers and almost mirrors the regulations proposed by City staff. Therefore, the City does not need to adopt its own ordinance unless City officials want stricter regulations.

Discussion:

Kris Kaufman pointed out that the State’s new law does not go into effect until July and asked if the City should have a moratorium until then. **David Petersen** said he would find out. **Chairman Nilson Mack McDonald** said cities should be able to govern themselves, and he would like to make sure Farmington is protected. **Bob Murri** said he feels that State’s guidelines are clear and comprehensive and cover Farmington City well.

Motion:

Mack McDonald made a motion not to recommend approval of the proposed amendment to the Zoning Ordinance, based on the justification that the State has laws in place to address the City’s concerns. If the City Council feels that further changes are necessary or if they determine that a moratorium is necessary, they may direct staff to follow through with such actions. The motion was seconded by **Bob Murri** and approved by Commissioners **Draper, Kaufman, Murri,** and **Nilson,** and Alternate Commissioner **McDonald.**

Finding:

1. The State of Utah has enacted HB 95 regulating the retail sale of tobacco products which is sufficient to regulate such establishments within the City of Farmington.

ADJOURNMENT

Motion:

At 8:40 p.m. **Kris Kaufman** made a motion to adjourn the meeting which was approved by Commissioners **Draper, Kaufman, Murri,** and **Nilson,** and Alternate Commissioner **McDonald.**

Michael Nilson, Chairman
Farmington City Planning Commission