

FARMINGTON CITY
PLANNING COMMISSION MEETING
August 29, 2013

WORK SESSION

Present: Chairman Bob Murri, Commissioners Brigham Mellor, Kris Kaufman and Alternate Commissioner Rebecca Wayment, Community Development Director David Petersen, Planning Intern Eric Anderson and Recording Secretary Lara Johnson. Commissioners Brad Dutson, Brett Anderson, Mack McDonald and Michael Nilson and Alternate Commissioner Nate Creer were excused.

Item #3 – Ivory Development – Westwood Cove Conservation Subdivision

David Petersen brought up the concerns of resident Karl Asay, who lives north of the proposed development, to the Commission. Mr. Asay is upset the development is occurring, especially next to his functioning farm. To prevent others coming onto his property and complaints about the agricultural smells, he would like a fence or wall built along the entire property line and wants a plat note that says residents are agreeing to sights, smells and sounds of the area.

Item #4 – Henry Walker Homes – The Village at Station Park Subdivision

Item #6 – Henry Walker Homes – Amending Chapter 18 of Zoning Ordinance Regarding Building Height Requirements

Staff said item #4 will need to be tabled as there are a few issues that have not been resolved, including a large petroleum line that runs through the property and how to put the 3 major utilities (culinary water, storm drain and sewer) along it. Staff did recommend approving agenda item #6. Staff did not see any issues with this item. Also, this item does not need to be approved simultaneously with agenda item #4.

Commissioners expressed concerns about the height of the buildings in the subdivision, including approving the amendment to Chapter 18 of the Zoning Ordinance to increase the building height requirement to 3-stories. There were also many questions discussed about the live/work units in the subdivision.

Item #5 – Symphony Homes – Preliminary Plat Approval for Chestnut Farms Phase 3 PUD

Staff made one correction to the proposed motion. The Preliminary Plat needs to be approved, not recommended, as it will not go to the City Council.

REGULAR SESSION

Present: Chairman Bob Murri, Commissioners Brigham Mellor, Kris Kaufman and Alternate Commissioner Rebecca Wayment, Community Development Director David Petersen, Planning Intern Eric Anderson and Recording Secretary Lara Johnson. Commissioners Brad Dutson, Brett Anderson, Mack McDonald and Michael Nilson and Alternate Commissioner Nate Creer were excused.

#1 – Minutes

Brigham Mellor made a motion to approve the Minutes of the August 15, 2013 Planning Commission meeting. **Rebecca Wayment** seconded the motion which was unanimously approved.

#2 – City Council Report

David Petersen gave a report from the City Council meeting on August 20, 2013. The Historic Preservation Commission presented 5 homes to be on the City's Historic Landmarks Register. Each of these homes has ties to Joseph Lee Robinson, one of Farmington's first settlers and the first L.D.S. Bishop for the area. The City Council tabled the item until written approval is received from each homeowner. The City Council also accepted a petition for study to annex Jared Jeppson's property in Northwest Farmington.

SUBDIVISION APPLICATIONS

#3. Ivory Development (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for Westwood Cove Conservation Subdivision (7 lots) on 4.057 acres located at the northwest corner of 650 West and Glover Lane in an AE zone. (S-3-13)

Eric Anderson presented background information on the applicant and its schematic plan of a 7-lot subdivision located at the northwest corner of Glover Lane and 650 West. Ivory Homes is proposing a conservation subdivision, which requires approximately 53,000 square feet of open space. The proposed schematic plan has approximately 18,000 square feet of open space. The Developer is requesting a waiver for the additional 34,000 square feet open space requirement in exchange for compensation; City Council must approve the waiver. The Developer also must expand Grovers Lane by 7 feet. The City will provide just compensation to the Developer for the expansion out of the City's "impact fees" as it is a system improvement.

Nick Mingo, 978 East Woodoak, Lane Salt Lake City, representing Ivory Development, said, per discussions with staff, the City does not want the additional open space, thus the reason for pursuing the waiver. He also said, based on previous discussions regarding the Eastwood Cove Subdivision, he will stub the road for future development in lieu of creating a cul-de-sac.

Brigham Mellor asked if this is one instance where the City would defer the open space and use it toward a city park. **David Petersen** said possibly. Staff encouraged the Developer to seek the waiver as there may or may not be just compensation for the open space. He encouraged the Planning Commission to approve it and let the City Council and City Manager figure out the details of the waiver.

Bob Murri opened the Public Hearing at 7:11 p.m.

Karl Asay, 850 South 650 West, has owned his property in West Farmington since 1972. He has seen many subdivisions developed where people are upset about the smells of agricultural livestock. He wants to protect his property and way of life from such complaints. He would like a fence or a solid wall built between his property and the Westwood Cove subdivision. He would like to protect his property and to protect others from possibly getting injured. He is also concerned about

the size of the homes being built, but understands he cannot do anything about possibly losing his view.

Leslie Mascaro, 14547 S Hedgerose Dr., Herriman, representative for Henry Walker Homes, said while she was serving on the Herriman City Planning Commission, they had similar circumstances with developments. To ensure protection for property owners, they would place a note on the mylar plat that stated future property owners agreed to all sights, sounds and smells of the existing animals to avoid any legal questions that residents purchased into a pre-existing nuisance.

Karlene Asay Dolbear, 1525 Childs Ave., Ogden, daughter of Karl Asay, said it is important to remember that the Asay's property is a working farm with crops, animals, etc. She would like a fence or solid wall build between the Asay property and the development and would like the property owners to be responsible for maintaining the wall. The wall would ensure safety for the property owners and for the farm.

Bob Murri asked for further clarification on where exactly the wall would be located. **David Petersen** said it would be along the entire north side of the property, which is from 650 West down to the UTA tracks and would also go across the Ivory Development's stub road.

Steve Proven, 788 South 650 West, is the immediate neighbor to the north of the Asay property. When they moved to West Farmington in 1984, they sought out the agricultural lifestyle. He was concerned that with the new developments happening on the west side that the City could force people out of their agricultural lifestyle. He wondered when a property is changed from agricultural to another zone, if property owners are ever alerted before the change.

David Petersen clarified that the property is still zoned as agricultural; there has been no change. **Brigham Mellor** also clarified that only a property owner can request a zone change; no one will ever force a property owner to change the zone of their property.

Steve Proven also wanted to know how nuisance suits are addressed. **Brigham Mellor** explained the mylar, which is what the plat is printed on, will include a clause for property owners that will state when a property owner buys this piece of property, they are buying into the sights, smells and sounds of the property. Ivory is agreeable to include this wording on their plats.

Brennan Rasmussen, 742 South 650 West, wanted to know who will be maintaining the road. **David Petersen** said Farmington will be maintaining it. **Brennan Rasmussen** also wanted the City to look at the speed limit at Glover Lane. With bringing in more homes, it will increase traffic. Speed limits should be decreased.

Steve Proven came up one more time to bring additional concerns about how 650 West and Glover Lane do not currently have sidewalks, curbs and gutters. If there is going to be additional development, he feels that will bring more families and more children. He would like the city to put in a curb, gutter and sidewalks. He also feels the speed limit should be lowered.

David Petersen said the future high school on Glovers Lane should be completed by 2019 and the City would like to have the roads improved before that time. Farmington; however, is a municipality. Municipalities do not build roads; developers and land owners build them. Many residents along 650 West built when the land was still part of the county. Some residents had extension agreements that required the property owner to put in curb, gutter, sidewalks, etc.; others

did not. The City is trying to figure out how to bring curb, sidewalks and gutters to this area before the high school is built.

Bob Murri closed the Public Hearing at 7:38 p.m.

Nick Mingo stated he is not opposed to building a fence or wall on the northern boundary to ensure there is a consistent fence along the property line. He will work with staff to find out what is the most appropriate material for the wall. He is happy to include the plat note regarding the sights, sounds and smells. He also said he will be improving 650 West; his current plans do show curb and gutter will be built.

Motion:

Kris Kaufman made a motion that the Planning Commission recommends that the City Council approve the proposed Schematic Plan for the Westwood Cove Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards and with the following conditions:

1. The City Manager determines what just compensation is for the waiver of the 34,203 s.f. of open space, and the City Council approves the waiver prior to the Preliminary Plat approval.
2. The City Council approves the waiver of Sections 11-12-100 (b) and (d) of the Farmington City Ordinance.
3. The Preliminary Plat must show a street dedication expanding the width of Glovers Lane by 7 feet.
4. The Developer will put a 6 foot privacy fence or wall along the entire length of the northside of the development; the type of fence will be determined by the Developer and City, as long as it is consistent with Farmington City ordinances and standards.
5. A note will be placed on the final plat mylar stating it is agricultural land and anyone buying in agrees to all sites, sounds and smells of West Farmington.

Brigham Mellor seconded the motion which was unanimously approved.

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 for in the AE zone for a conservation subdivision;
 - 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.
4. The layout provides access to the property owner to the north, the widening of Glovers Lane and creation of regional detention basin that can be expanded in the future, if needed.

#4. Henry Walker Homes (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for The Village at Station Park subdivision (128 lots) on 12.11

acres located at the northwest corner of Clark Lane and 1100 West in an RMU zone. (S-10-13)

David Petersen showed plans for the future roads for Park Lane, Clark Lane and 1100 West, which will include moving Park Lane north and turning the intersection at Clark Lane and 1100 West into a round-about. The Developer's plan is similar to the City's regulating plan. He explained the developer is proposing 3 housing types: 3 story live/work units, 2 story attached units and 3 story detached single family homes. He stated that the ordinance allows for 3 stories on principal streets, but local roads can only have 2 stories; agenda item #6 is a request to amend the building height on local roads to 3 stories. **David Petersen** said there is one issue with the Schematic Plan that has not yet been resolved. There is a pair of gas lines that run through the property and there are issues putting major utility lines next to it. Staff would like more time to resolve this issue before the Schematic Plan is approved.

Kris Kaufman asked what the rationale was for putting the number of stories on local roads lower than the number of stories on a principal street. **David Petersen** said it has to do with urban design. Chapter 18 of the Zone Ordinance is about form-based codes and aesthetics, which includes a tiered approach for more dense zones. The denser the zone, the more stories a building can have within that zone.

Leslie Mascaro, 14547 South Hedgerose Dr., Herriman, representative for Henry Walker Homes, gave a brief background on the plans for this development. She said one of the main goals is to promote easy access to the community and to promote walkability. She had a presentation showing plans and pictures of the community, which would include a pool, club house, community gardens, wider sidewalks, a plaza area at the entry of the project and more. The project includes 3 product types that are new to the State of Utah. The first product type, the "City Series" is a 3 story, 40 foot building that includes a 600 square foot "flex space," which can be used as a small work space or additional living space. It is up to the property owners to decide how they would like to utilize their "flex space." The next product type, "Silver Meadows," would be 2 story townhome units. The third product type, the "Envision Series," looks like townhomes, but are actually 3 story detached single-family homes that are approximately 2600 square feet; these homes will have private balconies in lieu of private yards. Townhomes seem to be more transitional, however, this high-end product will attract a more long-term resident. Since the detached single-family homes are 3 stories, the Developer is asking to increase the building height along local roads to 3 stories or an increase of 5 feet.

Bob Murri asked for the building height of the Park Lane apartments. **David Petersen** said they are approximately 37 feet at the very top of the ridge. **Bob Murri** expressed concerns that although other buildings are similar in height, having these 3 story 40 foot buildings right next to Clark Lane will feel out of place.

Brigham Mellor would like to see some elevations line up from north to south to show the gradient changes along Clark Lane and along the trail. He feels it may be more appropriate to tier the buildings from the highest to the lowest; the plans currently show the 3 story 40 foot units, the 2 story units and then the 3 story homes.

Rebecca Wayment asked if the product types will have a flat roof or if they will have a peak. **Leslie Mascaro** said in order to have the product that would fit in more with the norm of Farmington, they have included a more traditional style roof that has a pitch. By including the pitch, however, the building height has been increased to 33 feet. With the flat roof, the building height would be 30 feet. She feels the pitched roof would be more appropriate for the area.

Bob Murri opened the Public Hearing at 8:25 p.m.

JaNae Haycock, 74 Belmont Dr., lives just west of the trail from this development. She said speaking for herself and for her neighbors, they have enjoyed the open space along the trail. She understands that it will eventually change, but she hopes that there can be some separation that remains between any development and the single-family homes that are west of the trail. She is also concerned about all the traffic it will bring. She would also like to see sidewalks built along Clark Lane.

David Petersen clarified that once the “swoop” is created and Park Lane is moved north, 10-12 feet of Clark Lane will be turned into a pedestrian walk-way along the front of this development.

Bob Murri closed the Public Hearing at 8:33 p.m.

Motion:

Brigham Mellor made a motion that the Planning Commission table agenda item #4. **Rebecca Wayment** seconded it which was unanimously approved.

Motion:

Kris Kaufman made a motion that the Planning Commission move agenda item #6 – Henry Walker Homes request for a Zone Text change with regards to building heights – to item #5. **Brigham Mellor** seconded it which was unanimously approved.

ZONE TEXT CHANGE

#5 – Henry Walker Homes (Public Hearing) – Applicant is requesting recommendation to amend Chapter 18 of the Zoning Ordinance regarding proposed changes to the building height requirement in the RMU zone. (ZT-4-13)

David Petersen gave visual examples of how the current ordinance reads, the applicant’s proposed ordinance and the staff’s proposed ordinance, which includes 3 requirements to create a transition from the conventional homes to the mixed-use areas. He explained this development meets all of the standards outlined in staff’s proposed ordinance. He brought up **JaNae Haycock’s** concerns with having large buildings next to the trail. He measured from the trail to the start of the development; it was 125 feet. He does not know if this is a good distance or not.

Bob Murri asked if there is any setback of the units in the development to the street. **David Petersen** said no, in form-based codes, buildings are brought up close to the street. It will bring the activity to the street. **Chairman Murri** expressed concern that Farmington residents may not be ready for this type of development. **David Petersen** said form-based codes allow for a much more urban feel in mixed-use areas.

Rebecca Wayment wanted to know where the parking will be for the businesses that could be in the live/work units, as well as what kinds of businesses could operate there. **David Petersen** said he found ordinances for something similar to this in Denver, CO. He said the types of business

were neighborhood business that allow for on-street parking, as well as additional parking in the rear of the building. He also said the ordinance does restrict businesses to neighborhood type uses.

David Petersen also reiterated **Brigham Mellor's** comment about having the project more tiered with the highest buildings along Clark Lane down to the lowest, or 2 story townhomes, along the trail that neighbors with the conventional housing area. **Leslie Mascaro** explained the "Envision Series," the 3 story detached single-family homes are the most expensive of the product types. It will have many nice features, as well as the roofing type that will best fit the neighboring single-family homes. Although it could easily be adjusted to have the 2 story townhomes along the outside, she said they would prefer not to do that as they would like their higher-end product along the trail.

JaNae Haycock asked if the fairgrounds will ever be moved. **David Petersen** said the County did explore the option of moving it, but it would not be worth it financially as they have too many buildings and infrastructure there.

Commissioners expressed additional concerns about a 40 foot building along a principal road, as well as the uses of a live/work unit and if there is enough parking for these work units. With regards to the parking concern, **Leslie Mascaro** stated the project is over-parked with each unit having a 2-car garage, on-street parking and pocket-parking throughout the project as well as on-street parking along 1100 West. With regards to the concern of a 40 foot building along a principal road, **David Petersen** explained the scale of the building, sidewalks, parking, a bike path and travel lane. He stated there is a separation with the building and the road so aesthetically it will work.

Kris Kaufman asked for further clarification of the staff's proposed ordinance and their use of "may" in the wording. He wanted to know if an applicant would need to apply for a conditional use permit. **David Petersen** said no, he just wanted the ordinance to be discretionary so the Planning Commission would have the ability to approve or deny it. He would also like to include an additional line on the table provided in the ordinance that would provide further clarification to the 3 requirements provided in the proposed ordinance. **Kris Kaufman** expressed concern that a "may" could be interpreted as a "should." He would like further clarification in the language that although an applicant meets all 3 requirements, it "may" be approved or denied by the Planning Commission.

David Petersen suggested inviting the City Council to a field trip to see other Henry Walker Home developments to get a better feel for this project's plans.

Bob Murri opened the Public Hearing at 9:08 p.m.

No comments were received.

Bob Murri closed the Public Hearing at 9:08 p.m.

Kris Kaufman would like to do a field trip to see a similar develop and would also like more clarified language for the proposed ordinance.

Commissioners would like to see similar projects before approving a change to the building height requirements, as well as wanting to see elevations of the area.

Motion:

Brigham Mellor made a motion that the Planning Commission table this agenda item until the following conditions have been met:

1. A list of non-residential uses allowed in the live/work units;
2. Elevations of the product and the area;
3. Visiting the proposed project site to gain a better visual of the Developer's plans;
4. And clarifying language for the proposed ordinance.

Kris Kaufman seconded, and the motion was unanimously approved.

SUBDIVISION APPLICATION

#6. Symphony Homes – Applicant is requesting Preliminary Plat approval for the Chestnut Farms Phase 3 PUD (14 lots) on 7.8 acres located at approximately 300 South and 1400 West in an AE zone. (S-7-13)

Eric Anderson provided background information on the Preliminary Plat for Chestnut Farms Phase 3. He explained the Schematic Plan and Preliminary (PUD) Master Plan were previously approved by City Council contingent on a resolution of an issue with the waterline. The applicant has resolved this concern as outlined in the staff report.

John Wheatley, 526 North 400 West, North Salt Lake, explained this is a continuation of the Chestnut Farms current project. He explained the biggest issue was the drainage system. This system has already been built during Phase 2. All backyards of Phase 3 will be hooked up to this drainage system which will keep all water on the project's side and not in the neighbors' properties.

Motion:

Rebecca Wayment made a motion that the Planning Commission approve the Preliminary Plat for the Chestnut Farms Phase 3 PUD Subdivision subject to all applicable Farmington City ordinances and development standards, conditions of schematic plan approval and the following condition:

1. The waterline must be looped from 300 South and 1350 West down the central road and connected to 475 South and 1450 West through the creation of a trail with a dedicated right-of-way wide enough to accommodate both sewer and a waterline.

Brigham Mellor seconded the motion which was unanimously approved.

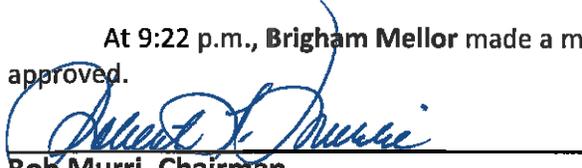
Findings for Approval:

1. The proposed Preliminary Plat is consistent with the previously approved Schematic Plan and Preliminary PUD Master Plan for the subdivision.
2. The proposed subdivision meets all the requirements for approval of a Preliminary Plat as per the ordinance.
3. A revised Preliminary PUD Master Plan has been submitted with a looping waterline and an asphalt trail with a 20' easement connecting 475 South to 1450 West.

ADJOURNMENT

Motion:

At 9:22 p.m., **Brigham Mellor** made a motion to adjourn the meeting which was unanimously approved.

A handwritten signature in blue ink, appearing to read "Robert L. Murri", is written over a horizontal line.

Bob Murri, Chairman
Farmington City Planning Commission