

FARMINGTON CITY
PLANNING COMMISSION MEETING
October 8, 2015

STUDY SESSION

Present: Chair Rebecca Wayment, Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Kent Hinckley, Alex Leeman and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson.

Item #3. Ernie Wilmore/ICO Development – Requesting a Recommendation for Minor Plat Approval of the Residences at Station Parkway Subdivision

Eric Anderson said this item is a minor subdivision. Station Parkway has already been dedicated and will be improved, but there is no new dedication of right-of-way required. **Eric Anderson** also reminded the Planning Commission that this subdivision was previously approved for phases as it was required for ICO Development's financing of the project. **Eric Anderson** said Lot 4 was owned as part of the Cook family property; however, ICO Development purchased it for storm water detention as it is adjacent to the project. Staff is recommending this item for approval. **Rebecca Wayment** asked if all improvements will be done in the beginning even though the project is phased. **Eric Anderson** said yes, all road improvements will be completed during Phase I. **David Petersen** pointed out that Lot 4 may need to be amended to be titled Parcel A as it will be used as a detention basin so it does not meet the lot standards. **Eric Anderson** advised the Commission to include the change as a condition to the motion. **David Petersen** added that a condition may also be included to show the trail easement across Lot 4 (soon to be Parcel A).

Item #4. Scott Harwood/The Haws Companies – Requesting Final Plat Approval for the Park Lane Commons Phase III Subdivision

Eric Anderson said most issues have been resolved; however, there are a few things the DRC is still requiring. Everything still required are listed as conditions to the motion and must be completed prior to the start of construction and will be reviewed again by the DRC. **David Petersen** said the project meets the City's standards and the motion does cover all things the City has asked for or is still requiring. **Eric Anderson** also added that the Legacy Assisted Living Facility site plan is included in the staff report; however, it is not part of tonight's approval, but is just a reference for the Commission.

Item #5. Nick Mingo/Ivory Development – Requesting a Zoning Map Amendment for 56.68 acres of property from AE (Agriculture Estates) and LM&B (Large Manufacturing and Business) zone to LR (Large Residential) zone.

David Petersen said this project is for the Pack Property. It is currently LM (Light Manufacturing) and RRD (Rural Residential Density) on the General Master Plan, and is designated for LM&B (Light Manufacturing and Business) and AE (Agricultural Estates) on the zoning map. The applicant is proposing to amend the zone to LR (Large Residential). **David Petersen** explained the 3 alternative motions which include tabling, approving or denying the request to rezone. He said if this rezone is approved, it would be a large policy change, but it would allow for more affordable housing for the City. It does remove a large portion of Light Manufacturing from the City which may not be the best time to give it up as the needs of the City are still shifting with the large amount of growth. The Commissioners and staff discussed it in more depth. The Commissioners asked about the options the

applicant has with a PUD in this area, details about the zoning history of this property, plans for the West Davis Corridor, and if the City has other areas for the LM&B zone to be relocated. **David Petersen** said there is more flexibility with a PUD; the same number of rooftops can be included, but lot sizes can vary based on the City's discretion. The property was purchased by the Pack family as zone A (Agriculture), but was then rezoned to LM&B. As for UDOT's preferred alignment for the WDC (West Davis Corridor), the road would go right through the project. And, the other area that was zoned LM&B has since been rezoned to C (Commercial) and is currently where Harmon's is located. **David Petersen** said there is a small portion left near Station Park; however, he feels the development of LM&B uses would be frowned upon. He expressed that every City needs a place to accommodate their "backyard uses."

Item #6. Phil Holland/Wright Development – Requesting Conditional Use and Site Plan Approval for the Mercedes Benz of Farmington

Eric Anderson reviewed all information presented by the applicant. He advised the staff that they are reviewing the site plan to determine if it fits this area. He said, like many of the conditional uses being presented, that a condition to the motion is included to delegate the final site plan review to staff. One concern for the Commission for the evening is the sign plan. Sign "R8" is a pylon sign measured at 50' tall, but it is a 30' sign from the finished grade. The ordinance allows for a 20' tall sign from the finished grade that is setback 10'. In order to obtain the addition 10' in sign height, the applicant must set the sign back 1 ½' for each additional foot in height. That would mean the applicant would be required 10' per the Ordinance plus an additional 15' setback for the extra 10' in height for the sign. The Commissioners and staff discussed the width of Park Lane, the setback and the height of the sign as well as including or striking Condition 3 based on the Commissioners decision during the regular session meeting.

REGULAR SESSION

***Present: Present:** Chair Rebecca Wayment, Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Kent Hinckley, Alex Leeman and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson.*

Item #1. Minutes

Alex Leeman made a motion to approve the Minutes from the September 17, 2015 Planning Commission meeting. **Dan Rogers** seconded the motion which was unanimously approved.

Item #2. City Council Report

Eric Anderson stated that there were not any planning items addressed at the October 6, 2015 City Council meeting.

SUBDIVISION APPLICATIONS

Item #3. Ernie Wilmore/ICO Development – Applicant is requesting a recommendation for minor plat approval of the Residences at Station Parkway Subdivision consisting of 4 lots on 13.65 acres located at approximately 550 North and Station Parkway in a TMU (Transit Mixed Use) zone. (S-22-15)

Eric Anderson said this project came before the Commission during site plan approval. He explained this is a minor plat approval because all roads are private so there is no dedication of right-of-way. **Eric Anderson** said the project was split into phases for ICO Development's financing approval; however, all roads and improvements will be done during Phase I. He also recommended that a condition to the motion to amend Lot 4 to Parcel A should be included as well as a condition that the trail easement should be shown through Lot 4 (soon to be Parcel A). Staff is recommending this item for approval.

Ernie Wilmore, 1160 Kings Court, Kaysville, said that Lot 4 was recently obtained and will be used as a detention basin for the project. He also explained that ICO Development's application to their lender was relative to the project's phasing; however, Phase I includes all infrastructure for the project.

Alex Leeman asked for confirmation that the amendment to Parcel A and the trail easement should be included as a condition. **Eric Anderson** said they are both shown on the site plan; however, it never hurts to also include them on the minor plat.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend that the City Council approve the proposed Minor Plat for the Residences at Station Parkway Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Lot 4 shown on the plat be amended to Parcel A;
2. The plat will also show the trail easement on Parcel A (currently shown as Lot 4).

Bret Gallacher seconded the motion which was unanimously approved.

Finding:

The subdivision does not change the layout of the approved site plan, including streets, building placement, utilities, etc. and the improvements will all be done at one time. This subdivision is a simple subdivision meant to create four platted parcels on the map.

Item #4. Scott Harwood/The Haws Companies – Applicant is requesting final plat approval for the Park Lane Commons Phase III Subdivision consisting of 3 lots on 9.77 acres located at approximately Market Street & Station Parkway in a GMU (General Mixed Use) zone. (S-16-15)

Eric Anderson said all outstanding issues have been resolved, except a few engineering items that will be resolved by DRC's final review. Staff is recommending approval with the conditions listed in the staff report.

The applicant was present, but did not make a comment.

Motion:

Dan Rogers made a motion that the Planning Commission approve the final plat for the Park Lane Commons Phase III, subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant shall obtain all necessary secondary water shares from Weber Basin prior to recordation;
2. Davis County Flood Control shall review and approve the final plat prior to recordation to ensure that all the necessary access easements along Shepard Creek are provided and a flood control permit issued;
3. The applicant shall enter into an agreement to ensure that future improvements and the future street will be built in its ultimate location at that time that the Evans family develops;
4. Any and all outstanding issues be resolved with staff.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed subdivision conforms to all of the development standards as set forth in the Farmington City Subdivision conforms to all of the development standards as set forth in the Farmington City Subdivision and Zoning Ordinances.
2. The proposed final plat creates a needed east-west connection from Station Parkway to point west, and conforms to the Regulating Plan and that plan's states purpose of creating connectivity throughout the Mixed Use District.
3. Parcel A will preserve wetlands, and the portion of those properties that abut Shepard Creek will be preserved as open space, and a trail easement will be provided.
4. The applicant has performed a geotech report above and beyond the normal requirements as a way to address the soil issues.
5. The subdivision of this property will allow for Western States Assisted Living to develop, which is a good use in this location, and fills a need the City has to care for and house their elderly residents.
6. Lots 301 and 302 will be developed as part of the Park Lane Commons project master plan, and although we don't know what uses will be proposed there yet, when those applications do come in, staff will review and approve them as part of the review process set forth in the development agreement with The Haws Company.
7. The applicant has received a wetland delineation from the US Army Corp and that letter has determined that the wetlands are constrained by Parcel A, which will not be built on at this time.
8. The applicant has provided all necessary easements and dedicated all necessary right-of-way on the plat for the current proposal and any future development to the south.

REZONE APPLICATION

Item #5. Nick Mingo/Ivory Development (Public Hearing) Applicant is requesting a zoning map amendment on 56.68 acres of property located at 1269 South 650 West from an AE (Agriculture Estates) and LM&B (Large Manufacturing and Business) zone to an LR (Large Residential) zone. (Z-5-15)

Eric Anderson showed the Pack property on aerial view. He said the applicant is requesting to amend the zone from LM&B and AE to LR and a leave a portion designated for LM&B. The applicant provided a conceptual plan, as shown in the staff report, for the Commission's reference. He said there will be open space by the Legacy freeway and then single-family residents beyond the open space. **Eric Anderson** said if approved, this would be the first LR zone located west of the freeway. He also stated that rezoning this portion will remove a significant portion of the City's planned LM&B zone.

David Petersen explained, if approved, this rezone would be a major departure from the General Plan. During the last General Plan update in 2004, the planned LM&B zone was relocated from what is now Station Park to this current location. He said each City needs a place for its backyard uses. He also explained that on the other side of the City border, Centerville is planning similar non-residential uses for the area as well. He said the Pack family has been actively marketing the area for some time, but is having a hard time as it is not located close to a freeway on/off ramp. **David Petersen** also said the development would provide more affordable housing options for the City. He recommended leaving its current zone designation a little longer as it is unknown how much of the LM&B zone the City may need in the future.

David Petersen said the 3 alternative motions are to table the item with a request to see the rezone request with the schematic plan, approve the rezone or move to deny it.

Dan Rogers asked if there is any indication from UDOT on the WDC. **David Petersen** said UDOT announced Glover Lane as their preferred alignment, which would go right through this property; however, UDOT has entered into a memorandum to further explore the Shared Solution. The Shared Solution is an alternative to the WDC. The Shared Solution has passed Tier 1 review and is now under Tier 2 review.

Heather Barnum asked if the property owner's property value would be higher if the property is zoned LM&B or residential. **David Petersen** said it was his understanding that LM&B pays its own way as a tax generator, but that residential revenue may drain the bottom line instead of adding to it.

Brett Anderson asked what type of buffer is usually included adjacent to a LM&B zone. He expressed concern that some uses for the zone may not be appropriate to be adjacent to residential areas. **Alex Leeman** also added that this location for LM&B does not include freeway access. **David Petersen** said if the WDC is approved, there is a possibility of an 1100 West interchange down the road. As far as a buffer, North Salt Lake has most of their LM&B on the west side and in Woods Cross, Redwood Road separates the residential from the LM&B.

Bret Gallacher asked staff that if this item were to be approved, the City would be short of the LM&B demand. **David Petersen** said the City may already be exceeding the demand as the land planned for LM&B is not being developed as LM&B.

Nick Mingo, 978 E. Woodoak Lane, Salt Lake City, said Ivory Homes is excited about this piece of property as residential. He previously met with many of the neighbors from this area. He presented a previous version of this plan and asked for their concerns and input. Neighbors felt the LR zone is an appropriate zone for this area, but they expressed concerns about increased traffic and if there would be soccer fields included in the plans. Since that meeting, **Nick Mingo** said they have changed plans to include more of a buffer from existing residential uses. He said that he feels this is not a good location for the LM&B zone; access to the area is horrible as it is not close to a freeway on/off ramp and trucks must pass through residential to get to it. He said the Pack family has been trying to develop this area for years, but has not been able to make much progress. He also said with the high school coming in the next few years, it would be better to have residential around the school instead of LM&B uses as the LM&B uses will make traffic significantly worse. These plans will provide affordable housing for the City as well as 8 ½ acres of open space that will not be used as ball or soccer fields. If this were rezoned to LR, there would still be a remaining 50 acres still zoned to LM&B.

Heather Barnum asked the applicant about the WDC's plans. **Nick Mingo** said when Ivory Homes went under contract for this property, he called UDOT to ask about Glover Lane as the preferred alignment for the WDC. He said UDOT's response was that they "don't prefer it enough yet." He said

someone alluded that residential may be more profitable if UDOT came in to condemn the property. **Nick Mingo** said residential is their business and to lose this property to UDOT is not ideal or wanted.

Dan Rogers asked if the applicant has considered having larger lots except for the adult living section. **Nick Mingo** said based on the yield plan, the proposed project does not work with larger lots and an active adult living area.

Brett Anderson asked if any neighbors asked that this property remain zoned as LM&B. **Nick Mingo** said he does not recall anyone asking that be left as is. He said he understands the reasons for the LM&B zone, but suggested a different location within the City may be a better fit.

Rebecca Wayment opened the public hearing at 7:50 p.m.

Carl Asay, 850 S. 650 W., said he has known the Pack family since their children were little. He said he understands what they are up against. He feels his main concerns are the increased amount of traffic and growth. He expressed concern that the current sewer line may not be able to handle a large residential project in this area. If it cannot, he is worried it would fall back onto the City and County to accommodate the growth by increasing taxes. He also explained about the traffic gridlock that takes place in this area due to the trucks from the LM zone and the soccer fields. He is also concerned there is not enough culinary water.

John Kryzack, 1037 S. 650 W., said he lives just north of this development and has for 35 years. He feels the traffic is a large problem and he attributes a lot of it to the soccer fields. He said any change will be welcomed. He also feels having another connection for the LM zone would be good as there is a large number of trucks currently passing through the same residential route. He said the trucks disregard the 25 mph speed limit. He said he left the Ivory Home neighborhood meeting with the feeling that all neighbors were relieved to hear of a possible of change from the current LM zone and the soccer fields.

Brad Pack, 580 E. 400 N., Bountiful, said his family purchased the property around 1984. He said the property has been used for agricultural purposes until the City changed the zone to LM around 2000 with the future zone designation as LM&B on the General Plan. He felt it was a good option at the time; they built their first storage units there in 2003. Since that time, there has been little development that has taken place on the property which has totaled about 12 acres of property developed in 12 years. He said they have actively marketed this area as LM&B; however, freeway access to LM&B uses is critical. He said people have approached them about bringing their business to this property; however, it was never even presented to the City because of staff's concerns on how it may impact the neighbors. He also added that if UDOT is interested in this area for the WDC, he feels it is UDOT's job to come and purchase it. He does not feel it's the Planning Commission's responsibility to determine if UDOT will take the property or not. He also added that he feels LM&B zone works better in other locations, like off of 500 South in Bountiful, because you must enter the industrial area prior to entering the residential zone. With the current location of the LM&B zone, trucks must drive through residential prior to entering the LM zone. He does not feel the current scenario works well.

Chet Barber, 1480 N. 4300 W., West Point, is a commercial real estate broker with his specialty being industrial real estate. He said although he typically hates to see less land developed for LM, he feels the currently planned 100 acres of LM&B is over board for the location of this land. He said truck access is not adequate from the north or the south of this property. He said the challenge is that the City is competing with neighboring cities for the same tenants, but Farmington will lose out because other cities have the proximity to freeway access. He said the ideal LM&B zone is 1/3 of a mile from the freeway; however, this property is 2 miles and goes through residential subdivisions. **Chet Barber** said

based on his calculations, the 100 acres currently planned to be zoned LM&B would yield approximately 2.2 million in warehouse space. He said 2.2 million of warehouse space would greatly increase the truck traffic. Also, if this property is sold as LM&B, the going rate is approximately \$3 per sq. ft. which would be approximately \$130k per acre which is more than the contract price of the current deal. So with regards to concerns about zoning the property residential for more profit, he feels the value of property zoned LM is a little higher.

Samisoni Mafua, 752 Moon Circle, said he has been in Farmington for 35 years. He feels it is a peaceful, family friendly place to live. He requested that the soccer fields remain where they are located. He said his grandkids and many other children in the community play at those fields. He said with any zone, LM&B, residential or one that allows for sporting activities, there is going to be traffic.

Jackie Hart, 325 W. Glover Lane, said she is worried about the traffic the high school will bring as well as how the City will support culinary water for the project. **Kent Hinckley** asked if her concern is with the project being developed as it is currently being proposed. **Jackie Hart** said yes, she is concerned with the proposed project. Right now, the manufacturing use only generates traffic during certain times during the day. She feels a project like this will heavily increase traffic all day long.

Rebecca Wayment closed the public hearing at 8:13 p.m.

Bret Gallacher asked staff if the Planning Commission can address the residents' concerns about culinary water and sewer at this time. **Eric Anderson** said that is not something that can be reviewed at this point. **David Petersen** also added that the City may have a couple locations for additional wells to add to the water flow so he feels there may be enough water to service this development. The sewer district may have concerns; however, those concerns are not addressed until a schematic plan has been presented.

Brett Anderson said he would like more information before a zone change is considered. He said he also was surprised as the residents seem torn on what they prefer as there were many mixed feelings presented during the public hearing.

The Commissioners discussed some of the concerns residents presented. **Alex Leeman** expressed sympathy to the residents; however, he feels traffic will only increase until all the land is developed. It will never be as quiet as it once was with all the undeveloped land. **Kent Hinckley** said that a project of this size will not minimize traffic; however, it will not ebb and flow as much as the traffic soccer fields bring in. **Kent Hinckley** also added that he does not like having the LM&B zone adjacent to residential, but he feels like he may now know enough to make a good decision. **Dan Rogers** also feels he does not have enough information to make an informed decision. He also expressed concern with the density of the proposed project. **Heather Barnum** feels that approving this may lead to other similar requests to rezone additional property in the area which would create even higher density housing, more traffic and more strain on the City's infrastructure. **Bret Gallacher** said he understands why the developer presented this plan so he can get a feel for the concerns, but he feels Ivory Homes as always been amenable to work with on past projects in the City. **Rebecca Wayment** expressed concerns that this is currently zoned LM and planned for LM&B. She said she is also not opposed to residential, but is not comfortable on the higher density housing plans that are being presented. She feels tabling the item would be appropriate.

Alex Leeman clarified with staff that if the item is tabled, the Planning Commission will be able to review it again. **David Petersen** said yes, tabling it will mean the plans will be returned so the Commission can address their concerns.

Bret Gallacher asked the Commission what details they feel they need to see before they feel comfortable making an informed decision. **Brett Anderson** said he would like to see the impacts the development would have on water, sewer and traffic. He would also like to see a schematic plan with the possibility of a few layout choices.

Motion:

Heather Barnum made a motion that the Planning Commission table the item until such a time as a public hearing for the related general plan amendment can be heard concurrent to the zoning map amendment and that in such time, staff can further study traffic and infrastructure capacity (water, sewer, etc.) impacts. **Alex Leeman** seconded the motion which was unanimously approved.

CONDITIONAL USE APPLICATIONS

Item #6. Phil Holland/Wright Development (Public Hearing) – Applicant is requesting conditional use and site plan approval for the Mercedes Benz of Farmington located at approximately 549 West Bourne Circle in an LS (Large Suburban) and CMU (Commercial Mixed Use) zone. (C-6-15)

Eric Anderson showed the aerial view of the property where the proposed development will be located. He said the applicant is proposing a Mercedes Benz dealership. It is under review as a conditional use application. The site plan, building renderings, elevations, landscape plan and sign plan are included in the staff report. **Eric Anderson** explained the previous zone text changes that took place to allow for Class A auto sales within the City and the CMU zone. The request to rezone the property to CMU is contingent on site plan approval which is before the Commission at this time. As previously discussed during the study session, the applicant is proposing a 50' pylon sign. He said a 20' high sign is allowed, but the Planning Commission can approve a height increase. **Eric Anderson** said if the Commissioners are okay with the height increase, they can remove Condition 3, or if they want to see the sign setback in exchange for the height increase, as per the Ordinance, the Commissioners can amend Condition 3 to require a minimum of 25' setback from the property line.

Rebecca Wayment asked for further clarification on the minimum of 15' setback that is currently included in Condition 3. **Eric Anderson** said the sign will be located next to Park Lane where it rises up to the on/off ramp bridge. The finished grade is 20' below the road so the proposed sign would be considered 30' (50' with the 20' below the grade drop). The Ordinance only allows for the sign to be 20' in height, so in order for the height increase of 10', the applicant must set the sign back 1 ½' for each additional foot requested.

Alex Leeman asked if all other signs proposed by the applicant fall within the Ordinance requirements. **Eric Anderson** said yes, all other signs comply with the Ordinance.

Rebecca Wayment asked about Condition 1 with regards to the fence. **Eric Anderson** said the site plan shows the current fence will remain; however, the fence must be brought into compliance with the Ordinance, or be removed.

Phil Holland, 1178 Legacy Crossing Blvd., representative from Wright Development, said he can address a few of the commissioners' comments. He said with regards to the sign, they are comfortable with the 25' required setback for the increase in sign height. He feels that the height increase will allow visitors to see it better, but will set it back if that's what the City would like.

Alex Leeman asked if the applicant has a preference on the sign setback. **Phil Holland** said he prefers to have the sign closer, but does not want to hinder the progress of the site plan.

Heather Barnum asked if the sign will be illuminated. **Phil Holland** said only the star on the sign will be illuminated from the inside of the sign.

Rebecca Wayment opened the public hearing at 8:50 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:50 p.m.

Staff and the commissioners discussed the sign setback. Many commissioners expressed concern that if the sign was setback to the required 25', it may look like it's sitting way off in a field. It was also pointed out that there is a wide side shoulder and a wall before the applicant's property line. Between the wide "back of curb" to the property line, plus an additional 25' setback, the sign will seem as it is set a long ways back. The commissioners agreed that 25' setback would not fit in this scenario.

Dan Rogers suggested included reasons why the Commission felt the setback was not necessary in this situation so future requests can be appropriately addressed. The commissioners agreed an explanation to the exception should be included.

A brief discussion on the use of Farmington Rock also took place. **Rebecca Wayment** wished Farmington Rock was shown in the renderings instead of just having it included in a condition. **Phil Holland** pointed out that the building guidelines are direct from Mercedes Benz, and they cannot deter from those standards. **Alex Leeman** said he feels we cannot address it at this time as the Commission has to adhere to how the Ordinance is currently written.

Motion:

Alex Leeman made a motion that the Planning Commission approve the proposed conditional use subject to all applicable City codes, development standards and ordinances and the following conditions:

1. The applicant shall either remove the existing fence on the north property line or provide a 6' high fence with stamped masonry, wrought iron, or a combination of both;
2. The applicant shall provide a 10' landscaped buffer between the parking lot and the north property line with trees placed at least every 30' off center;
3. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots;
4. An element of "Farmington Rock" shall be included in part of the exterior façade of the building OR as architectural elements in the landscape and be approved by the City Planning Department;
5. The site plan related to this application shall be delegated to staff and the DRC for final approvals, including all improvement drawings.

Dan Rogers seconded the motion which was unanimously approved.

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. The Mercedes Benz dealership is a great asset to the community and provides more space for local businesses here in the county.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use, as it is a class “A” auto sales dealership.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development as it will be a much needed upgrade to the facilities that are currently existing in the area, and the required 10’ landscape buffer along with a 6; high fence will provide an adequate and reasonable buffer between the proposed development and the abutting properties to the north;
5. The location provide or will provide 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;
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
 - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
 - b. Unreasonable interference with the lawful use of surrounding property; and
 - c. A need for essential municipal services which cannot be reasonably met.
7. Previously proposed condition 3 (The Farmington City Sign Ordinance shall be followed for all signs throughout the site, including but not limited to the freeway pylon sign (as designated by R8 in the proposed sign package) being setback a minimum of 15’ from the property line) was removed as a condition to the motion, and that the Planning Commission is allowing the height the applicant desired for the sign with the regular 10’ setback because of the typography of the area, the distance the sign would already be from curbside of the road and the raised road that it is adjacent to.

Item #7. Brandon O’Brien (Public Hearing) – Applicant is requesting conditional use approval to build an accessory structure that exceeds the height requirement for property located at 1389 North Main Street in a LR (Large Residential) zone. (C-14-15)

Eric Anderson showed the applicant’s plans for the pole barn garage, as found in the staff report. He reviewed the Ordinance and pointed out that the garage must be subordinate to the height of the home and must request approval from the Commission if the garage’s height exceeds 15’.

Dan Rogers asked how the City regulates the uses of the garage to ensure things like light manufacturing or living quarters are not taking place. **Eric Anderson** showed the allowed uses as found in the Ordinance. Living quarters requires a different approval process and light manufacturing may be considered a home occupation which would also have to be approved. He said it is staff’s understanding that what is being proposed is simply a garage.

Alan Walker, 4496 W. 1650 N., Plain City, said the applicant is just requesting to build a garage. He said he measured the home, and it’s approximately 20’ from the dirt to the roof. He said he can also see how there may be some drainage issues with surrounding neighbors.

David Petersen asked for clarification on how far Mr. Walker measured up. **Alan Walker** said he measured to the top of the eave. **David Petersen** said the measurement for the height of the home

must be to the middle of the eave. For the garage to comply, it must be subordinate to the height of the home as well as square footage.

David Petersen said, based on Mr. Walker's measurements, he feels the home may not be over 15' in height. Also, the applicant would need to decrease the area of the garage by 300 sq. ft. to ensure it complies with the Ordinance. If the applicant must decrease the garage to under 15', it would fall under staff review and would not return to the Planning Commission.

Rebecca Wayment opened the public hearing at 9:11 p.m.

Joan Davis, 1362 N Loop Pine Court, said she lives directly west of the applicant. She is concerned the garage may increase drainage problems as there have been problems with drainage in the past. She said there is a 10' drop in elevation from Main Street down to her fence line so she has a lot of water in her yard. She is concerned that a cement driveway for the garage may greatly increase the water flow into her yard. She is also concerned that the proposed garage seems twice the size of the applicant's house.

Sid Davis, 1362 North Loop Pine Court, expressed concern that that the proposed garage is so close to their property line. He feels it will lower the value of his home; he does not see a need for the applicant to have it.

Pam Bunker, 593 W. 1400 N., said she is concerned about how the applicant plans to use the garage. She is concerned a garage this size may be used for commercial use. She feels that would increase traffic which is concerning because it will increase traffic around the park where kids play. She is just wanting more information about the proposed use of the garage.

Samisoni Mafua, 1752 W. Moon Cir., said he agrees with the Davis family regarding concerns with drainage. He purchased his home approximately 30 years ago. When the flood previously came down 1400 N., the water came in through the park and buried the Davis's property and basement. He said the City even built a retaining wall on Main Street to help mitigate the water; however, heavy rains still flood basements. He feels a large garage 5' from the property line may increase the problem. He also added that there is an alley behind the property. Based on the plans, **Samisoni Mafua** said it looks like the garage is being proposed in the middle of the alley way.

Cindy Salisbury, 708 W. Moon Cir., wants to know if the property could ever be rezoned as Commercial down the road. The current home located on the property is 80 years old. She is concerned that the applicant may want to rezone the property to commercial because of the size of the garage.

Rebecca Wayment closed the public hearing at 9:21 p.m.

Alex Leeman asked what uses are allowed for within the current zone. **Eric Anderson** said the property is currently zoned LR. He showed the list of permitted uses. He added the applicant must comply with the Home Occupation chapter of the Ordinance and would also have to go through conditional use approval to run a business out of the garage because it is not zoned for commercial use.

David Petersen said that the dirt road (referenced as the alley) has since gone through a property adjustment. The property was deeded to residents. There are not any concerns with the placement of the current garage. He said the biggest concern is that the accessory building is larger in area than the house. Also, if the house is 15' in height, the garage must be subordinate. **David Petersen** recommended tabling the item; staff will bring it back if the house is over 15' in height.

David Petersen said with regards to drainage, he explained the problem is real; however, the majority of concerns with it is a civil matter.

Rebecca Wayment is concerned for the need of such a large garage. She asked if the neighbors are ever frustrated with noise, what avenues are available for them to complain. **David Petersen** said the City investigates each complaint to see if it has merit.

Heather Barnum asked the garage approval does return before the Commission if grading and drainage plans could also be included. **David Petersen** said the City's Storm Water Official can review the plot plan for this and will require the applicant to demonstrate water will be contained onsite. He feels neighbors will feel good about how advanced storm water retention has come since their homes were built.

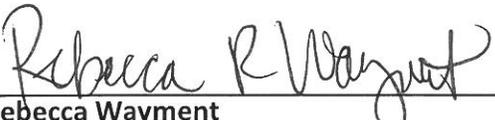
Motion:

Alex Leeman made a motion that the Planning Commission table this item to only come back to the Planning Commission if the applicant needs the Commission's conditional use approval once he has an accurate measurement of the building both in height and area, and if he does return before the Planning Commission that he come with his grading and drainage plan as part of his site plan approval. **Dan Rogers** seconded the motion which was unanimously approved.

ADJOURNMENT

Motion:

At 9:29 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.



Rebecca Wayment
Chair, Farmington City Planning Commission