

FARMINGTON CITY
PLANNING COMMISSION MEETING
March 19, 2015

STUDY SESSION

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

Item #3. Scott Harwood/The Haws Companies – Recommendation for Approval of Final Plat for Cabela’s Subdivision (Park Lane Commons Phase II)

Eric Anderson said this item is recommending approval of Final Plat to meet the applicant’s deadline of April 1, 2015. The DRC has reviewed the Final Plat. The only outstanding issue is the easement width of Cabela’s Drive, but staff feels it will be resolved. When the Final Plat goes to City Council, the Council will also need to approve a street cross-section modification to resolve the easement issue. Brett Anderson asked if Condition #3 of the motion needs to be amended as the cross-section modification has not yet been approved. Eric Anderson said yes, it could be amended to read, “The “Cabela’s Drive” ROW shall be amended to reflect the cross-section that is to be considered by City Council.” Eric Anderson said the applicant has also provided site plans and elevations for the Commission to review although it is not part of the Final Plat requirements. Val Halford asked the approximate size of the Cabela’s store. Scott Harwood said approximately 70,000 sq. ft.

Item #4. Russell Wilson/Symphony Homes – Recommendation for Approval of Schematic Plan for Pheasant Hollow Subdivision

Eric Anderson said this item is a continuation of the public hearing that was previously held at the last Planning Commission meeting on March 5, 2015. The applicant provided option A and B as the Commission requested. Upon talking to the DRC, Central Davis Sewer expressed desire to keep the flag lot as they would like to relocate a sewer line that runs to the north of the proposed flag lot. Keeping the flag lot would allow them an easier way to access and maintain the sewer line since the width of the driveway on a flag lot is controlled by the ordinance and approved by the Planning Commission. Alex Leeman feels option B without the flag lot, as provided by the applicant, makes for an awkward shaped park; he does not like the option. Brett Anderson agreed because option A does include a flag lot but a nicer park. The Commissioners also discussed that they would still like each lot to have its own geotech report. There were concerns that with the new layout of lots, there could be new lots that may not have been tested.

#5. Scott Harwood/The Haws Companies – Requesting Approval for Pylon Sign Relocation

David Petersen said the applicant is proposing moving one of the previously approved pylon signs to the north. When the location of the sign was previously proposed, the applicant did not know the plans for the property. Now that plans have solidified, there are some location challenges with where the sign will be. Per the Development Agreement, it says relocation of the sign must be reviewed and approved by the Planning Commission. David Petersen also requested input regarding

proposed changes to the sign which includes increasing the top cabinet panel by 1' in height and 4' in width. Also, per the applicant's Development Agreement, if the changes are considered "substantial" it must be approved by the Planning Commission. If the changes are not substantial, it may be considered an administrative change.

REGULAR SESSION

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

#1. Minutes

Heather Barnum made a motion to approve the Minutes from the March 5, 2015 Planning Commission meeting. Alex Leeman seconded the motion which was unanimously approved.

#2. City Council Report

Eric Anderson gave a report from the City Council meeting on March 17, 2015. The Parkwalk Downs Subdivision, which consists of 4 lots located off of 500 S. and 650 W., was approved. There were 4 plat amendments that were approved. The OTR Garage Width Amendment was also approved as it was recommended by the Planning Commission to the City Council.

SUBDIVISION APPLICATIONS

#3. Scott Harwood/The Haws Companies – Applicant is requesting a recommendation for approval of Final Plat for the Cabela's Subdivision (Park Lane Commons Phase II) consisting of 2 lots on 11.185 acres located at approximately Grand Avenue and Station Parkway in a GMU (General Mixed Use) zone. (S-3-15)

Eric Anderson said all outstanding concerns from Preliminary Plat have been resolved with the exception of the easements. An agreement for the easement, which will be on Cabela's Dr., Grand Ave. (or the promenade) and Market St., is being finalized. DRC has resolved all other issues. Staff recommends that the Planning Commission recommend the Final Plat for approval by the City Council.

Scott Harwood, 33 S Shadow Breeze Rd., Kaysville, asked for clarification on Condition #1 on the motion as it states the bond for public improvements needs to be in place prior to the plat recordation; however, THC's agreement with Cabela's is that the plat is recorded prior to conveying ownership of the property.

Brett Anderson asked David Petersen if the condition to the motion can be amended to ensure the bond is tied to the building permit and not the plat recordation as the applicant needs to first convey the property so Cabela's can post the bond. David Petersen said he is comfortable with that change to the condition.

Motion:

Alex Leeman made a motion that the Planning Commission recommend that the City Council approve the Final Plat for the Park Lane Commons Phase II, subject to all applicable Farmington City ordinances and development standards and obtaining final site plan or development design approval from staff and the following conditions:

1. No building permit shall be issued until the plat is recorded and until a bond is posted for public improvements related to the site;
2. The “Cabela’s Drive” ROW shall be amended to reflect the cross-section will be considered by City Council for approval.

Val Halford seconded the motion which was unanimously approved.

Finding:

The proposed subdivision will ensure compliance by the applicant with City Ordinance in conjunction with concurrent approval for the Cabela’s site plan and allow for lot 1 to be owned and maintained by Cabela’s.

Item #4. Russell Wilson/Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the proposed Pheasant Hollow Subdivision consisting of 15 lots on 4.55 acres located at approximately 700 South and 50 East in an R zone. (S-2-14)

Eric Anderson said this item was a continuation from the public hearing held at the last Planning Commission meeting on March 5, 2015. At the last meeting, the Commission requested the applicant provide alternate Schematic Plans that would include sidewalks along the inner road and options with and without the flag lot. The applicant provided option A that includes a flag lot, sidewalks along the curb and a park in lots 12 and 15. Option B does not include a flag lot, but does include sidewalks along the curb and a park in lots 11 and 12. **David Petersen** pointed out that if the Commission were to choose option A, a sidewalk through the park may be included so the park may be entered from two access points, one from the cul-de-sac and the other from 700 S.

Bruce Robinson, representative from Symphony Homes, said he is available to answer questions. He said that they provided the plans as the Commission had requested; however, the initial Schematic Plan they submitted yielded the best park configuration. He also pointed out that the flag lot is necessary for the sewer line and allows for a manhole in the driveway so the line may be easily accessed.

Alex Leeman asked why the home on Lot 15 on option B was pushed to the right side of the lot. **Bruce Robinson** said there must be a buffer from the wetlands so pushing the home to the far side of the lot provides for that buffer.

Brett Anderson reopened the public hearing at 7:29 p.m.

Jeff Holman, 22 Virginia Cir., said he lives immediately west of the proposed flag lot. He expressed concern that flag lots should not be approved based on economic purposes. Based on the plans he reviewed, he does not feel the sewer line necessitates the flag lot. He feels the flag lot is a result of the current lot number and configuration. He feels option B is the best choice, but that the park could be slightly adapted to work better. He is appreciative of the park and feels the development will help the community, but would prefer not to have a flag lot.

Brett Anderson closed the public hearing at 7:31 p.m.

Eric Anderson explained the Central Davis Sewer District (CDS) would like to bring the sewer line/trunk line down from the north and into the cul-de-sac. Having the flag lot allows for access to the trunk with a man hole. Without the flag lot, the amount of access to the sewer line would be greatly reduced. **David Petersen** also added that in the event a truck needs to service the line through the man hole, the path must be paved. **Eric Anderson** continued that CDS feels strongly that the flag lot remains. He also stated that the ordinance controls the width of the driveway for the flag lot so there is specific placement for the sewer line to go.

Alex Leeman asked if the delineated wetlands must be fenced off from the park. **Bruce Robinson** said there does need to be a fence, but it can be a smaller one or a split rail fence. It will be included as it is part of the building permit.

Brett Anderson appreciated seeing both options, one with the flag lot and one without; however, he did not anticipate that CDS would be so highly in favor of the flag lot which he feels is a significant factor. He also asked if the sewer line will come straight down the driveway and will not cross onto another property as he was not clear based on the provided plans. **Bruce Robinson** explained what was provided was simply concept plans; they will work with CDS to finalize the sewer line placement. **David Petersen** said the placement will be more definitive at Preliminary Plat. **Brett Anderson** feels it is important to weigh in CDS's recommendation.

Alex Leeman also feels option A is the better option. He likes that the park will be more easily accessible for the public by having two access points, one from the cul-de-sac and one from 700 S. He also added he does not like the flag lot, but feels it is the better option.

Heather Barnum said based on the ordinance, a flag lot should only be allowed in circumstances that are not just for economic benefit. Now that CDS has weighed in for the need of the flag lot for the sewer line, she feels the flag lot is now in compliance with the ordinance.

Val Halford also agreed. He appreciated the effort Symphony Homes made to provide option B; however, he feels Lot 11 on option B is compromised and would greatly restrict the placement and size of the home. He prefers option A as well.

Motion:

Heather Barnum made a motion that the Planning Commission recommend that the City Council approve the proposed Schematic Plan Option A for the Pheasant Hollow Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The City Manager determines what just compensation is for the 5 lot TDR transaction, and the City Council approves the TDR prior to Preliminary Plat;
2. The applicant must receive City Council approval to modify the street cross-section for the cul-de-sac prior to Preliminary Plat;
3. The applicant must bring the flag lot in compliance to Section 12-7-030(10) and the City Council must approve the flag lot as part of their review of the Schematic Plan;
4. Any outstanding issues raised by the DRC at Schematic Plan that have not been addressed, must be addressed at Preliminary Plat;
5. The applicant will provide an updated wetland delineation approved by the US Army Corp;

6. In addition to the soils report previously submitted, the applicant must update and provide a soils for each individual lot where the lot configurations has changed, and an independent geotech engineer, working for the City, must also review the updated report.

Val Halford seconded the motion which was unanimously approved.

The Commission also wanted to note that Condition #6 still requires that each lot will obtain an independent geotech report. Since lot lines and lot numbers have changed since the first proposal, the Commission wanted to ensure each lot, under the proposed Schematic Plan Option A, will have its own report.

Findings for Approval:

1. The proposed subdivision conforms to all of the development standards as set forth in Section 11-11-050.
2. The proposed Schematic Plan creates a needed east-west connection from 200 East to the Frontage Road.
3. The fully improved pocket park that would be provided to the City would preserve wetlands, and provide the City and surrounding residents with open space and recreational opportunities.
4. The applicant has performed a geotech report above and beyond the normal requirements as a way to address the soil issues.

OTHER BUSINESS

Item #5. Scott Harwood/The Haws Companies – Applicant is requesting approval to relocate a pylon sign related to the Park Lane Commons Project, and city staff is requesting input regarding a possible substantial amendment to the Supplemental Development Agreement related to the project.

David Petersen passed out visuals of the locations of the previously approved pylon signs as well as the approved 5.1.1 Signage Plan as found in Project Specific Development Standards of the Development Agreement. The applicant is requesting to move the southerly sign north by approximately 150'; however, the provided Signage Plan states that if unforeseen circumstances result in the relocation of the sign, it must be presented before the Planning Commission for approval.

Heather Barnum asked if the Development Agreement stated a set distance between the two signs that must remain. **David Petersen** said no, a distance was not agreed upon.

David Petersen also stated the applicant is requesting an increase to the top cabinet of the sign by 4' in width and 1' in height. He asked for the Commission's input as to whether that is determined a substantial amendment or not. If the Commission deems the changes as "substantial," a noticed public hearing and recommendation by the Planning Commission and a noticed public hearing and decision by City Council must take place.

The Commissioners and staff discussed the new location of the sign. **David Petersen** said the placement of the sign will be approximately 150' to the north and will be more even with the red barn.

Scott Harwood, 33 S. Shadow Breeze Rd., Kaysville, said the request for the relocation is a result of the plans now in place for the expansion of the red barns recovery facility. The current location that was previously approved for the sign would place the sign in the middle of the traffic flow of the kids from the greenhouse to their residences. Moving the sign to the north would place the sign into the parking area, which is more practical as it will be out of the design of the campus. **Brett Anderson** feels this change would be considered an “unforeseen circumstance,” as stated in the Development Agreement as they did not know how the campus was going to be laid out. He agreed; the previously approved sign placement is no longer ideal.

Jeff Krantz, 1605 Gramercy Rd., Salt Lake City, is a representative from Yesco. With regards to the changes to the top cabinet of the pylon signs, he said they have been working to turn the design concepts into reality; however, in doing so, they chose to increase the Park Lane Commons wording at the top of the sign by 3”. The 3” increase in the lettering resulted in increasing the top cabinet by 4’ in width and 1’ in height. **Scott Harwood** said they are wanting to make the words bigger to increase the visibility and marketability of the sign. He said it is up to the Commission to determine if the changes to the top cabinet are substantial or not. He feels the change would be more administrative based on the six criteria items as found in Section 11.2.2 of the Development Agreement.

Heather Barnum asked for clarification on the currently approved measurements of the top cabinet. **Scott Harwood** said the top cabinet was 22’ in width, but will now be 26’. He also said the width of the tenant panels will remain the same at 20’ with the top cabinet being slightly wider.

The Commissioners and **David Petersen** discussed the terms of the agreement and whether this change is determined “substantial.” **David Petersen** pointed out that the Agreement states “Any amendment to this Agreement...” which is why he is requesting input from the Commission. **Alex Leeman** feels that the Agreement should be read from a “high level” as any amendment to the agreement would imply there is never a circumstance where a change may be viewed as an administrative amendment. **Heather Barnum** asked if there is a definition of an administrative amendment. **David Petersen** stated the definition for administrative amendment is, “All amendments that are not substantial are administrative.” **Brett Anderson** feels there is meant to be different types of amendments, but also agreed with **Alex Leeman** that the Agreement must be reviewed from a “high level.” **Brett Anderson** said he feels the slight increase in height and width would not qualify as a substantial amendment.

David Petersen advised the Commission that there are two items before them, the relocation of the sign and a recommendation if the requested changes are substantial or not, and staff will take that into advisement.

With regards to the relocation of the sign, **Brett Anderson** said he feels the changes were unforeseen as the applicant did not know how they were going to develop the campus. **Heather Barnum** said she prefers the sign be located away from the City; however, she does not like that the new location for the sign will obstruct the view of the barn.

The Commissioners agreed that they were comfortable voting on the relocation of the sign.

Motion for the Relocation of the Sign:

Alex Leeman made a motion that the Planning Commission approve the relocation of the sign as shown in the attached site plan, which will move the sign northwesterly along the freeway, subject

to the existing agreement. **Val Halford** seconded the motion. **Brett Anderson, Val Halford** and **Alex Leeman** approved the motion; **Heather Barnum** denied it. The motion passed.

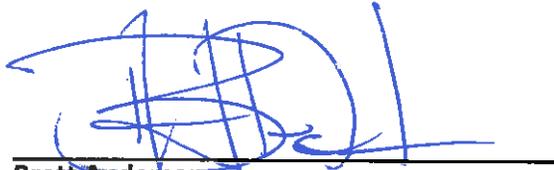
With regards to “Substantial Amendment,” **Heather Barnum** stated she feels the change is substantial based on how the text is currently written. **Brett Anderson, Val Halford** and **Alex Leeman** feel the text should be read at a “high level” and in doing so, the change is too small to be considered substantial.

Heather Barnum suggested rewording the text for future agreements so an agreement will clearly define what is considered substantial as to avoid this problem in the future. **Val Halford** agreed; he does not want this to set a precedent, but would like future agreements’ wording amended.

ADJOURNMENT

Motion:

At 8:36 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.



Brett Anderson
Vice Chair, Farmington City Planning Commission