

**FARMINGTON CITY
PLANNING COMMISSION MEETING
April 9, 2015**

STUDY SESSION

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

Item #3. Leslie Mascaro/Oakwood Homes – Recommendation for Approval of Final Plat for the Avenues at the Station Phase II Subdivision

Eric Anderson explained that the Preliminary Plat for the entire project was previously approved; this is now the final plat for Phase II. This phase does not include their single-family homes, but does include their townhome and flex-space condo units. All concerns have been resolved.

Item #4. Scott Balling – Recommendation for Approval of Final Plat for Kestrel Bay Townhomes (PUD) Subdivision

Eric Anderson said the applicant previously had final plat approval for this subdivision; however, he decided to amend his plans to include 2 car garages. In addition to the garage change, the applicant has also amended the plans from 2 buildings, one with 5 units and the other with 6 for a total of 11 units to 1 building of 10 units. The motion includes the same conditions as the Preliminary Plat approval.

Item #5. James Cheney – Approval of a Metes and Bounds for Perry Subdivision

David Petersen said this is a simple lot split. The property is still zoned Agricultural (A); surrounding areas are zoned Large Residential (LR) and Residential (R). The Zoning Ordinance requires a minimum of 20,000 s.f. lots in the LR zone, but the R zone allows for 16,000 s.f. lots. The property is less than 300 s.f. below 40,000 s.f. making it difficult for the property owner to easily subdivide the property if the property is zoned LR. Staff recommends that the property be rezoned to R and that the metes and bounds be approved.

Item #6. Mike Davey/BHD Architects – Request for Conditional Use and Site Plan Approval for the Farmington Crossing Wardhouse

Eric Anderson said the site plan is ready for approval. Rebecca Wayment asked if there is any screening from vehicle lights in the parking lot. Eric Anderson said there will be a split rail fence around the lot and that there is open space along the property line to help screen the lights.

Item 7. Farmington City – Request for an amendment to Chapter 28 of the Zoning Ordinance as it relates to maximum height regulation for public and quasi-public buildings

David Petersen explained the ordinance as it is currently written and the need to provide greater flexibility for the Planning Commission with regards to public buildings. These changes will allow for that flexibility on a case by case basis.

REGULAR SESSION

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

#1. Minutes

Heather Barnum made a motion to approve the Minutes from the March 19, 2015 Planning Commission meeting. Bret Gallacher seconded the motion which was unanimously approved.

#2. City Council Report

Eric Anderson said there is not anything to report as the City Council has not met since the last Planning Commission meeting.

SUBDIVISION AND REZONE APPLICATIONS

#3. Leslie Mascaro/Oakwood Homes – Applicant is requesting a recommendation for approval of Final Plat for the Avenues at the Station Park Phase II Subdivision consisting of 54 lots on 4.77 acres located at approximately 1100 West and Clark Lane in an RMU (Residential Mixed Use) zone. (S-5-15)

Eric Anderson said this is Phase II of the subdivision and will consist of townhomes and condos. He said Jackson Ave. has been fully improved so there will be access from both ends of the subdivision. All concerns that the DRC had have been resolved. Staff recommends approval.

Leslie Mascaro, 206 E. Hillcrest Way, said they have been working on this project for over two years and is excited to see it moving forward. She provided an update on Phase I. Construction of the infrastructure for the project has been completed. The amenities and the clubhouse should be done shortly. Model homes should be constructed during the summer.

Rebecca Wayment asked the square footage of the townhomes and condos. Leslie Mascaro said the condos' first level is a flex space that can be used for an office or living space. The flex space is approximately 600 s.f., making the entire unit 1,800-2,100 s.f. The townhomes will include two master bedrooms and will be approximately 2,300 s.f.

Bret Gallacher asked if Oakwood Homes has begun selling the units. Leslie Mascaro said they have not begun selling the units yet, but are working to construct the model homes first. Rebecca Wayment asked if there were plans to sell all the units. Leslie Mascaro said yes, all units will be sold and not rented.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend that the City Council approve the Final Plat for the proposed Phase II of the Station Avenues subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Subject to all public improvement drawings, grading and drainage plans, being reviewed and approved by members of the DRC;
2. The applicant must record a storm drain easement prior to plat recordation.

Bret Gallacher seconded the motion which was unanimously approved.

Findings:

1. The property is identified as mixed-use on the General Plan, and the proposed Final Plat is consistent with that designation.
2. The DRC has reviewed the plan and the last significant unresolved issues which may impact the overall layout of the plan which are set forth as conditions of approval.
3. The proposed Final Plat is consistent with the regulating and other street, block size, and building form standards in the ordinance.
4. Specific to the Final Plat only, and the recommended conditions of approval, the plan complies with all Zoning and Subdivision Ordinance requirements, and other appropriate regulations.
5. The PMP was approved concurrently to Preliminary Plat on 11-14-2013.
6. The placement of public improvements in relation to gas lines which traverse the property have been approved by the City Engineer, public works, Central Davis Sewer and shall be acceptable to the respective gas companies, which acceptance has been received by the City in writing.

Item #4. Scott Balling – Applicant is requesting a recommendation for final plat approval for the Kestrel Bay Townhomes (PUD) Subdivision (10 units) on .78 acres located at 145 West 620 South in an R-8 zone. (S-7-15 & S-11-12)

Eric Anderson said the project's Final Plat and Final PUD Master Plan was approved over a year ago; however, the applicant has since decided to include a 2 car garage so he took the project from two buildings for a total of 11 units to one building with 10 units. During the last discussion regarding the project, the Commission were concerned with the long roofline. The applicant presented elevations at that time to show it wasn't completely straight as there are variations and setbacks to the roofline. **Eric Anderson** said all conditions included in the motion are carried over from the Preliminary Plat approval, with the addition of the condition regarding the flood plain. Staff recommends this item for approval.

Scott Balling, 1995 N. 100 E., Centerville, said in addition to staff's comments, they have worked hard to provide adequate access to the subdivision from 620 South, vacated the drainage pipe and provided additional upgrades to the units as much as they can.

Rebecca Wayment asked what kind of fencing will be along the backside of the property. **Scott Balling** said he is working with the neighboring property owner to determine what is best, but it will most likely be some kind of high quality, solid barrier type fence. He added that there will also be a 6' high pre-cast concrete wall built along the Frontage Road.

Kent Hinckley asked for clarification on the easement vacation that is referenced in condition 2 of the motion and if an HOA would be responsible for the private culinary and sewer line as referenced in condition 3. **Scott Balling** said there was private easement between the two previously proposed buildings; however, both benefiting parties to the easement have signed and recorded a release to that easement. With regards to the private culinary and sewer line, **Scott Balling** said yes, an HOA would be responsible. Each unit has an individual line that comes to the road. He said the CC&Rs have been submitted for review.

Heather Barnum asked if the applicant still plans to have each unit have a unique façade. **Scott Balling** said yes, the roofline still includes 6' staggered setbacks and each unit will have different colors and textures as well as hardie board type materials. **Heather Barnum** asked how the applicant plans to ensure each unit will look different. **Scott Balling** said most exteriors will be completed prior to the unit being sold; he plans to seek architectural advice to determine the best way to design the exterior.

Rebecca Wayment expressed concern with the architectural elements as she would like each unit to appear unique. **Heather Barnum** agreed; although she appreciates the staggered roofline, she feels it may not be enough and feels that a condition may need to be added to ensure architectural elements are included to differentiate the units. **Rebecca Wayment** asked if the applicant could submit elevations to staff to review and approve. **Eric Anderson** said staff could review it if the Commissioners request it. He said it could also be included that the condition has to be met prior to recordation of the plat or issuance of a building permit.

Bret Gallacher asked for specifics on how the applicant might measure aesthetics because it is personal preference. **Kent Hinckley** also added that it may be hard to make each unit different and advised that the condition might include that the applicant seek architectural advice to differentiate the units and then have the staff review and approve the plans.

Scott Balling, the Commissioners and staff discussed the best way to approach the concern to differentiate the units. **Scott Balling** said he has a desire for the units to be as attractive as possible and is willing to work with architects to ensure that happens. **David Petersen** proposed wording for the condition. **Rebecca Wayment** asked if the applicant will have staff review the elevations after he works with an architect. **David Petersen** said yes. The Commissioners and applicant were comfortable adding the condition.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council approve the Kestrel Bay Townhomes PUD Final Plat subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. No building permits shall be issued until the LOMR effective date of June 26, 2015 has passed, which will remove the property from the floodway;
2. The City Engineer and City Council shall review and approve the easement vacation prior to plat recordation;
3. A note shall be placed on the Final Plat indicating all culinary water lines and sewer lines will be private lines within the project property prior to recordation;
4. A note shall be placed in the Final Plat indicating all recycling and garbage cans will be stored in the garage prior to recordation;

5. Review and approval of final improvement drawings by Public Works, City Engineer, Benchland Water, Central Davis Sewer District, Fire Department, and the Community Development Department of the City.
6. Provide color and or architectural features to each unit to add relief and interest to the façade of the building with recommendation from an architect;
7. Staff will review and approve such elevations consistent with this requirement concurrent with the building permit process.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed Final Plat submittal is consistent with all necessary requirements for a Final Plat as found in Chapter 6 of the City's Subdivision Ordinance.
2. Although the project has deviated slightly from the approved Final Plat and Final PUD Master Plat, it is consistent with the Final PUD Master Plan for the area.

Item #5. James Cheney (Public Hearing) – Applicant is requesting approval of a metes and bounds subdivision for the proposed Perry Subdivision consisting of 2 lots on .89 acres located at 1123 North Quail Wing Road, and a recommendation for rezone from an A (Agriculture) to an R (Residential) or LR (Large Residential) Zone related thereto. (S-13-15)

David Petersen said the property is just below 40,000 s.f. Staff recommends the property be rezoned to R as the Zoning Ordinance allows for a minimum of 16,000 s.f. for each lot. The proposed plan, as presented by the applicant, has each lot exceeding that minimum. Staff recommends approval of the metes and bounds subdivision.

Rebecca Wayment asked if the R zone only allows for single-family homes. **David Petersen** said yes, the zone does not even allow for secondary dwellings.

James Cheney, 2785 S. 3930 W., Hurricane, said his in-laws own the property. They plan to split the property and build a home next to the current home located on the property.

Rebecca Wayment opened the Public Hearing at 7:40 p.m.

No comments were received.

Rebecca Wayment closed the Public Hearing at 7:40 p.m.

Heather Barnum is comfortable making a motion on this item.

Motion:

Heather Barnum made a motion that the Planning Commission approve the proposed lot split by metes and bounds, and recommend that the City Council rezone the property from A to R, subject to the following:

1. The property must be rezoned to R prior to recordation of the survey implementing the metes and bounds lot split.
2. No building permit shall be issued until the survey is recorded.
3. The applicant must provide sidewalk the entire north to south length of the property as it abuts the public r.o.w.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The zone designation of R is consistent with the General Plan.
2. The existing isolated A zone is a result of past annexations and the property should be rezoned to a low density single family designation.
3. The proposed areas of the lots are 17,630 s.f. and 22,085 s.f. are equal to or greater in size than other lots in the neighborhood.
4. The required sidewalk represents a logical extension of the sidewalk that abuts the south boundary of the property.
5. Except for sidewalk, all other improvements (i.e. curb gutter, asphalt, etc.) are next to the site.

CONDITIONAL USE AND SITE PLAN APPLICATION

Item 6. Mike Davey/BHD Architects (Public Hearing) – Applicant is requesting conditional use and site plan approval for the Farmington Crossing Shepard Church Road in a C (Commercial) PUD Zone. (C-2-15)

Eric Anderson showed an aerial view of Farmington Crossing. He said when the PUD was approved many years ago, land was set aside for an LDS church. The Church has submitted floor plans and site plans, as found in the staff report. Everything has already been planned for as improvements are already in as part of the development and storm water was already included as part of the calculations for the detention basin. Staff recommends approval. **Eric Anderson** also said that the conditions included for the motion are standard for previous approvals of this kind.

The applicant was available for questions; the Commissioners did not have any questions for the applicant at this time.

Eric Anderson added that the City Engineer requested an additional condition be added. Since the storm water will be discharged into a County facility to the south of the site and the detention basin has been sized to accommodate a meetinghouse, it would be important for the County to review and approve the applicant's site plans prior to issuance of a building permit.

Rebecca Wayment opened the Public Hearing at 7:46 p.m.

No comments were received.

Rebecca Wayment closed the Public Hearing at 7:46 p.m.

Heather Barnum said the Commissioners had a discussion during the Study Session regarding concerns with vehicle lights shining onto adjacent properties; however, Findings for Approval 6

addresses those concerns. **Eric Anderson** said that there is also a lot of landscaping around the edges of the project that will help provide additional screening.

Bret Gallacher asked, in reference to the site plan, if a bowery will be included. The applicant said the area on the site plan he is referencing will just be a grassy area.

Motion:

Heather Barnum made a motion that the Planning Commission approve a conditional use permit and site plan for the placement of an LDS Church on property located at 975 North Shepard Church Road with the following conditions:

1. The applicant completes all requirements for site plan approvals as well as all on-site and off-site improvements requirements to comply with City Engineer, Public Works, Fire Department, Planning Department, Storm Water Official, Central Davis Sewer District and Weber Basin Water District;
2. All landscaping shall be installed as shown on the approved site plan;
3. All lights shall be full cut-off lights and shall not shine on to adjacent residential properties;
4. The irrigation system for watering the landscape shall use secondary water and obtain approval from Weber Basin Water District;
5. Applicant will need approval from Davis County to discharge storm-water into the County facility;
6. All City Engineer comments on the improvement drawings will be amended prior to a pre-construction meeting;
7. If a public easement for the waterline within the private roads is not already in place, the applicant will either obtain those easements or show them on the plans;
8. "Farmington Rock" must be an element on the building or landscape.
9. The applicant must receive County approval for the site plan prior to the issuance of a building permit.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The use requested is listed as a conditional use within the C zone.
2. 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.
3. The proposed use shall comply with all regulations and conditions to the Farmington City Zoning Ordinance for this particular use.
4. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
5. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development.
6. The location provides 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.
7. 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.

ZONE TEXT CHANGE APPLICATION

Item 7. Farmington City (Public Hearing) – Applicant is requesting an amendment to Chapter 28 of the Zoning Ordinance as it relates to maximum height regulation for public and quasi-public buildings. (ZT-6-15)

David Petersen showed the base map of where the gym and park will be located. He explained that the 650 West ROW is approximately 25-30' wider than what is needed; however, the City Council did not want to vacate the ROW, but will use it as a trail and park connection. **David Petersen** showed the proposed location of the gym and said it will be approximately 35' in height. Based on the Zoning Ordinance, public buildings are allowed a greater height than the maximum of 27' if the buildings are further set back; however, there may be times (i.e. the proposed gym, future high school or future elementary school) that it may be reasonable to exceed the maximum height limit and have the building closer to the road. **David Petersen** said the proposed changes, as found in the staff report, would allow the Planning Commission flexibility to adjust the standards "up or down" depending on the situation.

Rebecca Wayment asked how this would affect the abutting property owners to the proposed gym. **David Petersen** said the 3 lots located in the southeast area of the proposed park have been purchased by the City and the homes will be demolished. **Rebecca Wayment** asked about other areas and how the building height may affect those homes. **David Petersen** clarified that at this time the approval is simply to allow the Commission for flexibility with the standard. The placement of the park and gym site plan will come before the Commission on April 16, 2015 and the Commission can further review the effects of the gym placement.

Rebecca Wayment opened the Public Hearing at 7:56 p.m.

No comments were received.

Rebecca Wayment closed the Public Hearing at 7:56 p.m.

Kent Hinckley likes the proposed amendment as it provides flexibility to control the placement of buildings on a case by case basis. **Heather Barnum** agreed; she also feels this will not add undue amount of administrative issues for staff.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council amend Section 11-28-090(b) as follows:

Public, and Quasi-public utility, buildings authorized in a zone may be erected to a height not exceeding sixty (60) feet if the building is set back from each otherwise established setback line at least one (1) foot for each additional foot of building height above the normal height limit required for the zone in which the building is erected. These standards may be reviewed by the Planning Commission in conjunction with a conditional use application and may be adjusted either up or down.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The Planning Commission should have flexibility to modify set-back requirements for public buildings, especially related to height, to better address the needs of a particular site and to make parking less conspicuous for nearby residential uses.
2. The City is anticipating applications for several public buildings over the next few years, and these applicant's may need the flexibility to fit a site in a way that is best for the use and neighborhood.

OTHER BUSINESS

Miscellaneous: A) Jeppson flag lot/trail proposal (discussion item only).

David Petersen showed an aerial view of the Haight Creek trail. The City has worked to have the trail be continuous; however, there are some areas where existing private lots encroach into the draw so accomplishing a continuous trail has been difficult. He explained there is an area that does not have a connection between two cul-de-sacs. A portion of the trail stubs into a back of a lot and the City has an easement on a portion of that lot's backyard. The City would like to continue the trail on the easement and then down the north bank of John Jeppson's property as this would connect two cul-de-sacs in an effort to continue the Haight Creek trail.

Mr. Jeppson is not in favor of the trail on his property. The City has discussed ways to help Mr. Jeppson feel more comfortable with the trail. If the City allowed Mr. Jeppson to subdivide his property, with the creation of a flag lot, the trail could continue along the property line and thus accomplishing the connection of the cul-de-sacs and providing an additional developable lot for Mr. Jeppson. **David Petersen** said staff would like input on the Commissioners thoughts of this proposal.

Kent Hinckley said he is always in favor of trails; however, he does not feel making this connection is a good idea for the following reasons:

1. This trail does not fully utilize the draw to its full potential;
2. This does not provide an adequate connection between the 2 cul-de-sacs;
3. It is not reasonable to continue the trail so close to Mr. Kempe's home;
4. Having a flag lot in exchange for a short trail with questionable utility is not a good enough trade-off;
5. Sidewalk is available so community members can still get from one place to the other.

Heather Barnum agreed; she feels the sidewalk allows for a natural connection and would not be comfortable personally going behind homes to utilize a trail. She said she feels the money that may be used in the creation of this trail may be put to better use to enhance another trail in the City.

Rebecca Wayment said she is not comfortable granting a flag lot in exchange for a trail that she does not feel adequate achieves the goal of connecting the 2 cul-de-sacs. She is concerned if a concession is made for this property owner with the creation of this trail, other property owners might start asking for requests in the future.

George Chipman, 433 S. 10 W., Chairman of the Trails Committee, said in their effort for a continuous trail along the Haight Creek draw, the City put easements in as many places as they could to allow for a more pleasant walking experience. Although Mr. Kempe is uncomfortable with the trail, the easement is already in place. Also, **George Chipman** said with the creation of a flag lot, the trail would be alongside of the driveway and would be non-intrusive. He feels this small trail will assist in the goal of a continuous trail along the draw.

After additional discussion amongst the Commissioners, they were not in favor of the trail. **David Petersen** reminded the Commissioners that this is just a discussion. A discussion will also take place with the City Council. **Kent Hinckley** stated that if this item will also be presented to the City Council, he would like to propose that the Commission make a recommendation that a flag lot not be created thus not extending the trail. The Commissioners agreed and also thanked **George Chipman** and staff for all due diligence that has been completed on this item.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend to the City Council that they not approve the flag lot for the Jeppson property and that the trail will not be extended through Stephen Kempe's property and that the trail ends where it currently finishes based on the following reasons:

1. The trail cannot utilize the draw to its full potential;
2. There is no connection between the cul-de-sacs;
3. It's not reasonable to have trail so close to the Kempe home;
4. The flag lot in exchange for short trail with questionable utility does not seem wise;
5. A sidewalk is available and is necessary to connect this trail with the other trail proposed to the north.

Heather Barnum seconded the motion. **Heather Barnum**, **Kent Hinckley** and **Rebecca Wayment** approved the motion. **Bret Gallacher** denied it. The motion passed.

With regards to his denial, **Bret Gallacher** stated he feels the current recommendation does not fit all parties' needs and no one is happy. **Kent Hinckley** suggested, if the City still desires to make the connection, another solution would be to purchase a piece of the property for a trail easement. The Commissioners were still concerned the utility of the trail is still minimal.

Miscellaneous: B) Calendar item: Regional Park and Gym open house.

David Petersen said a special Planning Commission meeting will be held April 16, 2015 at 7 p.m. to discuss the Regional Park and Gym. Prior to the meeting, an open house for the public will be held from 5 p.m.-7 p.m.

Miscellaneous: C) Other

Commissioner Val Halford plans to submit his resignation due to work related reasons and will need to be replaced.

ADJOURNMENT

Motion:

At 8:39 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.


Rebecca Wayment
Chair, Farmington City Planning Commission