

FARMINGTON CITY
PLANNING COMMISSION MEETING
July 16, 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 #1. Review of the July 2, 2015 Minutes

Commissioner Bret Gallacher pointed out that he was not listed as present during the meeting. The change was noted and will be amended.

Item #3. Brock Johnston/Rainey Homes – Requesting Recommendation for Final Plat Approval for the Miller Meadows Phase VI Subdivision

Eric Anderson said this is the Rigby property. In the beginning, the applicant obtained preliminary plat approval for the project master plan for all 8 phases, but comes in for final plat with approximately 10 lots at a time. He said there have been a few minor changes, but it is mostly identical to the approved preliminary plat. He said the biggest concern has been with storm water. There is a regional detention basin across from the property, but the applicant discovered UDOT has been piping water from Legacy into this detention basin causing concern that it may now be undersized to accommodate the needs of UDOT and the subdivision. Eric Anderson also said there has been some concern with water rights and the Steed Creek. The Rigby family has a diversion channel from Steed Creek to assist with irrigation; however, the diversion channel has not been used for a long time. Before the applicant can move forward, the Rigby family must relinquish water rights. The Commissioners and staff discussed who the water rights would be relinquished to and who will relinquish the rights. David Petersen said the applicant is Rainey Homes with the Rigby family. Eric Anderson said his understanding is that the water shares will be relinquished to Weber Basin.

Item #4. Bryan Turner/Davis School District – Requesting Preliminary/Final Plat Approval for the Elementary School #61 Subdivision

Eric Anderson said during the land swap between the Davis School District and Fieldstone Homes, deeds for the property were exchanged; however, this item is to memorialize the swap. He reminded the Commission that the school is considered a state agency so they are sovereign for the City's ordinances; however, this subdivision request is to finalize what had previously taken place. Heather Barnum asked under what circumstances a preliminary plat and final plat may be approved together. Eric Anderson said the request to combine preliminary plat and final plat were included at schematic plan approval as a condition; this item is memorializing the land swap, but had to go through the approval process as dedication of rights-of-way are taking place.

Item #5. Phil Holland/Wright Development – Requesting a Recommendation for Schematic Plan Approval for the East Park Lane Subdivision

Eric Anderson said there is a condition to hold the preliminary plat and final plat together; it can be included by the Commission or removed from the motion. This is a two lot subdivision adjacent to

Lot 1 where the Mercedes-Benz dealership will be located. **Eric Anderson** said previously there was a discussion about the northern extension road going high or low; the proposed road would be high.

REGULAR 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. Commissioner Brett Anderson was excused.

Item #1. Minutes

Heather Barnum made a motion to approve the Minutes from the July 2, 2015 Planning Commission meeting with the change discussed during the Study Session. **Bret Gallacher** seconded the motion which was unanimously approved.

Item #2. City Council Report

Eric Anderson gave a report from the July 14, 2015 City Council meeting. He said a long range water action plan was brought before the Council by the City Engineer and was adopted; its adoption was needed due to growth within the City. The Cornerstone Subdivision Plat Amendment and Minor Plat Approval was denied; the Council agreed with the Commission that residents purchased lots based on the plat and the idea of how the subdivision should be from that plat. The Meadows at City Park Preliminary (PUD) Master Plan and Schematic Plan and the Park Lane Commons Phase II Schematic Subdivision were both approved.

SUBDIVISION APPLICATIONS

Item #3. Brock Johnston/Rainey Homes – Applicant is requesting a recommendation for final plat approval for the Miller Meadows Phase VI subdivision consisting of 13 lots on 5.18 acres of property located at approximately 550 South and 475 West in an AE (Agricultural Estates) zone. (S-15-14)

Eric Anderson said the Preliminary Plat for Miller Meadows subdivision master plan was approved July 2007. This phase is in the northeast corner of the subdivision with the east side backing Legacy Parkway. The main issues are related to storm water. The applicant discovered UDOT has been using the regional detention basin for this subdivision to retain storm water from Legacy Parkway. As a result, the applicant had to re-examine the sizing of the detention basin. The applicant is working through the issue with UDOT. **Eric Anderson** also said the applicant has included a trail access to Legacy Trail from the proposed cul-de-sac and has included a Street Tree Plan that is required to be part of every phase per the Master Plan approval. The only other outstanding issue is with boundaries and platting; however, staff is confident the applicant will revise and amend the plat to ensure its readiness prior to City Council's review.

Brock Johnston, Syracuse, said this is the sixth phase of the Miller Meadows subdivision. He said the Master Plan was approved during preliminary plat several years ago; phases 7 and 8 will follow this phase as part of the original plan. He said the biggest issue is the storm water run-off, as well as the

irrigation canal that has been used by the Rigby family for the last 100 years. He said they are working with the City Engineer to resolve both concerns.

Dan Rogers asked the applicant for more information regarding the Street Tree Plan; he wondered if the applicant would be required to go back and include such a plan for previous phases. **Brock Johnston** said it was not required that he go back to previous phases and include a Street Tree Plan, but he has agreed to do it moving forward. He said he did not make commitments to provide previous phases and that it would be hard for current homeowners to go back and start planting in their park strips. **Dan Rogers** asked if it was a mistake on the City's end to not require a Street Tree Plan for the beginning phases. **David Petersen** explained it was not a mistake, but that the ordinance requirement had not yet been adopted.

Rebecca Wayment expressed concern that if this phase is required to include a Street Tree Plan, it may look out of place as the other phases only have grass on their park strips. **Dan Rogers** said he drove the area recently and many park strips do not have trees planted so a difference will be noticed. **Heather Barnum** also added that property owners are still at liberty to plant trees in the park strip if they choose to do so.

Heather Barnum asked the applicant whom the water shares will be relinquished to. **Brock Johnston** said there has been a 6 month delay in this item's approval while the Rigby family has been researching the water shares. Based on their research, he said the Steed Creek connection comes to the Rigby property, but they have the ability to block it off; however, the Rigby family has a Weber Basin connection as well. The majority of the water the property owners now use is the Weber Basin water. If the shares are relinquished by the Rigby family, **Brock Johnston** said it most likely would be returned to Steed Creek. Any water shares with Weber Basin will be handed over to the property owners for the new subdivision. **Dan Rogers** confirmed that if the Steed Creek conversion will be cut-off, the shares will just disappear. **Brock Johnston** said, based on his understanding, yes, the shares will be gone.

Motion:

Heather Barnum made a motion that the Planning Commission approve the Street Tree Plan and recommend that the City Council approve the Final Plat for the Miller Meadows Conservation Subdivision Phase 6 subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with the final plat;
2. The applicant must ensure compliance to all Scenic Byway Overlay Zone Design Theme, Standards and Guidelines as set forth in Chapter 41 of the Zoning Ordinance;
3. The applicant shall relinquish all water shares and permanently close the diversion gate of Steed Creek;
4. The applicant shall continue to work with UDOT and staff to address any outstanding storm-water issues, and final approval by staff of this resolution must be granted prior to the scheduling of a precon meeting;
5. The applicant will provide a trail access easement through "Parcel A" and will dedicate that parcel to the City on the final plat prior to recordation.

Alex Leeman seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed final plat is a continuation of an approved master planned subdivision.
2. The applicant has addressed most of the concerns raised by DRC, and those requirements that haven't been met will be addressed prior to recordation, building permit, or City Council approval.
3. 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.
4. The proposed final plat is consistent with the approved preliminary plat and master plan for this overall subdivision, and is consistent with the conservation subdivision ordinance requirements at the time of preliminary plat approval.
5. The proposed final plat will resolve the storm-water issues with UDOT and close off the diversion channel for Steed Creek.

Item #4. Bryan Turner/Davis School District – Applicant is requesting preliminary/final plat approval for the Elementary School #61 subdivision consisting of 1 lot on 10.55 acres of property located at approximately 750 South and 1100 West in an AE (Agricultural Estates) zone. (S-25-15)

Eric Anderson said this is a 1 lot subdivision; Davis County School District and Fieldstone Homes agreed upon a land swap so the elementary school will be located on 1100 West. The School District and Fieldstone Homes swapped land deeds; however, since ROW is being dedicated, a major subdivision process must take place to memorialize the land swap. **Eric Anderson** said preliminary plat and final plat have been processed together as it is a simple and straightforward 1 lot subdivision. Staff recommends the Commission approve this subdivision.

Jeanie Jeppson from VCBO Architects and **Doug Cromar** with CRS Engineering were both available to answer any of the Commission's questions.

Dan Rogers asked for an estimated completion date for the school. **Jeanie Jeppson** said it should be completed by June 2016.

Heather Barnum asked for further clarification on Finding for Approval #2 regarding the elementary school being compatible with the surrounding community. **David Petersen** said for those that live outside of the local neighborhood, the school is compatible as residents can get there without travelling through local roads and for those that live within the immediate neighborhood, residents can easily walk to the school. Also, the elementary school play field will merge with the City Park. All these aspects help this use be compatible with the community.

Bret Gallacher asked if 1100 West will become a through street to the school. **Eric Anderson** said eventually 1100 West will go to Glover's Lane. **David Petersen** said a bridge will be built across Farmington Creek to complete 1100 West. He said the bridge should be built by the time the school opens and that the City will only need to cover a third of the bridge's cost.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the enclosed preliminary/final subdivision plat for the Elementary School #61 subject to all applicable Farmington City ordinances and development standards, and the following condition:

Approval of final improvement drawings, for the on-site and off-site improvements including but not limited to: grading and drainage plan, SWPPP street cross-sections; and other utilities by the City Engineer, Public Works, Fire Department, Planning Department, Storm Water Official,

Central Davis Sewer District, and Weber Basin Water Conservation District shall be obtained prior to construction.

Dan Rogers seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed elementary school is an integral component in planning and accommodating for Farmington's projected future growth.
2. The proposed use of the proposed elementary school is compatible with the surrounding community, including the surrounding subdivisions, the 1100 West park, the Farmington Bay Wildlife Refuge Area, etc.
3. State Law (Code 10-9a-305) exempts school districts from having to conform to municipality land use ordinances, which in this case includes the City's requirement for a conditional use. However, the applicant has been amenable to going through the conditional use approval process because of the partnership nature of this project and wanting to be transparent throughout the process.
4. The proposed elementary school will complete their proportionate share of 110 West to Glover Lane and will extend the road beyond their property as a system improvement to be possibly reimbursed by the City.
5. Likewise, the school district has committed to participating in one-third of the cost to construct a bridge at 1100 West extending the road north past 500 South where it currently ends.
6. The proposed subdivision is memorializing a deed swap and bringing the subdivision into compliance with city ordinance.

Item #5. Phil Holland/Wright Development (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the East Park Lane Subdivision consisting of 2 lots on 4 acres of property located at approximately 425 West and 700 North in a CMU (Commercial Mixed Use) zone. (S-24-15)

Eric Anderson showed the aerial map of this property. He said this property was rezoned from LS to CMU and is now being proposed as a 2 lot subdivision. He said this item is also dedicating ROW with the extension of Lagoon Dr. so it must go through the major subdivision process. He said the uses for the property are unknown at this time, although Lot 1 (which is not part of this subdivision) will be the Mercedes-Benz dealership. **Eric Anderson** pointed out that a condition to the motion has been added to hold preliminary plat and final plat held together, but that it is up for the Commission to decide.

Greg Day, 502 W. 8360S., Sandy, representative from Focus Engineering is representing the applicant as he was not able to be present. **Dan Rogers** asked if he knew what uses will be on the proposed 2 lots. **Greg Day** said there have not been any final commitments at this time; however, it may be professional offices with medical groups as tenants.

Rebecca Wayment asked if the road will be completed at the same time that the lots will develop. **Greg Day** said all street frontage, road improvements, etc. will be built in the beginning so the lots can be developed. He also added that they are working to ensure they are compatible with the Master Transportation Plan.

Kent Hinckley asked for the current status of the property. **Eric Anderson** said currently Gary DeJong owns the long parcel of property from Main Street to the Frontage Road (as shown on the aerial

map). He said it was rezoned to CMU by the City Council; Lot 1 (the location of the dealership) is not included in the subdivision as it is currently going through a plat amendment process.

Rebecca Wayment opened the Public Hearing at 7:37 p.m.

No comments were received.

Rebecca Wayment closed the Public Hearing at 7:37 p.m.

David Petersen pulled up the vicinity map as well as pulled the minutes from the City Council meeting on May 25, 2015 to clarify the zone of the proposed subdivision. Based on the minutes, **David Petersen** said Jim Young made a motion to rezone the property from LS to CMU effective only on approval of a site plan to ensure the alignment of the northern extension and that the rezone may be applied to the proposed Mercedes-Benz site. He said may be at the time, the Council did not know how far east the dealership would go. Based on his review, **David Petersen** said it appears the 2 lot subdivision that is being presented tonight may still be zoned LS; however, the proposed lot sizes are still compatible with the LS lot requirements.

Staff and the Commissioners discussed the zoning of this property and when it would take place. **David Petersen** said often times a developer will submit a schematic plan with a rezone application and site plan with it so it can all receive approvals at the same time; however, the only thing before the Commission at this time is the schematic plan. He said if the Commission chooses to recommend this for approval, the property may remain LS until a site plan is approved and/or further clarification is provided. **Bret Gallacher** asked for confirmation that the applicant would have to return for a rezone to CMU for this 2 lot subdivision. **David Petersen** said may be.

Kent Hinckley asked what the applicant would accomplish by first submitting a schematic plan without a site plan or rezone request. **Greg Day** said the main objective is to get the Mercedes-Benz dealership up and running; however, this 2 lot subdivision will bring in many of the utilities that will need to be installed to service the dealership site.

The Commissioners expressed concern with approving the preliminary plat and final plat at the same time. **Heather Barnum** feels comfortable recommending condition #3 which will allow the preliminary plat and final plat to return together, but can have further confidence that there's no difference between the plats after staff's review.

Kent Hinckley recommended removing Finding #3 as it alludes to the fact that the proposed subdivision property has been rezoned.

Rebecca Wayment asked for further clarification on if the Mercedes-Benz dealership has been rezoned to CMU. **David Petersen** said the rezoned to CMU may go into effect after the site plan has been approved.

The Commissioners still expressed concern regarding recommending approval of this schematic plan. **David Petersen** explained the applicant needs the approval of the schematic plan so they can know where the eastern border will be located for Lot 1 where the dealership will be located. **Greg Day** said, for the time being, they are comfortable moving forward with the property zoned LS.

Rebecca Wayment expressed concern that she does not want to lock these two lots in when someone could come in and the lots do not work so a plat amendment would need to be requested.

She also asked if a time condition for when the schematic plan expires needs to be included. **David Petersen** said the schematic plan expires in one year, and **Eric Anderson** said the one year timeline is included in the subdivision ordinance.

David Petersen said he understands the concerns of the Commission; however, schematic plan is an administrative act. It meets all ordinance requirements for the Zoning Ordinance even if the designation remains LS. The Planning Commission should recommend this schematic plan. **Greg Day** added that the dealership is their top priority and that they cannot move forward without this 2 lot subdivision to be approved.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend approval of the schematic plan for the East Park Lane Subdivision, subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant shall address all outstanding DRC comments on preliminary/final plat;
2. The applicant shall dedicate 66' of public right-of-way on the east boundary of the proposed subdivision on final plat.

Dan Rogers 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 and Zoning Ordinances.
2. The proposed Schematic Plan begins a needed and planned north-south connection from Park Lane to points north, and conforms to the Master Transportation Plan and that plan's stated purpose of creating connectivity throughout the City.
3. The proposed road alignment will continue Lagoon Drive and will allow for future development of the road without being impeded by the wetland complex.

ADJOURNMENT

Motion:

At 8:08 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.



Rebecca Wayment
Chair, Farmington City Planning Commission