

FARMINGTON CITY
PLANNING COMMISSION

May 21, 2020

ELECTRONIC AND IN PERSON MEETING

STUDY SESSION

Present: Chairman Roger Child, Vice Chairman Alex Leeman, Rulon Homer, Larry Steinhorst, Greg Wall, Mike Plaizier and Alternate Commissioner Inger Erickson. **Staff:** Community Development Director David Petersen, City Planner Meagan Booth, Recording Secretary Carly Rowe and Planning/GIS Specialist Shannon Hansell. Russ Workman was excused.

Item #3 Meadows at City Park LLC requesting 6 lots on 91 S 200 W. Pete Smith, from Meadows at City Park LLC is proposing phase three of this project which includes six units, next to phase one and two. The developer has met the open space requirement and will have to do a boundary adjustment between phase two and phase three. Concerning DRC comments, the fire marshal has approved the turn around, and public works questioned garbage pickup. Residents will have to take their garbage cans to 200 west however; the HOA has the option to contract their own garbage pickup if residents have concerns. The City did receive one comment from a resident that will be included with the record.

Item #4 Project Master Plan for 62 acres near Cabela's. Farmington Station II Project Master Plan (PMP) is the property near Cabela's and East of the Denver Rio Grande Tracks. The area is Master Planned for Mixed Use and the area North of Shepard Creek is Master Planned for a Class A business park. The property owner already has most of their entitlements, which include RMU (Residential Mixed Use) and GMU (General Mixed Use), including OS and OMU (Open Space and Office Mixed Use). We do not have applications for buildings at this time; this is just for the flexibility on this property. Alex Leeman has noted the updated development agreement and the new language is in the regular session agenda item.

Item #5, #6 and #7 Project Master Plan and Rezone of 32 acres on Burke Lane. Alex Leeman clarified to the Commission that this item and the previous are not discussions about possible future apartments, streets, landscaping, etc. since those items are not in front of us right now, this is solely the rezoning and that it's important to stay on track tonight and not talk about what "could be" there. The property owners here have joined to get their 25 minimum acre requirement. The City has received one email on this item that will be in the record as well. The above development agreement language will also apply to the item/application that is mentioned in item #4. Dave Petersen mentioned that we are trying to keep Davis County residents in Davis County for work. He also noted that the area along the creek needs to be rezoned OS (Open Space) in the Motion.

Item #8 Davis County Memorial Courthouse Conditional Use Permit. The Davis County Memorial Courthouse will be putting in a pedestrian plaza on the south end of the building, what is currently located in that area is going to be demolished. Greg Wall inquired about what departments are on that side and/if they are going to remain in Farmington, Meagan Booth replied that they are not aware of how the county is going to house and lay out their departments, and a representative will be able to answer questions during the regular session.

Item #9 Ben Butterfield Driveway Special Exception. The applicant is requesting a driveway special exception for his home in the Chestnut Farms subdivision. Per HOA rules, residents must keep recreation trailers behind fences. Currently, there is no driveway adjacent to his and this property is on a dead-end street. Greg Wall questioned the photo where there is a utility box, Meagan Booth replied that they would have to speak with the utility provider on that to move it and/or work around it.

REGULAR SESSION

Present: Chairman Roger Child, Vice Chairman Alex Leeman, Rulon Homer, Larry Steinhorst, Greg Wall, Mike Plaizier and Alternate Commissioner Inger Erickson. **Staff:** Community Development Director David Petersen, City Planner Meagan Booth, Recording Secretary Carly Rowe and Planning/GIS Specialist Shannon Hansell. Russ Workman was excused.

Item #1 Minutes

Rulon Homer made a motion to approve the minutes from the May 7, 2020 Planning Commission meeting. **Alex Leeman** seconded the motion, which was unanimously approved.

Item #2 City Council Report

The meeting on May 19, 2020 was in discussion of the budget session where the City will adopt a preliminary budget on the June 9 meeting per state law. In addition, the mixed-use sign ordinance was approved. **Dave Petersen** also discussed the agreement with **Ken Stuart** regarding his property on 950 N 350 E in Kaysville, he previously did a lot split and the remainder of the parcel that consists of wetlands is located within Farmington. He is dedicating to the City on Haight Creek trail.

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

Item #3 Pete Smith/ Meadows at City Park LLC (Public Hearing) – Applicant is requesting a recommendation for approval for the Preliminary PUD Master Plan and Subdivision Schematic Plan for the Meadows at City Park Phase 3 Subdivision consisting of 6 lots on .619 acres located at approximately 91 South 200 West in an R-4 zone. (S-20-19)

The applicant, Pete Smith, is seeking a recommendation for Schematic Plan and Preliminary PUD Master Plan approval for the Meadows at City Park Phase 3 Subdivision located at 91 South 200 West. The proposed subdivision has 6 townhomes consisting of 2 triplexes. The Final PUD Master Plan for Phase 1 and 2 was approved by the City Council, however, this parcel was not included as part of the originally approved PUD therefore it is subject to review and conditions by the Planning Commission. The 3rd Phase of the development will have a similar look and aesthetic to Phase 1 and 2 and is demonstrated in the attached elevations and landscaping plan. With a boundary adjustment between Phase 2 and 3, the application meets the density and open space standards required by the ordinance.

The applicant is requesting the units be accessed via a Private street. The DRC has reviewed the private road with the Fire Department and Public Works and the conditions mentioned in the staff report address their concerns at this time.

Pete Smith (47 E Crestwood Rd. Ste 1. Kaysville) said this is the third phase been a long time coming, as Meadows at City Park LLC purchased this property 7 years ago. The architecture, site plan(s) and floor plan(s) are the same as in previous phases. In response to questions asked, **Pete Smith** said that there will be two different surfaces, one will be asphalt and the other will be concrete. To avoid any drainage issues, **Pete Smith** said that they have posted bonds with the City and had fenced off the property to avoid any issues with neighbors. **Greg Wall** asked if there was a sidewalk, **Pete Smith** replied that the previous phases beforehand sidewalk was not required, as they are limited in space and this is a private drive. **Greg Wall** also asked about where the garbage cans will need to be located for pick up; **Pete Smith** replied that the current plan after speaking with DRC is to have the residents take their cans to 200 west. He wanted to clarify that he is aware of the email received and is working with the resident to address any concerns.

Roger Child opened the Public Hearing at 7:18 PM.

(Zoom) Connie Deianni (1269 Alice Lane) questioned how close the driveway is to the crosswalk that extends over 200 West, leading to Farmington Jr. High. She also said that when she drives in the area, the crosswalk is busy and wanted to ensure a safety is priority and hopes there is no vision issue(s) while trying to exit the private drive. **Meagan Booth** said that she could bring that up to the DRC before Preliminary Plat and verify the information on that. **Pete Smith** said it is 550 feet away, to confirm the distance between the drive way and the crosswalk.

Greg Wall questioned why there is no sidewalk in the area, if it has previously been required with other development. **Meagan Booth** replied that when a PUD is developed, it deviates from the underlying standards of that specific zone; the sidewalk is a deviation in this case. **Greg Wall** brings up the concern of no sidewalk once more before closing the

item and asks if staff is comfortable with this. **Dave Petersen** said that staff is comfortable with this (for all phases) because they had success with the Farmington Station subdivision on 200 South, and they have no sidewalk there either. In order to make that driveway work, they could not do the sidewalk. The City has multiple other subdivisions that have no sidewalk that have been successful. The applicant had the option to do fourplex with a higher density and went with the owner occupied units. **Alex Leeman** said that while this is not in the OTR zone, it is close enough on the East end of Farmington and most OTR does not have sidewalk.

(Email) Brandon and Tess Dye (32 S 100 W) emailed comments in prior to the meeting that will be included with the record. **Pete Smith**, the Developer, did address how they are rectifying the issues brought up via email and that he has been in contact with the neighboring residents.

Roger closed the Public Hearing at 7:21 PM.

MOTION

Rulon Homer made a motion to move that the Planning Commission recommend the City Council approve the subdivision schematic plan and Preliminary PUD Master Plan for the Meadows at City Park Phase 3 Planned Unit Development subject to all applicable Farmington City ordinances, development standards, and the following conditions:

1. The applicant must amend the Meadows at City Park Phase 2 Subdivision Plat to adjust the boundary between Phase 2 and 3 and all land use table calculations thereto.
2. The applicant shall amend the development agreement memorializing the approved master plan prior to or concurrent with preliminary plat;
3. All outstanding DRC comments for schematic plan shall be addressed on preliminary plat including notes/easements for garbage collection, road maintenance and snow storage.
4. All streets in planned unit developments whether private or dedicated public streets shall conform to the minimum improvement requirements of the subdivision standards or as approved by the City Engineer.

Larry Steinhorst seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed plans meet the requirements of the subdivision and zoning ordinances.
2. The proposed development is an in-fill project and allows the property owner the highest and best use of his property.
3. The HOA is intended to maintain the common areas of the project.
4. The proposed plans are consistent with the General Plan.

PROJECT MASTER PLAN/ZONE CHANGE APPLICATIONS

Item #4 Wade Budge/ E&H Land LTD (Public Hearing) – Applicant is requesting a recommendation for approval regarding a Project Master Plan (PMP), and accompanying development agreement, for Farmington Station II, a mixed-use development, encompassing approximately 62 acres north of Clark Lane, west of Cabela’s, east of the D.& R.G.W. trail, and generally south of the Shepard Creek (PMP-1-20).

The subject property, which is owned by the Evans family, may accommodate a variety of uses and allows a developer to submit a development plan and/or subdivision now, for consideration by the City, as dictated by the existing zone designations referenced above. Nevertheless, the applicant is seeking for increased flexibility to handle unforeseen scenarios, which may occur as property develops in the future. In the event, for example, if one standard of an underlying zone works for interior local streets---but not Park Lane, a mechanism is in place as set forth in Section 11-18-140 of the City’s Zoning Ordinance which allows a developer to deviate from the standards of the underlying zone, but at

the sole discretion of the City. However, an applicant must own 25 acres or more to make a request under this Section. The Evans property meets this threshold, but it is very likely that the property will develop in smaller increments than 25 acres. The enclosed development agreement permits an applicant to request flexibility under Section 140 for land encompassing 2.5 acres, or greater in size, within the greater 62+ acre PMP.

After **Dave Petersen** presented the above agenda item, he allowed **Alex Leeman** explain why we are striking out a portion of the *Alternative Approval Process* within the Development Agreement and replacing it with what is stated in the Motion. With direction from staff, the altered language is located in paragraph four (4) of the development agreement (section 140) and will be altered on the agreement before signage and recordation. Furthermore, under section 140, the developer is required to submit a Project Master Plan as well as a Development Agreement that must be followed as that area is developed. Typically, they must comply with the Project Master Plan, whereas, tonight is different because there is no detailed PMP in front of the Commission. **Alex Leeman** went on to clarify that the City wants to hear what the public is saying concerning his or her wants for the area, however there is no specific project or development going on at this time to consider. What is being considered tonight is solely a mechanism for approving these projects in phases for the future. The proposal(s) in front of us tonight are to come in, in phases, and when they do come in, that is when they will have a review of what they want to develop and where. Under section 140, the City has left discretion in the future to approve or disapprove those types of applications as they come in.

Zach Hartman, (395 Parley's Rd. Park City) represents the Evan's family, who is the applicant for this PMP. **Zach Hartman** said that he is open to answer any questions and that they are keeping the map right now as general as they can, so that he can answer questions appropriately as applications come in.

Roger Child opened the Public Hearing at 7:46 PM.

Mike Flanders (1717 W 600 N) started by stating that this project will affect all of Farmington, not just those surrounding parcels. He said by adding new Commerce Drive road that will be a connector, he fears it will increase traffic into Station Park and Park Lane and cause congestion. **Mike Flanders** then questions if we will need to add additional elementary schools in the area to accommodate more residents in the area. **Alex Leeman** clarified the above; the developers are not changing any master plan, general plan, road plan and/or the zoning. The City is viewing the application that would allow the developer to bring future projects, in phases instead of 25 acres at once. He stated that this is not for review at this time. **Alex Leeman** suggested following when applications come in and go to Public Hearings, so that both Planning Commission and City Council hear concerns of the neighbors and residents.

Gerald Cochran (158 N Longhorn Dr.) stated that he does echo some concerns that **Mike Flanders** brought up, but his main concern is keeping track of smaller plans as they come before the City. He stated that smaller plans are not as clear and further asked if the builder would come in with each small plan then adhere to a larger Master Plan. **Alex Leeman** responded yes and no, they do need to adhere but under section 140, they can create their own plan and development.

**For example: a chunk of this is residential mixed-use. Without section 140, they would have to comply with the RMU standards. If they come in under 140, they can propose to set their own underlying standards for the particular phase they are developing. Under the same token, the City has discretion on modifying and/or changes. It also means that those kind of things come in phase-by-phase.*

Pete Smith (1789 W Spring Meadow Lane) expressed support as the City grows and changes over the next decade. He said he would like to see the City put preference towards Commerce Drive. He continued to say that his street currently is a funnel for high school students and that his kids will walk out of the door to cross the street, to a constant line of traffic driving down Spring Meadow Lane. It has an impact but it is a desperate need and he would like to see traffic off the residential street. He is hoping that this will take congestion off Park Lane, especially with the Shepard interchange as well.

Roger closed the Public Hearing at 8:00 PM.

Alex Leeman addressed the public's concerns with having to track and monitor the process of what will be going into the large areas of land. For example, he said the Ranches was another area that was similar to this where at the intersection of Clark Lane and 1525 W there is a piece of land to the South East that is empty, where 20 years ago, it was proposed there be a small neighborhood grocer put into the area. 20 years forward, Station Park is now in West Farmington, many commercial buildings, including Harmons and now the public is not in favor for commercial in the area. Per the Development Agreement, the City has zero authority to deny commercial property in that area. Therefore, while it creates a burden for the residents, development can happen quickly and/or decades; having the flexibility to take it piece by piece is an advantage.

Dave Petersen said the ordinance in most Cities, including Farmington, requires Public Hearings – saying that this is a Public Process. The Evans' have had their zoning and entitlements for ten plus years and Commerce Drive plans were set in the early 2000's. These are important elements in our City's Master Plan. Staff is more than happy to answer any questions or give information as we receive it.

MOTION

Alex Leeman made a motion to move that the Planning Commission recommend that the City Council approve the enclosed PMP, and accompanying development agreement subject to all applicable Farmington City development standards and ordinances. In addition, to amend the Development Agreement to read the following in paragraph 4:

- **Alternative Approval Process.** The City has held all public hearings necessary for, and has approved the PMP. Such approval of the City council shall remain in full force and effect from the date hereof until the termination of this Agreement. Developer and/or Developer's successors and assigns may from time to time apply to develop any phase of Farmington Station II greater than two and a half (2.5) acres in size in accordance with an alternative approval process as set forth in section 11-18-140 of the City's zoning ordinance, ~~and, provided that such application complies with this Agreement and the PMP, such application shall be approved administratively.~~ Developer shall be entitled to bring such future applications under section 11-18-140 of the City's zoning ordinance, even if a future phase is less than 25 acres in size. Such future applications may deviate from the PMP approved hereunder at the discretion of the City and shall be considered according to the procedures and standards for approval set forth in section 11-18-140 of the City's zoning ordinance.

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval:

1. The agreement allows an applicant to request greater development flexibility, at the sole discretion of the City, for property under 25 acres in size.
2. Greater flexibility may result in better development for the community and provide a finer grain and/or mix of uses as per the proposed project master plan.
3. The proposed Farmington Station II Project Master Plan and Development Agreement is consistent with the stated intent and purpose of the Farmington City General Plan and Zoning Ordinance for this area.
4. The proposed Farmington Station II Project Master Plan balances residential, commercial/retail, and office uses to the benefit of the City.

Item #5, #6, and #7

5. Chris McCandless/CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for approval regarding a Project Master Plan (PMP), and accompanying development agreement, for Farmington Station Center,

a mixed-use development, encompassing approximately 30 acres west of Shepard Creek, south of Burke Lane, and east of 1525 West Street (PMP-3-20).

6. CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for Zoning Map Amendment approval to rezone approximately 2 acres of property at 1451 West Burke Lane from A (Agriculture) to OMU (Office Mixed Use) (Z-5-20).

7. Chris McCandless/ CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for Zoning Map Amendment approval to rezone approximately 9.69 acres of property at 1293 West Burke Lane from A (Agriculture) to OMU (Office Mixed Use) (Z-6-20).

Agenda, Items 5, 6, and 7 are so inter-related it is proposed that staff present these items together and the Planning Commission account for the same in one public hearing. Moreover, the background information in this staff report, the findings, and the supplementary information are all relevant to each item; therefore, it is further proposed that the Commission consider all requests in one motion, or separately as the circumstances dictate, but that the same findings are established for each of the three items.

Alex Leeman made a motion to hear item 5, 6 and 7 together as one agenda item as noted above. **Greg Wall** seconded the motion, which was unanimously approved.

The subject property, which is owned by Amenti, Inc., Benson, Jones, L.L.C., and Romney, may accommodate a variety of uses and allows a developer to submit a development plan and/or subdivision now, for consideration by the City, as dictated by the existing zone designations referenced above. Nevertheless, the applicant is seeking for increased flexibility to handle unforeseen scenarios, which may occur as property develops in the future. In the event, for example, if one standard of an underlying zone works for straight portions of Burke Lane---but not the portion of Burke Lane which bends to the southeast, a mechanism is in place as set forth in Section 11-18-140 of the City's Zoning Ordinance which allows a developer to deviate from the standards of the underlying zone, but at the sole discretion of the City. However, an applicant must own 25 acres or more to make a request under this Section. The above four properties together meet this threshold, but because the entire site is owned by four different owners, it is very likely that it will develop in smaller increments than 25 acres. The enclosed development agreement permits an applicant to request flexibility under Section 140 for land encompassing 2.5 acres, or greater in size, within the greater 30 acre PMP. Three of the four properties are zoned A (Agriculture) where Section 140 does not apply and must be rezoned to OMU (Office Mixed Use) to have the opportunity to obtain the flexibility desired.

Chris McCandless, agent, of CW Management (9067 1300 W Ste 105. West Jordan) introduced himself and gave a brief description of his past work, and noted that he and his partner in company have been in business together since 1981. He said they are excited to help enhance the community and asks if the Commission has any questions for him.

Roger Child opened the Public Hearing at 8:42 PM.

Mike Romney (1451 Burke Ln.) thanked the Commission for their time tonight; he is one of the property owners on this item that will be having their property rezoned and wanted to provide some history on his property. In 1981, he bought one acre and bought the second a few years after. He said he used to be one to object anything commercial in West Farmington, however he's come to the realization that with time things progress and he's now on board with the new development. Because of this, he has been stuck and waiting for an opportunity. One thing that is imperative to him, he stated, is that he gets to fall under section 140, where the 2.5 acres could include the City's right of way in front of his home. Without that right of way agreement, that acreage needs to be lowered to 2 acres (without the right of way) and he could possibly not qualify for the 2.5 requirement.

Mike Flanders (577 N 1525 W) echoed his concerns from the previous agenda item, he added that this is a lot of land and changing the zoning without a Master Plan, opens up West Farmington to unlimited possibilities. He went on to

question the maximum height of apartment complexes in the area. The next question he asked if all development would have the 25% requirement for open space that the remainder of Farmington has had to uphold. Lastly, he inquired about where Commerce Drive will be located exactly.

Gerald Cochran (158 N Longhorn Dr.) said it seems like the OMU designation sounds like more apartments, and it is an important consideration that it will change the dynamic of the hometown feel. If it were both office and apartments, that would change the face of Farmington. He also brought up the burden once more that this could have on the public to follow the meetings.

(Email) Sue Miller (No address record on email) emailed comments in prior to the meeting that will be included on the record.

Roger Child closed the Public Hearing at 8:52 PM.

Dave Petersen replied to the questions that the public hearing commenters raised collectively; for mixed-use areas, they will have to meet an open space requirement but it is different from the residential requirement of 25%. Concerning office mixed use, the number of stories is dictated by what is in the underlying zone. For this specific property, the Amenti family has had the entitlements for a number of years. In OMU, they can have zero apartments, as it is not permitted. He said he was unsure where **Sue Miller** got this information regarding a six-story apartment building, as it has not been proposed. As for the road alignment, the road pattern is placed on a grid through the area. **Alex Leeman** clarified the height of possible apartments in the area, per **Mike Flanders'** question. Apartment buildings are not a permitted use in the area. As for office buildings in the area, the height is dependent on the type of road they are built on, ranging from three stories to a maximum of six stories. Per section 140, it allows the developer to deviate from the underlying standards at the discretion of the City and City Council. He said he can anticipate there will be some residential in the area, not guaranteed, but we have to see what is proposed and what is approved. **Alex Leeman** asked **Dave Petersen** about **Mike Romney's** concern regarding the right of way being included in the 2.5 calculation. **Alex Leeman** noted that in the development agreement, we could include (including right of way) in the language, so that it is consistent with what has been allowed in the past.

MOTION

Project Master Plan/Development Agreement

5. *Chris McCandless/CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for approval regarding a Project Master Plan (PMP), and accompanying development agreement, for Farmington Station Center, a mixed-use development, encompassing approximately 30 acres west of Shepard Creek, south of Burke Lane, and east of 1525 West Street (PMP-3-20).*

Rulon Homer made a motion to move that the Planning Commission recommend that the City Council approve the enclosed PMP, and accompanying development agreement subject to all applicable Farmington City development standards and ordinances and that properties owned by Romney, Benson, and Jones, LLC within the PMP area are rezoned from A to OMU and OS along with the amendment of Section 140 verbiage (below), and the right of way included in the 2.5 acre requirement calculation.

- **Alternative Approval Process.** The City has held all public hearings necessary for, and has approved the PMP. Such approval of the City council shall remain in full force and effect from the date hereof until the termination of this Agreement. Developer and/or Developer's successors and assigns may from time to time apply to develop any phase of Farmington Station II greater than two and a half (2.5) acres in size in accordance with an alternative approval process as set forth in section 11-18-140 of the City's zoning ordinance, and, provided that such application complies with this Agreement and the PMP, such application shall be approved administratively. Developer shall be entitled to bring such future applications under section 11-18-140 of the

City's zoning ordinance, even if a future phase is less than 25 acres in size. Such future applications may deviate from the PMP approved hereunder at the discretion of the City and shall be considered according to the procedures and standards for approval set forth in section 11-18-140 of the City's zoning ordinance.

Alex Leeman seconded the motion, which was unanimously approved.

Zoning Map Amendments

6. *CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for Zoning Map Amendment approval to rezone approximately 2 acres of property at 1451 West Burke Lane from A (Agriculture) to OMU (Office Mixed Use) (Z-5-20)*

AND

7. *Chris McCandless/ CW Management Corp (Public Hearing) – Applicant is requesting a recommendation for Zoning Map Amendment approval to rezone approximately 9.69 acres of property at 1293 West Burke Lane from A (Agriculture) to OMU (Office Mixed Use) (Z-6-20).*

Rulon Homer made a motion to move that the Planning Commission recommend that the City Council approve the zone change for the 11.69 acres of property as requested.

Alex Leeman seconded the motion, which was unanimously approved.

Findings for approval for all three items:

1. The agreement allows an applicant to request greater development flexibility, at the sole discretion of the City, for property under 25 acres in size.
2. Greater flexibility may result in better development for the community and provide a finer grain and/or mix of uses as per the proposed project master plan.
3. The proposed Farmington Station Center Project Master Plan and Development Agreement is consistent with the stated intent and purpose of the Farmington City General Plan and Zoning Ordinance for this area.
4. The proposed Farmington Station Center Project Master Plan balances residential, commercial, and office uses to the benefit of the City.
5. The zone changes from **A to OMU** and **OS** are necessary to implement Section 11-18-140 of the Zoning Ordinance and are 1) reasonably necessary, 2) in the public interest, and 3) consistent with the city general plan and in harmony with the objectives and purpose of the zoning ordinance.
6. Open Space (OS) zone along the creek.

CONDITIONAL USE/SITE PLAN APPLICATION

Item #8 Davis County (Public Hearing) – Applicant is requesting a conditional use/site plan approval to modify/restore the Memorial Courthouse building and establish a pedestrian plaza between the Courthouse and Davis County Administrative Office, located at 28 E State Street, in the BR (Business Residential) zone. (C-1-20)

The 1930's northern portion of the Memorial Courthouse is a designated landmark on the Farmington Historic Landmarks Register. Davis County is requesting a conditional use permit and site plan approval to establish a pedestrian plaza between the Memorial Courthouse and the Davis County Administrative Building. As part of the project, the County proposes to demolish the 1958 and 1979 portions of the courthouse. The landmark section will be preserved and brought up to current accessibility and seismic standards. (See attached Architectural Narrative and Schematic Design Narrative)

Davis County Commissioner, **Randy Elliott** (1012 S 650 W) said that the County is excited for the fountain to be replaced out front, said it was there in 1920's and the architectural features on the 2nd floor will be original from the original

courthouse. Housed in that area, the basement will be the investigators; main floor will be defense council, and pre-trial services. Second story will be risk management, American legion, and they are going to restore the original courthouse for a meeting area. Some areas will not have any offices for the time being. **Greg Wall** questioned if this is a restoration to make it look as original as possible, **Randy Elliott** replied that yes that is the idea behind this. There will be no courthouse here but since the Justice Center is located on State Street. **Greg Wall** asked what was in the part that is being removed; **Randy Elliott** replied that what was there is now in the Administrative building (recorder, clerk, auditor, etc.) and there is no need for that part to be restored.

Roger Child opened the Public Hearing at 9:22 PM.

Bradley Bornemeier (54 S Main St) added that he likes what is going on here; his only concern was street parking. He stated that since County and City buildings have been built, traffic has increased. He questioned how that could be regulated since he said that the Police indicated that they have no teeth to enforce it. His other concern was lighting, he said that the lighting did come straight into his home and wants to mitigate that. Lastly, he wants to encourage meetings with the close homeowners to have them be involved to know how things would be handled.

Roger Child closed the Public Hearing at 9:27 PM.

Alex Leeman confirmed that there would be no additional parking in the area, **Randy Elliott** and **Lane Rose** confirmed.

Lane Rose, Davis County Director of Facilities Management (306 N 1500 E. Layton) answered to the lighting concern, he said they do try to put shielding on those lights to ensure that there are none that effect the neighbors. As far as the parking lot lighting, there is no plan for a change. He said he would like to meet with **Bradley Bornemeier** to go over any concerns and address them. He did state that they have Rockmont Industries under contract for hazardous abatement for the asbestos in the building and the building would be on lockdown while this happens.

MOTION

Rulon Homer made a motion to move that the Planning Commission approve a conditional use permit and site plan for the Davis County Memorial Courthouse/plaza application subject to all applicable codes, development standards and ordinances and that the county must meet all recommendations and requirements established by the City's Development Review Committee (DRC).

Larry Steinhorst seconded the motion, which was unanimously approved.

Findings for Approval:

1. The renovated building and plaza will enrich the community, as the County will preserve an important historical landmark within the City. The approval of the conditional use permit and site plan will contribute to the well-being of the community.
2. The renovation must meet the requirements of any applicable building codes subject to review by the Farmington City Building Official.
3. The proposed use conforms to the goals, policies and governing principles of the comprehensive plan for Farmington City.
4. The use is compatible with the Davis County Administration Building, Davis County Library, Farmington City Hall, Forbush Park, Farmington Elementary School and other properties near the site.
5. The plaza enhances the pedestrian experience of downtown Farmington. The county has provided plans displaying adequate utilities, transportation access, drainage, and parking and loading space, lighting, screening, landscaping and open space, fire protection, with safe and convenient pedestrian and vehicular circulation.

OTHER BUSINESS

Miscellaneous, correspondence, etc.

a. **Item #9 Ben Butterfield (Public Hearing) – Applicant is requesting a special exception to exceed the minimum driveway width on .39 acres of property located at 1432 West 350 South in an AE (Agriculture Estates) zone. (M-3-20)**

The applicant is requesting a special exception to widen a driveway by 11 feet and to construct the associated curb cut. The City's off-street parking standards ordinance states that the maximum width of a residential driveway serving a three-car garage is 30 feet. There is a fire hydrant, power box and grade change that limits access to the existing parking space as demonstrated in the attached narrative and photos. A property owner may request a larger driveway if the proposed addition is for a properly designated parking space.

Sections 11-3-045(4) (b) (4) and 11-3-045(5) (b) of the Zoning Ordinance states:

"Purpose: A special exception is an activity or use incidental to or in addition to a principal use permitted in a zoning district; or an adjustment to a fixed dimension standard permitted as an exception to the requirements of this title; or a transfer of development right (TDR), or rights, established because of blight which results in an additional lot, or lots, or a dwelling unit, or units; or an adaptive reuse of a building or structure eligible, or that may be eligible, for the National Register of Historic Places so long as the adaptive reuse does not compromise such eligibility. A special exception has less potential impact than a conditional use but still requires careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing its establishment on any given site. This section sets forth procedures for considering and approving special exceptions to the provisions of this title."

A major concern with widening a driveway is pedestrian safety: the wider the driveway the longer distance a pedestrian has to traverse, creating a larger conflict area between an automobile backing out and a pedestrian. In this case, the driveway on the adjacent lot is on the opposite side of the lot creating a significant refuge between driveways. Another significant concern is largely aesthetic. Single-family residential neighborhoods typically have roadway side treatments that include curb, gutter, sidewalk and park strip. If larger driveways become too pervasive, the character of the neighborhood often changes. In this case, there is ample park strip not only on this lot but in the surrounding neighborhood as well.

(Zoom) Ben Butterfield (1432 W 350 S) indicated that his HOA does require that any trailer/RV be behind a fence, given the elevation the builder decided on the retaining wall, it makes it difficult to back in the trailer with the curb, wall and the utility box.

Roger Child opened the Public Hearing at 9:37 PM.

No comments were received.

Roger Child closed the Public Hearing at 9:37 PM.

Greg questioned the utility box; as noted in the study session, **Ben Butterfield** needs to work with the utility company on this and he has already had some bids that would be able to work around it. **Ben Butterfield** said that it is Rocky Mountain Power who owns the box. **Roger Child** indicated that the City is not concerned with the easement if someone else owns it.

MOTION

Larry Steinhorst made a motion to move that the Planning Commission approve a special exception allowing an extension of an existing driveway and associated curb cut up to an additional eleven (11) feet, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall obtain a Farmington City Excavation Permit prior to construction.

Alex Leeman seconded the motion, which was unanimously approved.

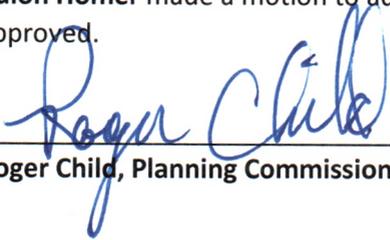
Findings for Approval:

1. The proposed driveway extension is leading to a properly designated parking space.
2. The proposed driveway extension does not significantly increase safety issues.
3. There are not driveways directly adjacent to the proposed driveway extension and therefore a significant refuge is available for pedestrians between the driveways along this street.
4. Park strips are present in this neighborhood and the proposed extension would not significantly affect the current roadway side treatments.
5. The house currently sits on a dead end street.
6. There is a significant elevation change between the driveway and the parking pad.

b. Other

ADJOURNMENT

Rulon Homer made a motion to adjourn at 9:44 PM. **Larry Steinhorst** seconded the motion, which was unanimously approved.



Roger Child, Planning Commission Chair

Item 3

MAY 21



Carly Rowe <crowe@farmington.utah.gov>

Re: Request for PUD Master Plan and Schematic Plan Approval (Application #S-20-19)

Brandon Dye <huntordye@hotmail.com>
To: "crowe@farmington.utah.gov" <crowe@farmington.utah.gov>

Tue, May 19, 2020 at 1:03 PM

Hello Meagan,

I am reaching out to you, and whoever else is a stake holder in the plans for 91 South 100 West. I live at 32 S 100 W, and have owned my home here for going on 5 years later this year. I received a letter in the mail regarding a public hearing on Thursday May 21, at 7 PM, but i will be out of town for memorial day weekend at this time, so i will be unable to attend in person.

I do have concerns with how construction is occurring all over 100 West over the past 4 years, and now it is disheartening to learn that more construction is coming our way. The construction part is inevitable, and i understand the need for Farmington to grow, and i know there are many good things that come with that growth. Some of my concerns are with the construction crews that have been working here and those that are to come. What controls are in place to prevent these construction crews from damaging adjacent properties, or from blocking resident driveways? we have been dealing with construction crews damaging our property as a result of the new town homes on 50 West, and have had no luck in getting them to repair the damage they have done. Examples of the damage are: 1. they drove on our property and ran over our rose bushes, 2) they increased the elevation of the town home lots by about 2 feet above my lot, which allows the town homes to drain water onto my property 3) they removed my rocks from the side of my home and didn't replace them with anything useful but actually just dumped dirt in place of my rocks which turned into a weed patch. It isn't worthy my time to pursue a law suit or anything extreme, but it is frustrating when you feel like Farmington City isn't monitoring or controlling how construction crews are impacting residents.

Another concern with the proposed plan is that 6 lots will be squeezed into .619 acres. This to me is excessive. We already have extremely tall town homes squeezed onto a 50 West, and this street is overpopulated. Now adding 6 more lots on .619 acres will likely look the same. I feel that Farmington is losing it's small town feel on 100 West, and it is very sad to see this.

Lastly, how tall will the new buildings be that are going in on 91 S 100 W? As you may notice, the town homes on 50 West are extremely tall and tower over all other homes in the area. They can see into my back yard and have caused permanent shade in certain areas of my back yard preventing growth of a garden in the summer time, and preventing snow to melt in the winter. They are far too close to our home and being so tall makes the situation that much harder to deal with.

I just wanted to express my concerns via email since i will be unable to attend the public hearing in person.

i do appreciate how you are trying to do what is best for residents and Farmington. Overall i am so happy with Farmington City and i don't want to ever leave. I know a lot of that is due to how it is managed by you and others in your office. So, thank you for that!

Best,
Brandon and Tess Dye

Items 5,6,7

May 21



Carly Rowe <crowe@farmington.utah.gov>

Public hearing

1 message

Sue Miller <s72par@msn.com>

Thu, May 21, 2020 at 10:23 AM

To: "crowe@farmington.utah.gov" <crowe@farmington.utah.gov>

Although my husband and I will more than likely view the meeting online, we just wanted to put our two cents in ... NO on a 6 story apartment complex please!! We are still looking for a nice sit down restaurant that serves a full breakfast plus other meals. Single family homes, perhaps one level homes for seniors, would be ok as well but definitely no 6 story apartment complex. We need more places for our seniors to live.

Thank you,
Tim and Sue Miller

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