FARMINGTON CITY
PLANNING COMMISSION MEETING
January 4, 2018

STUDY SESSION

Present: *Chair Alex Leeman, Commissioners Roger Child (via phone), Connie Deianni, Kent Hinckley, and Rulon Homer, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Also in attendance were Mayor Jim Talbot and City Councilmember Rebecca Wayment. Commissioner Bret Gallacher was excused.*

Alex Leeman welcomed **Rulon Homer** as the newest Planning Commission member.

Park Lane West LeGrande Center Conceptual Master Plan Presentation

Eric Anderson said the Evans family presented a conceptual master plan to staff regarding their plans for their 60 acres of property that is located north of Clark Lane and west of Cabela's. It was suggested that the Evans Family also present their plans to the Planning Commission, as well as the City Council. The Evans Family, Ascent Construction, and FFKR Architects are here to show their conceptual master plan.

Troy Cook with FFKR Architects said they have been working on a conceptual master plan since the end of September for this property. He said although there are a few constraints (rerouting the existing gas line, wetlands, etc.), there are also opportunities (vicinity of the Trax station, etc.) for this property. He discussed the plans for the 1100 W. extension, which will be a very important road for the City and UDOT to ensure Park Lane does not fail and to help move traffic through the City to the future Shepard Lane interchange. He talked about the need to mitigate wetlands, and the process in order to do so for the project, as well as for the 1100 W. extension.

Troy Cook showed the City's regulating plan, block sizes, and allowable land uses for the zones RMU and GMU, which are the property's current zones. He explained how these are the frameworks they used in structuring the site and the conceptual master plan. He showed the plan, which included a residential community along the D&RG trail to allow for a transition from the current single-family residential communities, open space connections to allow for access to the D&RG trail, a decrease in size of the 1100 W. extension to allow for a more community feel around the retail area, and the "LeGrande Center" that will be a mixed-use district of office, retail, and residential. **Troy Cook** said based on the market analysis they had completed, there is a potential need for a hotel, but not a huge demand for a big box retailer. He said that perhaps those could come in at a later time, and that the big box retailer could be around 50,000 sq. ft.

The commissioners had concerns with decreasing the size of the 1100 W. extension as it could cause problems and congestion on a road that is meant to alleviate traffic from Park Lane to ensure it does not fail. It was discussed, but staff reminded the commissioners that this is a conceptual master plan and that further discussions regarding details would take place after an application is submitted. Staff also said the City's Traffic Engineer would be involved to ensure the road was meeting the need.

Troy Cook said the mixed-use area could include a parking garage underground, retail on the first floor, and office or apartment space above. He said it would be similar to the height that is happening at The Avenues at the Station. He said overall, their proposal would include approximately 430 multi-family units, 60 townhomes, an 80+ room hotel, with additional Class A and B office and medical space and Class A and B retail space. He said their market analysis showed a need for service-oriented retail, including a C-store or gas station. He feels their conceptual master plan meets the market analysis.

The commissioners expressed concern about adding more apartments and other higher-density residential, especially because of the additional apartments that will be built north of Park Lane and what has been proposed as part of the UDA plan. Other concerns expressed were regarding having enough buffer from the current residential subdivisions, the mitigation of the wetlands, traffic, height of the higher-density residential buildings, and landscaping shown on the conceptual master plan. The commissioners also thanked the applicant for a much more thorough and thought out plan than was previously submitted and reviewed by the Planning Commission. The commissioners feel that although there are some concerns with this plan, it is overall a great start and will be a nice addition to the City.

Discussion Regarding Order of Agenda Items

David Petersen suggested considering the conditional use and site plan approval for the roundabout design prior to other agenda items. He said a motion on this item is the most pressing, and Commissioner **Rulon Homer** may need to be excused early from the meeting resulting in the commission no longer having a quorum. He said if needs be, the other items can be put off until the next meeting.

Item #4. Farmington City – Requesting conditional use and site plan approval of a round-about design

Alex Leeman said there were previous concerns regarding the accessibility and nature of the proposed water feature so this item was tabled. He said the Mayor has come to explain a little more about the design to help the Commission become more comfortable with the proposal.

Mayor Jim Talbot said there is more history to this project than what the Commission knows, so he wanted to share that information. He said he approached University of Utah Health administration regarding plans to improve the roundabout between Clark Lane and 1100 W. and just off of Park Lane. Since the U of U Health Center is located on the corner of the roundabout and in the center of the City, **Mayor Talbot** felt it might be beneficial for them to partner with Farmington in making these improvements, as well as an opportunity for them to make a statement within the City. He said someone at U of U Health passed by a well designed roundabout in a small town in Colorado that had the horse sculptures, like what is being presented tonight. **Mayor Talbot** said the sculptures are unique and beautiful; he feels they would be the perfect addition to a main gateway into the City. He said U of U Health has pledged a donation of $250,000 for the improvements to the roundabout, as well as an additional $100,000 through partnering with Farmington City by placing a plaque at the new City gym promoting health and wellness.

Mayor Talbot said the horse sculptures in the roundabout will be slightly elevated and the water feature will look like a natural spring coming up from the ground with only 2-3" of water up to 4-5" of water for the small "pond" area of the feature. He said the water will be stored underground in the roundabout and will be recirculated through a pump.

Connie Deianni asked if there will be any signs as part of the improvement and if it will be built prior to 2019. **Mayor Talbot** said the sculptures may not come until the end of 2019, but improvements will begin right away. He said University of Utah Health may have two signs, as well as something saying Farmington, established in 1847. He also said the City's Parks and Recreation Department know and understand they will be responsible for the maintenance of the roundabout.

REGULAR SESSION

Present: *Chair Alex Leeman, Commissioners Roger Child (via phone), Connie Deianni, Kent Hinckley, and Rulon Homer, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Also in attendance was Mayor Jim Talbot. Commissioner Bret Gallacher was excused.*

Item #1. Minutes

Kent Hinckley made a motion to approve the Minutes from the December 14, 2017 Planning Commission meetings. **Connie Deianni** seconded the motion, which was unanimously approved.

Item #2. City Council Report

David Petersen gave a report from the January 2, 2018 City Council meeting. He said former Planning Commission Chair Rebecca Wayment was sworn in as a new City Councilmember; Brigham Mellor and Jim Talbot were also sworn in as incumbent City Councilmember and Mayor, respectively. He also said there were a few Planning Commission items that were approved as part of the Summary Action Item list.

Motion to Reorder Agenda Items:

Connie Deianni made a motion that the Planning Commission consider Item #4. (Farmington City – Requesting Conditional Use and Site Plan Approval) prior to the other agenda items*. **Rulon Homer** seconded the motion, which was unanimously approved.

*All agenda items have subsequently been renumbered.

CONDITIONAL USE

Item #3. Farmington City (Public Hearing) – Applicant is requesting conditional use and site plan approval of a round-about design as a public use on property at Clark Lane and 1100 West in an A (Agriculture) zone. (C-17-17)

Eric Anderson said this item was previous tabled due to concerns the water feature could become "an attractive nuisance" for kids. He showed the location of the roundabout, as well as the site plan.

Mayor Jim Talbot, 773 Northridge Ct., thanked the Planning Commissioners for their dedication and hard work, as well as **Rulon Homer** for recently accepting the assignment as the newest commissioner. As was previously discussed during the Study Session, he said it is the City's desire to bring things that are unique and different to Farmington as a way to differentiate from other cities as

well as establish the City as a place of gathering. He said examples are Station Park, Lagoon, and more. He said the roundabout at Clark Lane and 1100 W. is the only public roundabout in the City, and is located near the center of it. He referred to the sculptures, as found in the staff report. He said what is being proposed are not solid sculptures, but are fitting for Farmington. He said the sculptures are of horses, which is fitting to represent the past and future of Farmington, especially on the west side. He said the sculptures are not solid, which will allow the wind to blow through them. He said the sculptures are beautiful, and will showcase a small water feature that will look like a natural spring of 2-4" deep. He said the water will be recirculated within the roundabout and stored underground. The horses will be built up, as to carefully avoid the utilities currently located under the roundabout. He said it is his hope that an approval can be made regarding this conditional use and site plan so the contract for the sculptures can be signed and improvements can begin.

Connie Deianni said that she loves everything about what is being proposed; she asked if Farmington City will do the improvements. **Mayor Talbot** said the City will do the majority of the work. He said Parks and Recreation already have boulders that will be included in the landscaping; they will research and install the right size pump for the water feature, etc. He said the majority of the cost will be the horse sculptures, but that most of that will be paid by a donation from University of Utah Health, which will mean the City will not be taxed on the sculptures.

Kent Hinckley said he likes the site plan and the proposed sculptures. He feels artistic sculptures, like what is being proposed, are classier than some of the other items cities have included (i.e. the painted buffalo) and that the sculptures will be a nice addition to the City.

Rulon Homer said he thinks this will be a perfect addition to west Farmington; he has horses, he likes horses, and he feels horses are a good representation of the City.

Alex Leeman said he recognizes the concerns previously discussed about the water feature being an attractive nuisance; however, he feels based on the information presented, he does not think there will be any significant worry regarding it.

Motion:

Kent Hinckley made a motion that the Planning Commission approve a conditional use permit and site plan for the roundabout design at the intersection of 1100 West and Clark Lane with the following conditions:

1. The applicant completes all requirements for site plan approvals as well as all on-site and off-site improvements to comply with City Engineer, Public Works, Fire Department, Planning Department, Storm Water Official, Central Davis Sewer District, and Weber Basin Water District requirements;
2. The applicant shall receive written approval to encroach in the BOR easement.

Rulon Homer seconded the motion, which was unanimously approved.

<u>Findings for Approval:</u>

1. **The use requested is listed as a conditional use within the A zone.**
2. **The proposed use of the particular location is necessary and desirable and provides a beautified space which contributes to the general well-being of the community.**

3. The proposed use shall comply with all regulations and conditions in 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.

SUBDIVISION

Item #4. Justin Atwater – Applicant is requesting final plat approval for Rice Farms Phase VII PUD Subdivision consisting of 9 lots on 2.55 acres of property located at approximately 850 South 140 East in an LR - PUD (Large Residential – Planned Unit Development) zone. (S-6-17)

Eric Anderson said this is the final plat for Phase VII of the Rice Farm PUD subdivision. He said the previous developer presented the preliminary plat to the Planning Commission, but it was then taken over by Justin Atwater. He said the big issues were the trail access and the historic home preservation. He said the original preliminary plat had less lots, but when Justin Atwater returned with additional lots on his preliminary plat, he had to come back before the Planning Commission for approval. He said there were a few conditions listed on the motion for the preliminary plat approval, which included ensuring the preservation of the historic home to the best of the developer's ability, as well as "housekeeping " conditions from the DRC. **Eric Anderson** said the final plat almost exactly matches the approved preliminary plat.

Justin Atwater, 105 Country Way, Fruit Heights, said what he is presenting is substantially similar to the preliminary plat that was approved by the Planning Commission. He said he and the commissioners had a robust discussion regarding the preservation of the historical structure. He said he has worked a lot with the City's Historic Preservation Commission's Chair John Anderson in order to better understand the Certificate of Historic Appropriateness as well as how to best maintain the historic structure. **Justin Atwater** said an arrangement has been made with Taylor Built Homes to build on the lot. He said Taylorsville Homes is currently building the historic colonial type homes off of Main St. and near Farmington Junior High. He said he will be responsible to ensure the conditions are met regarding the Certificate, but that Taylorsville Homes will have the option to purchase and market the home (with the preserved historic structure). **Justin Atwater** said if Taylor Built Homes chooses not to purchase the lot, he would continue to own and maintain it. He said it is his intention to incorporate the historic structure into any structure that is built on the lot, perhaps as a garage, home office, or extension of the home. He said if he feels the City's Historic Preservation Commission says it is a significant home to preserve within the City, he feels it is also important to him to do what he can to preserve it. He said he wants to be true to that intention and not do it just for extra density.

Kent Hinckley asked where the previous discussion ended if the home was not able to be preserved. **Justin Atwater** said at the end of the discussion, Condition #8 was added that if the

structural integrity did not work out, or if the home would be demolished, he would be responsible to come back and re-present the preliminary plat to the Planning Commission. He said that he is committed to preserving the home and making it work, but for whatever reason, it does not, he would return to the Planning Commission.

The commissioners feel the developer has met all the conditions and that all previous concerns have been resolved.

Motion:

Kent Hinckley moved that the Planning Commission approve the final plat for Rice Farms Estates PUD Subdivision Phase VII, 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 regard to final plat prior to recordation;
2. The applicant shall address any issues related to infrastructure improvements raised by the DRC prior to scheduling a preconstruction meeting;
3. The applicant shall provide a viable 15' trail easement connecting 140 East to 200 East within Phase VII and show that easement on final plat prior to recordation;
4. The applicant shall work with staff and the Historic Preservation Commission to obtain a Certificate of Historic Appropriateness before Final Plat for the historic Rice home on Lot 704;
5. The restoration to meet the Certificate of Historic Appropriateness shall be accomplished concurrent with the completion of the roads and sidewalks;
6. The home shall be placed on the City's historic register by the time the public infrastructure goes into warranty;
7. The applicant shall maintain Lot 704 in an acceptable condition in accordance to City ordinances;
8. If the historic home cannot meet the requirements for the Certificate of Historical Appropriateness, the applicant shall bring the application back to the Planning Commission for reconsideration.

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed final plat is consistent with the previously approved Master Development Plan memorialized by the Development Agreement.
2. The proposed subdivision meets all the requirements for approval of a final plat.
3. The applicant will provide a 15' trail easement connecting 140 East with 200 East.
4. The applicant is preserving the historic home on-site.
5. The added density of 4 lots from the original approved Rice Farms Phase VII preliminary plat is being used to incentivize the developer in preserving the historic home, but still meets the low density thresholds standards set forth in the General Plan for this area.

ZONE TEXT AMENDMENT (RECONSIDERATION)

Item #5. Farmington City (Public Hearing) – Applicant is requesting a recommendation for approval of a zone text amendment to Chapter 18 of the Zoning Ordinance related to the Regulating Plan. (ZT-4-17)

David Petersen said the City adopted a Regulating Plan shortly after the UDA plan was adopted as a Sub Area Master Plan for the area north of Park Lane and south of Shepard Lane. He said the grid in the Regulating Plan matches the UDA plan.

David Petersen said a few years ago when the City was contemplating rezoning the property to the OMU zone, the City made a commitment to the Spring Creek Phase I neighbors and others located on Burke Lane that the City would get with them to help create a buffer to the OMU zone with a tiered approach to the OMU uses. He said since that time, there have been a few changes and decisions that have been made including the adoption of the UDA plan, a 60-120' UTA ROW, an important local road call for in the area, and the potential of a Bear River pipeline to be installed. He said that from the back of the homes in the Spring Creek Phase I to the nearest building will be approximately 200 to 250'.

David Petersen said the City has since met with the developer and a few of the residents in the area. In the developer's plan, he shows townhomes and residential across from the current residential with pushing the office buildings closer to the east away from the current residential homes. **David Petersen** said in the OMU zone, a principal street allows for up to a 6-story office building and a 4-story office building on a local street. He said based on the Commission and City Council's decision, the City would like to reclassify the road that will "T" into Burke Lane as a local street from a principal street as it no longer meets the needs of a principal street based on an amendment that was recommended by the City's Traffic Engineer.

David Petersen said based on the Ordinance, a "local road" in the OMU zone allows for a 4-story office building, which the developer likes, but staff also recognizes the citizen's they met with wanted 2-story buildings. Staff felt an appropriate compromise would be 3-story buildings.

David Petersen said the Planning Commission discussed in the Study Session at the last meeting the desire to take time on this item knowing the developer already has some entitlement and bundle of rights to the 4 stories with the current zone and road designation on the Regulating Plan. The Commission recognized that the developer may not be in attendance at the last meeting, but that input was wanted; however, the public hearing was already posted so commissioners went ahead with public comment. After the public comment, the Planning Commission wanted to move forward with the 3 story compromise, but to also attach a height restriction of 30'.

David Petersen said the next day, staff discussed the motion with the developer; he was okay with the 3-story compromise, but not with the 30' story height restriction, as buildings cannot be built with only 10' per story. He said he gave the developer a choice to continue on to the City Council with the recommendation given by the Planning Commission or to go back to the Planning Commission to potentially have the recommendation reconsidered. The developer chose to return to the Planning Commission.

David Petersen said the Planning Commission by-laws state that in the event the Planning Commission wants to reconsider an item, it has to be done at the very next meeting. If the Commission chooses to reconsider, the Commission Chair asks for a motion to reconsider. If the majority votes in favor of the reconsider, the item is then considered again during the same meeting or at a meeting in the future. He said if a motion to reconsider fails to obtain a second or does not receive the majority vote, the previous recommendation stands and the item continues on to the City Council.

Alex Leeman said the public hearing was held at the previous Planning Commission meeting and comment was heard from a few of the residents located in the neighborhood to the west; however, comment was not heard by the developer. He feels the developer should have an opportunity to

address the Commission; he asked the commissioners if they would like to consider the developer's comments about the recommendation and if they would like to hear his comments prior to a discussion about reconsidering the motion.

Kent Hinckley said he does not have any issues with reconsidering the previous motion. **Connie Deianni** said she also does not have any issues with a motion to reconsider, but wondered if the discussion regarding the 30' height restriction should be done at a future meeting when more commissioners are present for the discussion.

Alex Leeman asked if the developer's only concern is with the linear foot height restriction and not with the 3 stories. **Eric Anderson** said yes, 3 stories at 30' is too small. Having the 30' height restriction effectively limits the developer from having a 3-story building. **Alex Leeman** said he is happy to hear from the developer at this time and to reconsider the item. **Kent Hinckley** expressed concern that members of the public that were previously at the meeting when the item was voted upon are not present at this time; he wondered if a motion could be made to reconsider it and then the actual discussion and future motion could be at another meeting when more community and commissioner representation are present. The commissioners discussed varying schedules and decided it was a risk to table the item because there is a chance the next meeting will also only have a small quorum. There was also a resident in the audience that said she was there to hear the conversation and recap the information to the other community members.

Motion to Reconsider:

Connie Deianni moved that the Planning Commission reconsider the zoning ordinance amendment to Chapter 18 of the Regulating Plan. **Kent Hinckley** seconded the motion, which was unanimously approved.

Alex Leeman said this is not a public hearing; however, he wanted to recap what the public said during the last meeting. He said there were two primary issues expressed during the public hearing. He said the first issue was regarding the frustration of the community regarding the history of the Citizen Working Group (CWG). He said the City put together the Citizen Working Group to get input from the surrounding neighborhoods regarding changes that would eventually happen with regards to development and the rezoning of the property east and north of the neighborhood. He said the UDA charrette happened, and the ball began rolling to adopt the UDA plan as the Sub Area Master Plan all while the Citizen Working Group was forgotten. He said by the time the City realized it, the plans were well advanced.

Alex Leeman said the primary concern expressed with the developer's plan during the public hearing was the idea of a transitional development next to the current residential communities to avoid having tall buildings next to the single-family homes. The residents would like to see a step-up in height and a gradual increase in density and uses. **Alex Leeman** said currently, the Sub Area Master Plan calls for something like townhomes, or some other less dense development, prior to moving to office and other higher intensity uses as it gets closer to the freeway. He said the concern, however, was the oversite on how the road was designated, which allows for taller, higher intensity uses of either a 4 or 6 story building across the street from the single-family homes.

Alex Leeman said in an effort to address the concern, staff presented a new road designation of "local primary road," which included its own set of standards, including the 3-story building limitation. As previously discussed in the last meeting, the Ordinance does limit the number of stories within a zone, but that some zones also include a limitation of the linear feet of the building's height. The

commissioners decided to include a 30' building height restriction in addition staff's 3-story building compromise; however, the developer has concerns regarding the height restriction because a 3-story building cannot be built with that limitation.

Eric Anderson pulled up the aerial view of the property and the surrounding Spring Creek developments for a better visualization about what is being discussed. He showed the Spring Creek subdivision houses that are along Burke Lane. He said there is a 66' built in buffer from the residential homes with the D&RG trail, an additional 90' buffer for the gas line easements (which may slightly shrink when the gas line is moved west), and an approximately 66' wide road. He said based on those estimates, the nearest home would actually be approximately 200-250' away from the closest building.

David Petersen explained that if this property had been any other residential development in Farmington with the UTA right-of-way, these buffers would not have been included and most citizens would have had more of an obstructed view of their surroundings than with buildings approximately 200' away. He said even if the buildings are taller than the 27' height restriction of single-family residential, the buildings will not be in the foreground, but the background, which may help so the buildings do not seem as tall. **Kent Hinckley** asked staff if a profile of the site line from a 3-story building from a resident's backyard has been created. **David Petersen** said it has been discussed.

Alex Leeman added that the Planning Commission's rationale on the height restriction was an effort to "not lose control" of things. He said based on the building, some buildings can have an excess of 20-30' per story. He said he recognizes the Commission's desire to keep as much control over the height of a building as possible.

Ken Stewart, 1305 N. 1705 W., said that he has been before the Commission several times presenting results from the charrette, approval of the Sub Area Master Plan, and more. He said in their plans, they have worked to consider the residents to the west. Due to the zone, there are no restrictions with putting a 4 to 6 story office building along the road; however, considering the natural buffer there, they have planned to put townhomes along the west, which do not typically exceed more than 3 stories. He said they recognize staff's concerns after their discussion, so he took the previous motion from the last meeting back to the Board. He said the Board feels the 3 stories is a fair compromise; however, as a developer and contractor, a 3 story building cannot be constructed under 30'. He said he understands the Commission's desire to restrict the height as some buildings can have less stories, but could easily exceed 30' (i.e. the City Hall is two stories and is 55' tall), but he feels restricting the height to 30' is basically restricting a building to 2 stories.

Kent Hinckley asked the developer what he felt would be an appropriate height restriction. **Ken Stewart** said it is challenging to say because a residential 3 story building may be 35-36', but an office building would have to go higher to accommodate a required elevator, as per the Americans with Disabilities Act (ADA) for 3-story office buildings. He said with the buffer distance that was discussed, he does not feel an additional 5-10' in height will be noticeable. He said he feels an appropriate compromise would be to include wording in the motion that restricts the building to 3 stories, that the height must comply to all building codes, and that it be reviewed by the Planning Commission so something unreasonable is not built.

Ken Stewart said it is their preference, and they feel best use between the residential homes and higher intensity uses, to build townhomes along the west; however, residential uses are not allowed in the OMU zone at this time, which will result in them seeking approval for residential uses from the Commission and City Council. He said it is their desire to keep the 3-story building compromise without the foot height restriction to allow them to build an office building that complies with building code

since that is what is currently allowed within their property's zone. He also added that it is more expensive for them to build higher, which they do not want to do, but they also want to be able to meet building code for a 3-story office building.

Alex Leeman asked for the developer's proposed timeline for construction. **Ken Stewart** said their timeline is a minimum of 3 years. He said they are waiting for the Shepard Lane interchange to come in, so they are at a standstill until UDOT is ready to move forward.

Kent Hinckley asked if public comment could be made since the Commission heard from the developer. **Eric Anderson** said public comment could not be received because the item was not noticed as a public hearing.

Kent Hinckley asked why the road in question is the only road identified as a "local primary road" in the City. **David Petersen** explained that there were concerns regarding how the UDA plan showed the principal road for the area. The City Traffic Engineer reviewed it, and expressed concern with the layout of Burke Lane because it would result in traffic backing onto the D&RG trail, which should not happen. Additionally, a principal road allows for a 6-story office building in the OMU zone and 4 stories for a local road. Staff knew the citizens felt 4-stories was too high for a transition to higher intensity uses, although 4-stories on a local road may be an appropriate fit in other areas within the City. **David Petersen** said since this road is unique with a neighborhood on one side, staff decided to create a new road designation of "local primary road." **Eric Anderson** added that the road and side treatments will be a little wider, and that it will lower the allowable vertical stories of buildings to 3. **Alex Leeman** said he feels the new road classification helps to solve the unique problem of this spot within the City. He feels it will help meet the traffic needs, while providing a better transition between intensity of uses.

Alex Leeman asked staff to explain how Section 140 of the Ordinance plays in. **David Petersen** said developments over 25 acres can asks for a deviation from the standards at the discretion of the City. In order for the developer to be able to build townhomes, since residential is not an allowable use within the OMU zone, the developer must seek approval under Section 140.

Kent Hinckley said that he feels the previous 30' height restriction should be amended, but would rather look at any wording that can be added to the motion that would allow the Commission or staff review of the building to ensure the height is the minimum necessary for a 3-story building. **Alex Leeman** asked if that could work administratively. **David Petersen** said he is unsure if there is a way for the Commission or staff to enforce something like that.

Alex Leeman asked if a restriction of 3 stories of 36' up to 40' with conditional use approval could be included. **Eric Anderson** said it is staff's preference to set the number of stories, and leave it at that. He said that is what has been done in other zones; it provides the greatest amount of flexibility while providing a clear standard to meet. **Kent Hinckley** said he understands the clear standard; however, he recognizes the need to protect the linear foot height of a building. **Alex Leeman** said he also recognizes the developer's concern as the RMU zone allows for 2 stories at 27', but the Commission restricted the OMU zone to 3 stories at 30' which is significantly lower footage per story.

Alex Leeman reminded the Commission that although it is an important matter that is being discussed, it is a recommendation to the City Council, and that the ultimate decision lies within that governing body. He said the City Council will have the benefit of another public hearing and hearing from the developer. He wants to ensure staff presents a clear record of the commissioners' concerns and the compromise that will be made to the City Council.

Kent Hinckley asked if the motion can specify that the City prefers these buildings to be residential although residential is not currently allowed. **Eric Anderson** said the decision has to be made without thinking of residential uses for the property. The City cannot consider anything, except what is written in the Ordinance, and currently residential uses in the OMU zone are not allowed per the Ordinance. **Alex Leeman** said a recommendation will have to be made as per the Ordinance, and although the developer intends to seek to build townhomes, he currently cannot and would only be allowed to build a 3-story office building or other allowable uses for the OMU zone. **Eric Anderson** also pointed out that if the Regulating Plan is not amended, the developer could build 6-story office buildings.

Alex Leeman said he is comfortable moving forward with a recommendation of 3 stories without a linear foot height restriction, and then concerns and feelings regarding the decision, as recorded in the minutes, be presented to the City Council so they are appropriately aware.

The commissioners and staff discussed optional wording for the motion. There was concern if a height restriction is included, an appropriate height to include would be unknown due to the lack of architectural knowledge by the commissioners. **Alex Leeman** said he feels it best to leave it at 3 stories, and then to use other tools that may help when the developer comes before the City with an actual application. He feels at this point it is too difficult to anticipate how everything will move forward. **Kent Hinckley** asked if the record could state that although the approval is for 3 stories, the intention is to minimize the linear foot height as much as possible. **Alex Leeman** said the minutes for this meeting will reflect his comment, but that desire no way binds the developer. **Connie Deianni** suggested adding the following to Findings for Approval that "the intent is to minimize the height of the 3 stories as low as possible."

Motion:

Connie Deianni made a motion that the Planning Commission recommend that the City Council approve the proposed zone text amendments to the Regulating Plan, Section 11-18-040, and Section 11-18-060 as written in the staff report above. **Rulon Homer** seconded the motion, which was unanimously approved.

Findings for Approval:

1. Amending the Regulating Plan and related block size prior to the North Station Project Master Plan gives the applicant confidence in their PMP moving forward without granting full approval and vesting to the project.
2. The zone text amendments are consistent with the North Station Small Area Master Plan for the area, which is an adopted element of the City's General Plan.
3. The regulating plan and related amendments are consistent with Chartwell Capital's PMP application, which is currently under review by the City.
4. The Regulating Plan and related amendments are consistent with the intent of the OMU zone, and will provide an additional buffer to the single-family residential neighborhoods to the west.
5. Independent of the North Station PMP, staff would be recommending the zone text amendments as they are consistent with the intent of the OMU zone and are highly desirable because of the increase in efficient usage of the land and increased walkability for the district as a whole.

6. Creating a new road type in the mixed-use district (Local Primary Roads) it allows for the potential of using this in the future where it makes sense to have a buffer, and provides a hybrid between principal and local roads.
7. By allowing for 3 story buildings, the proposed zone text amendments are a compromise between the height currently allowed in the OMU zone on a principal road and the two stories that the residents want.
8. The intent is to minimize the height of the 3 stories as much as possible.

Noted: **Alex Leeman** asked staff that concerns from this meeting and minutes from the last Planning Commission meeting be included in the City Council staff report to ensure the Councilmembers are aware of the commissioners' discussion and concerns regarding this recommendation.

OTHER

Item #6. Miscellaneous: a) Jerry Preston/Elite Craft Homes – Direction on using TDRs/Special Exception for a potential subdivision at 641 W. Glover Lane

Eric Anderson said this is a discussion point only and that no decision needs to be made. He said the developer is simply seeking the Planning Commission's input on a project. **Rulon Homer** left the meeting early at this point.

Jerry Preston, 173 N. Main St., said that in the last 15 years, things have drastically changed in west Farmington. He said the conversation regarding one lot per acre or half acre was the norm for west Farmington; however, the City is continually growing and the conversation is changing. He said Elite Craft Homes is under contract to build for a property owner off of Glovers Lane, but does not own the property. He said the property is located directly across from the new high school and is located on a soon to be artillery road for the City. He said he believes a light will soon be going in on the corner of 650 W. and Glovers Ln., directly across where the property is located. **Jerry Preston** said his client is interested in splitting the lot. Currently, the existing home is located on one acre; however, the client is interested in splitting the property into 3 or 4 lots. He said there are not a lot of tools (TDR, PUD, etc.) the City offers within the Ordinance to make it happen, so he is asking for the Planning Commission's opinion on what they would like to see happen and options he might have to move forward. **Jerry Preston** said if the property were split into 4 lots with each lot approximately 9,400 sq. ft., he would remove the existing corner home and build a new one. If the property were split into 3 lots, the lots would be approximately 12,500 sq. ft.; however, the existing corner home would remain.

Alex Leeman asked staff if the Mountain View subdivision has been heard by the City Council yet. He feels the decision on that subdivision will determine if the City would like to begin allowing more typical R zone lots on the west side.

Connie Deianni asked why the existing home would be removed and rebuilt under the 4-lot scenario, but not the 3-lot scenario. **Jerry Preston** said under the 4-lot scenario, there would be enough revenue to remove the structure and build a new one that better fits with the other 3 lots. He said the 3-lot scenario would not generate enough revenue so the house would have to remain, but would still be renovated.

Jerry Preston asked about the Commission's feelings regarding properties surrounding the artillery sections of the City. He asked if they feel the property will remained zoned AE going forward, or if something like a 9,500 sq. ft. lot would be too small for the area. **Alex Leeman** said he does not feel

the area is destined to stay zoned A or AE forever; however, he does not know at what point parcels may begin filling in and what tools the City has to guide the process at this point. **Jerry Preston** said at this point, the only appropriate tool he could use to split this lot is the TDR.

David Petersen gave a brief history on the property being discussed. He said that after the property was annexed into the City, the property had multiple complaints and code violations. After the community volunteered to help clean up the property, the house caught fire and burned. A manufacture home was then brought in, but it did not take long for things to go back to the way they used to be. **David Petersen** said the state has a definition of "blight;" however, it is not something that is typically seen in Farmington due to the City's demographic. He said staff's first thought regarding **Jerry Preston's** proposal would be that the 4-lot scenario may be appropriate as it will bring value to the City to remove the existing home and build something nice. He said another tool, besides the TDR, would be to adjust the Special Exception ordinance to include removal of "blight" within the City, and the developer could then possibly use that for this specific circumstances in lieu of amending the zoning.

Connie Deianni asked if this property has been designated as "blight." **David Petersen** said it has not been considered "blight" at this time, but he feels it would most likely qualify if a "blight study" were done on it. **Jerry Preston** also clarified that under the 3-lot scenario, money would still be invested to fix up the existing home, but that he also feels that a new home would add a lot of value to the City on that artillery corner.

Alex Leeman asked again about the lot size under the 4-lot scenario. **Jerry Preston** said the lots would be approximately 9,500 sq. ft., and would match the corner lot size. **Alex Leeman** said he understands the existing corner lot is an outlier and resulted from changes to the road, among other things. He said the lot size does not seem inappropriate, but he does have concerns that the surrounding area (outside of the corner lot) is dominated by larger lot sizes.

David Petersen also pointed out that much of the conversation surrounding the Mountain View subdivision rezone was regarding how unique the property was with regards to its proximity to commercial uses. He said TDRs are more of a legislative act than a rezone, and can be less impactful. He said only a certain number of TDRs are allowed, the money from TDRs is used for the public good, and TDRs can be used to clean up parts of the City. He said he feels a TDR or Special Exception may be an appropriate tool to use for "blight."

Kent Hinckley said a lot of the Mountain View Subdivision discussion surrounded how the property was a special situation due to the property's close proximity to the freeway, charter school, Station Park, etc., which was the argument for the rezone. He feels that conversation implied that the property was a special case. He feels coming along with this property being split into smaller lots soon after would make it easy for the residents to feel "Pandora's Box" has been opened on the west side. **Jerry Preston** suggested the City start looking at other cities and their standards to allow for more options in zones. **Kent Hinckley** said he does not disagree, but that there is huge pushback from the west side citizens and the concerns they have is wanting to keep the A and AE zones.

Jerry Preston asked the commissioners their opinion if he were to present the 4-lot scenario. **Connie Deianni** said she is leaning toward the larger 3-lot scenario. **Alex Leeman** said he would prefer to see a new home on that corner lot so he would be comfortable with the 4-lot scenario. **Kent Hinckley** said he would prefer to stay true to the previous conversations had surrounding the Mountain View Subdivision, so he would prefer the larger 3-lot option.

Alex Leeman suggested the client bring in their preference, and maybe the application passes or maybe it does not. He said he feels it is hard to tell at this point because he does not think the commissioners are decidedly one way or the other, but that there is a good mix of different viewpoints.

ADJOURNMENT

Motion:

At 8:54 p.m., **Alex Leeman** made a motion to adjourn the meeting, which was unanimously approved.

Alex Leeman
Chair, Farmington City Planning Commission