



Farmington City Planning Commission

February 23, 2017



F A R M I N G T O N C I T Y

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM MELLOR
CORY RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

AGENDA **PLANNING COMMISSION MEETING** **FEBRUARY 23, 2017**

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah

Study Session: 6:30 p.m. – Conference Room 3 (2nd Floor)

Regular Session: 7:00 p.m. – City Council Chambers (2nd Floor)

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Planning Department prior to noon the day before the meeting.)

1. Minutes
2. City Council Report

SUBDIVISION

3. Jerry Preston / Elite Craft Homes – Applicant is requesting final (minor) plat approval and a recommendation for final PUD master plan approval for the Smith Homestead PUD Subdivision consisting of 3 lots on .84 acres located at 244 East 100 North in an OTR-F (Original Townsite Residential - Foothill) zone. (S-17-16)
4. Joel Anderson (Public Hearing) – Applicant is requesting a recommendation for plat amendment approval for the Held Subdivision converting 2 existing duplexes to 4 condominium units on .39 acres of property located at 57 West 600 North in an OTR (Original Townsite Residential) zone. (S-1-17)

ZONE TEXT AMENDMENT

5. Dave Clarke and Peter Robbins (Public Hearing) – Applicant is requesting a recommendation for zone text amendment of Section 11-14-050 of the Zoning Ordinance related to the minimum required property size for a planned unit development in the BP zone. (ZT-1-17)

OTHER

6. Miscellaneous, correspondence, etc.
 - a. Stan and Amydee Fawcett (Public Hearing) – Special Exception for a shared driveway to access property located at 391 S. Spencer Way from a neighboring property located at 383 S. Spencer Way in an LR-F (Large Residential – Foothill) zone. (M-1-17)
 - b. Scott Arrington / CenterCal (Public Hearing) – Applicant is requesting a recommendation to amend the existing development agreement with the City by including 5.76 acres, adjacent to Cabela's and abutting the north side of Park Lane, as part of its overall 64 plus acre Station Park site plan / project master plan (PMP). (SP-1-16)

c. Other

7. Motion to Adjourn

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to take action on the item; OR 2. if the Planning Commission feels there are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

Posted February 21, 2017

Eric Anderson
City Planner

FARMINGTON CITY
PLANNING COMMISSION MEETING
February 9, 2017

STUDY SESSION

***Present:** Chair Heather Barnum, Commissioners Connie Deianni, Bret Gallacher, Kent Hinckley, and Alex Leeman Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Commissioner Rebecca Wayment was excused.*

Item #3. Utah Cardiology Center Conditional Use Permit and Site Plan

David Petersen said when the subdivision was approved by the Planning Commission a building restriction line was placed at the northwest corner of Lagoon Drive and Bourne Circle because of poor visibility due to the end of the road. This alignment was dictated by adjacent property owners not wanting to develop at this time. Since the building is pushed back to the middle of the site, parking works at the corner because the site slopes east to west and the finish grade of the parking lot is some 3 feet lower than the elevation of the road; therefore, parked cars will not impede on site distance.

Item #4. Farmington Technology Center Conditional Use and Site Plan

David Petersen said the Planning Commission previously approved a three-story office building at this site, but the approval has since expired. Now, the applicant is proposing the same site plan, but the outside façade or “skin” of the building is different. He recommended approval of this item.

Item #5. Miscellaneous: a) Park Kane Commons Sign Package – Scott Harwood/The Haws Companies

David Petersen said the applicant is proposing four different types of signs, as shown in the sign package included in the staff report. He walked through each type provided in the package. He explained the Type 2 sign height is 20’ in height; he feels it seems reasonable as other signs in the area have similar heights. He said the Mercedes Benz dealership has a 35’ sign, but only 20’ of it can be seen by the road, Hampton Inn has a 20’ sign, and University of Utah Health Center has a 30’ sign. He said he does not feel a 20’ sign will have an impact on the main entry of Park Lane. The commissioners and staff discussed a few questions and concerns regarding the signs being “back lit,” and the number, height, and locations of the signs. It was decided further discussion on the concerns would take place in the regular meeting.

REGULAR SESSION

***Present:** Chair Heather Barnum, Commissioners Connie Deianni, Bret Gallacher, Kent Hinckley, and Alex Leeman Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Commissioner Rebecca Wayment was excused.*

Item #1. Minutes

Alex Leeman made a motion to approve the Minutes from the January 19, 2016 Planning Commission meeting. **Bret Gallcher** seconded the motion, which was unanimously approved.

Item #2. City Council Report

Eric Anderson gave a report from the February 7, 2017 City Council meeting. He said the Adamson Property Rezone and Call Property Rezone applications were approved. He said the Planning Commission tabled the Zone Text Amendment for Chapter 18 for the Regulating Plan, so the City Council did not consider it; however, removing the Big Box Footprint Size from Chapter 18 was approved. **Eric Anderson** said the Evans Family opted to pull their application for the Zone Map Amendment from RMU to GMU for 28 acres, so the item was not heard by the City Council. He said the Hunters Creek Conservation Easement Amendment was approved and the Hughes Property General Plan Amendment was tabled. **Eric Anderson** said the Hughes application was tabled because Council members Doug Anderson and Brigham Mellor were not in attendance at the meeting. Both council members live in the neighborhood, so the City Council felt it was important for them to attend before a final decision is made. **David Petersen** said the Preliminary Parking Lot Configurations for the property south of City Hall was also discussed. He said the City owns the property to the south and many configurations have been discussed; however, the City is not ready to move forward with any of them at this time.

CONDITIONAL USE PERMIT

Item #3. Eric Mansell / Utah Cardiology (Public Hearing) – Applicant is requesting conditional use permit and site plan approval for a medical office building on 1.8 acres located at 719 N. Lagoon Drive in a CMU (Commercial Mixed Use) zone. (SP-2-16)

Eric Anderson said this is a two-lot subdivision off of Park Lane. He said the applicant is proposing a two-story medical office building. He reviewed the site plan for this building. He said there is a “sight setback” easement that was recorded on the East Park Lane Subdivision. He said the reason for that is because the City Traffic Engineer is concerned about the sight distance on Lagoon Drive. He said the sight setback easement was completed during the subdivision process, and is not part of the site plan. **Eric Anderson** said the applicant was originally proposing street trees along Lagoon Drive, but has since removed them as an obstruction to the visibility on Lagoon Drive. Additionally, there are potential issues with the parking spaces within the easement; the City Traffic Engineer has reviewed the plans and stated that those spots must be sunken below the grade of Lagoon Drive by 3-4’. **David Petersen** said the parked cars in the parking lot will be sitting in a hole due to the grade change, which is nice so the cars will not create a further obstruction of visibility on the road.

Eric Anderson also said the applicant went before the Board of Adjustments regarding the required 6 parking spaces per 1,000 sq. ft. of floor space. The Board of Adjustments reduced the requirement to 4 spaces per 1,000 sq. ft. of floor space. He referenced the landscape plan that the applicant also provided. He said the landscape plan is also included as part of the motion. **Eric Anderson** asked that the Commission delegate the final approval of the site plan to staff, as there are few outstanding concerns that don’t affect the site plan, but may affect the improvements, storm water, and similar issues. Staff is recommending approval of this item with the conditions outlined in the staff report.

Kent Hinckley said he noticed the City Council approved the ordinance enabling this zone change only upon the approval of the site plan; he asked why that is the case when this item seems like this rezone should happen. **David Petersen** said the City Council acted similar to the Planning

Commission’s past decisions; the City Council is nervous to give entitlement away with a rezone without knowing what will be built on the property that is being rezoned. **Heather Barnum** feels that if it seems to be common that the Council and the Commission do not want to rezone without seeing what will go in there, perhaps it is something that should be amended within the ordinance so a rezone happens when a site plan application is submitted.

Brian Zaitz, 135 E. Center St., North Salt Lake, with JZW Architects, said he is representing the Utah Cardiologist Group. He said the Group currently has two locations, one in Layton and the other in Bountiful, with the plans to combine the offices together. There are approximately eight physicians and four physician assistants, as well as a fairly large staff. He said the Group’s plan is to occupy the upper level of the building and half of the parking lot, while leasing out the main level to another medical professional use. He said the building will be made out of materials typical for an office space and will have a lot of natural lighting. Since many of the clients are elderly, he said a drop-off area would also be included. He said he feels this will be a great addition to the City.

Heather Barnum opened the public hearing at 7:21 p.m.

No comments were received.

Heather Barnum closed the public hearing at 7:21 p.m.

Connie Deianni expressed concern regarding the visibility of the parking lot with part of the parking lot on a lower grade. She asked if the grade change around the bend of the parking lot would be hazardous for drivers. **David Petersen** said based on the line of vision in a vehicle, everything appears flat. He said it should not cause a visibility problem for drivers.

Kent Hinckley asked if Farmington Rock should be pursued as something to be included in new developments. He feels the ordinance should be rewritten to remove the requirement or the City should start enforcing the inclusion of the Rock. **Heather Barnum** said that she feels when the motion states “all applicable standards,” it would include the ordinance requirements for Farmington Rock. **Eric Anderson** said the applicant has proposed Farmington Rock in the landscape.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the Utah Cardiology Center Conditional Use Permit and Site Plan, subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The Farmington City Sign Ordinance shall be followed for all signs throughout the site, including but not limited to the monument sign located at the property entrance;
2. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots;
3. The applicant shall move all the sewer manholes either into the road or into the park-strip, and shall receive Central Davis Sewer District approval for the final location;
4. All outstanding DRC comments shall be addressed prior to final staff approval;
5. The site plan related to this application shall be delegated to staff and the DRC for final approvals, including all improvement drawings.

Connie Deianni seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service, which contributes to the general well-being of the community. The Utah Cardiology Center is a great asset to the community and provides more space for local businesses here in the county;
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use, as it is a medical clinic and office;
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development as it will be a much needed upgrade to the facilities that are currently existing in the area;
5. 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;
6. 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.

Item #4. Ty Cragun / Tom Stuart Construction (Public Hearing) – Applicant is requesting conditional use permit and site plan approval for the Farmington Tech Center office building on 1.55 acres of property located at 286 S. 200 W. in a BP (Business Park) zone. (C-16-16)

Eric Anderson said a previous applicant proposed an office building on this site. The conditional use and site plan was approved at that time, but both have now expired. Ty Cragun is now proposing a similar office building that is also three-stories, as was previously proposed. The conditional use and site plan has been thoroughly vetted by the Planning Commission and the DRC (Development Review Committee). Staff is recommending approval of this item.

Spencer Ward, 360 N. 700 W., North Salt Lake, said he is here representing Ty Cragun. He said the previously proposed project's conditional use was approved, but no further action was taken. He said they are ready and excited to move forward.

Heather Barnum opened the public hearing at 7:28 p.m.

No comments were received.

Heather Barnum closed the public hearing at 7:28 p.m.

Bret Gallacher asked staff why the previous applicant did not move forward on the approved conditional use and site plan approval. **Eric Anderson** said he is unsure, but that perhaps the applicant decided he did not want to pursue it. **Heather Barnum** said she remembered the previous applicant had a tenant already lined up to occupy the building; she speculated that perhaps that tenant fell through. She believes this building will be a good addition to the community.

Eric Anderson said staff is requesting that the Commission delegate final approval to staff. He said there are a couple outstanding DRC issues that need to be addressed. He said there is nothing that will affect or change the site plan, but a few things that may affect infrastructure.

Connie Deianni asked for clarification on condition #2 of the proposed motion. She said she has never seen the 10' of separation from the water lines requirement called out in a motion before, so she wondered why it is being called out now. **Eric Anderson** said the sewer district had some concerns with the project, so in order to get the item on this meeting agenda, the sewer district asked that it be a condition for approval. He said it is one of those items that will be delegated to staff for final approval. He also added that the previously approved site plan did not show the 10', so the sewer district wants to ensure it is included.

Motion:

Kent Hinckley made a motion that the Planning Commission grant conditional use/site plan for the 3 story office building as requested, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall maintain, clean and restore the existing storm water detention basin and receive the City Engineer's approval of improvements prior to recordation;
2. The applicant shall show the sewer service on the site plan and ensure that it has 10' of separation from the water lines;
3. The applicant must post a bond on a form acceptable to the City to ensure completion of any public improvements deemed necessary by the City Engineer prior to issuance of a building permit;
4. The conditional use permit must be issued before or concurrent with the issuance of a building permit;
5. Any necessary easements must also be recorded prior to issuance of the building permit;
6. The site plan related to this application shall be delegated to staff and the DRC for final approvals, including all improvement drawings.

Bret Gallacher seconded the motion, which was unanimously approved.

Findings for Approval:

1. As project is consistent with the standards as determined by Chapter 14 of the Zoning Ordinance.
2. The applicant has worked through the issues raised by the DRC and addressed these issues on the site plan.
3. The proposed use will benefit the community greatly, providing added employment opportunities and the use is in conformance to the general plan.

OTHER

Item #5. Miscellaneous a) Park Lane Commons Sign Package – Scott Harwood / The Haws Companies

David Petersen said in the Study Session, there were concerns regarding the number and height of the proposed signs for the Park Lane Commons project. He pointed out that Park Lane Commons is a 60+ acre site. He said the tallest sign being proposed is 20'. He said similar size signs appear at the nearby Hampton Inn and University of Utah Health Center. Staff is recommending approval of this item.

Scott Harwood, 33 Shadow Breeze Rd., Kaysville, said they have spent a lot of time reviewing the City Ordinance to ensure what is being proposed is consistent with the Ordinance. He said what is

being proposed in the sign package will create a sense of place and belonging to tie the project all together. He said the colors may change, but the signs will maintain uniformity. **Scott Harwood** said there is a potential that the wood look, as shown in the current sign package, may change to a black steel type look. He said he feels the first bullet point on Page 20 of the sign package is not as clear as it should be as there will not be any sign boxes on the buildings. He said the signs will be wall mounted. **Scott Harwood** said he is looking forward to kicking this off so they can start building and bringing in tenants.

Connie Deianni said the applicant mentioned the signs' wood look could be changed to black steel. She asked if the signs could change to other "looks" besides the two mentioned or if each sign could have a different look. She also asked if tenants could ask for their own sign to match the style of their business. **Scott Harwood** said a lot of the buildings in the project have the black steel canopy, so the black steel would match what is being proposed for the buildings. He assured the Commission that the signs would remain consistent with each other and that they will work with tenants to tie what they need into the project's signage. He said they are in the "trenches" right now, so they cannot confirm if they would like to pursue a wood type finish, but are asking for flexibility so they can determine what the finish will be. **Connie Deianni** asked who would maintain the signs after they are constructed. **Scott Harwood** said The Haws Companies would maintain the sign, but each tenant would maintain their own panel.

Alex Leeman said on page 8 of the sign package, paragraph 1.3.5 references illuminated background and sign boxes. He recommended striking the first and second sentences or including the following for the second sentence, "For building mounted signs, only letters and logos shall transmit light..." **Scott Harwood** agreed, as the intent is to say they will not have box signs on buildings.

Heather Barnum asked if the illumination of the signs will remain on all night or if it will turn off when business hours are over. **Scott Harwood** invited Charlie from Yesco to address the questions.

Charlie Taylor, 33 W. 1300 S., Bountiful, with Yesco, said tenants do not want to waste money on illuminating a sign that will not be seen. He said in his experience, shopping centers have timers on signs that will automatically shut them off after the business hours of tenants. He said typically, illumination of signs is part of the lease agreement between the tenant and property owner. **Heather Barnum** asked if the Commission could ask that sign illumination be turned off after a set amount of time after operation. **Scott Harwood** said he would prefer flexibility and not restriction on the time, as he is concerned a restriction on sign illumination could prevent the recruitment of potential tenants, like restaurants as some restaurant tenants could be open 24 hours. He said the tenants will have the potential to turn their lights off if they choose to do so.

Heather Barnum asked the applicant about the plan for constructing the signs. **Scott Harwood** said the Type 1 sign is already constructed; however, the bottom half will not be lit until the panels are filled. He said their immediate goal is to begin construction on the sign right off of Park Lane, as they have tenants requesting to be located on it. He said they hope to move forward from there. **Heather Barnum** asked the applicant's timeline for the project. **Scott Harwood** said a lot will be happening this year and that about 3-4 buildings will begin in the next couple of months.

The Commissioners discussed the potential of a black steel look on the signs in lieu of the wood design, as mentioned by the applicant. **Heather Barnum** expressed concern that it would be too modern of a style with the more traditional style of the area. **Alex Leeman** feels the applicant will not "go crazy," as it is in their best interest to match the signs to their buildings to make the project attractive to potential tenants. **Connie Deianni** said she is okay with the colors, but does not want signs to match specific tenants. **Bret Gallacher** said he feels the applicant would also want to ensure they do

not drive away customers. **Alex Leeman** said he feels the flexibility is already granted under the sign package language in paragraph 1.3.6 regarding colors and materials.

Heather Barnum asked that the commissioners entertain a discussion regarding illumination of signs. She feels lights being turned off three hours past business closures is reasonable. **Connie Deianni** asked what other lights may be found on the project, i.e. parking lots, walking paths, etc. **David Petersen** said there will be street and parking lot lights. He said parking lot lights sometimes dim after business hours. **Alex Leeman** said he feels it is important for them to remain on for security purposes. He also feels that this is a commercial area; he does not feel it needs to be legislated as the project is on a main street so the lights may not disturb others. **Kent Hinckley** agreed, he feels additional lighting is never bad with regards to security purposes.

Motion:

Alex Leeman made a motion that the Planning Commission approve the sign package for the Park Lane Commons Project, and with the following conditions/changes to the submitted plan:

1. The following wording be added to paragraph 1.3.5, “For building mounted signs, only letters and logos shall transmit light...”
2. The first bullet point in section 1.7 shall be amended to read, “Illuminated sign boxes on buildings.”

Kent Hinckley seconded the motion, which was unanimously approved.

Findings for Approval:

1. As proposed package is consistent to other approved sign packages for other projects within the mixed use district, including Station Park.
2. The proposed sign package is consistent with the standards set forth in the Supplemental Development Agreement for the Park Lane Commons Project.
3. The proposed sign package is consistent with the standards set forth in Section 11-18-090 of the Zoning Ordinance and the Development Plan review process therein.

Item #5. Miscellaneous a) Tim Matthews CUP Approval Extension

David Petersen said there is no disagreement with this item and asked that the Commission to extend the approval.

There was no further discussion or comments by the commissioners.

Motion:

Kent Hinckley made a motion that the Planning Commission approve the extension of the conditional use permit approval dated 2.4.16 for one year, pursuant to Section 11-8-110 of the Zoning Ordinance. **Connie Deianni** seconded the motion, which was unanimously approved.

Findings for Approval:

1. The applicant has not been able to start construction because of the improvements required on Glover Lane.

2. The original conditional use was determined to be a desirable use for this property and that has not changed.
3. An extension will give the applicant enough time to improve his property and provide a necessary and desirable community service with an agricultural themed reception center, and this use fits in with the underlying zone.

Advisement of Staff Regarding Farmington Rock

Heather Barnum said there were previous discussions regarding Farmington Rock amongst the Planning Commission, and the Commission asked staff to compile a list of other acceptable historic type materials with the help of the City's Historical Preservation Commission. She said this request has not yet been completed, and asked staff to pursue it. **David Petersen** said the Historic Preservation Commission meets the last Thursday of the month; he feels this request could be placed on their next agenda. He said staff will report back at the first meeting in March. He also mentioned that he will ask a few members of the Historic Preservation Commission to attend the Study Session to present on their findings.

ADJOURNMENT

Motion:

At 8:04 p.m., **Connie Deianni** made a motion to adjourn the meeting, which was unanimously approved.

Heather Barnum
Chair, Farmington City Planning Commission

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to receive a financial update and answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, February 21, 2017, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

OLD BUSINESS:

7:05 General Plan Amendment Request for Hughes Property

PUBLIC HEARINGS:

7:30 Candland Olsen Plat Amendment Request – Farmington Creek Estates Phase III

NEW BUSINESS:

7:50 Residents at Farmington Hills Final PUD Master Plan – Elite Craft Homes

SUMMARY ACTION:

8:00 Minute Motion Approving Summary Action List

1. Animal Control Agreement with Davis County
2. Farmington Hills Water Tank Engineering Design
3. Farmington Water Master Plan Update
4. Farmington Hills Property Exchange
5. Approval of Minutes from January 7, 2017

DISCUSSION ITEMS:

8:05 Update of Demolition Ordinance

GOVERNING BODY REPORTS:

8:10 City Manager Report

1. Fire Monthly Activity Report for January
2. Building Activity Report for January

8:15 Mayor Talbot & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 16th day of February, 2017.

FARMINGTON CITY CORPORATION

By:  _____
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

Posted 2/16/2017



Planning Commission Staff Report February 23, 2017

Item 3: Minor (Final) Plat and Final PUD Master Plan Approval for the Smith Homestead PUD Subdivision

Public Hearing:	No
Application No.:	S-17-16
Property Address:	244 East 100 North
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	OTR-F (Original Townsite Residential - Foothill)
Area:	.84 acres
Number of Lots:	3
Property Owner:	Dorene Smith Trust
Agent:	Jerry Preston – Elite Craft Homes

Applicant is requesting minor (final) plat and a recommendation for final PUD master plan approval for the Smith Homestead PUD Subdivision.

Background Information

The applicant, Jerry Preston, is requesting approval for a 3 lot minor subdivision located at 244 East 100 North in the OTR zone. There is an existing historic home on the site, and the applicant is proposing to create a lot for and restore the historic home, and then subdivide the remaining property into two lots. The lot sizes proposed by the applicant meet the requirement for a conventional subdivision in the OTR zone, because they are above the 10,000 s.f. minimum. The subdivision ordinance only allows one additional lot be accessed by a private street, anything above that requirement must go through an alternative subdivision approval process that provides flexibility in the underlying standards.

According to Chapter 27 of the Zoning Ordinance:

11-27-120 *Standards and Requirements.*

(a) The minimum area for a Planned Unit Development shall be five acres in AA, A, AE, LS and S zones, and two and one-half acres in LR, R and R-2 zones; and one and one half acres in R-4 and R-8 zones. Any proposal for a Planned Unit Development in areas smaller than those cited above, may be approved by the Planning Commission based upon the specific conditions related to the site upon which the development is

proposed. Smaller Planned Unit Developments are encouraged in the older historical parts of the City in order to use lot interiors where unique conditions may exist.

The total acreage of this property falls well below the threshold of 2.5 or 5.0 acres of the other residential zones throughout the City, however, because the property is in an older and historical part of the City there is an allowance for “smaller planned unit developments.”

In every residential zone, each PUD has a minimum 10% open space requirement. However, 10% of .84 acres is .08 acres, or approximately 3,500 s.f. The PUD chapter does provide a provision whereby historic preservation may be used in lieu of the open space requirement. Section 11-27-120(g) states:

“The City, at its sole discretion, may consider preservation of an on-site building or structure eligible, or that may be eligible, for the National Register of Historic Places in lieu of the 10 percent open space requirement or portion thereof.”

An historic home is currently situated on the site. A yield plan for the property demonstrated the possibility of establishing three lots at this location. Nevertheless, a deviation from standards of the underlying zone is desirable in order to access lots 2 and 3 through the private street, and this is only possible as a PUD. In lieu of the 10% open space requirement, the ordinance allows the City to consider the preservation of an on-site historic building. The existing home on this property is very historic and would meet the NRHP guidelines for nomination, if so desired. Staff feels that the applicant’s willingness to preserve the home should count in lieu of the open space requirement. Additionally, because the proposed subdivision is in the OTR zone, the applicant will need to meet design standards specific to the underlying zone in addition to some requirements of PUDs throughout the City. The applicant has provided elevations illustrating how the two new homes will look, which were reviewed and approved by the Planning Commission at preliminary PUD master plan. Additionally, at the time of construction, staff reviews the proposed new construction to ensure compliance with the OTR design standards for new construction, and the OTR design standards are more stringent than the PUD requirements in most cases.

Staff wrote a zone text change to Chapter 27 of the Zoning Ordinance that allows for any single family detached PUD under one acre in size to seek for a waiver of *any* provisions within the PUD chapter through a vote of not less than four City Council members. The applicant received approval from the City Council for a waiver of some of the applicable PUD requirements for his subdivision, including the open space requirement and required landscape plans.

Although the private street is allowed as part of the PUD process, according to this section of the code, the applicant will either need to provide a hammer-head turnaround or a cul-de-sac on Lot 3 to create enough frontage for the lot. The minimum lot width in the OTR zone is 85’ for an interior lot, however, the lot width can go down to a minimum of 70’ through an administrative approval in the OTR zone only. Therefore, the applicant would need at least 35’ of frontage on the private drive; this has been included as a condition for approval.

Suggested Motion

Move that the Planning Commission approve the proposed minor plat and recommend that the City Council approve the proposed final PUD master plan for the Smith Homestead PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall show and receive approval from the Fire Marshal for either a cul-de-sac or a hammer head turnaround at the end of the private street;
2. The applicant shall provide any necessary easements in the private drive in favor of Central Davis Sewer, Farmington City, and/or Benchland Water on the final plat;
3. Lot 3 shall have a minimum of 35' of frontage on the private drive;
4. Public improvement drawings, including but not limited to, a grading and drainage plan, shall be reviewed and approved by the Farmington City Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water;
5. The applicant shall address any outstanding comments from the DRC on the minor plat prior to recordation.

Findings for Approval:

1. The proposed subdivision matches the densities of the surrounding neighborhood.
2. The proposed schematic plan submittal is consistent with all necessary requirements for a minor subdivision as found in Chapter 5 of the City's Subdivision Ordinance.
3. The proposed PUD master plan is consistent with the intent of the PUD ordinance as found in Chapter 17 of the Zoning Ordinance, including but not limited to the preservation of an existing historic home in lieu of the open space requirement.
4. Because the proposed subdivision is in the OTR zone, the applicant will need to meet the standards for new construction as set-forth in 11-17-070 of the Zoning Ordinance at the time of building permits. Additionally, compliance with the above cited section will meet and exceed the PUD design standards as set forth in Section 11-27-120(h)(3) of the Zoning Ordinance because the standards in the OTR zone are more specific and more stringent for new construction.

Supplemental Information

1. Vicinity Map
2. Minor (Final) Plat
3. Final PUD Master Plan

Applicable Ordinances

1. Title 11, Chapter 17 – Original Townsite Residential Zones
2. Title 11, Chapter 27 – Planned Unit Developments
3. Title 12, Chapter 5 – Minor Subdivisions
4. Title 12, Chapter 7 – General Requirements for all Subdivisions

Farmington City





Planning Commission Staff Report February 23, 2017

Item 4: Held Subdivision Plat Amendment

Public Hearing:	Yes
Application No.:	S-1-17
Property Address:	57 West 600 North
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	OTR (Original Townsite Residential)
Area:	.39 Acres
Number of Lots:	2 (into 4)
Property Owner:	Joel Anderson, Robyn Lewis, and Mark Boehlen
Agent:	Joel Anderson

Request: *Applicant is requesting a recommendation for plat amendment and condominium subdivision.*

Background Information

The applicant desires to amend the Held Subdivision by converting two duplexes into four condominium units. The application is for both a plat amendment and a subdivision because new lots (or in this case, “units”) are being proposed in an existing subdivision. The applicant is proposing to place a property line through the center of Lots 1 and 2, between the shared wall of each duplex unit respectively. At some point, an illegal subdivision was created and recorded on Lot 1; however, the subdivision never went through the City and the plat was not amended properly. The current application seeks to rectify this oversight, and to bring the lot split into compliance with city code.

While this plat amendment and subdivision will bring the Held Subdivision into compliance with the Zoning Ordinance, the buildings will have to be retrofitted to bring them into compliance with the building code, as a condominium has special requirements that are not required of duplexes, and these improvements were not completed at the time of the original construction in 1998.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the plat amendment and condominium subdivision for the Held Subdivision subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall meet all requirements of the building department and building code to retroactively bring the buildings into compliance with the requirements of a condominium unit.

Findings for Approval:

1. The proposed plat amendment meets the requirements of the Subdivision and Zoning Ordinance.
2. The affected subdivision has already installed all required improvements.
3. The proposed plat amendment is bringing an illegal subdivision into compliance with the Zoning Ordinance.
4. By creating condominium units, the property owners will be able to offer the units for sale and not just for rent.

Supplemental Information

1. Vicinity Map
2. Plat Amendment and Condominium Subdivision

Farmington City



3090

OPDS

3090

HELD SUBDIVISION

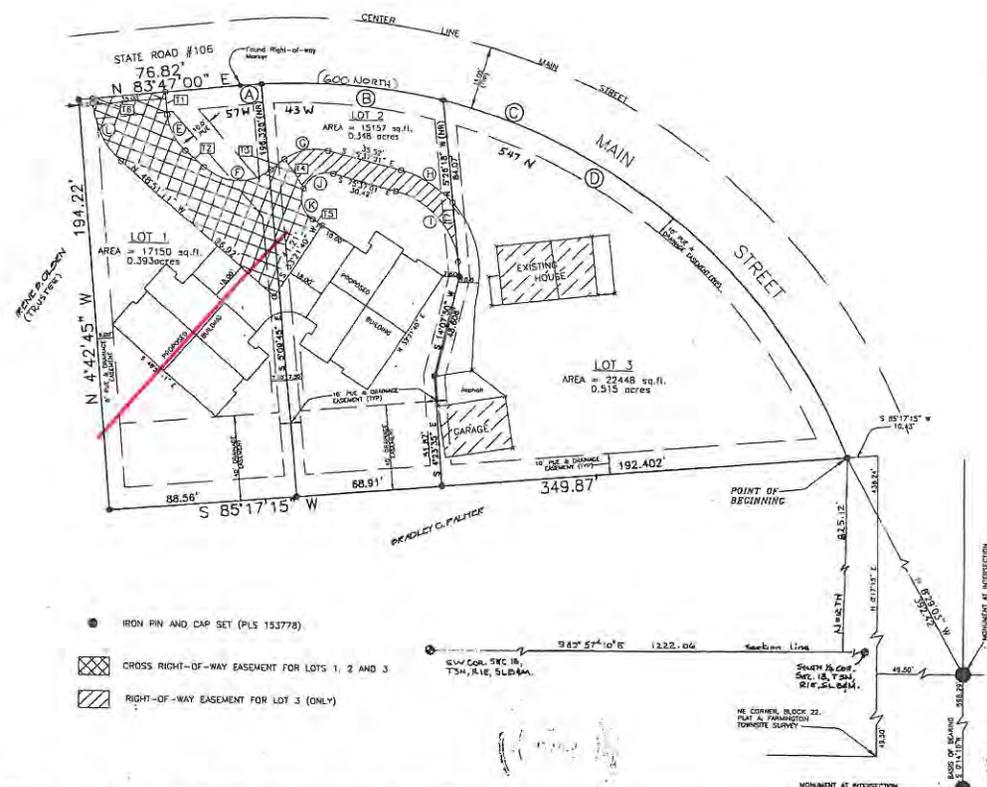
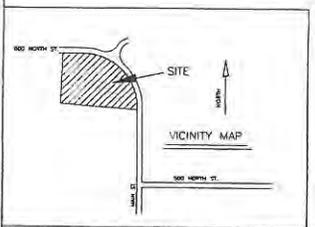
A PORTION OF BLOCK 15, BIG CREEK SURVEY, FARMINGTON TOWNSITE SURVEY
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
FARMINGTON CITY, DAVIS COUNTY, UTAH



NO.	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE
1	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
2	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
3	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
4	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
5	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
6	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
7	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
8	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
9	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
10	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
11	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
12	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
13	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
14	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
15	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
16	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
17	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
18	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
19	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'
20	N 83°47'00" E	76.82'	N 83°47'00" E	76.82'

NO.	COURSE	DISTANCE
1	S 42°20' E	11.14'
2	S 40°11' E	11.14'
3	S 37°18' E	8.54'
4	S 34°08' E	8.54'
5	S 30°30' E	8.54'
6	S 27°20' E	8.54'
7	S 23°55' E	8.54'
8	S 20°30' E	8.54'
9	S 17°15' E	8.54'
10	S 14°00' E	8.54'
11	S 10°45' E	8.54'
12	S 7°30' E	8.54'
13	S 4°15' E	8.54'
14	S 1°00' E	8.54'
15	N 1°45' W	8.54'
16	N 5°00' W	8.54'
17	N 8°15' W	8.54'
18	N 11°30' W	8.54'
19	N 14°45' W	8.54'
20	N 18°00' W	8.54'
21	N 21°15' W	8.54'
22	N 24°30' W	8.54'
23	N 27°45' W	8.54'
24	N 31°00' W	8.54'
25	N 34°15' W	8.54'
26	N 37°30' W	8.54'
27	N 40°45' W	8.54'
28	N 44°00' W	8.54'
29	N 47°15' W	8.54'
30	N 50°30' W	8.54'
31	N 53°45' W	8.54'
32	N 57°00' W	8.54'
33	N 60°15' W	8.54'
34	N 63°30' W	8.54'
35	N 66°45' W	8.54'
36	N 70°00' W	8.54'
37	N 73°15' W	8.54'
38	N 76°30' W	8.54'
39	N 79°45' W	8.54'
40	N 83°00' W	8.54'

Note: Property owners within the Held Subdivision shall be responsible for the maintenance of a drainage easement over and across property adjacent to the west boundary of the subdivision for purposes of conveying storm water runoff westerly to Farmington Creek.



- IRON PIN AND CAP SET (PLS 153778)
- ▨ CROSS RIGHT-OF-WAY EASEMENT FOR LOTS 1, 2 AND 3
- ▨ RIGHT-OF-WAY EASEMENT FOR LOT 3 (ONLY)

SURVEYOR'S CERTIFICATE

I, DENNIS H. JENSEN, a registered land surveyor in the State of Utah, do hereby certify that this plat of HELD SUBDIVISION, in Davis County, Utah, has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on the data compiled from records in the Davis County Recorder's office and a survey made on the ground.

Signed this 15th day of November, 1998

Signature: DENNIS H. JENSEN License No. 153778

OWNER'S DECLARATION

We, the undersigned owner of the herein described tract of land, hereby set apart and subdivide the same into lots and streets as shown on this plat and name said tract HELD SUBDIVISION, and hereby dedicate, grant and convey to Farmington City, Davis County, Utah, all these parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever, and also dedicate to Farmington City these certain streets as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines and drainage as may be authorized by Farmington City.

Signed this 30 day of November 1998

Signature: Michael A. Hall, Trustee Signature: [Signature]

ACKNOWLEDGEMENT

State of Utah
County of Davis

On the 30th day of November, 1998, personally appeared before me, the undersigned Notary Public, the signers of the above Owners' Declaration, to-wit: in number, who duly acknowledge to me they signed the same voluntarily and for the purposes therein mentioned:

14 September 2000 [Signature] Notary Public

State of Utah
County of _____

On the _____ day of _____, 19____, personally appeared before me _____ who do so duly sworn to me that they are _____ and that said instrument was signed in behalf of said Corporation by a resolution of its Board of Directors, and _____ acknowledged to me that said Corporation executed the same.

Commission Expires _____ Notary Public

BOUNDARY DESCRIPTION

DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 07°17'15" EAST ALONG THE BLOCK LINE 138.24 FEET AND SOUTH 85°17'15" WEST 10.43 FEET FROM THE NORTHEAST CORNER OF BLOCK 22, PLAT A, FARMINGTON TOWNSITE SURVEY SAID POINT IS ALSO NORTH 83°03' WEST 392.42 FEET FROM THE MONUMENT MARKING THE INTERSECTION OF 500 NORTH AND MAIN STREETS AND (A) RUNNING THENCE SOUTH 82°17'15" WEST 349.87 FEET THENCE NORTH 44°45' WEST 194.22 FEET TO THE SOUTH LINE OF A RIGHT-OF-WAY THENCE NORTH 57°47'00" EAST 18.82 FEET TO A RIGHT-OF-WAY MONUMENT AND THE POINT OF BEGINNING OF A 27.00 FOOT RADIUS CURVE TO THE RIGHT THENCE SOUTHWEST ALONG SAID CURVE FOR A DISTANCE OF 361.82 FEET (CENTRAL ANGLE = 74°24'41" CHORD BEARING AND DISTANCE = SOUTH 59°00'39" EAST 338.27 FEET) TO THE POINT OF BEGINNING, CONTAINING 1.257 ACRES.

* POINT OF BEGINNING ALSO LOCATED SOUTH 82°17'15" WEST ALONG THE BLOCK LINE 128.05 FEET AND NORTH 81°51' EAST FROM THE POINT WHERE IT CROSSES 625 NORTH 18, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

PREPARED BY HILGREN AND ASSOCIATES, INC.
1621 NORTH TEMPLE ROAD
LEHI, UTAH 84043-7853

<p>CENTRAL DAVIS COUNTY SNEER DISTRICT</p> <p>APPROVED THIS 23rd DAY OF Nov 98 BY THE CENTRAL DAVIS COUNTY SNEER DISTRICT.</p> <p>[Signature]</p>	<p>FARMINGTON AREA PRESSURIZED IRRIGATION DISTRICT</p> <p>APPROVED THIS 20th DAY OF November 98 BY THE FARMINGTON AREA PRESSURIZED IRRIGATION DISTRICT.</p> <p>[Signature]</p>	<p>CITY ATTORNEY APPROVAL</p> <p>APPROVED THIS 24th DAY OF Nov 98 BY THE FARMINGTON CITY ATTORNEY.</p> <p>[Signature]</p>	<p>CITY ENGINEER APPROVAL</p> <p>APPROVED THIS 19th DAY OF Nov 98 BY THE FARMINGTON CITY ENGINEER.</p> <p>[Signature]</p>	<p>PLANNING COMMISSION APPROVAL</p> <p>APPROVED THIS 13th DAY OF AUGUST 19 98 BY THE FARMINGTON CITY PLANNING COMMISSION.</p> <p>[Signature]</p>	<p>CITY COUNCIL APPROVAL</p> <p>PRESENTED TO THE FARMINGTON CITY COUNCIL THIS 14th DAY OF October 1998, AT WHICH TIME IT WAS APPROVED AND ADOPTED.</p> <p>[Signature]</p>	<p>COUNTY RECORDER</p> <p>STATE OF UTAH COUNTY OF DAVIS</p> <p>RECORDED AND FILED AT THE OFFICE OF FARMINGTON CITY CLERK NO. 153778 BOOK NO. 2413 PAGE 40327 FILED THIS 15th DAY OF DEC 1998 AT 2:41 PM</p> <p>[Signature]</p>
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OPDS

OPDS



Planning Commission Staff Report January 5, 2017

Item 5: Zoning Ordinance Amendment to Chapter 14

Public Hearing:	Yes
Application No.:	ZT-1-17
Property Address:	Approx. 379 South 200 West
General Plan Designation:	O/BP (Office/Business Park)
Zoning Designation:	BP (Business Park)
Area:	3.33
Number of Lots:	1
Applicant:	Dave Clarke and Peter Robbins

Request: *Applicant is requesting a recommendation of approval of an amendment to Chapter 14 of the Zoning Ordinance.*

Background Information

The applicant purchased the subject property (located on the Frontage Road as it bends to intersect with 200 West) in the hope of building an assisted living facility on the western portion of the lot and a handful of single family residential “patio homes” to the east. Under “Residential facilities for the elderly” as set forth in Section 11-14-020 the assisted living center is a permitted use. However, the underlying BP (Business Park) zoning designation does not list single-family or multi-family residential as permitted or conditional uses.

Under Section 11-14-050 the ordinance specifies that residential uses are permitted as PUDs (Planned Unit Developments, but the ordinance requires a minimum area of 5 acres. The subject property is 3.33 acres, and therefore does not qualify for a PUD in the BP zone. Staff feels like the applicant’s proposal may be a good use for this site, and that the City should, at the very least, have an opportunity to review the PUD before deciding whether or not the proposal is a good fit for the neighborhood. As PUDs act as a zoning overlay, they are a legislative decision and the City has discretion in determining whether or not to approve a PUD application; this gives the City the flexibility to review a more detailed site plan for the subject property and determine its validity at a later date. It is also important to note that the Planning Commission is not reviewing a site plan as part of this zone text amendment; it is a stand-alone application.

The following is the recommended amendment to Section 11-14-050 of the Zoning Ordinance:

11-14-050: MINIMUM LOT AND SETBACK STANDARDS:

- A. **Setback From Streets:** The minimum setback from public or private streets shall be twenty feet (20') for buildings or structures twenty feet (20') or less in height. Buildings or structures over twenty feet (20') in height shall be set back an additional ten feet (10') (30 feet total). The minimum side and rear setback from streets may be reduced through planning commission review and approval in conjunction with a conditional use and site plan application. Parking lots shall not be permitted within the minimum required street setback(s).

- B. **Commercial Side And Rear Setbacks:** The minimum side and rear setbacks from property lines shall be twenty feet (20') for buildings and structures twenty feet (20') or less in height. Buildings or structures over twenty feet (20') in height shall be set back an additional ten feet (10') (30 feet total). If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than ten feet (10') in width, shall be maintained along the property lines. The minimum side and rear setback for commercial buildings and structures may be reduced through planning commission review and approval in conjunction with a conditional use and site plan application. (Ord. 2015-16, 5-26-2015)

- C. **Residential Side And Rear Setbacks:**
 - 1. The minimum side yard setback from nonresidential zone boundaries for a new residence in a BP zone shall be twenty feet (20'). A mix of evergreen and deciduous trees and shrubs shall be planted in such yard area to help mitigate potential impacts from adjacent nonresidential uses;
 - 2. The minimum rear setback from nonresidential zone boundaries shall be forty feet (40'). A landscaped strip, not less than twenty feet (20') in width, shall be maintained along the rear property line to help mitigate potential impacts from adjacent nonresidential uses;
 - 3. Side and rear yard setbacks from boundaries of zones which are exclusively residential shall be the same as the adjacent residential zone.

- D. **Minimum Lot Size:**
 - 1. The minimum lot size for a nonresidential use or development in the BP zone shall be one-half ($\frac{1}{2}$) acre.
 - 2. The minimum development acreage for a residential planned unit development or condominium shall be not less than ~~five (5)~~ **three (3)** acres. Lot size, dimensions and/or arrangement of buildings shall be determined by the planning commission after review of the conceptual development plan. Gross density shall not exceed eight (8) dwelling units per acre.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the proposed zone text amendment to Section 11-14-050 as written in the staff report above.

Findings:

- 1. Amending the minimum area required for a planned unit development to a lower threshold, will give future applicants more flexibility with design, and increase the opportunity for in-fill development within the BP zone.

2. The proposed use of a residential facility for the elderly is a good and necessary use, and the subject property is a desirable location for such a use.
3. Planned Unit Developments are legislative decisions, and thus discretionary. The applicant will still be required to receive legislative approval for his site plan and the use; this zone text change allows the applicant to move forward with his application for review by the City.
4. The zone text change has no affect the ultimate decision as to whether the PUD will be approved or denied; it simply gives the City a chance to review any such application in the future.
5. Only two other vacant properties exist in the BP zone within the current city boundaries: a 1.8 acre parcel at 200 West south of Horizon Credit Union, and a .38 acre parcel at the northeast corner of Park Lane and Main Street; neither site exceeds 3 acres in size.

Supplemental Information

1. Vicinity Map of Subject Property
2. Application Letter from Applicant

Applicable Ordinances

1. Title 11, Chapter 14 – Business Park Zone
2. Title 11, Chapter 27 – Planned Unit Developments

Farmington City



February 2, 2017

Dear Mayor and City Council,

Zone Text Amendment Letter

In working with the Planning & Zoning Department we have been made aware of zoning text that we would like to see amended concerning the Business Park zone (BP).

The current BP text found at 11-14-050 D.2 states, "The minimum development acreage for residential planned unit development or condominium shall not be less than **five (5) acres**". We believe the text should be amended in order create a greater opportunity for development, especially when that development creates a buffer between residential and business zones. We would ask that the City amend the text in 11-14-050 D.2 to read:

- "The minimum development acreage for a residential planned unit development or condominium shall be not less than **three (3) acres**."

After meeting with the City Planners and discussing the interests of the City, we strongly believe the above amendment to the Business Park zone ordinance will add strength to the desired plan the City has for the BP zone. We appreciate the time you have given to consider the above amendments and look forward to working with you in the future.

Please feel free to contact us with any questions you may have.

Sincerely,



Peter Robbins

Contact Chad Morris at 801.856.4969 for questions or additional information



Planning Commission Staff Report February 23, 2017

Item 6a: Special Exception for Stan and Amydee Fawcett

Public Hearing:	No
Application No.:	M-1-17
Property Address:	391 S. Spencer Way
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	LR-F (Large Residential - Foothill)
Area:	.523 and .97 Acres
Number of Lots:	2
Property Owner:	Protoculture Investment Corp. & Dane and Stacy Anderson
Agent:	Stan and Amydee Fawcett

Request: *Applicant is requesting a special exception related to access requirements from a public street.*

Background Information

The applicant is currently under contract to purchase property located at 391 S. Spencer Way, also described as Lot 10-B in the Woodland Springs Subdivision Plat "B". However, because of the steep slopes at the defined frontage of the lot on Spencer Way, the applicant has determined that building a driveway may be too difficult to meet the driveway slope standard as specified in Section 11-32-060(A)(4) of the Zoning Ordinance. As a solution, the applicant is proposing that 10-B be accessed by a shared driveway on the adjacent lot to the north (Lot 9-B) owned by Dane and Stacy Anderson. There will need to be a reciprocal access easement recorded over the shared driveway; this is to ensure that there will always be access to the proposed home via the shared driveway in perpetuity, should the properties change hands in the future.

Section 11-32-060(A)(5) of the Zoning Ordinance states:

"Driveways shall have direct access to a public street for a building lot. Subject to satisfaction of the provisions of Section 11-3-045 of the City Zoning Ordinances and the grant of a special exception, direct access for a building lot may include access over one adjacent building lot provided both building lots have full frontage on a public street, an access easement has been recorded acceptable to the City, and the full face of any dwelling unit located on both building lots fronts or is fully exposed to the public street."

The proposed shared driveway does meet all of the criteria for the special exception as both lots face and have frontage on a public street (Spencer Way), and the homes will fully face these public streets. The applicant is planning on recording a reciprocal access easement as is required by the ordinance, however, staff has included this as a condition of approval to ensure that this will occur prior to or concurrent with the pulling of any building permits.

Sections 11-3-045(D)(4) and 11-3-045(E)(2) of the Zoning Ordinance states:

“11-3-045(D)(4) The Planning Commission shall hold a public meeting and thereafter shall approve, approve with conditions or deny the application pursuant to the standards set forth in subsection E below. Any conditions of approval shall be limited to conditions needed to conform to the special exception to approval standards”

AND

11-3-045(E)(2) The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:

- (i) Will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;*
- (ii) Will not create unreasonable traffic hazards;*
- (iii) Is located on a lot or parcel of sufficient size to accommodate the special exception.”*

The findings for approval address Section 11-3-045(E)(2) and staff feels that the proposal for special exception before you meets all of these criteria for consideration.

Suggested Motion:

Move that the Planning Commission approve the special exception, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall record a reciprocal access easement on Lot 9-B prior to or concurrent with the issuance of any building permit related to the subject property, and such easement shall be acceptable to the City as determined by the City Planner.

Findings for Approval:

1. The proposed special exception is desirable in that it does not put driveway access onto a steep road (Spencer Way).
2. The drive approach from Spencer Way to the proposed home would be steep and require a significant amount of engineering to make it feasible and to bring it into compliance with city code.
3. Accessing the home from an existing drive is preferable to creating a new curb and road cut into Spencer Lane.
4. The proposed special exception is not detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

5. The proposed special exception does not create unreasonable traffic hazards, and Lot 9-B in the Woodland Springs Subdivision Plat “B” where the special exception is to be located is sufficient in size to accommodate the use.

Supplemental Information

1. Vicinity Map
2. Woodland Springs Subdivision Plat “B”
3. Proposed Site Plan – For New Home

Applicable Ordinances

1. Title 11, Chapter 3 – Planning Commission
2. Title 11, Chapter 32 – Off-Street Parking, Loading, and Access

Farmington City



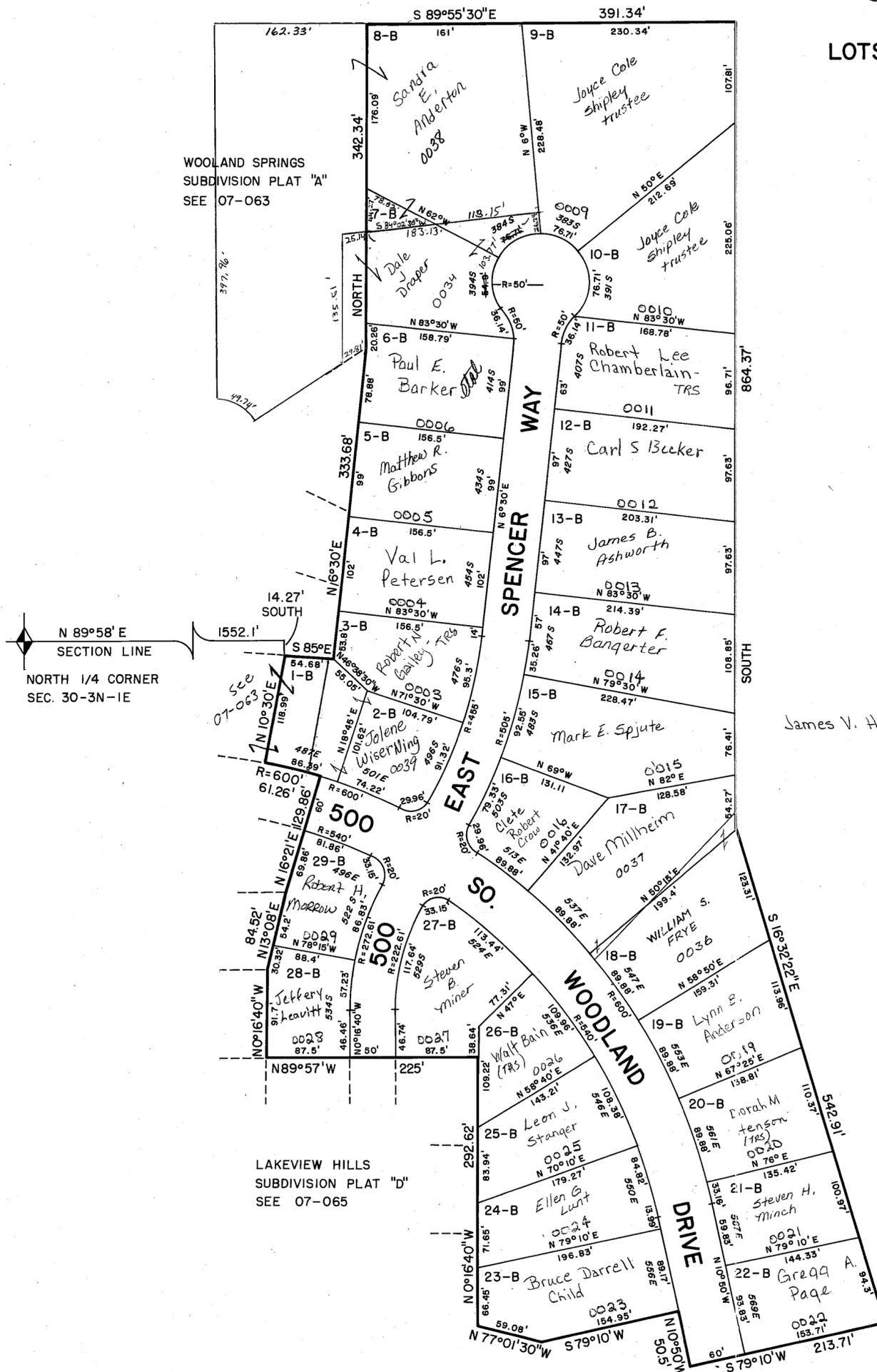
WOODLAND SPRINGS SUBDIVISION PLAT "B"

Farmington

LOTS 1-B THRU 29-B

112

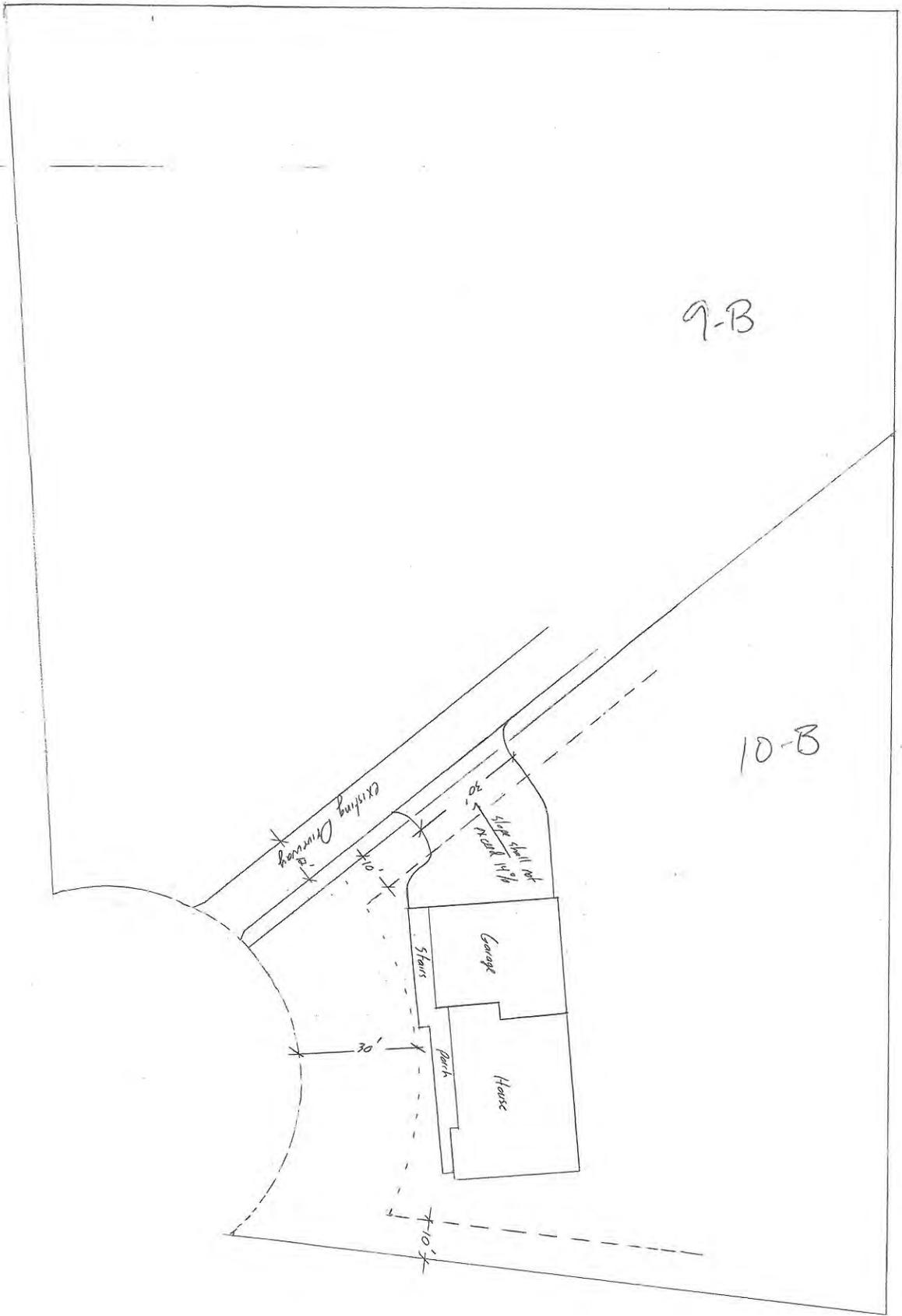
07



James V. Hansen et al owns all Lots not marked

9-B

10-B





Planning Commission Staff Report February 23, 2017

Item 6b: Development Agreement and Site Plan/Project Master Plan (PMP) Amendment

Public Hearing:	Yes
Application No.:	SP-1-16
Property Address:	1075 West Park Lane (approx.)
General Plan Designation:	TMU (Transportation Mixed Use)
Zoning Designation:	GMU (General Mixed Use)
Area:	5.76 acres (approx.)
Number of Lots:	N/A
Property Owner:	CenterCal (Jim Steman)
Agent:	N/A

Applicant is requesting a recommendation to amend its existing development agreement with the City by including property adjacent to Cabela's, which property also abuts the north side of Park Lane, as part of its overall 64 plus acre Station Park site plan/PMP, including the adoption of alternative development standards.

Background Information

The applicant, CenterCal, is pursuing development of the 5.76 acre site referenced above, and due to the site's close proximity to Station Park, they are asking that the City agree to include it as part of the Station Park site plan thereby extending the overall theme of this development to the property across the street.

The City approved the Station Park development and agreement in 2007 before it adopted the current mixed use zone text (Chapter 18) and regulating plan in the Zoning Ordinance in 2008. However, the 2007 agreement did contemplate possible future expansions to the original Station Park site; and for purposes of this amendment the expansion area is called "Station Park West". In general, the attached Station Park West site plan violates standards in the existing Chapter 18 as follows:

1. Buildings "back" streets instead of fronting them; and
2. Although the block pattern is consistent with the regulating plan, not all the streets depicted therein are dedicated public rights-of-way;

Notwithstanding this, Section 140 of the Zoning Ordinance allows for alternative development standards as long as the City and the developer adhere to the requirements set forth therein. These alternative to the two standards referenced above, are set forth in the attached draft agreement and are supported by the findings below.

Suggested Motion

Move that the Planning Commission recommend that the City Council approve the attached amendment to existing development agreement with CenterCal which will, among other things, incorporate the Station Park West property as part of the overall Station Park site plan/project master plan (PMP) and will enact alternative standards for this development as set for in the proposed amendment to the agreement.

[Note: the term “PMP” was not in use in the same way in 2007 as it is today, but is used now for purposes of consistency and compliance with the existing Chapter 18].

Findings:

1. Presently Chapter 18 allows buildings to back Park Lane on those portions of this street (and its access streets) that are raised on an embankment. Some of the Station Park West site meets this criteria, but not all. It is reasonable to allow all the buildings in this development to back Park Lane regardless because it is inconsistent to have some, but not all, do so; and the street is a major arterial not suited for the typical pedestrian oriented standards called for by the ordinance.
2. The developer is providing a no-build access easement area across a portion of the site in lieu of a formal public street because the triangle awkward shape of the property prevents him from doing otherwise; however, the block standards of the regulating plan will be maintained.
3. The City has approved no-build access easements in the past in keeping with the regulating plan---at Park Lane Village, and the Cabela’s block.
4. Station Park is a very good development for the City and region; and it is desirable for the City to extend the Station Park brand and quality architectural elements across the street to the Station Park West site.

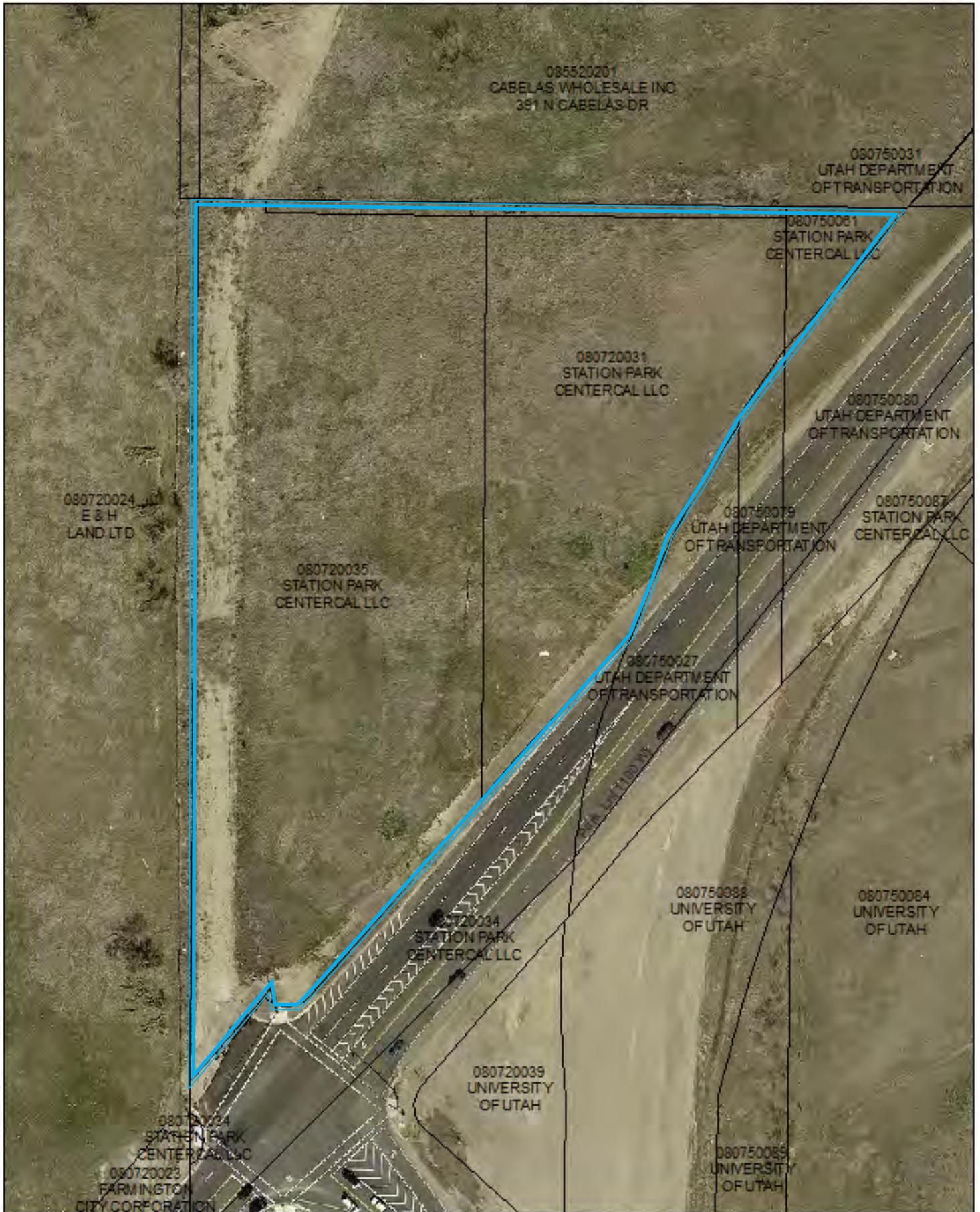
Supplemental Information

1. Vicinity Map
2. 2017 Amendment to Development Agreement for Station Park
3. Station Park West site plan
4. Mixed Use Regulating Plan
5. Section 140 of Chapter 18 of the Zoning Ordinance

Applicable Ordinances

1. Title 11, Chapter 18 – Mixed Use Districts

Farmington City



WHEN RECORDED, RETURN TO:

Station Park CenterCal, LLC
Attn: Jean Paul Wardy
1600 E. Franklin Avenue
El Segundo, CA 90245

**2017 AMENDMENT
TO
DEVELOPMENT AGREEMENT FOR STATION PARK**

(Station Park West)

THIS 2017 AMENDMENT TO DEVELOPMENT AGREEMENT FOR STATION PARK (the "Amendment") is entered into as of this ___ day of March, 2017, by and among STATION PARK CENTERCAL, LLC, a Delaware limited liability company ("Developer"), and FARMINGTON CITY, a Utah municipal corporation (the "City"); Developer and the City are hereinafter sometimes referred to individually as a "Party" or collectively as the "Parties."

RECITALS

A. Developer and City entered into that certain Development Agreement dated as of January 26, 2007 (as previously amended, the "Development Agreement") relating to that certain 97 acre Project Site (the "Project Site") which is more particularly described in the legal descriptions attached hereto as Exhibits A-1 and A-2. All capitalized terms not otherwise defined shall have the meaning set forth in the Development Agreement.

B. Section 3.2 of the Development Agreement contemplates that additional land may be added to the Project Site and the Property by amendment to the Development Agreement.

C. In connection with the acquisition of land included within the original 97 acre Project Site, the relocation of Park Lane at the City's request and other subsequent transactions, Developer also acquired and modified with City approval certain parcels of land to the west of original Park Lane. Certain of such parcels have been consolidated by subdivision plat and by addition to a subdivided parcel in accordance with Utah law, forming a single parcel known as the "Station Park West Parcel", which is more particularly described in Exhibit B to this Amendment.

D. The Parties desire to amend the Development Agreement to include the Station Park West Parcel as a part of the Project Site and Property referred to in the Development Agreement and to establish particular use and development standards to be applied to the Station Park West Parcel.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to amend the Development Agreement as follows:

1. Addition of Station Park West Parcel. The Station Park West Parcel is hereby included as a part of Exhibit A-2 of the Development Agreement and is hereby included within the Project Site and Property for all purposes under the Development Agreement.

2. Use and Development of Station Park West. The Station Park West Parcel shall be used and developed as a separate Project (the “Station Park West Project”) under the Development Agreement in accordance with the conceptual plan, uses, development standards and other terms of this Amendment and the general terms of the Development Agreement to the extent not inconsistent with the terms of this Amendment. Consistent with Section 8.3 of the Development Agreement and subject to Section 8.4 of the Development Agreement, Developer shall have the vested right to develop and construct the Station Park West Project in accordance with the uses, densities, intensities, configuration of development, terms of the development standards and future approval processes for the Station Park West Project set forth in this Amendment and the Applicable City Ordinances in existence and effective on the Vesting Date specified in the Development Agreement.

3. Station Park West Concept Plan. A Project Master Plan or Basic Configuration (as defined in the Development Agreement) shall not be required for the Station Park West Project. The Station Park West Project may be developed in one or more phases with buildings, pedestrian and vehicular access, parking, walkways and other improvements generally located as depicted on the concept plan attached hereto as Exhibit C (the “Station Park West Concept Plan”). For purposes of applying any terms of the Development Agreement (including its exhibits) to the Station Park West Project, any references to the “PMP” shall be deemed to refer to the Station Park West Concept Plan. Consistent with Section 4.2 of the Development Agreement, Developer shall be permitted to locate and thereafter to modify the location and size of any buildings and other onsite improvements within the Station Park West Project from time to time, and any such modifications shall be deemed approved as an amendment to the Station Park West Concept Plan upon approval of a final site plan for the modified Station Park West Project in the site plan approval process provided under the Development Agreement. Further and consistent with section 5.4 of the Development Agreement, the City hereby understands, acknowledges and agrees that the description, use, location, size and/or nature of any building may change over time with the context of the Station Park West Project as generally shown on the Station Park West Concept Plan and shall not limit the description, use, location, size and/or nature of any building or the mix of real estate products within the Station Park West Project.

4. Station Park West Uses; Approval of Conditional Uses. Station Park West Project may contain those uses listed in Exhibit C of the Development Agreement for “Area D [Core].” In addition conditional uses are hereby approved for financial and other businesses with drive thru facilities and fast food establishments with drive-up if located along the Park Lane side of the Project as generally depicted on the Station Park West Concept Plan.

5. Station Park West Development Standards. The Station Park West Project shall be developed and improved generally in accordance with the Mandatory and Vested Development Standards as set forth herein and in the Development Agreement as modified by the terms of this Amendment. In accordance with Section 6.2 of the Development Agreement, the following additional Vested Development Standards are added to the Development Agreement and hereby made applicable to Station Park West Project only:

2.5.3 As authorized by Section 2.5.3 of the Mandatory Development Standards, the Station Park West Project shall not be required to have separate building entrances along Park Lane or any other street that is not constructed at the time of the approval of a site plan including the building.

2.5.10.1 As authorized by Section 2.5.10.1 of the Mandatory Development Standards, the Station Park West Project shall not be required to have primary building orientation to Park Lane or any other street that is not constructed at the time of the approval of a site plan including the building.

2.5.10.2 As authorized by Section 2.5.10.2 of the Mandatory Development Standards, for purposes of the Station Park West Project, Park Lane and any other street that is not constructed at the time of the approval of a site plan for any building shall not be deemed to be a principal street for purposes of designing displays, windows or doors.

2.10.2 As authorized by Section 2.10.2 of the Mandatory Development Standards, the Station Park West Project shall have such public sidewalks as are shown on the Station Park West Concept Plan.

In addition, the following sentence shall be added at the end of Section 2.8.4 of the Vested Development Standards: “Compliance with this standard shall be determined for the entire Station Park Project Site considered in its entirety.”

6. Future Review Processes. Buildings and other improvements proposed within the Station Park West Project shall be subject to site plan review in accordance with the site plan provisions of the Development Agreement.

7. No Inconsistent Development Requirements. The Station Park West Project may be developed in accordance with only those requirements set forth or incorporated into Sections 3 through 5 of this Amendment and standard City requirements for public utilities and other improvements not inconsistent with this Amendment.

8. No Further Amendments. Except as set forth above and in the Exhibits attached hereto and except as may be necessary to conform to the changes set forth above and in the Exhibits attached hereto, the Development Agreement and its Exhibits shall remain unamended and in full force and effect.

IN WITNESS WHEREOF, this 2017 Amendment to Development Agreement for Station Park has been executed by Farmington City, acting by and through the City Council of

Farmington City, Davis County, State of Utah, pursuant to Ordinance No. _____, authorizing such execution, and by a duly authorized representative of Developer as of the above-stated date.

ATTEST:

FARMINGTON CITY,
a Utah municipal corporation

City Recorder

By: _____
Mayor

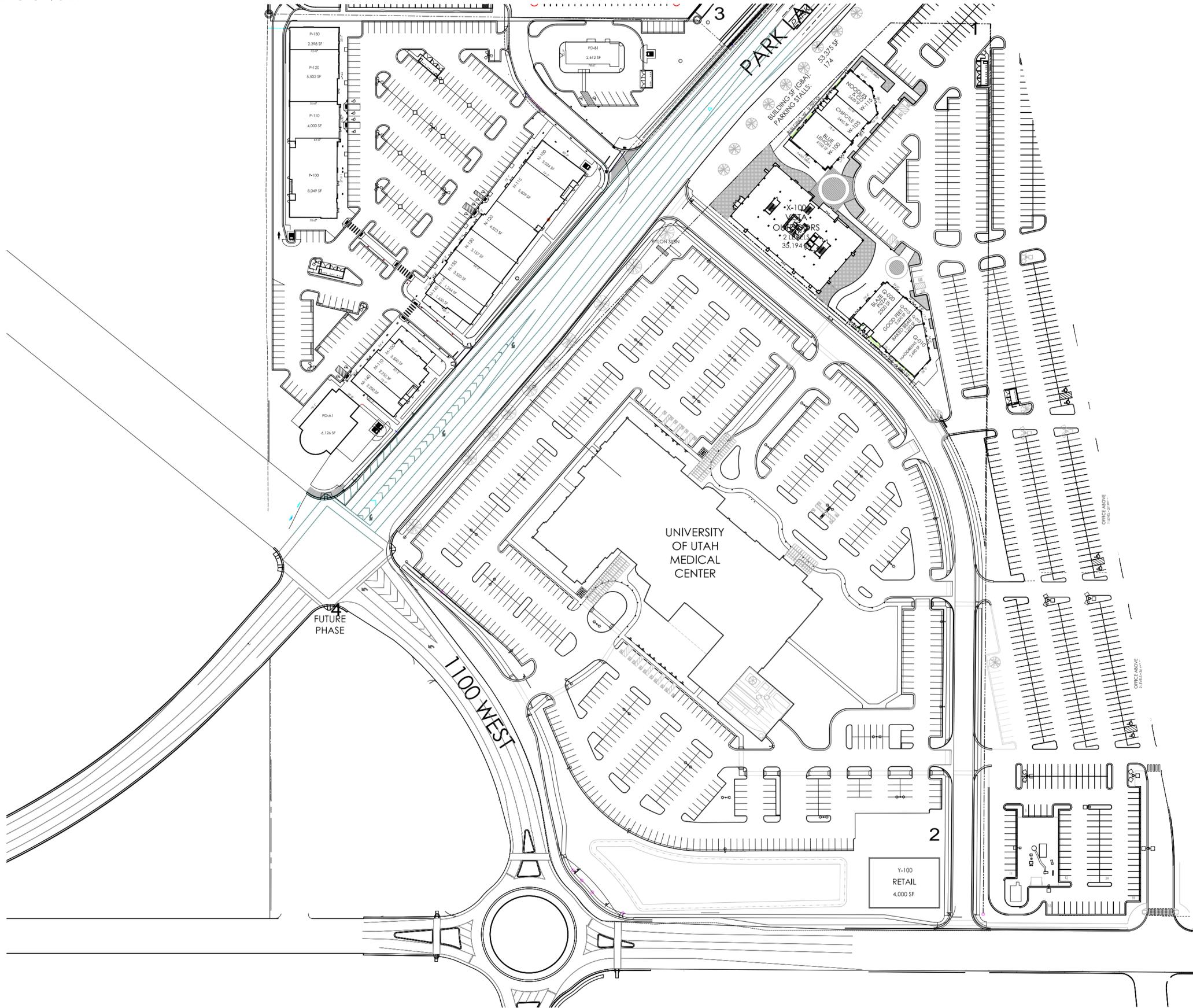
STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2017, personally appeared before me Jim Talbot, who being duly sworn, did say that he is the Mayor of FARMINGTON CITY, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Jim Talbot acknowledged to me that the City executed the same.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:



PROJECT SUMMARY:

AREA 1:	GLA:	GBA:
BUILDING W:	9,222 SF	9,295 SF
BUILDING X:	35,194 SF	36,000 SF
BUILDING Q:	8,412 SF	9,050 SF
TOTAL:	52,828 SF	54,345 SF

PARKING PROVIDED: 178 STALLS

AREA 2 (PAD):	
BUILDING Y:	4,000 SF

PARKING PROVIDED: 16 STALLS
PARKING RATIO: 4/1000

AREA 3:	
BUILDING M:	7,238 SF
BUILDING N:	22,739 SF
BUILDING P:	20,179 SF
BUILDING PD-A1:	6,126 SF
BUILDING PD-B1:	2,612 SF
TOTAL:	58,894 SF

PARKING PROVIDED: 273 STALLS
PARKING RATIO: 4.6/1000

AREA 4:

TOTAL: 7,961 SF

PLAN

13 February 2017

SCALE:



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West Farmington Mixed-Use District Regulating Street Plan

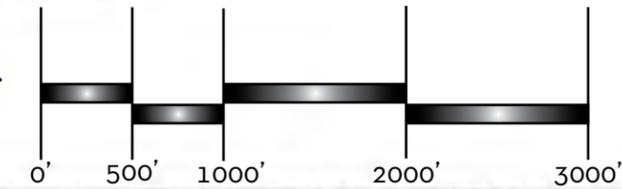
Legend

Street Network

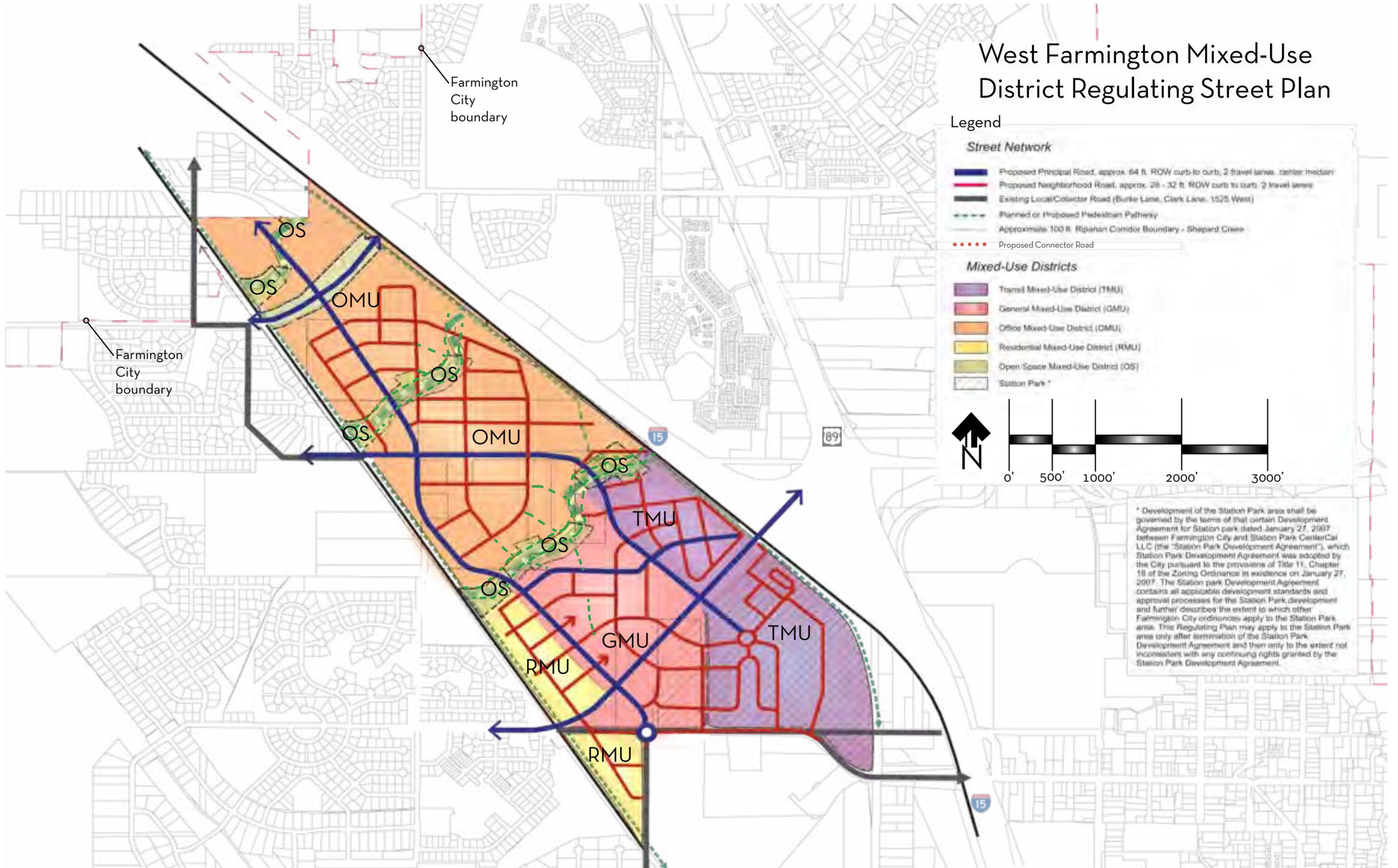
-  Proposed Principal Road, approx. 64 ft. ROW curb to curb, 2 travel lanes, center median
-  Proposed neighborhood Street, approx. 28 - 32 ft. ROW curb to curb, 2 travel lanes
-  Existing Local/Collector Road (Burke Lane, Clark Lane, 1525 West)
-  Planned or Proposed Pedestrian Pathway
-  Approximately 100 ft. Riparian Corridor Boundary - Shepard Creek
-  Proposed Connector Road

Mixed-Use Districts

-  Transit Mixed-Use District (TMU)
-  General Mixed-Use District (GMU)
-  Office Mixed-Use District (OMU)
-  Residential Mixed-Use District (RMU)
-  Open Space Mixed-Use District (OS)
-  Station Park*



* Development of the Station Park area shall be governed by the terms of that certain Development Agreement for Station Park dated January 27, 2007 between Farmington City and Station Park CenterCal LLC (the "Station Park Development Agreement"), which Station Park Development Agreement was adopted by the City pursuant to the provisions of Title 11, Chapter 1B of the Zoning Ordinance in existence on January 27, 2007. The Station Park Development Agreement contains all applicable development standards and approval processes for the Station Park development and further describes the extent to which other Farmington City ordinances apply to the Station Park area. This Regulating Plan may apply to the Station Park area only after termination of the Station Park Development Agreement and then only to the extent not inconsistent with any continuing rights granted by the Station Park Development Agreement.



11-18-140: ALTERNATIVE APPROVAL PROCESS; DEVELOPMENT

AGREEMENTS:

- A. Alternative Development Agreement Approval Process: Projects within the TOD mixed use districts involving the development of at least twenty five (25) acres of land may elect the alternative approval process described in this section, resulting in the approval, execution and recordation of a development agreement. An approved development agreement shall govern the specific uses, densities and intensities of use proposed for the project area and the specific development standards to be applied in the development of any necessary public infrastructure and the private improvements to be located on the project site. A development agreement must be consistent with the provisions of sections [11-18-030](#), "Definitions", and [11-18-050](#), "Uses", of this chapter and the provisions of section [11-18-080](#), "Project Master Plan", of this chapter, to the extent not inconsistent with this section, but may supersede and be inconsistent with the provisions of sections [11-18-120](#), "Master Development Guidelines", and [11-18-130](#), "Common Area Management Plan", of this chapter, and with the provisions of section [11-18-060](#), "Building Form And Site Envelope Standards", of this chapter, where the city council determines an alternative development standard proposed by the project developer is appropriate for the development of the project and the council finds there is appropriate consideration, in the form of monetary, tangible or intangible consideration of benefit to city or the public from the proposed development and/or other appropriate reasons that justify the determination of the city to alter generally applicable standards. The development standards of an approved development agreement shall also govern over any conflicting development standards contained in any other provisions of Farmington City ordinances, including, without limitation, provisions relating to site development standards in [chapter 7](#) of this title, off street parking in [chapter 32](#) of this title, supplementary and qualifying regulations in [chapter 28](#) of this title, and signage standards in [title 15](#) of this code.
- B. Approvals: The processes for approval of a development agreement and subsequent approvals for a project covered by a development agreement shall be governed by the provisions of this section and any supplemental procedural provisions agreed by the parties in an approved development agreement.
- C. Application For Development Agreement: Simultaneously with the application for a PMP, an applicant for a PMP involving at least twenty five (25) acres may apply for approval of a development agreement. In addition to the application requirements for a PMP, the applicant shall provide in narrative form a proposed development agreement including a specific description of the proposed uses and intensities of use proposed for the project area and a statement of the specific development standards proposed by the applicant to be applied in the development of any necessary public infrastructure and the private improvements to be located on the project site. The proposed uses, densities and intensities of use shall be consistent with the requirements and purpose of the TOD mixed use districts, but the other proposed development standards may vary from those development standards set forth elsewhere in this chapter, this zoning title or this code. However, nothing herein shall be construed to allow any deviation from uniform construction codes or standards as set forth in this code. Any application information required by this section may be waived by the zoning administrator on the basis that the information is not necessary to review the proposed PMP and development agreement. (Ord. 2008-61, 12-9-2008)

D. Consideration And Approval Of Development Agreement: The development agreement shall be considered at the same time as the PMP and following the same approval process described in section [11-18-080](#) of this chapter. The criteria for review of a PMP and development agreement application by the planning commission and city council shall consist of the following criteria in lieu of the criteria set forth in subsection [11-18-080](#) of this chapter:

1. Consistency with the Farmington City general plan;
2. Compliance with applicable city codes, rules, regulations and standards applicable to the proposed PMP, except that development standards specifically included in the development agreement may be different from development standards contained in the Farmington City ordinances;
3. Consistency with any development standards determined by the city to be applicable to all development within the TOD mixed use districts;
4. Establishment of a mix of uses in locations that will promote and encourage the goals of the TOD mixed use districts and be consistent with the objectives of section [11-18-050](#), "Uses", of this chapter; and
5. Establishment of circulation and transportation features sufficient to meet the requirements of section [11-18-040](#), "Regulating Plan", of this chapter, to coordinate with anticipated off site circulation and transportation features and to further any applicable community wide transportation objectives.

E. Final Development Agreement: The final development agreement shall incorporate the terms of the approved PMP, and shall contain development standards for the development of the project site and any public infrastructure required to be improved, the duration of the agreement and the rights granted pursuant thereto and such conditions of approval as may be imposed by the city council and agreed to by the applicant. In addition to addressing uses, densities and intensities of use and development standards governing the project, the final development agreement shall include a common area management plan, and processes for future approvals and amendments to the terms of an approved development agreement consistent with the provisions of subsection F of this section. The common area management plan, development standards and architectural review provisions in the development agreement shall be applicable to the project site only and not to the balance of the land within a TOD mixed use district, but the foregoing shall not limit the discretion of the city to require other developers to implement development standards adopted in the development agreement through the master development guideline provisions of section [11-18-120](#), "Master Development Guidelines", of this chapter. The final development agreement may contain such other agreements between the city and the applicant as may be agreed by such parties and necessary for the development and financing of the project, including, without limitation, agreements regarding the phasing of development, the vesting of development rights and approvals, the terms and conditions for the extension of public infrastructure, the extension by developer of infrastructure, and any payment or repayment obligations associated therewith, the donation of any land or any other agreement reflecting an agreement between developer and the city, not covered within the description of the approved PMP.

F. Controlling Provisions: The terms of a development agreement shall be binding on the city and all successors in the ownership and occupancy of any portion of the project site covered by the development agreement. The provisions of the development agreement shall control over any inconsistent provision in the zoning ordinance. Upon approval and recordation of a development agreement, the property covered by the development agreement shall be deemed to be established as a separate district for purposes of establishing and enforcing the development regulations contained in the development agreement.

G. Approval Processes After Approval Of Development Agreement:

1. Site Plan Review: Notwithstanding any inconsistent provision of this title, a final development agreement may contain such site plan review processes as may be agreed between developer and the city, including such application requirements and review processes.
2. Amendment: Notwithstanding any inconsistent provision of this title, a development agreement and a PMP for a project covered by a development agreement may be amended on such terms and following such processes as is provided in the final development agreement. A PMP shall be deemed amended by any changes to the PMP approved at the time of final site plan review. No amendment of a PMP or a development agreement shall be required to reflect normal adjustments to the locations of improvements that occur as a result of the development of more specific plats, plans and specifications.

H. Existing Development Agreements: Notwithstanding any inconsistent provision of this section relating to the approval of development agreements or any other provision of this chapter, the development of the Station Park area shall be governed by the terms of that certain development agreement for Station Park dated January 27, 2007, between Farmington City and Station Park CenterCal LLC (the "Station Park Development Agreement"), which Station Park development agreement was adopted by the city pursuant to the provisions of this chapter in existence on January 27, 2007. The Station Park development agreement contains all applicable development standards and approval processes for the Station Park development and further describes the extent to which other Farmington City ordinances apply to the Station Park area. The development standards and processes in the Station Park development agreement remain effective even though such provisions may be materially different from the current provisions of this chapter. The current provisions of this chapter may apply to the Station Park area only after termination of the Station Park development agreement and then only to the extent not inconsistent with any continuing rights granted by the Station Park development agreement. (Ord. 2008-61, 12-9-2008)