

**FARMINGTON CITY
PLANNING COMMISSION
SEPTEMBER 17, 2020
ELECTRONIC AND IN PERSON MEETING**

STUDY SESSION

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

David Petersen addressed the Commission about the Fiore project, as he came across a past public opinion survey. The same family has owned the property for over 20 years. They know they have the right for commercial use, but what that commercial use is, no one has determined yet. An office space would be a good choice. The citizens were polled on apartments, townhomes, self-storage, and a convenience store. There was no clear winner or loser. The applicant is proposing townhomes, which may require a rezone. The original Covenants, Conditions and Restrictions (CC&Rs)/design standards may have to be amended.

Alex Leeman said the history of this project is interesting. It shows things can change over the years. The property owner wondered about a nursery, farmer's market, pharmacy, or day care in the project.

REGULAR SESSION

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

Alex Leeman opened the meeting at 7:05 PM.

Item #1 Minutes

Greg Wall made a motion to approve the minutes from August 20, 2020. **Rulon Homer** seconded the motion, which was unanimously approved.

Item #2 City Council Report

Dave Petersen reported on the field trip taken to Sandy and South Jordan that the Council took on September 15, 2020. Using the Davis County 14-passenger bus, they visited two developments in South Jordan (the SoJo Rail Stop and RiverPark); and the Cairns District in Sandy to see how they have developed over time. This was to get an idea of what could happen at North Station in Farmington.

SUBDIVISION/ZONING AMENDMENTS

Item #3 Jacob Ballstaedt/Adam Nash (Public Hearing) – Applicant is requesting a recommendation for Schematic Subdivision Plan and Preliminary PUD Master Plan approval for the proposed Fiore Townhomes Planned Unit Development (PUD) subdivision, consisting of 30 lots on 2.65 acres of property located at the South East corner of 1525 West and Clark Lane and a zone change of the property from AE PUD (Agriculture Estates Planned Unit Development) to BR PUD (Business Residential Planned Unit Development). (S-17-20 and Z-10-20)

Dave Petersen reported in 2000, the City entered into a development agreement with Golden Meadows Properties for the development of the Farmington Greens PUD Subdivision. In that PUD Master Plan and Development Agreement,

the subject property was determined to be “Commercial Support and Services” and further defined under Recital B of the development agreement as: “Developer’s project shall be known as Farmington Greens, a planned unit development (the “Project”), which shall consist of up to but not to exceed 176 lots or dwelling units, plus approximately three acres of commercial property as more particularly shown on the preliminary development plan previously approved by the City Council on October 7, 1998.” Beyond this one sentence, there is no further description on what types of commercial uses are allowed on this commercial property.

About 19.5 years after the City approved the preliminary development plan for the site, the City received an application to develop the property. ... A self-storage/retail facility. ... And the Planning Commission considered the same on February 8, 2018. Thereafter, the City Council did not deny the use, but determined that the proposed setbacks, among other things, which deviated from the standards of the underlying zone, placed the buildings too close to the street at this location. A year (11 months) prior to this, the same developer met with some residents/property owners in the neighborhood to get their input about possible uses for the site.

Timeline— 1998 to 2019 (Before the Fiore PUD Application)			
Application/Request	Result	By	Date
Farmington Greens Preliminary Development Plan	○ Approved by City Council	CC	10/7/98
Development Agreement	○ City Council	Date on agreement: 7/19/2000	
Neighborhood Mtg	○ City emails show that a neighborhood meeting may have been held by a representative of the owner to discuss development alternatives for the property including apartments (in two buildings) or a convenience/fuel sales store (i.e. a Maverick)	April, 2017	
Farmington Greens PUD Master Plan Amendment Application—Self Storage	○ Recommendation by Planning Commission ○ Tabled by City Council ○ City denied request to amend Farmington Greens PUD set back and other standards related to the 2.65-acre site [note: The Council did not deny the proposed land use].	PC CC CC CC	2/8/18 3/6/18 3/5/19 3/19/19
Application—Self-Storage Units	○ Applicant begins preparing a revised application for self-storage units, but never submitted it to the City.	Late Spring/Early Summer 2019	

The Farmington Greens development was 98 acres and designed with views of the Bountiful Temple in mind. They came under Chapter 27 (the PUD chapter), which has a brief mention of commercial in the preamble. Therefore, it was determined years ago that the Agricultural Estates (AE) Zone would allow some commercial uses. There was no movement for 17 years when **Adam Nash**, representing the property owner, held a neighborhood meeting and discussed options such as two apartment buildings, strip commercial, self-storage, 78 condominium units in three stories, and a Maverick gas station. Input from the residents wasn’t very clear, but condominiums were the most well received at the time.

Since that time as the surrounding subdivision has been built out, several residents have come asking the City what the plans are for the vacant lot there, not wanting a gas station or strip mall. Staff would reply that they didn’t know what was going to happen there. **Petersen** said in 1997 and 1998, the lay of the land didn’t include good freeway access to Farmington’s west side. **Leeman** said the idea was that there would be some light neighborhood commercial in that area to support the surrounding homes. However, that was before Station Park came.

Now the same developer is proposing 30 townhomes for the site and is requesting that the City rezone the property from Agricultural Estates (AE) PUD to Business Residential (BR) PUD. . The property owner is willing to abandon all previous vested rights if townhomes can be built along with rezoning that would allow commercial use on three acres. The maximum units allowed per acre in the BR Zone is 15. They are requesting 11.3 units per acre on their application. **Petersen** said the setbacks aren't as much of an issue with this proposal because it would have individual townhomes fronting the street rather than a long continuous wall as proposed a couple of years ago.

Applicant **Adam Nash** (6076 S. 900 E., suite 151, Salt Lake City, Utah, 84121) addressed the Commission. He represented the property owners in the past and now is a partial property owner as well. He said they have struggled to determine what would make economic sense to develop in that area. He said about half of those who attended the neighborhood meeting accepted residential development. Some were great with the Maverick, but not those who would live right next to it. They did not like the apartments as much because of the size of the buildings. Some were fine with storage while others wanted the City to buy it and make it a park. However, there was not a clear direction. Now, the property owner would like to team up with Garbett Homes for the owner-occupied, separately deeded units. He said design standards would be specific for the different options proposed in years past. He said these units are affordable, although they do not meet the FHA local standard of \$189,000. Compared to other housing in the area, these are a lot more affordable.

Alex Leeman opened the Public Hearing at 7:33 PM.

David Rathbun (81 Churchill Downs Drive, Farmington, Utah) said he lives in the nearby Farmington Greens. He would not like to see commercial uses there. He asked about a multifamily zone. He prefers two-story townhomes over three-stories. He asked if it would be part of the Farmington Greens Homeowner's Association (HOA), as their park area and playground are about a block away from the property. He is concerned about parking, as it is already an issue with nearby townhomes where residents park on the street despite having garages and a back alley.

Ashley Hardt (79 Filly Drive, Farmington, Utah) said she is also concerned about parking for the proposed townhomes, saying that there are only eight planned guest parking spaces allocated for 30 residences. She previously lived south of the church in Farmington Crossing, where parking was an issue.

Alex Leeman closed the Public Hearing at 7:39 PM.

Mike Plaizier noted a possible conflict of interest, as he has direct business dealings with **Adam Nash**, the applicant.

Alex Leeman asked **Dave Petersen** to speak on some of the zoning issues. **Petersen** said it is master planned for commercial and there is an existing agreement for commercial. That is why the BR zone is appropriate, as it is both business and residential. The residential densities are similar to the R-8 Zone, which the Planning Commission could consider using. If it is zoned R-8, office is the only primary allowed commercial in that zone. People would prefer an office building compared to commercial strip mall in that area.

Adam Nash said he commits to two stories, as there is ground water issues and height restrictions. He has no problems having the property zoned R-8 vs. BR. He said he would have to talk with his partners about if it will be part of the Farmington Greens HOA. He said they can control the narrow interior private streets, but not the public streets. It would be up to the City to post no parking on the public streets.

Alex Leeman suggests that the change to R-8 be made, if the applicant is fine with it. He said it locks in the City's vision for the area. He said the applicant may want to consider putting in a tot lot or park use in order to not overwhelm Farmington Green's park. He said the applicant meets the parking standards with their proposal because of the two-car garages with every unit and eight visitor spots.

Jacob Ballstaedt (273 N. East Capitol Street, Salt Lake City, Utah, 84103) with Garbett Homes addressed the Commission. They also built Farmington Crossing, 2006-2015, through the recession. That project is a majority of rear-load garages, which doesn't have a lot of room for guest parking. However, this project is different as it is front-load with two-car garages with driveways. It is a new design for the company, with modern elements like shed roofs and a transitional architectural style. The townhomes are 28 feet wide, which is wider than the typical 25 feet that only allows a garage

and entry. They have covered patios in the back to look more appealing. The back yards usually are not fenced, as the HOA maintains the yards. The company embraces energy efficiency, and designs their homes to use half as much energy as the traditional home due to insulation and thicker walls, tankless water heaters, high efficiency windows, etc.

Greg Wall asked if there are sidewalks on both sides of the roads. **Ballstaedt** said yes, attached to the curb and gutter. On the west end of the east-west road, **Wall** wondered if there would be a berm to separate it from 1525 West. **Ballstaedt** said there would be a perimeter fence there by 1525 West and Clark Lane. He asked the depth of the covered patio, which was about 5 feet. He would also propose a 6 foot vinyl fence. **Wall** is concerned with the depth of the driveways: on the north-south road they are 20 feet, but on the north side of the east-west roads, they are proposed at 19 feet. He is from Wyoming, where Garbett did another project. A lot of people there owned trucks, which when parked, hung out over the sidewalk. He asked if that was a concern for this project. **Ballstaedt** said the City minimum is typically 18 feet. **Wall** does not like the corrugated steel, as it feels industrial. He said the open quad could be a good place to put a playground.

Leeman said he likes the proposed options and they would fit the neighborhood well. This is the best thing the City has seen for this spot. He proposes to recommend it with an R-8 zone, which would go to the City for rezone, PUD and schematic approval. After that, it would be in front of the Planning Commission. Part of the Planning Commission's recommendation could be not to approve the final enabling ordinance (that would create the R-8 zone) does not take effect until final PUD is approved, which would help the Commission to have continued input on the design elements.

Wall asked about the difference between the BR and R-8 zones. **Petersen** said the BR allows for various kinds of businesses, but the R-8 only allows for office uses. **Leeman** said in the past, the public had been wary of a lot of the commercial uses in the BR zone. The residential and office uses entitled by the R-8 zone is more palatable to the neighborhood even though it is commercial now.

Rulon Homer said he has seen a lot of proposals for this property over the years, and this is his favorite so far. He asked if the zoning did not allow them to put any more houses on the property, could they rezone to get more homes. **Leeman** said the entitlement under the development agreement limits their roof tops on the 98 acres. **Wall** said it has been maxed, because the rest of the land is wetlands.

Leeman said these units could be considered medium-income units that will be accessible to many people, although it does not meet the federal definition of affordable housing. Although parking will likely be a problem, there isn't much the City can do about it as the proposal meets minimum standards. Theoretically, each unit has the ability to park four vehicles off the road. **Wall** would like to make a condition of approval to provide more visitor parking stalls.

After working with snowplowing and HOAs at Farmington Crossing and the Avenues (at 1100 West and Clark Lane), **Petersen** said Staff has found that those developments that have a driveway in front of their garage do not have the parking problems that those without driveways have. Those two extra spaces make all the difference. He doubts this project will have much of a parking problem.

Leeman asked the developer to consider how to screen the units without it becoming an eyesore or a site-line issue. He would not like large walls of vinyl fences. He would like to address this issue in the future.

Shannon Hansell addressed the Commission with five findings, A-E, based on 11-27-070. The first is the layout. Due to the residential nature of the surrounding area, the design of the townhomes, landscaping and screening should be more integrated and cohesive with the surroundings than other possible commercial uses like convenience stores, storage units and small professional office sites, which are also allowed on this site. Further architectural review could be considered by the Site Plan and Architectural Review Committee (SPARC) with Planning Commissioners and City Councilmembers in attendance.

The detriment to the surrounding residential area would be less intense because of a less intense commercial use in the form of residential townhomes. The reason this was originally designated commercial in the Development Agreement was to provide more convenient business uses to surrounding sprouting subdivisions at that time. However, there is no longer a need for such commercial uses because of Station Park. It is beneficial for businesses to cluster near each other.

She spoke of traffic hazards. The addition of two proposed access points on Clark Lane and 1525 West is far more beneficial to the area than a single family dwelling with a potential of multiple access points on those busy roads where there might be children and pedestrians walking. On the other hand, if this was to become commercial, pedestrians would have to compete with business ingress and egress. That would increase daily traffic more than the proposed townhomes would. The four-way intersection of 1525 West and Clark Lane may need a traffic light or increased light pollution to handle traffic from commercial uses. With townhomes, the daily traffic patterns would be similar to what that area already experiences.

The for-sale townhomes allow individuals to build equity, and the HOA will ensure the property is maintained. The City and residents have more opportunity for input on this proposal through the PUD process. Townhomes are the most favorable usage according to public input so far, compared to high apartment buildings.

The developer and this development are deviating from the underlying zone requirements such as setbacks.

Wall wants to add as conditions to the motion things the applicant verbally agreed to such as: the townhomes will be a two-story product, and it will be part of the Farmington Greens HOA.

He would like to recommend the addition of a playground later in the process. It is wise to make the enabling ordinance at final PUD so the R-8 Zone doesn't become effective until conditions are met. He would like to see driveways longer than 19 feet. **Leeman** would like to see an option for additional parking in the next phase.

MOTION

Greg Wall made a motion that the Planning Commission recommend that the City Council approve the Preliminary PUD Master Plan and Subdivision Schematic Plan for the Fiore Townhomes Planned Unit Development (PUD), and rezone the property from AE (PUD) to ~~BR (PUD)~~ to R-8 (PUD), subject to set backs which result from the building placement as depicted on the proposed master plan, with findings A and B.

Findings for Approval:

- a. Townhomes present an acceptable non-commercial use for the location because the 1998 development plan, which identified commercial uses on this corner, did not envision a major commercial complex just a few blocks east of the site. Now the possibility of a thriving business on the 2.65-acre property is more remote due to the market attraction of Station Park.
- b. The townhomes will be "for sale" dwellings, which may result in a good niche/match for the local housing market.

In addition, the attached findings based on 11-27-070 A-E, with the following additional conditions:

Conditions:

- a. That the enabling ordinance does not take effect on the R-8 PUD Zone until final PUD.
- b. The townhome products be two-stories.
- c. The townhomes in this project are part of the Farmington Greens HOA.

Rulon Homer seconded the motion, which was unanimously approved.

Item #4 Miscellaneous, correspondence, etc.

Wall reported on the recent SPARC (Site Plan and Architectural Review Committee) meeting. The Station PUD proposes some changes to what was presented before, including a name change to The Rose. Historically, Farmington had been called the City of Roses because of the many rosebushes in the area. A home north of the Zion's Bank built in 1883, the sixth oldest home in Farmington, was owned by the Rose family. **Wall** said the developer also decided to blend lot sizes. They have the same lot count, but the lot sizes are interspersed. The two City Councilmembers at the meeting were **Amy Shumway** and **Scott Isaacson**, who encouraged them to incorporate Farmington Rock into the project. They asked that the deep set-back homes be brought forward, or have covered awnings to make the front door more prominent

and appealing. **Petersen** suggested on corner lots that the garages be turned to be side facing. It was suggested to move the pickleball court closer to the wetlands.

ADJOURNMENT

Rulon Homer made a motion to adjourn at 8:32 PM. **Wall** seconded the motion, which was unanimously approved.



Alex Leeman, Planning Commission Vice-Chair