

**FARMINGTON CITY
PLANNING COMMISSION
June 22, 2023**

WORK SESSION

Present: Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, and Mike Plaizier. Staff: Community Development Director David Petersen, Assistant Community Development Director/City Planner Lyle Gibson, Planning Secretary Carly Rowe. Excused: City Planner/GIS Specialist Shannon Hansell; Commissioners Tyler Turner and Samuel Barlow; Chair Erin Christensen; and Alternates Alan Monson and Clay Monroe.

Community Development Director **David Petersen** said Applicant **Adam Trump** would like to do a detached Accessory Dwelling Unit (ADU), and the City Council approved the ordinance earlier that week. His building is 6 feet too high, a difference of 15 to 21 feet. He sits on an acre lot on East State Street and would like to get under construction before August of 2023.

Applicant **Adam Trump** said he can't meet at the Commission's next meeting on July 13, so he is hoping he can get four Commissioners together for a special meeting before the Council's next meeting to consider his height exception. He hopes to meet July 3, 5, 6 or 7, 2023. Staff will have to check with the other Commissioners not present to set the date.

Assistant Community Development Director/City Planner **Lyle Gibson** said the **Tory McDonald** Conditional Use is a difficult one, and Staff is recommending denial based on architecture and roofline alterations. A historic preservation architect commented on the impact it would have on its eligibility to remain as a historic site, saying the proposed changes would make the building not eligible. This would make the homeowner ineligible for grants. It is a contributing property on Farmington's list, and currently listed on the historic register. The height, front face, and addition are all areas of concern. There is potential to keep it eligible, and **Petersen** said the City is willing to pay an architect to give the applicant some advice and guidelines. A majority of the homes in the Original Townsite Residential (OTR) Zone are single-story homes, and this proposal is for two floors.

Gibson said the Staff's findings on the Everly are that they remain consistent with their latest proposals. It is the same building that rotated due to a Bureau of Reclamation easement that could not be removed. The street frontage on Park Lane is maintained. It is a three-story building. Eliminating a two-story building lowered the unit count from slightly.

Regarding Ace Athletic Holdings, the applicant submitted a 270-page traffic study. **Petersen** said it is too much at one location and it has an industrial look near a bird refuge. The minimal landscaping has not been maintained and has become an eyesore. Commissioners said it doesn't fit the neighborhood. Because the corridor cuts through the area, the neighborhood is changing.

REGULAR SESSION

Present: Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, and Mike Plaizier. Staff: Community Development Director David Petersen, Community Development Director/City Planner Lyle Gibson, Planning Secretary Carly Rowe. Excused: City Planner/GIS Specialist Shannon Hansell; Commissioners Tyler Turner and Samuel Barlow; Chair Erin Christensen; and Alternates Alan Monson and Clay Monroe.

Vice Chair **John David Mortensen** opened the meeting at 7:04 PM.

CONDITIONAL USE PERMIT – public hearing

Item #1 Tory McDonald – Applicant is requesting consideration of a Conditional Use application and determination of compliance with 11-17-070, Construction Design Guidelines, for an addition to an existing home, located at 386 N. 100 E., in the OTR (Original Townsite Residential) zoning district.

Assistant Community Development Director/City Planner **Lyle Gibson** presented this agenda item. The applicant has submitted plans to the Community Development office for an addition to their home in the OTR zoning district. As proposed, it was determined by City Staff that the design did not meet the design guidelines of the OTR district. The existing home fronts 100 East and has a historic registry plaque on it.

The existing home is approximately 1,300 square feet on a single level. The proposed addition includes approximately 950 square feet of additional footprint with a total of approximately 1,900 square feet of new living area and 440 square feet of garage space on the south side of the house. It is appropriate to provide parking for vehicles. **Gibson** said the standard of compatibility makes it ineligible to be approved. The Commission can propose alternatives. Notice has been sent to neighbors of the property in question.

There are provisions within the OTR district that allow the Planning Commission to consider some flexibility such as 11-17-070 (D)(2) where an addition may be larger than the existing building if approved by conditional use by the Planning Commission. The Commission is looking to determine if the proposed addition may be approved based on meeting the standards of a conditional use review for the amount of proposed building area, to determine if the proposal meets the standards for a conditional use, particularly the standard of compatibility. The Planning Commission is tasked with making a determination as to whether or not the proposal meets the design guidelines of 11-17-070.

The existing home is on the Farmington City Historic Sites List. Staff has reached out to an historic preservation specialist per 11-17-070 (A)(4) to better understand the implication of the proposed remodel on the impact of the addition on the home's eligibility for the registry and for an additional opinion on the proposal's compliance with the guidelines of the OTR district. As of the date of this report, Staff has not received input from this individual and will continue to push to provide an update at the public hearing for the consideration of the Planning Commission.

Provisions in question as noted by Staff are listed below:

11-8-050: CONDITIONAL USE STANDARDS:

D. Compatibility: The proposed use shall be compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing and proposed development;

Applicable section of the OTR zoning ordinance:

11-17-070: NEW CONSTRUCTION DESIGN GUIDELINES:

D. 2. New buildings and additions shall appear similar in scale to the scale that is established in the block or in the general vicinity. Subdivide larger masses into smaller "modules" that are similar in size to buildings seen traditionally. The area of a new construction or addition shall be equal to or less than that of the main dwelling or original building unless otherwise approved by the planning commission as a conditional use.

E. 3. Except as otherwise provided herein, the height of a new addition shall be equal to or less than that of the original building;

E. 4. Accessory buildings or structures shall be subordinate in height to the main building and shall not exceed fifteen feet (15') in height unless approved by the planning commission after a review of a special exception application filed by the property owner.

F. 4. If a property owner is proposing to construct a second story but no second story homes exist in the neighborhood, the property owner should consider bringing portions of the roof down to the gutter or eave line of the first story;

F. 5. Major portions of second story and/or second story additions should be set away from front, rear and side property lines, and placed over the house and not the garage only;

Applicant Tory McDonald (386 N. 100 E., Farmington, Utah) stated that this is an original pioneer home. His family has owned it since 1860. They have never accepted any funding from any historic foundations. He would like to tear down the back side porch that was originally framed 70 years ago on the south end. He also corrected that the inside living square footage was approximately 1,000 rather than 1,300 square feet, as the walls are 18 inches thick. There are many double-story homes within 300 feet of his. The integrity of old town was compromised years ago. He is wanting to build this addition for his daughter and her family as soon as possible. There is a one-car garage that will likely be removed in the future. Franklin D. Richards originally built the home for one of his wives, and there was an addition done in 1907.

Commissioner **Frank Adams** asked if he would consider feedback from the architect and/or the Historic Preservation Commission. He would like to keep the integrity of the house, and understand options with the roof line. This would make it more compatible with the historic feel.

John David Mortensen opened the public hearing at 7:20 PM.

Gary Mears (391 N. 100 E., Farmington, Utah) lives across the street. He has spent over 50 years working on restoring and adding to historic buildings, and is in favor of what is being proposed. He is qualified to speak about the nature of historic homes. He said he would gladly show the Commission what does not comply with the OTR within a few blocks of **McDonald**. Speaking to the nature of

historic homes, his opinion is that the ordinances make it difficult for residents because older homes are smaller and need work done to be compatible with modern lifestyles. It is very expensive to fix older homes, and new construction is cheaper. Just because they like the area, most people want to bull-doze the historic homes to build a new home. He said the proposed addition would be more compatible with Farmington, to him, than some of the other new homes. He believes that people should be able to do what they want with their own property. It won't detract from anything else around it.

John David Mortensen closed the public hearing at 7:28 PM.

Commissioner **Frank Adams** said that he cannot relate to the old home aspect, but relates to the children needing a place to live aspect. He is not opposed to the second story, just the architecture of it. If it were more visually appealing and compatible, he would be in favor of that. He does not want to shut it down, and would like to work with the applicant.

Commissioner **Mike Plaizier** said the roof line does not blend in with the rest of the roof. He would like the applicant to take some time to work with the contracted Historic Architect. Commissioner **Larry Steinhorst** agreed with the above comments. There is a hodge-podge of styles in the OTR area.

John David Mortensen said he understands the fact of needing space to help grown children. He also said that there is not a lot of consistency on the applicant's block, as things started being built in 1850, and the area has homes from then to now. To expect consistency from then to now is not realistic. Farmington recognizes this as a historic home, and he would like to know about its eligibility for the historic registry. The City would like to preserve that. The City hopes that the Historic Preservation Commission can look at this, as well as a contracted architect.

Lyle Gibson stated that the City would be happy to coordinate those resources.

MOTION

Frank Adams made a motion that the Planning Commission table the requested Conditional Use Permit until the applicant has had an opportunity to visit with the architect and see what can be done. When done doing that, put it back on the agenda to put their best foot forward architecturally and historically.

Plaizier seconded the motion, which was unanimously approved.

Vice Chair John David Mortensen	X Aye ____ Nay
Commissioner Frank Adams	X Aye ____ Nay
Commissioner Larry Steinhorst	X Aye ____ Nay
Commissioner Mike Plaizier	X Aye ____ Nay

SUBDIVISION APPLCATION – no public hearing

Item #2 Castle Creek Homes/Bryce Thurgood – Applicant is requesting Final Site Plan approval for the proposed Everly Apartments, located at approximately 1180 Park Lane, in the RMU (Residential Mixed Use) zone.

Gibson presented this agenda item. The property is located just off Park Lane and east of the Denver and Rio Grande Western (D&RGW) Rail Trail. The City is working on Innovator Drive, which is the major north-south road on the east side of this project. Everything east of this is office/commercial. One pad was reserved for a commercial pad, which is a proposed Maverik gas station.

The Everly is a residential apartment project which includes 407 units over multiple buildings. This project was first seen by the City for consideration in October of 2020. After multiple meetings and different concepts, the Commission recommended approval of the Project Master Plan (PMP)/Development Agreement (DA), schematic subdivision plan, and a zone text amendment to the City's Regulating Plan on August 5, 2021. The Council subsequently approved the schematic subdivision plan, schematic site plan, and PMP/DA, and tabled the Regulating Plan zone text amendment for the Everly on November 16, 2021.

The Council approved the PMP/DA with 416 units plus 2 shared spaces (clubhouse and future retail area) with three-story buildings along the Rail Trail and taller four-story buildings along Innovator Drive. As such, the final site plan shown today is consistent with the PMP that was approved by the City Council at the November 16, 2021, Council meeting. The primary notable difference is the orientation of units near the Maverik site in order to work around an existing utility easement.

Since the approval of the PMP/DA and conceptual site plan, a subdivision plan has been approved that will encompass the subject project, and the City has proceeded with construction of the Right-of-Way improvements. Meanwhile, the applicant has been working with the Development Review Committee (DRC) to confirm technical specifications and compliance of the project with applicable standards. The DRC committee is now comfortable recommending approval of the final site plan by the Planning Commission.

Gibson said it is not the applicant’s desire to rotate the building to face the gas station, but a Bureau of Reclamation easement made it necessary. Staff recommends approval of this project. Weber Basin Water District is in charge of monitoring the Bureau of Reclamation easement that is on the property. It is an old land drain system to push water under the soil. It may be inactive, but they are unwilling to remove it. The OrthoStar building across the street is a two-story building. E&H Land/Evans family has 45 acres total, which is cut in half by Innovator Drive. Everything on the west end is where the residential has been permitted, and commercial is on the east end.

Applicant **Bryce Thurgood** with Castle Creek Homes (Perry, Utah) stated that the only changes have been the two buildings to accommodate the easement as mentioned above.

Mike Plaizier asked about the recycling ordinance. The site plan does have a garbage and recycling area, two each side-by-side at each site. Considering the Americans With Disabilities (ADA) parking, **Thurgood** stated that the number of parking stalls needs to be corrected as some garages for ADA homes have wider spots. He will provide clarification to that.

John David Mortensen asked why the two-story buffer was taken out. The short answer was because of the easement mentioned earlier, as well some gas line easements and storm detention. This caused a loss of approximately six units. The active play area/dog park on the southwest will have pea gravel as well as grass and a basketball court. This area is near the Rail Trail. He also asked about the commercial. **Gibson** said Boyer across the street is committed to office and is actively looking for tenants. Maverik is in process of reviews.

MOTION

Larry Steinhorst made a motion that the Planning Commission approve the final site plan for the Everly Apartments subject to all applicable Farmington City standards and ordinances and the Conditions 1-2:

1. All remaining Development Review Committee (DRC) comments be addressed.
2. Should any significant changes to the project occur, a new PMP/DA will be brought to the Planning Commission for review and recommendation to the Council.

Findings 1-2:

1. The final site plan is consistent with the PMP/DA approved by the City Council on November 16, 2021.
2. The final site plan is acceptable according to FC 11-18-140.

Mike Plaizier seconded the motion, which was unanimously approved.

Vice Chair John David Mortensen	X Aye ____ Nay
Commissioner Frank Adams	X Aye ____ Nay
Commissioner Larry Steinhorst	X Aye ____ Nay
Commissioner Mike Plaizier	X Aye ____ Nay

ZONE TEXT AMENDMENTS – public hearing on item 3. No public hearings on items 4, 5, 6; continued from previous meeting.

Item #3 Farmington City – Applicant is requesting consideration for additional text and amendment to multiple sections of Farmington City Code Title 11: ZONING REGULATIONS. The proposed amendments are to update side yard requirements related to primary and accessory buildings. (ZT-1-23).

Gibson presented this agenda item. **Update:** At the June 6, 2023, Planning Commission meeting, the discussion lead to interest in exploring a fixed set back dimension for accessory buildings, particularly those which include an ADU. In order to keep some spacing and to keep it equal, the Planning Commission considered having such a building required to remain 5 feet from a property line. This is more constant and predictable. Under this direction, one property owner’s rights would not be determined by what an adjacent property owner does and the first-come, first-served ramifications of the existing ordinance would be corrected.

The Commission asked about fire safety and building code as buildings get closer to property lines. The building official has confirmed that the need for enhanced fire rated materials on an accessory structure relates to its distance from the property line, not the distance from buildings on someone else's lot. Buildings under 200 square feet which are not regulated by the building code do not have a distance requirement where fire rating becomes necessary, but when a building exceeds that square footage, anything closer than 5 feet to a property line must be constructed with a 2-hour fire rated material. This requirement limits the amount of openings, doors, and windows that are possible on sections of the building in such close proximity to a property line. The building official recommended that for buildings over 200 square feet in size, a 5-foot setback requirement is a good number. It is the feeling of Staff that there may be good cause on occasion to allow a building to go closer, and thus the ability to request a special exception may be appropriate.

The draft ordinance included with the report has been updated to require accessory buildings over 200 square feet in size be 5 feet from a side and rear property line with the ability to request a special exception from the Planning Commission to reduce those setbacks. Language has also been updated pertaining to the definition of architectural and integral to better match how it is currently defined in the city's ordinance.

June 8, 2023 Report: The Planning Commission held a public hearing in January of this year for this item. There was not public comment on the matter. After discussion by the Planning Commission, Staff was directed to leave the side yard setbacks intact, but noted that there were a couple of items presented by Staff that merited continued discussion, namely:

1. The Commission asked Staff to address scenarios where, because of a first-come, first-serve situation, a property owners plans may be made non-compliant based on provisions that require accessory buildings to be "located at least 15 feet from a dwelling on an adjacent lot." This has implications due to main dwellings and accessory dwelling units.

Examples:

1 – A property owner pours a pad where they one day hope to place a shed; the adjacent property owner builds a new home or adds an addition near this pad before the accessory building was started, making the accessory building illegal. In this example, investment has been made in improvements.

2 – Home owners often build out their property in phases where a detached garage, garden shed, pool and pool house are planned with the original home construction but are pursued at a later date typically for financial reasons. If a neighboring property owner builds a new home, addition, or ADU close enough to these future accessory buildings, they may be made illegal. In this example, investment may have been made in plans; in a less direct manner, investment may have been made in site improvements in anticipation of future buildings.

3 – On a small single-family lot in a Planned Unit Development (PUD), the side yards and rear yards may be small enough that an accessory building may be pushed towards the middle of a rear yard, or may not be feasible at all. The potential to have a small accessory building such as a shed may be beneficial in neighborhoods with smaller lots, as storage in the smaller homes is limited.

To address these items, the updated ordinance removes the distance requirement for accessory buildings from a dwelling when located in a rear yard and imposes different restrictions on accessory buildings when located in a side yard.

2. The Commission also asked that Staff look at reconciling language which speaks to an accessory building as being "an architectural and integral part of the main building."
 - a. The updated ordinance proposes language that states an accessory structure should match architectural features of the main building rather than assume it is actually part of the main building.

These items occur over multiple chapters of the ordinance, so much of what is included is repeated in different sections of the City code as it relates to single-family or two-family dwelling construction. Gibson proposed a language fix on 3A of the proposed text to include side and rear yards.

MOTION

Frank Adams made a motion that the Planning Commission recommend the City Council approve Section 1 and Section 2 of the attached zone text amendment, with the verbal amendment Gibson gave in 11-11-060 adding the words "and/or rear" and same thing under 11-13-050 3a to ensure buildings can be in the side or rear yard and also removing the second "from" in the same codes in #3 as follows:

11-11-060 (A)(3)

An accessory building shall not be located closer than 5 feet from ~~from~~ a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045

a. Exception. An accessory building which is less than 10 feet in height and under 200 sq. ft. in ground floor area may be located within a side and/or rear yard closer than 5 feet to a side property line so long as it complies with the other provisions of this Section. (11-11-060).

11-13-050: (A)(3)

An accessory building shall not be located closer than 5 feet from ~~from~~ a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045;

a. Exception. An accessory building which is less than 10 feet in height and under 200 sq. ft. in ground floor area may be located within a side and/or rear yard closer than 5 feet to a side property line so long as it complies with the other provisions of Section (11-11-060).

Findings 1-3:

- 1. The zone text amendments clarify for property owners and builders what they need to account for before considering building in a recorded easement and will help reviewers of a project to remember this consideration as well.
- 2. The zone text amendments clarify meaning regarding accessory buildings and their compatibility with the main dwelling on a lot.
- 3. The proposed zone text amendments continue to allow a reasonable use of property while reducing scenarios where a neighboring property owner may determine inadvertently or otherwise what someone else can do with their property.

Supplemental information 1:

- 1. Draft changes and additions to the Zoning Ordinance referencing
 - Chapter 10 – Agricultures
 - Chapter 11 – Single Family
 - Chapter 13 – Multi Family
 - Chapter 17 – Original Townsite Residential
 - Chapter 21 – Commercial Recreation Transition
 - Chapter 22 – B (transition zone from Lagoon to Original Townsite)

Larry Steinhorst seconded the motion, which was unanimously approved.

Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay

Item #4 Ace Athletic Holdings LLC – Applicant is requesting a Schematic Site Plan approval, and a recommendation for a Development Agreement, and application for the Agriculture Planned District overlay zone for an additional building and site plan alterations for Ace Athletics at 874 South Shirley Rae Drive. (Z-1-23)

Gibson presented this agenda item. Ace Athletics initially approached the Planning Commission and City Council in 2022 with their desire to expand their facility at the corner of Glovers Lane and Shirley Rae Drive. Currently, the site includes a 20,000 square foot building and parking along the north half of the lot accessed from Shirley Rae Drive.

The existing facility was approved as a private school under a conditional use permit. Similar uses allowed in the Agriculture (A) zoning district include commercial recreation, but their interest in 2022 to expand was hindered by the lot coverage restrictions of

the underlying zone, which at the time set a limit of 25% coverage for buildings. The Planning Commission considered a rezone request to a commercial district that would allow for more coverage, but determined that there were too many uses allowed in a different district that may not be appropriate for the site if pursued. Following that consideration, changes to the Agricultural zoning districts to modify uses allowed within the districts and making changes to the lot coverage allowance were approved before the City determined that there was a more appropriate way to consider a handful of requests that were on the radar: the Agriculture Planned (AP) District process.

Since the beginning of the year, the Planning Commission worked to create a new section of ordinance titled [Agriculture Planned Districts \(11-27B\)](#) which allows for the consideration of variation from the normal standards and uses permitted in the underlying zone by Development Agreement. This process has been approved by the City Council and sets the stage for discretionary approval through a legislative action for unique projects which would not normally work in the Agricultural zoning districts. The Ace Athletics expansion is one of those projects.

A recommendation from the Planning Commission as to whether or not to approve the AP District should be based on their findings of whether or not the proposal meets the Purpose of the AP District and applicable Standards and Requirements identified within 11-27B.

11-27B-010: PURPOSES:

The purposes of the AP District are:

A. To provide, where deemed appropriate by the City Council, non-residential and non-agriculture development compatible with and which enhances the purposes of the AA, A, and AE zones.

B. To allow sustainable and economically viable development which will enhance the community as a whole as well as immediately surrounding neighborhoods and existing property uses.

C. To protect environmentally sensitive areas, including, but not limited to: wetlands, open space, and areas in close proximity to the stream channels, ponds, and the marsh lands of the Great Salt Lake.

D. To ensure for orderly preplanning and long-term development of properties; and the creation of a cohesive development plan that will be viable, sustainable, and implements the goals and objectives of the Farmington City General Plan and other plans as adopted.

E. To give the property owner reasonable assurance that development plans prepared in accordance with an approved general development plan will be acceptable to the City.

F. To enable the adoption of measures providing for development harmonious with surrounding areas.

11-27B-020: STANDARDS AND REQUIREMENTS:

The following provisions shall apply in an AP District, which district shall also be subject to other provisions of this title, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a general development plan approved pursuant to this chapter, shall apply:

A. AP Districts may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter, the Farmington City General Plan and/or other area plans as adopted.

B. Before detailed studies of any AP District development plans shall be undertaken by the Planning Staff or the Planning Commission, there shall be a complete development application on file with the City.

C. Applicable zoning regulations shall apply except as otherwise set forth in an AP District shall be as established by the General Development Plan and Development Agreement and may include:

1. Permitted or conditional permitted land uses, including accessory uses;
2. Minimum development area or lot size, which may not be less than allowed in the underlying zone;
3. Maximum building height;
4. Landscaping;
5. Fencing;
6. Signage;
7. Parking;
8. Required amenities, private or public;
9. Circulation: pedestrian and vehicular;
10. Building design standards;
11. Other site-specific regulations as deemed appropriate.

D. AP District regulations that are inconsistent with zoning regulations in this Title shall have precedence and shall supersede such zoning regulations with the exception of subdivision processes, standards for public improvements, and Building Codes, including but not limited to plumbing, mechanical, and electrical regulations. For those regulations not specifically addressed in the Development Agreement, previously adopted ordinances and regulations shall apply. All such exceptions shall be specified in the DA showing all such deviations from existing regulations and the existing regulation from which the deviation occurs.

E. The applicant has an affirmative duty to demonstrate that the overall development and any deviations from the underlying zone or other applicable ordinances enhances the purposes of the underlying zone.

A General Development Plan has been created as a conceptual or schematic plan per 11-17B-030 A(1). Should the plan be approved by the City Council, a more detailed site plan and project details would be provided at a future date for a final review by the Planning Commission.

The Development Agreement defines or sets the parameters under which the property may be built and operate and identifies standards, which would require variation from the underlying zone to accommodate the proposed project:

1: Use of Property:

- The use has already been established as there is an existing facility, but the DA would clarify the permitted use and allow for its expansion.

2. Lot Coverage:

The existing lot coverage allowance of the A zoning district based on the recently updated ordinance is as follows:

11-10-040 (C)

Lot Coverage. The gross area of a lot covered by the main building, accessory buildings and other structures shall meet the following standards:

1. *Lots Less than 0.5 Acres in Area. The coverage and size requirements set forth in Chapter 11 of this title shall apply.*
2. *Lots Equal to or Greater than 0.5 acres in Area. A coverage base of 6,000 square feet plus one square foot of additional coverage for every eight (8) square feet of gross lot area more than 0.5 acres (or 21,780 square feet), but the base plus additional coverage shall not exceed 20,000 square feet. For illustrative purposes, the table below shows a few of the many possible coverage outcomes on the continuum between 6,000 and 20,000 square feet.*

Gross Lot Area Acres	0.5	1.0	1.5	2.0	2.5	3.0
Coverage Area (S.F.)						
Base	6,000	6,000	6,000	6,000	6,000	6,000
Additional *	0	2,750	5,500	8,250	11,000	13,750
Total	6,000	8,750	11,500	14,250	17,000	19,750

* Additional Coverage = One S.F. coverage for every 2 S.F. of gross lot area over 21,780 S.F. or 0.5 acres

Based on this ordinance, the property would normally only be allowed 15,093 square feet of building coverage. The existing building alone is already larger than that figure with an expansion looking to essentially double the existing coverage.

Parking – Per ordinance, determined by Planning Commission for recreation use:

Existing 23 per court

Proposed 25 per court (50 total)

Other elements considered with a site plan which do not require exceptions:

Setbacks –

A zone:

Front: 30

Side: 10 – total 24

Side Corner: 25

Rear: 30

Building Height

A zone allowance 27 feet

Landscaping

15% of site or more

Of note during previous public hearings from 2022, neighbors primarily expressed interest in creating an access for traffic onto Glovers Lane to reduce the number of cars coming in and out of Shirley Rae Drive. This is accounted for with the proposed plan.

At the concept/schematic level, the Development Review Committee (DRC) has indicated that the proposed expansion will need to continue to accommodate the storm water runoff of the existing site plus anything new. A detention area is indicated with the concept plan, but engineering has not yet been provided or verified to determine if the design is sufficient. This would be a final review stage item.

The entire property lies in the Agricultural Estates (AE) flood zone identified by the Federal Emergency Management Agency (FEMA), including the existing building. Design for a new structure and site improvements would have to take this into consideration for final approval. Typically, this requires that the lowest floor in a structure be at or above the base flood elevation.

UPDATE FROM APRIL 20, 2023, MEETING: At this Planning Commission meeting, a hearing was held for this item, then a decision was tabled with a request to provide additional information for the Planning Commission before a decision is made. The minutes from that meeting are included with the supplemental information with the Staff report, but to highlight the direction given at that meeting and items requested, the approved motion is below:

Motion to table this item until the applicant is ready to come back, in order to see a more complete application addressing the neighbor’s concerns and concerns raised among the Commission including:

1. Traffic study that looks at not just viability of traffic, but states the actual usage assumptions, and the impacts on the neighborhood, specifically Shirley Rae, but also what it would do to Glover.
 - a. This study was completed by a reputable engineering firm indicating that the traffic generated by the facility with the additional courts would not reduce the level of service on the surrounding street network and intersections.

This report was reviewed by the City's traffic engineering consultant, who concurred with the overall findings (summary of this report is included in the Staff Report as well as review findings).

2. Assessment of parking, including the possibility of expanding parking and looking at detention pond placement.
 - a. The applicant performed counts of their actual use to most accurately determine what the appropriate amount of parking would be. The letter provided by the applicant speaks to this process. In total, the site would go from 23 stalls serving the one building to 50 stalls serving two buildings. The modified parking does relocate the detention area, which is still to be fully engineered and designed but with the amount of landscaped area on the west side of the buildings, this could be expanded based on actual sizing needs.
3. Strongly encourage conceptual elevations on material enhancements that would further aesthetics of the building such as rock, columns, and other things.
 - a. A rendering of what the additional building would look like on site has been provided. This shows an update from the previous version with a rock wainscot along the bottom of the buildings.
4. Encourage a detailed landscaping plan including the use of trees, which enhance the neighborhood and are aesthetically pleasing.
 - a. While the rendering shows lots of grass, a landscaping plan has been provided indicating the proposed plantings and ground cover details seeking to provide water efficient landscaping.
5. Potential ingress and egress on Glover, maybe a three-lane with a turn lane going right and one going left.
 - a. Access to Glovers Lane is included, other than a minor modification to account for turn radius as someone enters into the parking area from Glovers, the on-site access approach is sufficient without a third lane according to the City's traffic review.
6. Thoughts on the economic impacts this could bring to Farmington.
 - a. As part of the letter provided by the applicant speaking to how parking was determined, additional information has been provided on the economic impacts this project has on Farmington City.

Per 11-27B-040: Step 2, Should the applicant move forward and receive an approval from the City Council, additional engineering and detail will be submitted and reviewed by the City's Development Review Committee before returning to the Planning Commission for consideration of final site plan approval.

Applicant **Scott Adamson** (1498 W. Glovers Lane, Farmington, Utah) is also the nearest resident to the facility. He stated that they conducted the traffic study, which totaled approximately 270 pages, and it wouldn't be a major impact. He also stated that vehicles do not come all at once; rather, it is at the top of every hour for classes. There is a maximum of 18 people inside. He said that they had included Farmington rock in the bottom portion of the building and they will finish landscaping. The new landscaping plan will make the lot more visually pleasing and does include a handful of trees.

Frank Adams asked about Weber State University reaching out to use the facilities for their tennis teams. **Adamson** said he does have four WSU tennis players as coaches on their teams. WSU currently uses the Ogden Athletic Club, since they do not have indoor facilities on campus. The Club's bubble blew down, and they asked to use Ace's facilities. Regarding the other comment of "not competing with Lagoon," **Adamson** said that Lagoon does rent their four indoor courts out during the winter season, and he wanted to ensure that the Commission knows they are not trying to compete with that business. Ace rents 30% of Lagoon's courts for their classes. Ace wouldn't rent out their own indoor courts, as they are used for classes. They do rent courts out if there are any slots open for match play. The website mentioning that they rent courts is misleading and outdated.

Adams said that he was intrigued by the landscaping plan, as the weeds are not currently maintained and the building currently is not appealing. The general appearance of the building is not visually pleasing. He wants to know what assurances the City will have to ensure the new trees and landscaping will be planted and maintained. This is a big concern to the City. **Adamson's** understanding is that he must have that in before they can get occupancy. **Adamson** admitted that the entire area on the south side is unkempt. **Adams** doesn't think that the portion of the lot that had already been landscaped is being maintained. **Adamson** said having a fully landscaped lot will enhance their diligence to maintain the entirety. **Adams** asked why a for-profit company making good money has a hard time currently maintaining its landscaping. **Adamson** said he would take full responsibility. He hasn't been aggressive in weeding the rocks because there is a bigger problem to the south.

Plaizier said the next door neighbor who participated in a previous public hearing had no problem with this proposal, other than traffic and which direction the water flowed. **Adams** would like to see more trees in the plan. He doesn't feel this fits in the community the way it ought to. He proposed the remedy of the applicant taking care of his place and showing he is serious about

getting over the problems he has. It does not enhance the community, and double the size of the detractor will not help. It is troublesome to him. In order to grant this special zoning, the AP District, it has to not only be compatible, but enhancing. It is a warehouse look in a residential area, even though it would be zoned Agricultural. Commissioners said something besides corrugated aluminum is needed to make it look compatible with the general area.

Gibson said if the Planning Commission recommends denial, the applicant can withdraw for lack of support, or move on to the City Council. If the Council denies the request, the applicant would have to wait a year to request the same thing again. Or he could adjust his request and come back sooner than a year. There are provisions to prohibit people from continuously coming back. **Adams** wants the applicant's business to succeed, but he also wants the applicant to be a good citizen enhancing the area.

MOTION

Adams made a motion to table the matter until the applicant is prepared to come back and demonstrate a commitment to landscaping, at which point he would be delighted to approve it.

The motion failed for lack of a second.

The other Commissioners had misgivings with making an approval subject to certain things, as that would be difficult to enforce. They would like to see a better plan. This could be tabled for a different reason and with different directions to the applicant.

Applicant **Adamson** said if the Commission would like to see an investment in a lot of upgrades, he would like a conditional approval in exchange. It is a good business that makes the coaches a lot of money. He likes to provide a service to the community, and they are not keeping up with demand. He can have rendering made to display his intentions.

Gibson said he believes **Adamson** can send updates to his office, which can be relayed to Commissioners for feedback. It is appropriate to get feedback in that manner between meetings. Community Development Director **David Petersen** said his fear is that the applicant does all the stuff for the Commission, but then gets denied at the City Council level. He would like more immediate feedback from the Council. He knows one Council member has feelings similar to **Adams**.

MOTION

Larry Steinhorst made a motion that the Planning Commission recommend approval of the AP District and included Development Agreement and approve the schematic site plan subject to approval of the AP District and Development Agreement which includes a General Development Plan (DGP) by the City Council, with the following Conditions 1-5 that would be worked on and presented to the City Council:

1. Update Landscaping Plan with sufficient trees of sufficient size at maturity to obscure the building to the south.
2. To present a landscape maintenance plan with a contract for landscape maintenance for one year with a reputable and licensed provider.
3. Show and implement additional architectural features that will make it more visually pleasing.
4. Rock facing on both buildings on the south and east sides.
5. These be done before going to City Council, and before being issued a building permit.

Findings 1-3:

1. The applicant has demonstrated that the proposed development meets the purpose and standards of the AP District and enhances the purposes of the underlying zone.
2. The use currently exists on site and has proven to be economically viable without creating harm to the immediate neighborhood or surrounding areas.
3. Expansion of the facility can be managed with the additional site plan improvements including additional parking and a re-engineered storm water system that will need to be designed and verified prior to receiving final approval.

Mike Plaizier seconded the motion, which was unanimously approved.

Vice Chair John David Mortensen
 Commissioner Frank Adams
 Commissioner Larry Steinhorst
 Commissioner Mike Plaizier

X Aye ___ Nay
 ___ Aye ___ X Nay
 X Aye ___ Nay
 X Aye ___ Nay

The vote was 3-1 and will pass to City Council. **Adams** wants the Council to know this was not a unanimous decision. **Gibson** said it would be re-noticed for a public hearing on the Council level on July 18, 2023 or maybe in August. **Adamson** thanked the Commission for the communications and effort.

OTHER BUSINESS

Item #5 Miscellaneous, correspondence, etc.

- a. Minutes from May 4 and 18, 2023
 - i. **Frank Adams** made a motion to pass both sets of minutes. **Mike Plaizier** seconded the motion.

Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay

- b. City Council Report June 20, 2023 presented by **Gibson**:
 - i. Council approved the budget for the next fiscal year, including updates to impact fees as well. These impact fees will help build a new fire station.
 - ii. Council also approved that detached Accessory Dwelling Units (ADUs) will be permitted uses. This will mean the Planning Commission sees fewer of these in the future.
 - iii. Council passed the waterwise landscape ordinance update to maintain eligibility for incentives to retrofit landscaping.
 - iv. Council tabled the side yard and corner side yard garages in the Original Townsite Residential (OTR) zone.
 - v. The new City Park on the west side of town was presented as well as the new City Logo.

- c. Other

ADJOURNMENT

Frank Adams made a motion to adjourn at 9:36 PM.

Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay



John David Mortensen, Vice Chair