

**FARMINGTON CITY  
PLANNING COMMISSION**

January 09, 2025

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**WORK SESSION Present:** Chair Frank Adams; Vice Chair Tyler Turner; Commissioners Joey Hansen, George “Tony” Kalakis, Spencer Klein; Alternate Commissioners Brian Shepard and Scott Behunin. *Staff:* Community Development Director David Petersen, Assistant Director/City Planner Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioners Sam Barlow and Kristen Sherlock.

Assistant Director/City Planner **Lyle Gibson** reviewed the Planning Commission’s Rules of Order, and distributed a guide to each Planning Commissioner. The Chair conducts the meeting, administers the rules during the meeting, and keeps things in order. The Commission can request a police presence at their meetings, if desired. Community Development Director **David Petersen** said land use is not liberal or conservative; rather, it is a community thing that we all have in common. It is our property rights.

Regarding agenda Item #1, the applicant has agreed to reduce the height of the cell tower so if it were to fall, it should fall only on their own property. Lending on adjacent residential properties won’t be a problem.

Item #2 is an adaptive reuse, allowing office space in an existing historic home. This is a unique agenda item. **Petersen** said adaptive reuses are allowed City-wide. The concept now is half residential and half office, but it may evolve to all office in the future. It is a post-World War II ranch home that meets all the qualifications for inclusion on the National Register. It will need to remain on the National Register of Historic Places no matter what. The whole front yard should not be paved in asphalt.

There may be public interest on Item #3, Cole West townhomes. The applicant provided a traffic study for consideration. It says 1525 should be connected. Item #4 was withdrawn from the agenda.

Item #5 is about allowing Internal Accessory Dwelling Units (IADUs) on Rice Farm Planned Unit Development (PUD) on lots under 6,000 square feet. **Petersen** said the PUD is 113 lots done in the mid-2000s. Most of the 42 lots along the frontage road are less than 6,000 square feet in size. The applicant has a large home and an extra parking space. The PUD overlay allows deviations from the underlying zone that don’t have to be applicable to the entire City. The Homeowner’s Association (HOA) would ultimately have to approve this. This could be a test case for the City.

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**REGULAR SESSION Present:** Chair Frank Adams; Vice Chair Tyler Turner; Commissioners Joey Hansen, George “Tony” Kalakis, Spencer Klein; Alternate Commissioners Brian Shepard and Scott Behunin. *Staff:* Community Development Director David Petersen, Assistant Director/City Planner Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioners Sam Barlow and Kristen Sherlock.

Chair **Frank Adams** opened the meeting at 7:00 pm.

Planning Secretary **Carly Rowe** administered the Oath of Office to the new Alternate Commissioner **Scott Behunin**.

**CONDITIONAL USE PERMIT APPLICATION** – *previously tabled/public hearing*

**Item #1: Technology Associates – Applicant is requesting consideration for a Conditional Use Permit application for a monopole wireless telecommunications facility (cell tower) exceeding 60 feet in height, at approximately 125 W. Lagoon Lane (300 North), in the CR (Commercial Recreation) zone. (C-4-24)**

City Planner **Shannon Hansell** presented this item. According to 11-28-190 Table 1, monopoles featuring antennas and antenna support structures over 2 feet in width and that are greater than 60 feet tall are conditional uses in the CR zone. The CR zone maximum height limit is 100 feet, but may go up to 150 feet with approval from the Planning Commission. This cell tower is 106 feet tall. It is located more than 200 feet away from residential zones as required by 11-28-190. **Hansell** said this is a permitted use, but the Commission can add mitigating conditions.

This item was reviewed and tabled by the Planning Commission on December 12, 2024. The Commission requested further information regarding relocating the proposed pole further west. Public comment was sought because of the possibility of the cell tower impeding on the neighboring property owners’ development rights due to risks associated with the rare chance of a cell tower falling into the property or fence. The applicant did not prefer to move the cell tower further west, due to the proximity to Farmington Creek and flood zones. The Farmington Creek Trail is also located on this parcel.

Another aspect of concern during public comment was the ability of the neighboring property owner to obtain financing for potential development of their parcel. The placement of a cell phone tower on one parcel would not impact the development rights of the neighboring property owner as far as City zoning ordinances are concerned (as long as all other applicable ordinances were followed). Similarly, research conducted since the last meeting has shown

that financial institutions would finance development on neighboring based on whether zoning approvals were in place for the proposed project and parcel. With this understanding, it is reasonable to assume that while a financial institution may consider neighboring land uses in their valuation of a project, financing a development would not be “off the table” due to a cell phone tower’s proximity on an adjacent parcel. Therefore, as far as Farmington City ordinances are concerned, the proposed conditional use does not unreasonably interfere with the lawful use of the surrounding property. **Hansell** said that valuations may be affected by the proximity to a cell tower.

Since the last meeting, the applicant has consented to consider lowering the height of the tower by 10 feet to avoid encroachment by a fallen tower into the neighboring property in the rare case that may occur.

All conditional uses are considered allowed uses which require further review to mitigate any potential effects of the use. The following are the conditional use approval standards per 11-8-050 of the Farmington zoning ordinances:

Conditional use applications shall be reviewed in accordance with, and shall conform to, all of the following standards:

- A. Necessity: The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community;
- B. Compliance: The proposed use shall comply with the regulations and conditions in this title for such use;
- C. Comprehensive Plan: The proposed use shall conform to the goals, policies and governing principles of the comprehensive plan for Farmington City;
- D. Compatibility: The proposed use shall be compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing and proposed development;
- E. Adequate Improvements: 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 are available or may be provided; and
- F. Use Not Detrimental: Such use shall not, under the circumstances of the particular case, 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. A proposed use shall be considered detrimental:
  - 1. If it will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;
  - 2. If it will unreasonably interfere with the lawful use of surrounding property; or
  - 3. If it will create a need for essential municipal services which cannot be reasonably met. (Ord. 1991-27, 7-17-1991)

Assistant Director/City Planner **Lyle Gibson** said monopoles cannot be within 200 feet of a residential zone. Staff does not interpret adjacent properties as being part of a residential zone. The adjacent zone is the B zone (presumably for a buffer). The permitted uses in the B zone are agricultural. Single-family and double-family are allowed, but as conditional uses. Staff concluded that this is not within 200 feet of residential.

Applicant **Dakota Hawks** (136 Main Street, Salt Lake City, Utah) said the radio frequency manager is fine with the loss of 10 feet off the height of the monopole. Some mature trees will have to trimmed, but the objective can still be met.

Chair **Frank Adams** opened the public hearing at 7:07 PM.

One email was received from **Randy Rigby**, which will be included in the minutes.

**Steve Christensen** owns the land directly east. The properties have been in the families since 1848. He feels that he is being asked to be Lagoon’s buffer. He does appreciate the drop in 10 feet, as 100 feet is a max height limit, with no exception for commercial recreation. He feels this is incompatible with low-density residential, as well as site and surrounding character considering current and proposed development. He is also concerned about radio frequencies damaging surrounding orchards and gardens. He feels the tower will decrease his and other neighboring property values. He indicated that the City has every right to ask Lagoon to move this project to another one of Lagoon’s properties. The applicant hasn’t suggested visual screening of the pole. Lagoon has 50 acres and owns all the homes on 2<sup>nd</sup> West where they could locate another tower instead of here.

**Scott Behunin** asked **Hawks** about frequency studies. **Hawks** indicated that Lagoon did a study and this is a “dead” area. This is an area where Lagoon doesn’t have any future development proposed. Under this tower, there is only a fraction of FCC allowable exposure rates.

Chair **Frank Adams** closed the public hearing at 7:16 PM.

**Tyler Turner** indicated that he was more concerned on the financial side and if residential was to come into this area. He did indicate that in the financial world, if the property is zoned correctly, and if the city approves, there are no issues – whether there is a tower there or not. **Christensen** said his read of the FHA standards says that a lot in a drop zone would not be financeable. However, even if financeable, just having it there would dramatically reduce property values 7.6%, according to the National Board of Realtors.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission **approve** the conditional use for the Verizon Wireless SAL Rattlesnake Rapids, a monopole exceeding 60 feet in height, located at approximately 375 North Lagoon Lane, subject to all applicable Farmington City development standards and ordinances, with the condition that:

- 1. The tower height, including the lighting rod, be lowered to 97'-7" from 107'-7".

**Findings 1-4:**

- 1. The use will not cause unreasonable risks.
- 2. The use does not interfere with the lawful use of surrounding property,
- 3. It doesn't create a need for essential municipal services which cannot be reasonable met.
- 4. The proposed use is necessary to provide a service or facility that will contribute to the wellbeing of the community.

**Supplemental Information 1-2:**

- 1. Vicinity Map
- 2. SAL packet

**Brian Shepard** seconded the motion, which was not unanimous.

Chair Frank Adams	<b>X</b> Aye ____Nay
Vice Chair Tyler Turner	<b>X</b> Aye ____Nay
Commissioner George Kalakis	<b>X</b> Aye ____Nay
Commissioner Spencer Klein	<b>X</b> Aye ____Nay
Commissioner Joey Hansen	<b>X</b> Aye ____Nay
Commissioner Brian Shepard	<b>X</b> Aye ____Nay
Commissioner Scott Behunin	____Aye <b>X</b> Nay

Voting was 6-1 with Commissioner **Scott Behunin** voting "nay" on the project. The motion passes.

**SPECIAL EXCEPTION APPLICATION – public hearing**

**Item #2: Lyndee Gubler – Applicant is requesting a Special Exception for an adaptive reuse of a building that is eligible for the National Register of Historic places located at 135 South 200 East. The request is to allow office use in the existing residential building. (M-6-24)**

Community Development Director **David Petersen** presented this item. The applicant is exploring whether or not to purchase a single-family dwelling to establish an office use in part of the home and possibly convert the entire structure as an office in the future. However, the parcel is zoned Original Townsite Residential (OTR) and "office" is not an allowed use in this zone. However, the dwelling is an historic building, which structure is eligible for the National Register of Historic Places. When such is the case anywhere in Farmington, one may apply for a special exception to change a residence into office space as an "adaptive reuse," so long as the adaptive reuse does not compromise such eligibility (see Section 11-3-045 A. of the Zoning Ordinance).

The nearby Business Residential (BR) zone has a mixture of residential and office buildings, mostly as owned by Davis County and the School District. The site is located on a state route, which is a fairly busy road, and has two curb cuts. Before they go under contract to purchase the property, the applicant wants to know if the Commission would consider this adaptive reuse, which they would like to do in phases.

Section 11-2-020 of the Zoning Ordinance defines an "Adaptive Reuse" in part as follows: "Rehabilitation or renovation of existing building(s) or structure(s) limited to residential and/or office use(s) other than the present use(s); . . ."

In considering a Special Exception, Section 11-3-045 E of the Zoning Ordinance identifies the standards of review as follows:

- 1. Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the City as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception.
- 2. The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:
  - a. 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;
  - b. Will not create unreasonable traffic hazards;
  - c. Is located on a lot or parcel of sufficient size to accommodate the special exception.

The minimum parking requirement in Chapter 32 of the Zoning ordinance for office uses is three spaces per 1,000 square feet of floor area. If the entire 3,000 square foot structure at 135 S. 200 E. (as per Davis County Tax Assessor records) is changed to an office use, the applicant proposes 10 spaces. As mentioned previously, the existing home is an historic resource, and regarding parking, Section 11-32-030 H of the Zoning Ordinance states:

*The Planning Commission may consider and approve a reduction or modification of the standards contained herein for uses proposed in historic structures, providing it can be demonstrated that the standards for such use exceed that which is necessary in the specific case, that congestion on adjacent streets will not be significantly increased, and that by granting such a reduction, the safety and general welfare of the public will not be compromised. For the purpose of this chapter, "historic structure" is defined as a nonresidential building which is over fifty (50) years old and/or which is listed on the National Register of Historic Properties.*

Applicant **Nathan Gubler** (2088 Kingston Road) said his wife has a mental health practice, Farmington Mental Health, and needs to expand. She has plans to hire a couple more therapists. Right now, she would like to move into the historic area. The location of this property sparked their interest, as it's also located next to an office building. They are willing to do the entire home as the practice. Talking about the parking, he indicated that there is a way to create plenty of parking on this lot. The two curb cuts would allow a pull-through sort of parking in front of the home.

**Shepard** asked if they lived or would live there, and the applicant answered no. **Spencer Klein** asked who would occupy the residential areas and also about the access points. **Turner** asked about any updates to the property. **Gubler** answered he they may rent out a residential space, possibly to an employee. He planned to landscape and paint the exterior. He said he wanted to keep it nicely planted. He said on the interior, there are not many items to do other than dividing a couple of rooms. Essentially, he would like to make it look more as a home with some exterior updates.

**Turner** asked about historic homes and if the applicant would need to meet any requirements there. **Gubler** said he does not want to compromise the eligibility. **Hansen** asked if the home is under contract. **Gubler** said that they would likely withdraw their offer if the Commission denies their application. **Hansen** suggested a Development Agreement.

**Adams** asked how long their due diligence period is. **Lyndee Gubler** (Nathan's spouse) indicated that their due diligence goes for another week. They wanted to get the "feel" of the Commission before extending due diligence. **Adams** asked if the garages will remain as is. **Gubler** said yes, they want it to remain looking residential. **Adams** said that the parking does not seem ideal, especially with the land that is available. He would also like to see more landscaping. **Adams** would like to see a Development Agreement prior to any approvals. There are not enough details provided to approve or deny at this point. **Petersen** said that "table" to Staff is more of a "we like the idea but need a few additional items." Staff already has other ideas for parking.

Chair **Frank Adams** opened the public hearing at 7:44 PM.

**Charity Rowberry** (170 S. 300 E., Farmington, Utah) also owns land at 154 S. 300 E. that they are getting ready to build on. This land is behind what would be the proposed parking lot. She asked what would go into the area by the parking. A pickleball court was suggested. She asked if this would possibly be rezoned. She's curious about the look of the building and also the future of what that building could be. She is also concerned if down-the-road it could be turned back into a home versus a business, very difficult to do once it has a parking lot.

Chair **Frank Adams** did not close the public hearing. *This will remain open until next public hearing when this item is seen.*

#### **MOTION**

**Joey Hansen** made a motion that the Planning Commission **table** the request to allow time for the applicant and/or Staff to do the following **1-3**:

1. Draft a Development Agreement between the City and the applicant for Commission input to ensure, among other things, the building's continued eligibility for the National Register now and in the future.
2. Prepare two concepts:
  - a. One plan to show part of the building as office, and the remainder as residential (one dwelling unit); and
  - b. The other plan to show all of the building as office.
3. Each plan must meet City standards including a "to-scale" drawings, parking, ingress and egress details to the site, conceptual landscape plan, etc.

#### **Supplemental Information 1-4:**

1. Vicinity Map
2. Existing Plot
3. Proposed Plot
4. Street View Image of the site

**Tony Kalakis** seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Vice Chair Tyler Turner	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

**Frank Adams** moved item number 5 to be heard after item number 2, since there are interested parties.

**ZONE TEXT AMENDMENT APPLICATIONS – public hearings**

**Item #5 Jourdan Biesinger – Applicant is requesting a recommendation to amend the Rice Farms Planned Unit Development (PUD) regulations to allow internal accessory dwelling units (IADUs) on lots smaller than 6,000 square feet in size. (ZT-17-24)**

Community Development Director **David Petersen** presented this item, saying this is like both a zone text amendment and rezone at the same time. Therefore, a public notice was sent out about this application. The Rice Farms PUD consists of 113 lots on 34.058 acres located a block north of Glovers Lane between 200 East and the Frontage Road. Farmington City approved the Final PUD Master Plan for this development on April 24, 2006. IADUs are allowed city-wide on all residential lots equal to or greater than 6,000 square feet in size. [Note: this standard is also required by State Law.]

Approval of a PUD allows one to deviate from the standards of the underlying zone. The applicant is requesting that the City amend the Final PUD Master Plan to allow IAUDs on lots less than 6,000 square feet in size. In the Rice Farms PUD, 42 of the 113 lots are less than 6,000 square feet, and most of these are located in the phases next to the Frontage Road. **Petersen** said that so far, Farmington has stuck to the 6,000 square foot limit.

Applicant **Jourdan Biesinger** indicated that her seven-bed, four-bath townhome is over 4,200 square feet and the basement itself is 1,500 square feet. The yards are small. Her property can also fit four cars without affecting the sidewalks. She indicated that the community took a vote among themselves and more than half were okay in this amendment. Since the Homeowner’s Association (HOA) needs to approve it as well, after City approval. This could be helpful for the City and affordable housing for young families. Her unit has a separate kitchen in the basement.

Chair **Frank Adams** opened the public hearing at 7:59 PM.

**Garth Ball** expressed concerns regarding drainage in the area.

**Jeff Bevan** (782 S. Rice Road, Farmington, Utah) wanted to express his support for this. He also has a basement apartment that he would benefit from renting out. The basement has a separate entrance. He would like to help young families and young couples in need of a new home and wants to keep Farmington family-friendly.

**Garrett Biesinger** is the husband of **Jourdan**, who spoke earlier. He wanted to re-iterate that most homes in this community were designed for basement apartments with also separate everything in regards to HVAC, kitchens, entrances, etc. Other neighbors have indicated that they bought the homes with the intention to rent, but later found out that they couldn’t.

**Charity Rowberry** (170 S. 300 E., Farmington, Utah) wanted to comment on this and likes the idea of allowing small lots to have these opportunities. The size of the home is more important than the size of the lot, as long as parking is sufficient.

**Rand Mickelson** (801 Hollie Avenue, Farmington, Utah) indicated that he is directly east of the subdivision, still in Rice Farms but a different phase. He is asking about the cars that are parked on Hollie Avenue, which is behind the property in question. Cars park on his street on a semi-permanent basis, including a semi for over a month. The overflow parking interferes with snow removal and children walking to elementary school.

**James Hite** (28 West Rawl Drive, Farmington, Utah) addressed the Commission online. He is two lots down from the last speaker. He has lived in Farmington for 16 years, and witnessed the same overflow parking problem. He would like to know where the extra vehicles would be parked. He said he would vote “no,” as the smaller lots could have parking issues.

**Petersen** said this includes all properties in all phases of the Rice Farms PUD. Only 42 of the over 100 lots are under the 6,000 square feet. **Petersen** said that he wants to clarify that owners MUST live on site to rent out their basement or main dwelling. Whichever you rent, the home owner must occupy the other space.

**Frank Adams** asked the applicant(s) what they have seen about the parking issues. **Biesinger** said that the HOA does like to keep parking open for guests instead of permanent parking. She was recently appointed to the HOA board and is now hearing the concerns. She understands that they are occasionally full when there are holidays, gatherings, etc.

Chair **Frank Adams** closed the public hearing at 8:16 PM.

**Gibson** mentioned that each home needs to have two parking spots per ordinance. The garages have two and there are two more in the driveway, so they should meet that standard. **Turner** said that maybe the City should require the additional 10 parking stalls that were not originally put in but are on the subdivision plat and originally planned. **Hansen** wanted to clarify that this is for this PUD subdivision only—not City-wide at this time. **Petersen** confirmed that. **Hansen** said that he is a huge advocate for affordable housing, and finding legitimate housing can be an issue. He is happy to see this happen and is in full support. **Adams** said he would disagree with **Turner** on compelling construction of additional parking stalls, as he doesn't want the existing residents to suffer at the expense of the new residents.

**Petersen** said that according to the City traffic engineer, this area does not have a traffic problem. The City Council will review this next, as it is a legislative act.

**MOTION**

**Spencer Klein** made a motion that the Planning Commission **recommend** the City Council amend the Rice Farms overlay zone and Final PUD Master Plan to allow IADUs on lots less than 6,000 square feet within this development, subject to all applicable Farmington City development standards and ordinances and the following:

- 1. Each IADU approved on a lot less than 6,000 square feet in size must meet all other standards set forth for IADUs in the Zoning Ordinance.
- 2. The Rice Farms HOA must approve the amendment.

**Findings 1-3:**

- 1. The impact of an IADU on a lot less than 6,000 square feet is the same (or minimal) as compared to other lots within the Rice Farm PUD, so long as the property owner is able to meet all other IADU standards (i.e. parking, owner must live on-site, etc.) set forth in the Farmington City Zoning Ordinance.
- 2. The deviation to the standard of the underlying zone is limited to the Rice Farms PUD and does not apply to the rest of the City.
- 3. HOA approval of the amendment is required.

**Supplementary Information 1-3:**

- 1. Vicinity Map.
- 2. Proposed Verbiage from Applicant.
- 3. Section 11-28-200 A- E of the Zoning Ordinance.

**Tyler Turner** seconded the motion, which was unanimous.

Chair Frank Adams	<b>X</b> Aye ____Nay
Vice Chair Tyler Turner	<b>X</b> Aye ____Nay
Commissioner George Kalakis	<b>X</b> Aye ____Nay
Commissioner Spencer Klein	<b>X</b> Aye ____Nay
Commissioner Joey Hansen	<b>X</b> Aye ____Nay
Commissioner Brian Shepard	<b>X</b> Aye ____Nay
Commissioner Scott Behunin	<b>X</b> Aye ____Nay

**SUBDIVISION APPLICATION – public hearing**

**Item #3: Cole West (CW Land Co.) – Applicant is requesting a recommendation for a Development Agreement, Schematic Subdivision, and Project Master Plan for The Ana consisting of 75 townhomes on 9.5 acres located at approximately 1000 North and 650 West. (S-16-24)**

City Planner **Shannon Hansell** presented this item. The Ana PUD is located at approximately 1000 N. Shepard Park Road on Parcel 08-051-0235. The 6.65-acre parcel was rezoned to Commercial Mixed Use (CMU) in 2022. The entire parcel is part of the East Park Lane Small Area Master Plan, which was approved by the City Council on April 17, 2018. Prior to the approval of the Master Plan, the General Plan was amended to its current designation on July 7, 2004. In the same year, on December 1, 2004, the City Council approved the CMU zone. As specified in that text, all development must be considered as a PUD or planned center development.

The Ana PUD was originally introduced as The Ivy PUD in 2022, and received schematic approval from the Council on August 16, 2022. The developer chose to hold the project until the present, therefore the 2022 original approvals have expired. The layout is the same, including 75 attached single-family townhome units, active and passive open space,

with pickleball courts and a connection to the Hess Farms development to the south, which benefits internal circulation between the projects. The project is the final section to connect Shepard Park Road (700 West) from Shepard Lane to Lagoon Drive, as well as 1015 North. The sidewalk on the north side of 1015 North borders the rear yards of the Hidden Farms development. With the construction of 1015 North, Staff is recommending that the Development Agreement (DA) include maintenance and installation of landscaping and sidewalk along the north side of 1015 North, adjacent to the Hidden Farms' lots fences.

The Ivy schematic subdivision plan, PUD, and DA were approved by the City Council on August 16, 2022. The DA includes a fee in lieu to cover the City's moderate-income housing requirements.

**Hansell** said the City received a letter from Hidden Farm Estates (Symphony Homes), the property to the north of the proposed cite. It is a 16-lot subdivision with 10,000 to 20,000 square foot lots. They were concerned with the creation of double-frontage lots along 1015 North if this does get approved, and the ordinance does not allow double-frontage lots. There was also concern that the distance between intersections would create unsafe conditions. The 2022 traffic study did not find any issues with distances between proposed intersections. **Hansell** said driveways have to be 30 feet from the nearest intersection, and this proposal meets those distance requirements. The Development Review Committee (DRC) prefers the straight shot alignment of roads through the center of the development. Staff has found that a masonry fence and landscaping does not need to be installed as a buffer between residential and commercial uses at this location.

**Chase Freebairn** (610 N. 800 W., Centerville, Utah), representing Cole West, addressed the Commission. He wanted to remind the Commission that everything was previously fully approved and accepted in 2022, but that was when interest rates were lower. With higher interest rates, it was not a good time to move forward with the development. There have only been minor engineering changes to the original plan for tie-ins. He acknowledges Symphony Home's beautiful homes next door and does not fault their concerns, but he said that this was indicated to happen here since at least 2017.

**Freebairn** said that the proposed design and styling has remained the same over the last five years, and is still appealing. The Scandinavian influenced design has been seen in other metro areas, but is new to Farmington. They scrapped the original Ivy name because they have another project of the same name in Millcreek. **Freebairn** said he believes the name Ana is Scandinavian.

**Behunin** asked about the fence between this project and Symphony Homes. **Gibson** said it is his understanding that the HOA would have to take care of the park strip on the north side of the road, so existing residents wouldn't have to do that. **Adams** would like that part of the DA. **Freebairn** said he is willing to construct fencing on any portions not currently finished.

Chair **Frank Adams** opened the public hearing at 8:45 PM. It was immediately closed due to no comment received.

**Klein** asked if a 10-year term is standard, or if five years would be more reasonable in regard to the start of the development. **Gibson** said that this is a template that the City gives developers, so he believes that it is common. The City Attorney usually reviews these agreements. **Klein** also asked about if the fee in lieu payment calculation was the developer's or the city's calculation. Since it was a 2022 calculation, the Council will need to reconsider it using the established formula. This is based off of a table in City ordinance (chapter 12). **Gibson's** memory is that the calculation comes from similar homes in the area (townhomes in this case). **Adams** said he would like to see 2025 figures used instead of the original 2022 numbers..

## **MOTION**

**Tyler Turner** made a motion that the Planning Commission **recommend** the City Council approve the schematic subdivision plan, preliminary PUD master plan, and development agreement for The Ana, subject to all applicable Farmington City development standards and ordinances with the following **Conditions 1-3**:

1. Language be added to the Development Agreement to ensure that maintenance of the park strip on both sides of 1015 North Street is the responsibility of the HOA set up for The Ana.
2. Construction of fencing abutting Symphony Homes Hidden Farms Subdivision
3. Updated fee in lieu calculation.

## **Findings 1-5:**

1. The project follows the East Park Lane Small Area Master Plan.
2. The project complies with the City's General Plan and zoning ordinances for the CMU zone.
3. 1015 North will be constructed concurrent with The Ana. 1015 North will provide a connection from Main Street to Shepard Park Road (700 West).
4. The project completes the connection of Shepard Park Road from Shepard Lane to Lagoon Drive and ensures the project will have more than one point of access or outlet.

- 5. The project was previously approved by the City Council in 2022 with the same proposal.

**Supplemental Information 1-7:**

- 1. Vicinity Map
- 2. Schematic subdivision civil set
- 3. Landscape plan
- 4. Floor plans
- 5. Artistic renderings
- 6. Traffic Impact study
- 7. Development Agreement

**Scott Behunin** seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Vice Chair Tyler Turner	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

**ZONE TEXT AMENDMENT APPLICATIONS – public hearings (continued)**

**Item #4: Farmington City – Recommendation of a Zone Text Amendment to Chapter 11-30, Foothill Development Standards, to amend provisions as they relate to public utility infrastructure. (ZT-18-24) – WITHDRAWN**

This agenda item was *WITHDRAWN*. The City is looking to build a new water tank on the east bench, construction of which is slated to start in 2025. The design of the tank has identified elements of the code that cannot be met. However, the reason for this appears to be eligible for a variance. For that reason, rather than amending code, which may have broader impact, Staff will pursue review of a variance with the Administrative Hearing Officer. Notice of this hearing has been posted; rather than posting additional notice to cancel, the item is still on the agenda, but no decision is to be made as it is being **WITHDRAWN**.

**OTHER BUSINESS**

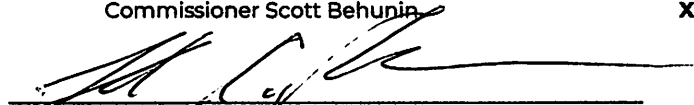
**Item #6: Miscellaneous, Correspondence, etc.**

- a. **Planning Commission minutes from December 12, 2025:** Motion by **George Kalakis** to approve – unanimous.
- b. **City Council Report from January 7, 2025:** The Council had a lengthy meeting on January 7, 2025. The Council approved a construction contract for the new park out west; construction will start next week and be done by September. Planning-related items included the parking structure zone text, which was approved as proposed by the Commission. The Farmstead, the project the Commission has seen a few times, was approved. The Council liked the TDR aspect of it. It was a total \$330,000 purchase amount for the TDRs. There were a lot of residents in attendance, but not many who spoke. The Council struggled with approving six more additional units or not. They tabled the item, asking to see 28 or fewer units. Preliminary plat will come back to the Commission. Lastly, the Trail (the apartment building on the northwest corner of Burke and Innovator Drive) asked to shave back some units to less than what was previously approved. The Council approved, but they did ask for improvement in architecture of the parking structure.

**ADJOURNMENT**

**Tyler Turner** motioned to adjourn at 8:58PM.

Chair Frank Adams	X Aye ____Nay
Vice Chair Tyler Turner	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay



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**Frank Adams, Chair**





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**Fw: Response to Public Hearing on Technology Associates Conditionsl Use Permit request.**

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**From** Carly Rowe <crowe@farmington.utah.gov>

**Date** Thu 1/9/2025 10:01 AM

**To** Samuel Barlow <sbarlow@farmington.utah.gov>; Tyler Turner <tturner@farmington.utah.gov>; Frank Adams <fadams@farmington.utah.gov>; Kristen Sherlock <ksherlock@farmington.utah.gov>; Joey Hansen <joey.hansen@farmington.utah.gov>; George Kalakis <gkalakis@farmington.utah.gov>; Spencer Klein <sklein@farmington.utah.gov>; Brian Shepherd <bshepherd@farmington.utah.gov>; Scott Behunin <scottbehunin@hotmail.com>

This is a comment on one of the items for tonight's meeting.  
Thank you.

**CARLY ROWE**  
BUSINESS LICENSING  
COMMUNITY DEVELOPMENT SECRETARY  
☎ 801.959.9215  
160 S MAIN FARMINGTON UT 84025  
FARMINGTON.UTAH.GOV



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**From:** Randy Rigby <rrigby@utahjazz.com>

**Sent:** Thursday, December 12, 2024 7:45 PM

**To:** Carly Rowe <crowe@farmington.utah.gov>; Brett Anderson <banderson@farmington.utah.gov>; dpeterson@farmington.utah.gov <dpeterson@farmington.utah.gov>

**Cc:** Steve Christensen <stevec@nchlaw.com>; Ron Rigby <captainront74@gmail.com>

**Subject:** Response to Public Hearing on Technology Associates Conditionsl Use Permit request.

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please submit my email to the City Council and Planning Commission pertaining to the request for a conditional use permit from Technology Associates.

For the record, this is Randy and Ron Rigby. We are lifelong resident of Farmington Utah. We are also major land owner near the location of land that is being requested for this cell tower. May we first express the area of common acceptance in this issue. We do agree that it is important to have good communication for the citizens in Farmington and that cell towers provide the source of allowing us to properly communicate as citizens in Farmington.

We are opposed of this location for three reasons:

1. A tall cell tower at this location has a major negative impact on the value and marketability of my property. Reports indict that cell towers have a negative impact on the value of properties near the cell tower. The land around this site is beautiful property that is owned by long term citizens of Farmington (Steve & Marilyn Christensen, Clark & Jewel Caldwell, Ron & Karen Rigby, Randy & Sandra Rigby, and many others). These citizens have supported and help lift this community. There long time family properties should be also respected and lifted and their values be respected.

2. This area of Farmington is being zoned and promoted as a "historic area". Why would we place a 120' EYESORE cell tower in the middle of a historic area of Farmington???
3. The third issue is the unknown health and safety impact that this tower may have on those people products and animals that are close to the cell towers on a regular basis. Though the facts are not conclusive, it is still fair to say that our current environment will be diminished with the addition of a tower.

One question we would ask Lagoon and Technology Associates, "how does this site enhance the other neighboring citizens and landowners? "

We are sure that Lagoon Corporation would like to have this additional income from the tower company. To us, the answer is very simple. Lagoon has over 150 acres of land and much of the land is unused. Their land they own that is on the north and northwest area could be a perfect location for a cell tower. There is a large open area with no homes or future homes by their new parking lot and across from the new state liquor store that could be a perfect location for a cell tower or anywhere near the parking lot area of Lagoon. We strongly would encourage Lagoon and the tower company to consider other locations that would be more suitable for a cell tower.

The final issue that we want to understand is how our property was zoned "business"? To our knowledge, we were never involved in discussions of zoning this property as a business zone. We would like future discussions on this area as we look at the master zoning plan.

Thank you for your consideration.

Randy Rigby & Ron Rigby  
Sent from my iPhone

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