

**FARMINGTON CITY
PLANNING COMMISSION**

April 10, 2025

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

Regarding Agenda Item #1, Chair **Frank Adams** said he thinks the Cleghorn’s could see they didn’t have much of an argument in their favor, and that paying a lawyer could get expensive. The City did a good job responding to their opposition.

For Agenda Item #2, **Adams** asked if the Development Agreement calls for a playground/Active Play Area, as he didn’t see it in the Staff Report. Community Development Director **David Petersen** said there is no definition of the Active Play Area, and there is only a grass/dog park area, pickleball court, grow boxes, and play area. However, there are conflicting exhibits. **Petersen** also described the yield plan process.

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

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

SPECIAL EXCEPTION APPLICATION – no public hearing

Item #1: Richard Baggett – Applicant is requesting special exception for additional driveway width for access to a rear yard and/or access for more than three (3) properly designated parking spaces, for the property located at 217 S. 25 West (Glen Avenue), in the LR (Large residential) zone. [M-1-24]

Planning/GIS Specialist **Shannon Hansell** presented this agenda item. The Planning Commission considered **Richard Baggett’s** application for special exception in installing a second driveway on February 20, 2025, and took public comment on the matter. The public hearing, which included submission of a petition signed by 39 neighbors, is now closed. The Commission solicited written arguments from the opponents of the application, the applicant, and the City. **Scott and Lisa Cleghorn**, who own the property immediately abutting the applicant’s property to the south, timely submitted their written argument against the application.

Staff has reviewed the **Cleghorn’s** argument, as well as the response provided by the **Baggett’s**, and maintains their recommendation that the Commission approve the special exception. In this case, there is no persuasive evidence that the second driveway will be injurious to property or improvements, nor imperil the health, safety, or welfare of the neighborhood. Nor will it create unreasonable traffic hazards on the local road with which it will connect. There is sufficient lot size to fit the 10-foot driveway without encroaching on neighboring property. As such, it should be approved.

Hansell said the arguments brought against the special exception application regarded storm water risk and drainage concerns. In the City’s opinion, the project is not of a sufficient size to require a storm water prevention permit, as it is less than 1 acre in size. It is 620 square feet of additional impervious surface, producing a negligible amount of storm water according to the City Engineer’s review. However, the applicant has decided to install drainage systems so the water will drain toward the **Baggett’s** backyard.

Regarding the argument about negative curb appeal and property value, **Hansell** said double driveways and wide driveways are common in the neighborhood. There is sufficient land for this use. As for poor property stewardship, it is not a relevant issue since the ordinance does not address property stewardship. City ordinances do not guarantee the privacy of residents; the code establishes certain parameters by which all residents are required to abide. For example, a neighbor might not want a side yard converted to a lighted basketball court, due to the noise of a bouncing ball, impacts with a backboard, light pollution in the evening, and the likely event that a stray ball will enter their property. But the ordinances do not prohibit basketball hoops in side or front yards, so the City does not take action to eliminate them. As this is an administrative matter, the Commission is required to apply the ordinance to the application. Staff continues to recommend approval of the application for special exception because the applicant has met the requirements of the ordinance. **Hansell** said while Staff understands the situation from both perspectives, they are trying to apply the ordinances as fairly as possible.

Adams said the parties were given 10 days to try to mediate a solution, which apparently didn’t happen. The **Cleghorns** then had 14 days to file arguments in support of their opposition, which they did. The **Baggett’s** then submitted their documents in the 14 days following that. The Commission has reviewed those items.

MOTION

Joey Hansen made a motion to approve this special exception for a combined driveway width not to exceed 35 feet, subject to all applicable Farmington City development standards and ordinances.

Findings 1 a-f:

1. If the above conditions are followed, then:
 - a. The lot meets and exceeds the minimum lot size allowing for consideration of a second driveway.
 - b. The distance between driveways meets and exceeds the 40-foot separation requirement per ordinance.
 - c. A typical single-car driveway width is 10-12 feet; therefore, the proposed driveway is designed at a minimum width necessary to provide adequate access to the designated parking space.
 - d. The applicant has designed the driveway to avoid causing detrimental impacts to adjacent properties by managed impacts from storm water.
 - e. The property is of sufficient size to accommodate the special exception.
 - f. The proposed driveway will not create unreasonable traffic hazards per review of City Staff.

Supplemental Information 1-3:

1. Vicinity Map and Site Photos
2. Original Site Plan
3. Proposed Site Plan and Details

Tony Kalakis seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____ Nay
Commissioner Spencer Klein	X Aye ____ Nay
Commissioner Brian Shepard	X Aye ____ Nay
Commissioner Joey Hansen	X Aye ____ Nay
Commissioner George "Tony" Kalakis	X Aye ____ Nay
Commissioner Scott Behunin	X Aye ____ Nay

SITE PLAN APPLICATION

Item #2: Jeremy Carver/Evergreen 1525 & Burke Land LLC – Applicant is requesting final site plan approval for The Trail project, located at 1674 W. Burke Lane, on 10.21 acres of property, in the OMU (Office Mixed Use) zone. [SP-10-22]

Hansell presented this agenda item, which is on the corner of Burke Lane and Innovator Drive. In October of 2023, the Planning Commission approved a final site plan for this project as it was designed at the time. Since that time, the subdivision plat for the area has been recorded and the commercial/office component of the project has started construction. The original apartment building as it was designed contained nearly 400 apartments, including units which wrapped around the parking structure on the south and west sides of a parking garage. Since that time, the developer has further studied the building construction requirements, leasing, marketing, and financing capabilities of their project, determining that the original design was not feasible. With this information, the developer approached the City Council about a modified version of the plan where the building would have less units. The Council approved an updated Development Agreement allowing for less units and a building design which didn't include units wrapping the parking structure on the south and west sides.

Upon receiving the approval of the Council to pursue the updated concept, the developer has produced updated civil, architecture, and landscape drawings that have been reviewed by the City's Development Review Committee (DRC). The site layout is similar to the original proposal and is consistent with the Development Agreement approved by the City Council. Of note, the Council approved a plan which included an "Active Play Area" on the south face of the parking structure. The developer's final landscape plan includes a pickleball court and playground in this area, but they have noted that these particular elements may be done at a future date, if at all. No matter the final improvement to this area, it would be landscaped to a finished state and provide screening of the garage structure.

The unit count has changed from 392 to 315. Removing units and reducing the height of the garage puts the building further east and will have reduced visual impact. Townhome units are not proposed at this time, but would be located on the southwest portion of the property. A plat amendment and future site plan review will be necessary for consideration of units at that time. Those units are subject to two-story height restrictions per the original Development Agreement. The site meets required parking ratios and the developer has maintained robust landscaping originally requested by the Planning Commission. A Final Site Plan consideration is an administrative act in which the Planning Commission is tasked with simply verifying whether or not the project has met the requirements previously determined by code or agreement with the Council.

Applicant **Chris Jensen** (Provo, Utah) addressed the Commission. The project is now reduced by 77 units, and the parking is now one surface level. A building was set back an additional 37 feet off Burke Lane, and screening was added to the parking deck as per Commission request. Parking deck columns were changed to brick, and landscaping was enhanced. He is still trying to decide what to do in the Active Play Area, as the City has a public park just a quarter of a mile away. Lifetime Fitness may also dictate the amenities they choose to put in, as they do not want to duplicate other amenities within walking distance. What is being proposed tonight is a pickleball court and playground. **Jensen** said the plan is to sale the 1.25-acre townhome parcel to a developer/home builder.

Adams said he would like to see the obligation the applicant made to the Council regarding the Active Play Area met. He said he can't figure out if the obligation has been met, and "Active Play Area" does not mean just grass. Community Development Director **David Petersen** referenced the agreement reviewed by the City Council on January 21, 2025. **Jensen** said it could be a basketball court, grass area, pickleball court, playground, or dog park. They are trying to start construction by July, and they still need to get building permits and Staff technical review. **Adams** said the Development Agreement doesn't resolve the ambiguity surrounding the "Active Play Area." It may need a future supplemental agreement, as approved by the City Council, to lay out what would be in those two areas. In the meantime, the applicant could continue pursuing needed permits and approvals. This issue shouldn't hold up the whole project. **Petersen** said a building permit could be issued without that amendment being done first.

MOTION

Spencer Klein made a motion that the Planning Commission approve the final site plan for The Trail subject to all applicable standards and regulations, with the condition that any remaining comments from the Development Review Committee be addressed related to technical issues. An additional condition is that it is subject to a supplemental agreement detailing what is going into the two park areas, and defining what "Active Play Area" means.

Supplemental Information 1-4:

1. Vicinity Map
2. Applicable Development Agreement
3. Site Plan
4. Landscape Plan

Scott Behunin seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner George "Tony" Kalakis	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

OTHER BUSINESS

Item #3: City Council Reports, Approval of Minutes, Upcoming Items & Trainings

- a. **Planning Commission Minutes Approval from March 20, 2025**
 - **Spencer Klein** motioned to approve the minutes; **Scott Behunin** seconded the motion, which was unanimous.
- b. No City Council Report
- c. Notice went out regarding the Western Sports Park (WSP) Tour the Commission went on April 24, 2025, at 5:30 p.m.
- d. **Petersen** presented a discussion regarding Chapter 17 Zone Text Change Proposal regarding flexibility of conventional subdivision yield plans vs. nonconventional plans with smaller lots/higher density. The difference has been made up with open space, Transfer of Development Rights (TDRs), moderate-income housing, some other public benefit, or a combination of any of these. Historic preservation is another option, especially in the Original Townsite Residential (OTR) Zone. The Legislature now mandates that the City must give an incentive for moderate-income housing, so Staff is proposing a change, offering incentives in the form of alternative lot setback standards and additional lots.

ADJOURNMENT

Scott Behunin motioned to adjourn at 8:00 PM.

Chair Frank Adams	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner George "Tony" Kalakis	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay


Frank Adams, Chair

