

FARMINGTON CITY PLANNING COMMISSION

Thursday, June 13, 2002

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Linda Hoffman and Commissioners Kent Forsgren, Cory Ritz, and Larry Jensen, City Planner David Petersen, and Deputy Recorder Secretary Jeane Chipman. Commissioners Bart Hill, Cindy Roybal, and Sid Young were excused.

Chairman Hoffman called the meeting to order at 7:15 P.M. after which she offered the invocation.

APPROVAL OF MINUTES

Cory Ritz *MOVED* that the minutes of the May 23, 2002, Planning Commission Meeting be approved with corrections as noted. **Larry Jensen** seconded the motion. The Commission voted unanimously in favor.

PUBLIC HEARING: DAVID GRIFFIN REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A SIX LOT SUBDIVISION ON 7.37 ACRES LOCATED AT 711 SOUTH 1200 WEST IN AN AE ZONE (S-12-01) (Agenda Item #2)

The following information was contained in the packet:

Background Information:

The applicant met with City staff regarding aspects of a proposed grading and drainage plan for the subdivision. A drainage easement and pipe now exist adjacent to the north property line of the subdivision in the Charles Bangerter property. This drainage facility was designed to handle runoff from the Farmington Creek Phase II Subdivision and discharges directly into Farmington Creek. Furthermore, the topography of the subdivision slopes from the northeast to the southwest and it may be possible to discharge storm water from this location directly into Farmington Creek without using the northern storm drain easement. The developer has provided preliminary runoff calculations which demonstrate that maximum flow from the site into a "pond" is .15 cfs and that this is less than the allowable discharge for the area. Therefore, detention is not needed. Why are only four homes discussed in this report and not six? Notwithstanding these storm drainage alternatives, the applicant must obtain a flood control permit from Davis County before the plat can be recorded.

It appears that the Griffin property is located in an area designated as Zone A on the Flood Insurance Rate Map prepared by FEMA. Zone A means that no base flood elevation has been determined.

Lots 4, 5, and 6 are double frontage lots. Section 12-7-020(1) of the Subdivision Ordinance states: "Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions. It is recommended that access to these lots should be from Shire Lane and not 1100 West Street. Therefore, no "access" easement should be established by the subdivision plat or otherwise prior to final plat recordation.

Shirley Rae Drive is a non-conforming dead-end street approximately 1550 feet in length. There are some exceptions allowed by ordinance that will allow further development on this street and the enclosed Section 12-7-040(4)(d) will be carefully reviewed and discussed at the Planning Commission meeting.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the background information, noting drainage options for the property and some calculation errors that had been included in paper work submitted to the City with the application

. The possibility of giving limited access on the east side of lots 4, 5, and 6 subject to approval by the Planning Commission was discussed. However, it was finally determined that no access should be provided from the future 1100 West (or east property line) to these lots. A "no access easement" note shall be placed n the plat to ensure that this takes place.

Mr. Petersen stated that the length of the dead end street providing access to the subdivision , Shirley Rae Drive, was longer than 1000 feet. However, City ordinance allows for streets which existed prior to January 9, 1991, longer than 100 feet to be declared nonconforming. Mr. Petersen stated that the street could clearly be seen on aerial photos taken in 1982. The City may consider development on nonconforming streets consisting of lots no less than 2 acres in size. Moreover, the 2 acre minimum lot size can be further reduced if approval by a resolution of the City Council. Mr. Petersen checked with the Fire Chief who, as a condition of recommending approval for development on the nonconforming street, asked for turn around areas, at least 25 feet wide streets (the street is 27 feet), and plenty of fire hydrants. Mr. Petersen stated all the Fire Chief's conditions could be met.

Mr. Petersen stated that Mr. Griffin was making a bad situation better by developing this subdivision. Because, if developed, water will be brought into the area. Water is likely more important to safety issues than the length of the dead end street.

In discussions with Mr. Griffin, Mr. Petersen stated the developer felt it unfair that he should be asked to make improvements along 1100 West since he had made it possible to gain the right-of-way on 1100 west and he provided property for the sewer pump house. However, Mr. Petersen reminded the Commission that even though the City was grateful for Mr. Griffin's cooperation and wanted to be fair in all their dealings with the developer, Mr. Griffin had been fully compensated for both concessions.

Several options for making improvements on 1100 West were discussed by the Commission.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING* and invited the applicants representative to address the commission.

Travis Haug asked the Commission to consider approval of the preliminary plat and stated conditions would be met by the applicant as required by the City.

Mr. Petersen stated that he had received a phone call regarding the agenda item. Mr. Allen Bangerter requested that buyers of lots in the subdivision be informed that they are moving into a farming area with pre-existing conditions, such as farm equipment being used at unusual hours.

With no further comments, **Chairman Hoffman** *CLOSED* the public hearing and asked the Commission for their consideration.

Mr. Ritz asked if Shire Lane would have a numerical designation, to which Mr. Petersen replied that it would.

Larry Jensen *MOVED* that the Planning Commission grant preliminary plat approval subject to all applicable Farmington City development standards and the following conditions:

1. Final improvement drawings for the subdivision, including a grading and drainage plan shall be approved by the City Engineer, Public Works Department, Fire Department, Central Davis County Sewer District, Weber Basin Conservancy District, and Davis County Flood Control.
2. The grading and drainage plan shall be based on storm water flows designed to handle the 24 hour 50 year storm. The developer shall also take a look at the 100 year event.
3. The developer shall comply with Federal NPDES standards.

4. The applicant shall obtain a flood control permit from Davis County prior to recordation of the final plat.
5. The boundaries of areas subject to 100 year flooding, or in other words the FEMA flood plain line, shall be identified on the final plat. Furthermore, final habitable finished floor elevations located at or above the FEMA 100-year flood plain line shall be identified on the final plat. A note shall be placed on the final plat informing all potential property owners and home buyers that no habitable floor elevation for any dwelling shall be built below said flood plain line as identified on the plat. The note shall further state that all applications for residential building permits shall be accompanied by a FEMA flood plain elevation certificate.
6. The “canal” illustrated on the preliminary plat shall be identified as Farmington Creek.
7. If it is contemplated that development will proceed by phases, the boundaries of such phases shall be shown on the preliminary plat along with the estimated construction schedule for each phase.
8. The words “preliminary plat–not to be recorded” shall be shown on the plat.
9. A soils report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the State of Utah, shall be prepared for the subdivision plat. The soil report shall include among other things a description of the soil types and characteristics on the site and describe whether or not ground water was encountered in any of the test borings and at what elevation it was encountered and shall identify the location of any seismic zones or flood zones on the property . Furthermore, the soils report will contain clear instructions regarding the construction of the road and the placement of utility lines and other public improvements.
10. A “no access easement” shall be identified on the plat along the east property line of Lots 4, 5, and 6.
11. The City Council must approve by resolution the creation of lots less than acres in size on a nonconforming street (Shirley Rae Drive) as proposed by the applicants and recommended by the Planning Commission and Fire Department.
12. The developer shall enter into a development agreement acceptable to the City wherein the developer shall agree to complete, among other things, all street improvements along Shire Lane, and the north side of 700 South (Shirley Rae Drive). The development agreement shall stipulate that a note shall be placed on

the plat indicating to potential buyers that they are purchasing lots adjacent to farm property and all related agriculture uses and associated odors, tractor noise, etc., have a persisting right predating the proposed residential uses of the Griffin subdivision to continue as presently constituted..

13. Extension agreements shall be recorded on Lots 4, 5, and 6 which shall require the owners of these lots to improve the abutting west side of 1100 west in the event the Diument property and the last phase of Farmington Creek Estates Phase II is not developed and the City finds it necessary to improve the right-of-way. Improvements identified in the extension agreement shall include, among other things: curb, gutter, and 19 feet of asphalt for the right-of-way.
14. Shire Lane shall also have a numerical designation.

Kent Forsgren seconded the motion which passed by unanimous vote. Reasons for the motion included:

- The preliminary plat design complied with City standards.
- Water is being brought to the area, providing a safer condition for current and future residents.
- The preliminary plat is a good use for the land and Commissioners felt the design was an improvement over previous designs.
- The preliminary plat matched the schematic plan.
- The plan complies with the Master Plan.

CITY COUNCIL REPORT AND MISCELLANEOUS

Mr. Petersen reported the City Council meeting held June 12, 2002. He stated that the Council had spent a great deal of time reviewing the budget. There will be an tax increase proposed for this budget year mainly due to unforeseen circumstances such as the closure of Kmart and some Federal unfunded mandates. Floridation of the water has also increased expenses for the City. On June 5th, Chris Roybal made a presentation to the City wherein he presented the opportunity for Farmington to become members of the Utah Economic Development Corporation, a non-profit organization which aids communities in Utah to find appropriate commercial entities for their cities. Mr. Petersen also reported that trucks hauling dirt to the new elementary school site resulted in road damage in the area. There had been negotiations regarding responsibility for damage repair.

ADJOURNMENT

Kent Forsgren *MOVED* to adjourn at 8:10 P.M.

Linda Hoffman, Chairman
Farmington City Planning Commission