

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
January 12, 2012

---

**WORK SESSION**

**Present:** Chairman Michael Nilson, Commission Members Brett Anderson, Rick Draper, Bob Murri and Michael Wagstaff, Alternate Commission Member Brad Dutson, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Members Kris Kaufman and Brigham Mellor and Alternate Commission Member Mack McDonald were excused.

A training video was shown, and each Commission Member was given a copy of the Land Use Training Handbook for Effective Land Use and Decision Making provided by the Utah League of Cities and Towns. There was a brief discussion of the purpose of the Planning Commission, Robert's Rules of Order, and issues involving the agenda items.

---

**REGULAR SESSION**

**Present:** Chairman Michael Nilson, Commission Members Brett Anderson, Rick Draper, Bob Murri and Michael Wagstaff, Alternate Commission Member Brad Dutson, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Members Kris Kaufman and Brigham Mellor and Alternate Commission Member Mack McDonald were excused.

**Chairman Nilson** began the meeting at 7:08 p.m. and welcomed those in attendance. **Rick Draper** offered an opening prayer, and the new Commission Members were introduced.

**Minutes**

**Motion:**

**Michael Wagstaff** made a motion to approve the minutes of the December 8, 2011 Planning Commission Meeting. The motion was seconded by **Rick Draper** and approved by Commission Members **Anderson, Draper, Murri, Nilson,** and **Wagstaff** and Alternate Commission Member **Dutson**.

**City Council Report**

**David Petersen** reported on the following items from the December 20, 2011 City Council Meeting:

- Planning Commission appointments for 2012 were announced;
- The Council approved the Schematic Plan for Spring Creek Estates Phase 6;
- The Kimoto Lot Line Adjustment was approved;
- An Ordinance vacating the 100 North right-of way was approved;
- An Agreement with Rocky Mountain Power for their substation expansion was approved.

**SUBDIVISION APPLICATIONS**

**#3 – Symphony Homes – (Public Hearing) – Applicant is requesting Schematic Plan approval for the Chestnut Farms PUD Subdivision Phase 2 encompassing 19.71 acres and consisting of 31 lots located at approximately 300 South 1350 West in an A zone. (S-16-11)**

**Christy Alexander** explained that a misprint on the agenda listed Rainey Homes rather than Symphony Homes. Also, staff realized after the agenda had been posted that this property need to be rezoned to AE; therefore, they are recommending that the item be tabled and that the rezoning be approved along with the Schematic Plan at the next Commission meeting.

**John Wheatley**, Vice President of Development—Symphony Homes, said they are pleased to be moving forward with their next phase. Park improvements and a swimming pool were completed in the summer of 2011. He said the homes in Phase 2 will be similar to those in Phase 1 and will range from 4,000-6,000 square feet.

**Public Hearing:**

**Chairman Nilson** opened the public hearing at 7:15 p.m.

**Valerie Bybee**, 1418 West 475 South, built a home six years ago, and there have been excess water issues the entire time. The detention basin built by the City is inadequate, but the City said it is not their problem, and Symphony Homes said it is not their problem. She has spent \$1,000 on five pumps which have been used all day and all night at various times. She is against the proposal for 475 South to be a through street and said the Mayor and City Council promised that it would never be a through street.

**Mr. Wheatley** said they are very aware of the high water table issues in this area, and a full design of the underground utilities will be completed prior to preliminary plat approval. In Phase 1 they installed a rear yard drainage system on Lots 63 and 64 (northwest corner) which dumps into the detention basin. Additional drainage systems will be installed in the rear yards in Phase 2, and they are also working with the City Engineer to develop a long-term drainage plan on the far southwest corner of the property. A large detention basin south of the church will hold up to three acre feet of water, and he is willing to meet with the **Bybees** to discuss solutions.

**Steve Bouck**, 1392 West 475 South, said a major concern is that additional homes will be built in the wetlands areas where excess water is already a significant issue. He asked the City not to open up the possibility of future problems in the interest of additional revenue. He also asked about the term “future development” which is marked on the map and asked that it be removed.

**Ken Williams**, 344 South 1100 West, Lot 1 in Farmington Downs West, expressed concern regarding the temporary detention pond. He realizes that adjustments need to be made as projects take place, but the City needs a system which will handle drainage issues in this area and help prevent problems in the future. Water will not penetrate the thick layer of clay, and the current detention ponds are not sufficient. The City was told by the Central Davis Sewer District that 475 South would not be a through street because of the high-pressure sewer line and pump station. Symphony Homes has done an adequate job of keeping their development separated from existing residences through the use of fences.

**Scott Thurgood**, 1364 West 475 South, lives on the corner lot and would like to see a long-term plan for this area. He was told from the beginning that 475 South would never be a through street, and he thinks 1360 West would be a catastrophe because of its length. People currently drive down 500 South at high rates of speed, and there are young children in the area. He has not experienced water issues on his lot, but the detention basin needs to be improved. Symphony typically builds their homes at a slightly higher elevation, and their water sheds off to the storm sewer on the streets. He asked that they be required to implement something on each lot to mitigate the water problems.

**Jake Barker**, 517 South 1250 West, said that although this plat does not show 475 South as a through street, it is implied. He does not approve of it as a through street because it does not have adequate width and wetlands will be impacted. He believes the master plan shows a through street from 1100-1525 West, and if it was the City’s intent to have a through street there, it should have been done when Chestnut Farms was developed—that oversight should not be resolved by moving the problem to a neighboring subdivision. The primary motivation

for a developer is profit, and if they are able to force the traffic to another subdivision, they will have more property for road space which could lead to the possible devaluation of property. He asked the Commission to consider the motivation of the developer and to leave the plans as they were originally master planned.

**Joel Cook**, 1266 South 475 South, said he and his brother purchased this property 14 years ago which was horse pasture prior to the building of his home. This special improvement district was facilitated by the City, and they could not install a 2000-foot dead-end, so two cul de sacs were formed along with a street on 1350 South. From 1100 South to his curb, the road was elevated 4.4 feet. The soil is heavy clay and water does not penetrate the clay layer. He installed drains in his backyard and took other steps to deal with the problem. He is concerned that additional development will only increase the water problems. The back acre of his brother's land is a non-buildable acre, and it was a pond last spring with the high runoff from the mountains. He expressed disappointment because the original purpose of west Farmington was to have large lots and plenty of pasture land.

**Mark Jeppson**, 443 South 1350 West, said he has owned his lot for 5-6 years, and he was naïve about the water problems and believes they need to be addressed because many of his neighbors to the west deal with major water issues. He lives on a side street, and his kids enjoy playing outside, but vehicles drive too fast on 475 South. He would like to see a master plan that determines the location of the through street.

**Chase Bybee**, 1418 South 475 South, added his testimony of what they were told by Farmington City seven years ago when they built their home. They were told that 1100 West would need to connect to 1525 West, that 475 South would never be a through street, that the Army Corps of Engineers would never approve it, and that Chestnut Farms would include a through street.

**Rick Draper** asked who told them, and **Joel Cook** said they were given this information from **Max Forbush**, **David Petersen**, **Mike Brown**, **Cory Ritz**, the Planning Commission, and **Mayor Connors**.

**Ken Williams**, 344 South 1100 West, confirmed that the City said the Chestnut Farms Subdivision would provide the connector road, and the Sewer District was completely against the use of 475 South as a through street. The City determined that the north route through the development would be the most economical and feasible way of getting to 1525 West. The cul de sac off 1525 West is an issue—he advised the City to cut back on the number of cul de sacs because they are expensive for the City to maintain. People like to live on a cul de sac, and they benefit developers, but additional through streets are needed to open up the development.

**Chairman Nilson** closed the public hearing at 7:55 p.m. The public hearing was reopened at 7:55 p.m. to allow a resident to make a comment.

**Conley Lindsey**, 407 South 1350 West, said that in the beginning Symphony had only two phases, and they will probably do a third phase near his home. He currently has huge water problems, and they will only get worse with the addition of Phase 3. There will also be huge traffic problems in the area.

**Chairman Nilson** closed the public hearing at 8:00 p.m.

**Brett Anderson** asked if the City was addressing specific drainage and road issues tonight and if the decision to rezone the property has anything to do with these issues. **Christy Alexander** replied that this is the schematic plan level which gives the concept and basic layout, but the developer has no vested rights at this point. The next level is preliminary plat, and the developer will be required to submit improvement drawings and actual plans submitted by the City Engineer. **David Petersen** said the rezoning is separate from these issues. The City's policy since 1993 is that east of the 4218 line will be zoned AE. He thanked the residents for their valuable comments. **Rick Draper** asked for additional details regarding the special improvement district designation.

**David Petersen** explained that many years ago there were several vacant parcels on what would become 475 South Street in this area but no utilities except for a sewer line from 500 South through the wetlands to 1525

West. The street was an, undedicated – road - a 60-foot wide private right-of-way which overlapped private property lines 30 feet to the north and to the south. Several property owners inquired about building permits, but the City could not issue a building permit for a single family residence at that time—it was property that could not be developed. The City at the urging of the property owners decided to take it on as a Special Improvement District (SID).

In 1998 the City developed a Master Transportation Plan (MTP) which showed 475 South as a through street to help break up a super block bounded by 1525 West, Clark Lane, 1100 West, and Glovers Lane, and distribute the traffic. The MTP was updated again in 2005, and 475 South was not shown as a through minor collector, but at the same time, Symphony Homes' first schematic plan showed a going through street and not a cul de sac. In 2005 it was shown and approved as a street eventually connecting to 1525 West on both the preliminary and final plats. In 2009 the MTP was amended and called for a through street. He thinks that perhaps some of the residents are so adamant that the City said there would never be a through street because no one anticipated that there would be a direct east-to-west street cutting through prime wetlands, but rather the street was to go to the southwest to 1525 West by the new LDS Church building south of the sewer lift station.

The City has strict requirements for subdivision applications—developers must have a master drainage plan and a drainage plan for each lot—these standards are in place to protect property owners. They are fully aware of wetlands issues, and letters of approval from the Army Corps of Engineers are always required. Symphony is aware that they must mitigate the wetlands and meet the City's requirements. The City required a temporary detention basin with Phase 1, and if the property to the south is not developed, the basin will become permanent—an agreement was recorded against the property to ensure this action. Phase 2 just misses the wetlands, but it must also meet all the open space, drainage, and other requirements.

**Rick Draper** asked why a master plan was not required for this subdivision and if the developer will need to resolve the water problem just in that particular area or if they need to solve the problem for the entire area. **Mr. Petersen** replied that in this case each phase was handled separately as was meant to meet all PUD requirements on its own accord so no master plan was required. The City Engineer determines the historical flow in the area and then studies the situation to ensure that the development does not exceed the historical flow. As more homes come into the area, the water must be detained and metered so it is kept below the level of the historical flow. In reference to the street issues, he thinks there may have been miscommunication, and the City needs to study the issue and consider residents' comments and determine the best traffic routes.

**Mr. Wheatley** said they have submitted a master plan in grey scale which shows the road going around the church and connecting to 1525 West. He thanked the residents for their input and said they plan to design a good drainage system which will keep the water on their site. During each step they use a temporary drainage facility to carry the load up to that point. They have reserved property near the power line easement for a detention basin which will hold 50% more than Symphony needs. They will also submit a 404 permit to the Army Corps of Engineers.

**Motion:**

**Rick Draper** made a motion to table this item and readdress it in conjunction with the zoning change at the next meeting. In addition, the developer and City staff will work together to address traffic and storm water issues. **Michael Wagstaff** seconded the motion which was approved by Commission Members **Anderson, Draper, Dutson, Murri, Nilson, and Wagstaff.**

**#4 – Rainey Homes – Applicant is requesting Final Plat approval for the Miller Meadows Conservation Subdivision Phase 4 encompassing 5.05 acres and consisting of 12 lots located at approximately 423 West 650 South in an AE/SBO zone. (S-6-11)**

**Christy Alexander** provided a brief overview of this Subdivision and said the development has been broken down into smaller phases, and the number of lots, layout, and overall design of the project has changed slightly. However, the Final Plat is consistent with the overall schematic plan as well as the preliminary plat for the entire

project within which these lots are located. The lots which were previously recorded will require boundary adjustments prior to final plat recordation.

**Brock Johnston**, 1284 Flint Meadows Drive, Suite A, Kaysville, representative from Rainey Homes, made a clarification and said the fee for the open space will be paid on a pro rata basis—the entire amount will not be paid up front. The boundary adjustments will be handled by the property owners and Davis County.

**Motion:**

**Rick Draper** made a motion that the Planning Commission recommend that the City Council approve the Final Plat for the Miller Meadows Conservation Subdivision Phase 4 subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant must continue to work with the City and other agencies to address any outstanding issues remaining with regard to the Final Plat;
2. The applicant must address all conditions of Schematic and Preliminary Plat approval prior to construction;
3. The applicant must ensure compliance to all Scenic Byway Overlay Zone Design Themes, Standards, and Guidelines as set forth in Chapter 41 of the Zoning Ordinance;
4. The applicant must complete boundary adjustments or a plat amendments (for parcels that are being conveyed to lots in previous phases) prior or concurrent with the recordation of the Final Plat;
5. The development agreement for the project must be updated to show the changes to the Master Development Plan and presented to the City Council;
6. Improvements for the pedestrian walkway adjacent to Lot 306-A shall be completed prior to issuance of any building permits in Phase 4;
7. Information about the proposed elevations must be provided to the City and approved by the Planning Commission prior to plat recordation—including, but not limited to—information about architectural and landscape details to ensure that garages do not dominate the front of the home, that porches are accentuated, that the rear and sides of the homes facing the Legacy Parkway Trail have interesting facades, that all architecture and landscaping remains consistent with the design guidelines, standards, and themes as set forth in the Scenic Byway Overlay zone chapter, and that the design contributes to the surrounding homes already built within the Miller Meadows Subdivision. A determination to ensure that the homes meet these requirements will be made by City staff during the building permit process.
8. Compensation for the lost open space previously approved by the City Council will be paid pro rata prior to the recording of the plat.

The motion was seconded by **Bob Murri** and approved by Commission Members **Anderson, Draper, Murri, Nilson,** and **Wagstaff** and Alternate Commission Member **Dutson**.

**Findings for Approval:**

1. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
2. The proposed Final Plat submittal is consistent with all necessary requirements for a Final Plat as found in Chapter 5 of the City's Subdivision Ordinance.

**#5 – Rainey Homes – Applicant is requesting Final Plat approval for the Tuscan Cove Phase 2 Subdivision encompassing 1.37 acres and consisting of 3 lots located at approximately 275 East Tuscan Cove Drive in an LR-F zone. (S-7-11)**

**Christy Alexander** said the only remaining requirement is that a boundary adjustment needs to be made to Lot 13 to include Parcel A, and all other issues have been addressed and corrected.

**Motion:**

**Michael Wagstaff** made a motion that the Planning Commission recommend that the City Council approve the Final Plat for the Tuscany Cove Phase 2 Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Final Plat;
2. The applicant addresses all conditions placed at Schematic Plan and Preliminary Plat approval prior to construction;
3. The applicant must ensure compliance to all Foothill Development Standards as set forth in Chapter 30 of the Zoning Ordinance;
4. The applicant must provide a fee in lieu of open space and obtain a waiver from the City Council prior to or concurrent with the City Council approving the Final Plat;
5. The applicant must complete boundary line adjustments or a plat amendment (for Parcel A that is being conveyed to Lot 13) prior to or concurrent with the recordation of the Final Plat.
6. The applicant must obtain an easement from the property owner to build the turn around.

The motion was seconded by **Brett Anderson** and approved by Commission Members **Anderson, Draper, Murri, Nilson,** and **Wagstaff** and Alternate Commission Member **Dutson**.

***Findings for Approval:***

1. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
2. The proposed Final Plat submittal is consistent with all necessary requirements for a Final Plat as found in Chapter 5 of the City's Subdivision Ordinance.

**OTHER BUSINESS**

**#6 – Miscellaneous**

- a. **PC Policies & Procedures**
  - Closed session information will be added to the Policies & Procedures
- b. **Amendments to the 2012 Planning Commission Calendar**
  - There will be one meeting in February on the 16<sup>th</sup>;
  - The meetings in March will be on the 1<sup>st</sup> and the 29<sup>th</sup>.

**ADJOURNMENT**

**Motion:**

**Michael Wagstaff** made a motion to adjourn the meeting, and it was adjourned at 9:00 p.m.

---

**Michael Nilson, Chairman**  
**Farmington City Planning Commission**