

FARMINGTON CITY
PLANNING COMMISSION MEETING
November 10, 2011

STUDY/WORK SESSION

***Present:** Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, and Michael Wagstaff, Alternate Commission Member Kris Kaufman, Community Development Director David Petersen, Associate City Planner Christy Alexander and Recording Secretary Cynthia DeCoursey. Vice Chairman Jim Young and Alternate Commission Member Brett Anderson were excused.*

Chairman Hillier began the work session at 5:30 p.m. City staff provided background information on each agenda item, and the Commission briefly discussed the items.

REGULAR SESSION

***Present:** Chairman Randy Hillier, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, and Michael Wagstaff, Alternate Commission Member Kris Kaufman, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Vice Chairman Jim Young and Alternate Commission Member Brett Anderson were excused.*

Chairman Hillier began the meeting at 7:00 p.m. and welcomed those in attendance. The opening prayer was offered by **Michael Wagstaff**.

#1 – Minutes

Motion:

Steven Andersen made a motion to approve the minutes of the October 27, 2011 Planning Commission Meeting. The motion was seconded by **Nelsen Michaelson** and approved by Commission Members **Andersen, Hillier, Michaelson, Nilson, and Wagstaff**, and Alternate Commission Member **Kaufman**. Commission Member **Rick Draper** abstained because he was not in attendance.

#2 – City Council Report

David Petersen reported that the property owner, the sewer district and City staff worked out a solution for the driveway, and the Council approved the Amendment for the Farmington Hills East Plat B Subdivision.

SUBDIVISION APPLICATIONS

#3 – Howard Kent/SLI Real Estate and Farmington City – (Public Hearing) – Applicant is requesting a recommend-dation for Minor Plat approval for the Spring Creek Estates Phase 6 Subdivision encompassing approximately 3.01 acres and consisting of 9 lots located at approximately 1800 West 650 North in an AE zone. (S-14-11)

David Petersen explained that this area was approved as a conservation subdivision. Since that time the City realized that large parcels of open space work well, but strips of land behind lots and remnant pieces do not. The City approached the developer, **Howard Kent**, about acquiring the four open space parcels (4.309 acres) and remnant pieces in Phase 3C which may be problematic for him and developing it as lots. The City will then use the proceeds from the lots to acquire open space elsewhere for a City park and/or open space property. Because it is a "Minor Subdivision", requirements set forth in Chapter 5 of the Subdivision Ordinance (included in the staff

report) must be met. Nine lots could be created and several lot line adjustments could be made. No new roads will be necessary, and City staff believes this option is best for the City and the neighborhood.

Public Hearing

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

Larry Haugen, 94 East 500 North, owns lots 505-510 and is in favor of this proposal. However, he said that the lots along Burke Lane may be expensive to develop because of the drainage ditch and underground piping. He served on the City Council, and it was a mistake to allow small slivers of land to remain as open space because they become rat infested thistle patches, skunk havens, etc.

David Petersen said the City is evaluating the stability of the Spring Creek pipe which may have been placed by the Sewer District when they re-did their trunk line. The costs could be significant but they may not be—even in the worst case scenario, the costs may be reasonable when compared with the benefit to the City and the developer.

Warren Hatch, 1926 Ranch Road, said he is in favor of doing away with these narrow strips of land that become weed patches—there are enough of those in west Farmington.

The Public Hearing was closed at 7:20 p.m., and there were questions involving the access for Lots 201 and 202 and the properties to the north and east of the road. **Mr. Petersen** explained that access to Lots 201 and 202 will be on the west, and the City is looking at a stub street for the properties to the north and east. He believes the access will be well received by the property owners. The Public Works Department suggested a temporary barrier, and it is a good time to move forward on this project because: (a) there are no residents in Phase 3C because it has not been recorded; (b) there is no conservation easement for basically the same reason; and (c) the contractor is currently working in the area.

Motion:

Nelsen Michaelson made a motion to recommend approval of the Minor Plat for the proposed Spring Creek Estates Phase 6 subdivision and proposed boundary line adjustments (or modifications to the Spring Creek Estates Phase 3c Plat) subject to all applicable development standards and ordinances and the following:

1. Farmington City must enter into an agreement with the property owner, to include, among other things, the assurance that any loss of open space in the proposed Minor Plat and boundary line modifications must result in the acquisition of open space elsewhere in the City equal in land area and/or value. Such agreement shall comply with Chapter 12 of the Zoning Ordinance.
2. The development agreement for the entire Spring Creek Estates subdivision must be amended to incorporate the changes.
3. The final plat (or plats) and improvement drawings shall be prepared, reviewed, and approved by all applicable reviewing entities including but not limited to planning, engineering, storm water, sewer, culinary and secondary water, fire, and public works.
4. The applicant must comply with all conditions of preliminary plat approval for the entire Spring Creek Estates subdivision and provisions of the development agreement.

The motion was seconded by **Michael Wagstaff** and Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff**, and Alternate Commission Member **Kaufman**.

Findings:

1. The proposed Minor Plat complies with the Subdivision Ordinance if the City enters into an agreement to establish commensurate open space elsewhere in the City.

2. The four existing open space areas constitute small remnant parcels with little public benefit because individually the open spaces are isolated behind private property or configured in long, narrow strips of unusable land not as desirable for public space as it could be elsewhere.
3. Long-term maintenance obligations associated with the four parcels can be transferred elsewhere, resulting in better economies of scale.
4. The action sets a good precedent for the City to help in meeting its goals for future parks and open space.

#4 – Howard Kent/SLI Real Estate – Applicant is requesting a recommendation for Final Plat approval for the Spring Creek Estates Phase 4 Subdivision encompassing approximately 2.5 acres and consisting of 6 lots located at approximately 1725 West 575 North in an AE zone. (S-15-11)

This subdivision consisting of 169 single-family residential lots was approved on December 6, 2007, and the preliminary plat was approved May 4, 2010 as is referred in a development agreement between the applicant and the City.

Motion:

Michael Wagstaff made a motion to recommend approval of the Final Plat for the Spring Creek Phase 4 Subdivision with the following conditions:

1. The applicant must work with the City's Development Review Committee to address and comply with any outstanding issues related to the Final Plat—including, but not limited to, planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant must comply with all of the conditions of preliminary plat approval and the provisions of the development agreement.
3. The applicant must convey a conservation easement, acceptable to the City, to encompass the open space contiguous to the east boundary of Phase 4, which open space is also bordered by Burke Lane on the north, the UTA right of way on the east and the Flanders property on the west.

The motion was seconded by **Rick Draper** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson, and Wagstaff**, and Alternate Commission Member **Kaufman**.

Findings:

1. The proposed Final Plat is consistent with the approved Preliminary Plat.
2. The proposed subdivision meets all the requirements for approval of a final plat.

GENERAL PLAN AMENDMENT APPLICATION

#5 – Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend the City's General Plan by incorporating the current 2011 update to the City's 1998 Affordable Housing Plan. (M-3-11)

Christy Alexander said the State mandated that each city in Utah update their affordable housing plan every two years. Farmington hired the Lotus Community Development Institute, Inc. (LCDII) to evaluate and update the cities 1998 Affordable Housing Plan. LCDII presented information to the City Council, Planning Commission, and City Staff in February and October of 2011, and the update is ready for approval. Upon approval by the Commission and the Council, the final copy will be added as an amendment/element to the General Plan and will be posted on the City's website.

Public Hearing

Chairman Hillier opened the public hearing at 7:25 p.m. There was no one from the public to speak regarding this item, and the public hearing was closed.

The Commission agreed that the Plan is clear cut and visionary and will allow Farmington to serve the various populations in the City. They also agreed that the goals in the Plan are measurable and attainable. **Rick Draper** referred to a Policy on p. 55: “Within one year of plan adoption, accurately inventory and map in-fill lots and single family housing stock by type, price, square footage and condition into a usable data base. . .” and asked how this would be accomplished. Staff said they have a general idea through GIS results and valuation information from the County Assessor’s office. Commissioner **Draper** also commented that there are many detached single family homes in the City that are rented but may not be counted in the affordable housing plan.

Motion:

Kris Kaufman made a motion to recommend approval of the proposed amendment to the General Plan by incorporating the current 2011 update to the City’s 1998 Affordable Housing Plan as set forth in the November 10, 2011 staff report. The motion was seconded by **Michael Nilson** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson,** and **Wagstaff**, and Alternate Commission Member **Kaufman**.

Findings:

1. Healthy communities are dependent on the availability of housing at a variety of price points so that critical members of the area’s workforce are able to live near their jobs;
2. The City has existing RDA funds available for projects that can incorporate affordable housing;
3. Farmington has resources and ordinances in place that will aid in the achievability of the proposed goals;
4. Farmington City’s 1998 Affordable Housing Plan is woefully out of date;
5. The State Legislature enacted House Bill 295 (HB295) in 1996 requiring that all counties and municipalities develop housing plan to meet workforce housing needs.

CONDITIONAL USE APPLICATIONS

#6 – Farmington City – (Public Hearing) – Applicant is requesting a conditional use permit and site plan approval for construction of a Well House at approximately 94 South Main Street in an R-4 zone. (C-17-11)

Christy Alexander said the proposed well house will surround the new well and allow residents to begin using the culinary water. CRS Engineers designed the site plan and elevations, and multiple reviews were conducted by staff and the City Council. Community meetings were also held to receive input from residents regarding their concerns, the site plan, and architectural details. The City Council recommended a pitched roof and Farmington Rock on the exterior of the building, and the engineers were asked to use design standards which would help the well house blend in with the historic neighborhood and City/County complexes. **Mr. Petersen** pointed out that the well house is positioned so that it looks like an appendage to the community building, and the surrounding area is more open.

Tammy North, CRS Engineers, explained that there are certain requirements the engineers must follow as they design the building. The Water Department checks the pump at least once a day. Access through the roof would not occur very often—possibly every 3-4 years. The driveway will be shared with the community center, and the small building in the back will hold the liquid chemicals (fluoride and chlorine) in 200-gallon tanks and will include a sump pump which is required by the state. Fluoridation is required by Davis County, and chlorine is used in all of Farmington City’s wells.

Public Hearing

Chairman Hillier opened the public hearing at 7:45 p.m.

Brad Bornemeier, 54 South Main, lives two houses to the north of the well and does not approve of the well on this site. An old historic rock home was demolished, and the City plans to replace it with a building that

resembles a shed. He is concerned about the noise, the use of chemicals, safety and how these concerns may impact the value of his home. He asked if the City has a procedure in place for a chemical leak—particularly during an earthquake—and said a sump pump will not help in that type of scenario. Many children and City/County employees walk past this well site every day, and he prefers to have the door on the south side of the well house rather than on the north side or facing the street. He commented that children climb on the existing rock wall, and the neighbors are concerned about their own privacy and the safety of the children. He asked why the use of rock would be expensive since the City owns the rock, and he thinks landscaping may lessen the noise.

The Public Hearing was closed at 7:55 p.m., and the Commission discussed various issues, including:

- The amount of Farmington rock to be used on the well house and whether or not it should be used on both the north and east sides of the building;
- The expense of using cut and honed rock;
- Additional materials which may be used;
- Decibel level of the pump;
- Safety issues—chemical leaks, self-locking doors, the existing rock wall;
- Type and width of driveway access;
- Landscape plan.

Michael Nilson pointed out that the renderings being looked at tonight are conceptual—the architect will design the building, and there are systems which will help mitigate the noise. If a new home were being built in this historic district, there would be standards to follow, and the well house should be the same. However, **David Petersen** said this is an R-4 zone and not an OTR (Original Townsite Residential) zone. He suggested an addition to condition #7 requiring Planning Commission review and approval of the final elevations and landscaping plan. **Michael Nilson** offered his assistance to expedite the process.

Motion:

Michael Nilson made a motion to approve the conditional use and site plan of a well house subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Sign regulations shall be followed for all signs on the corresponding property;
2. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into the adjoining and nearby lots;
3. The use granted is solely for the purpose of a well house to house the well at the site on which it is located, and no other activities of any kind shall be associated with this use permit;
4. Driveway areas for the well house will be shared with those of the Community Center;
5. All building codes must be following and approved by the City Building Official;
6. An acoustical professional must be consulted prior to construction;
7. The amount of Farmington Rock to be used on the front facade must be determined by City Staff prior to construction, and the elevations and landscape plan must come back to the Planning Commission for final review and approval.

The motion was seconded by **Michael Wagstaff** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson,** and **Wagstaff**, and Alternate Commission Member **Kaufman**.

Findings:

1. The proposed use of the well house at this particular is necessary and desirable and provides a service which contributes to the general well being of the community;
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use;

3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development;
5. The location provides or will provide 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;
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
 - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
 - b. Unreasonable interference with the lawful use of surrounding property; and
 - c. A need for essential municipal services which cannot be reasonably met.

#7 – TURN Community Services – (Public Hearing) – Applicant is requesting conditional use approval for the operation of an Adult Day Care at approximately 1438 North Highway 89, Suite 100/110 in an R-4 zone. (C-19-11)

Christy Alexander explained that TURN is a non-profit organization which has been providing services to people with disabilities since 1973. There will be 6-8 employees who will need parking for their private vehicles, and there will be one TURN wheelchair-accessible van. Most clients arrive between 8:30-9:30 in the morning and are finished by 3:00 p.m. During the day several staff vehicles will come and go as the group attends various activities in the community. The Farmington Fire Department inspected the facility and granted approval for the proposed use.

Phil Shumway, 2155 Bryce Drive, Kaysville, said TURN has 12 other centers across the state of Utah, and each center provides services for approximately 20-35 people depending on the size of the facility. TURN was previously located in Woods Cross, but the building no longer meets their needs, and they are excited about this new facility in Farmington. He reported that the available parking is adequate, and the building is sprinkled and is wheelchair accessible.

Public Hearing

Chairman Hillier opened the Public Hearing at 8:20 p.m. There was no one from the public to speak regarding this item, and the Public Hearing was closed.

Motion:

Rick Draper made a motion to approve the conditional use permit for the proposed TURN Community Services Adult Day Care subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Sign regulations shall be followed for all signs on the corresponding property;
2. Outdoor lighting, if used, must be subdued. All lighting shall be designed, located and directed to minimize glare, reflection and light pollution into adjoining and nearby lots;
3. The use granted is solely for the purposes of an Adult Day Care associated with the TURN Community Services “Day Program” at the site on which it is located, and no other activities of any kind shall be associated with this use permit;
4. Parking for the Adult Day Care will be shared with those of the Old Shepard Commons building already constructed, and no additional parking shall be constructed;
5. The proposed use must comply with all other standards and regulations of the zoning ordinance and other applicable City codes;
6. The building must meet all building code standards for a Day Care facility and be inspected and approved by the City Building Official.

The motion was seconded by **Nelsen Michaelson** and approved by Commission Members **Andersen, Draper, Hillier, Michaelson, Nilson,** and **Wagstaff**, and Alternate Commission Member **Kaufman**.

Findings:

1. The proposed use of the day care at this particular location is necessary and desirable and provides a service which contributes to the general well-being of the community;
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use;
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development;
5. The location provides or will provide 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;
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
 - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
 - b. Unreasonable interference with the lawful use of surrounding property; and
 - c. A need for essential municipal services which cannot be reasonably met.

OTHER BUSINESS

#8 – Miscellaneous, correspondence, etc.

- a. **Wasatch Choices 2040 Review** – An article written by Utah Lieutenant Governor **Greg Bell** was included in the staff report.
- b. **Other – David Petersen** reminded the Commissioners of the Cemetery Memorial dedication ceremony at 11:00 a.m. on Thursday, November 11, 2011.

ADJOURNMENT

Motion:

Michael Wagstaff made a motion to adjourn the meeting, and it was adjourned at 8:20 p.m.

Randy Hillier, Chairman
Farmington City Planning Commission