

FARMINGTON CITY
PLANNING COMMISSION MEETING
July 26, 2012

WORK SESSION

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

#3 – Northstar Homes & Development – Applicant is requesting a recommendation for Final Plat approval for the Meadow View Conservation Subdivision encompassing 11 acres and consisting of 19 lots located at approximately 1525 West and Spring Meadow Drive in an AE zone. (S-10-11)

Christy Alexander reported that Northstar Homes resolved several items of concern as requested, and there are two additional issues which need to be completed: (1) a right-of-way vacation; and (2) signed documentation of secondary water shares prior to recording the plat.

#4 – Symphony Homes – Applicant is requesting a recommendation for Final Plat approval for the Chestnut Farms PUD Phase 2 Subdivision encompassing 9.91 acres and consisting of 16 lots located at approximately 375 South and 1350 West in an AE (PUD) zone. (S-16-11)

Christy Alexander said staff is recommending approval of this Final Plat, and the applicant must provide signed documentation of secondary water shares prior to recording the plat.

#5 – Howard Kent/SLI Real Estate – Applicant is requesting a recommendation for Final Plat approval for the Spring Creek Estates Phase 7 Conservation Subdivision encompassing .95 acre and consisting of 2 lots located at approximately 1800 West and 575 North in an AE zone. (S-10-12)

Christy Alexander explained that these two lots were left off previous plats because of wetland issues. The developer met with the Army Corps of Engineers, and the wetland issues were resolved.

#6 – Jason and Amanda Wessman – (Public Hearing) – Applicants are requesting Conditional Use approval for a secondary dwelling in the basement of their home at 1861 West 625 North in an AE zone. (C-8-12)

Christy Alexander said an adjacent property owner has complained about excess water from this lot. David Petersen confirmed that there are water problems elsewhere in the subdivision and said the City Zoning Administrator is planning to meet with the developer. The developer said it is possible that the sanitary sewer line is impeding ground water flow. If a property owner would like to rent a secondary dwelling, he must live on site and obtain a conditional use permit. If the home is sold, the conditional use will expire.

REGULAR SESSION

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

Chairman Nilson began the meeting at 7:00 p.m. and welcomed those in attendance. The opening prayer was offered by **Rick Draper**.

#1 – Minutes

Motion:

Rick Draper made a motion to approve the Minutes of the June 28, 2012 Meeting with two minor changes made during the work session. **Brigham Mellor** seconded the motion which was approved by Commissioners **Draper, Kaufman, Mellor, Nilson,** and **Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

#2 – City Council Report

Christy Alexander reported that the City Council approved the Planning Commission Policies & Procedures and Rules of Order with one change: the City will not be required to post a notice on the property being developed. They also approved an amendment to the motion made on June 19, 2012 regarding Schematic Plan Approval of the Farmington Creek Phase 4 PUD Subdivision: Condition #1 was changed—the applicant will be required to obtain a CLOMR-F rather than a LOMR from FEMA.

SUBDIVISION APPLICATIONS

#3 – Northstar Homes & Development – Applicant is requesting a recommendation for Final Plat approval for the Meadow View Conservation Subdivision encompassing 11 acres and consisting of 19 lots located at approximately 1525 West Spring Meadow Drive in an AE zone. (S-10-11)

Christy Alexander provided background information and said that following Final Plat approval, the applicant seek to use open space in this Subdivision by obtaining permission for additional lots. **Rick Draper** asked staff to provide the specifics of both Schematic and Preliminary Plat approval when a Final Plat application is submitted. Staff said they would provide the additional information.

Motion:

Kris Kaufman made a motion to recommend that the City Council approve the Final Plat for the Meadow View Conservation Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant will 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 have portions of the 1525 West right-of-way vacated prior or concurrent to Final Plat approval;
3. The applicant must receive Final Plat approval from the City Council in order to record the proposed subdivision;
4. The applicant must show signed documentation of secondary water shares prior to recording the plat.

The motion was seconded by **Michael Wagstaff** and approved by Commissioners **Draper, Kaufman, Mellor, Nilson,** and **Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

The applicant, **Jared Darger**, 15757 South Pack Saddle Drive, Bluffdale, asked if he will be required to obtain preliminary plat approval when he submits his request to use the open space. **David Petersen** replied that would not be necessary because there are no new right-of-ways.

Findings:

1. The proposed Final Plat is consistent with the previously approved Schematic Plan and Preliminary Plat.
2. The proposed subdivision meets all of the requirements for approval of a Final Plat.

#4 – Symphony Homes – Applicant is requesting a recommendation for Final Plat approval for the Chestnut Farms PUD Phase 2 Subdivision encompassing 9.91 acres and consisting of 16 lots located at approximately 375 South and 1350 West in an AE (PUD) zone. (S-16-11)

Christy Alexander said the applicant has met all of the requirements except for the purchase of water shares which they will be required to do prior to the recording of the Final Plat.

The applicant **John Wheatley** of Symphony Homes, 526 North 400 West, North Salt Lake, met with resident **Ken Williams** to observe the natural drainage pattern on his property. Symphony designed a back yard drainage system which picks up the water where **Mr. Williams's** stops. The water will flow across 1350 West and the lots on 475 South to the far end of the project which should allow the water to follow historical drainage patterns and remain on site, and **Mr. Williams** said he supports the proposal.

Motion:

Rick Draper made a motion to recommend that the City Council approve the Final Plat and Final PUD Master Plan for the Chestnut Farms Phase 2 PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant will 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 receive Final Plat approval from the City Council prior to recording the Final Plat.
3. The applicant must show signed documentation of secondary water shares prior to recording the Final Plat.

The motion was seconded by **Mack McDonald** and approved by Commissioners **Draper, Kaufman, Mellor, Nilson, and Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**;

Findings:

1. The proposed Final Plat is consistent with the previously approved Schematic Plan and Preliminary Plat.
2. The proposed subdivision meets all of the requirements for approval of a Final Plat.

#5 – Howard Kent/SLI Real Estate – Applicant is requesting a recommendation for Final Plat approval for the Spring Creek Estates Phase 7 Conservation Subdivision encompassing .95 acre and consisting of 2 lots located at approximately 1800 West and 575 North in an AE zone. (S-10-12)

David Petersen explained that the property owners east of this Subdivision rerouted the water flow, and the wetlands dried up.

Motion:

Michael Wagstaff made a motion to recommend that the City Council approve the Final Plat for the Spring Creek Estates Phase 7 Conservation Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant will 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 comply with all provisions of the development agreement;
3. The applicant must receive Final Plat approval from the City Council prior to recording the proposed subdivision.

The motion was seconded by **Brigham Mellor** and approved by Commissioners **Draper, Kaufman, Mellor, Nilson,** and **Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

Findings:

1. The proposed Final Plat is consistent with the previously approved Schematic Plan.
2. The proposed subdivision meets all of the requirements for approval of a Final Plat.

CONDITIONAL USE APPLICATION

#6 – Jason and Amanda Wessman – (Public Hearing) – Applicants are requesting Conditional Use approval for a secondary dwelling in the basement of their home at 1861 West 625 North in an AE zone. (C-8-12)

Christy Alexander reported that the applicant has met the requirements for this use. The Agricultural Estates (AE) Zone requires a permit for a secondary dwelling, and the space can be occupied by one family. Staff said there are concerns about basement flooding elsewhere in the subdivision and would like to require the applicant to submit a soils report to the City’s Building Official.

Jason Wessman, 1861 West 625 North, said they plan to finish their basement and use 900 square feet of the finished space for a 2-bedroom, 1 bathroom apartment. They have lived in the house for two months, and a land drain was installed around the house—there have been no water issues. The cement pad is 10-15 feet from the adjacent home, and it is fenced. The neighboring home has no windows on the side yard. His neighbors are aware of the proposal and have expressed their support.

Public Hearing:

Chairman Nilson opened the Public Hearing at 7:40 p.m. There were no comments, and it was closed. (Two email messages from residents were submitted to the public record). Issues such as setting a precedent, additional costs for separate utilities, entrance, etc., the water table in the area, parking/traffic, and property taxes were discussed. **Mack McDonald** said a certain percentage of rentals are healthy for a community, but he prefers to have a majority of the City be single-family dwellings. He said the current zoning does not allow basement rentals in this area. **Brigham Mellor** said this is a different rental scenario and that because the owner lives in the home, he has a high interest in selecting a suitable tenant. **David Petersen** agreed and said there is a need for all types of housing in various locations throughout the City. **Brad Dutson** said a basement rental changes the makeup of the neighborhood—there will be additional cars and more traffic, and the type of people who rent typically do not enhance a neighborhood. **Rick Draper** and **Michael Wagstaff** both agreed that the applicant has met the conditions. **Kris Kaufman** summarized City Staff by saying that if conditions need to be imposed to mitigate negative impact, it is the

Commission's obligation to find the necessary conditions—in this case he cannot find any negative impacts which would require additional conditions.

Motion:

Michael Wagstaff made a motion to approve the conditional use permit allowing a secondary dwelling in the lower level/basement of the Wessman home on property located at 1861 West 625 North, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant will continue to work with the City's Community Development Department to obtain all necessary building permits;
2. The secondary dwelling will be used as indicated by the applicant and will be operated within the provisions of the secondary dwelling ordinances.
3. A soils report must be supplied to the City's Building Official to ascertain whether the soils are compliant to building a basement apartment.

The motion was seconded by **Rick Draper** and approved by Commissioners **Draper, Kaufman, Mellor, Nilson, and Wagstaff**. Alternate Commissioners **Dutson** and **McDonald** did not approve the motion.

Findings:

1. The building in which the secondary dwelling is proposed exists on the property and will not impact adjacent properties any further than it is presently.
2. The use will not generate a substantial increase in traffic in the area.

OTHER BUSINESS

- **Lagoon Ride – David Petersen** said Lagoon is planning a new ride which would be approximately the same height and width as the Rocket. Planning Commission approval is required for any ride over 150 feet in height. The official request will be on the August 16, 2012 agenda.
- **August Meeting Schedule** – Commission meetings were originally scheduled for Aug. 9th and 23rd. However, the City Council has meetings on August 7th and 21st, and staff would like to schedule only one Commission meeting for August on the 16th. The Commissioners approved the change.

ADJOURNMENT

Motion:

Mack McDonald made a motion to adjourn the meeting which was approved by Commissioners **Draper, Kaufman, Mellor, Nilson, and Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**. The meeting was adjourned at 8:40 p.m.

Michael Nilson, Chairman
Farmington City Planning Commission