

FARMINGTON CITY
PLANNING COMMISSION MEETING
February 19, 2015

STUDY SESSION

Present: Chair Rebecca Wayment, Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Val Halford, Kent Hinckley and Alex Leeman, Associate City Planner Eric Anderson, Community Development Director David Petersen and Recording Secretary Lara Johnson.

Item #3. Scott Harwood/The Haws Companies – Approval of Preliminary Plat for Cabela’s Subdivision (Park Lane Commons Phase II)

Eric Anderson said this is the same item that was previously before the Commission at the last meeting on February 5, 2015, but the applicant is now requesting Preliminary Plat approval. The Preliminary Plat now includes a 20’ public utility and access easement that was approved as part of the Regulating Plan amendments and the Street Cross-Section Modification.

David Petersen said, based on a conference call he recently had with the applicant, the applicant has a few concerns. The first concern is with the 20’ public utility and access easement. David Petersen said this access easement forms the block as shown on the Regulating Plan. The applicant does not want 100% public access as it will be a private street; the applicant would like it slightly controlled. David Petersen explained some of the conditions staff would like prior to its approval, which include the right to access for emergency vehicles and no obstructions in the ROW. The details of the limited access will be determined at a later date by City Council. Cabela’s requested the same type of agreement for the access easement as will be on the road in front of the store. David Petersen also stated the applicant has expressed concern regarding the dedication of ROW along the back of the store, specifically with regards to the 8’ park strip and 6’ side walk. He explained the requirement for a building permit is to fully improve the front of the store; however, sidewalk is typically negotiated for double frontage stores. David Petersen explained it may not be prudent to require the improvements at this time as there are too many unknowns. He said the City would like to enter into an extension agreement for the improvements until it has been decided on what the improvements should include. The applicant would like a condition added to the motion regarding the extension agreement as shown in the email David Petersen provided the Commission.

Item #4. Jared Darger/Clearwater Homes – Preliminary Plat Approval for Meadow View Phase II

Eric Anderson said the City Council denied the applicant’s request for 5 TDR lots, but did approve a partial open space waiver for the trail easement along the west side of the property. Phase II will now consist of 19 larger lots with a fire access road for emergency vehicles. The waiver was approved by City Council at Schematic Plan; however, a monetary amount has not yet been reached.

Item #5. Justin Atwater/Pembridge Heathrow Holdings – Recommendation and approval of Preliminary and Final Plat for Parkwalk Downs Subdivision

Eric Anderson said this is an approval of Preliminary Plat and recommendation for Final Plat. Although this item is technically a major subdivision as there is dedication of ROW, staff is treating it like a minor subdivision because there are only 4 lots. The City and the applicant will enter into an

extension agreement for the dedication of the ROW. The only outstanding issue is the applicant received approval for the 2 requested TDR lots; however, compensation for the lots has not yet been reached with the City Manager. The item will not appear before City Council until that amount has been reached.

Item #6. Phil Holland/Wright Development – Recommendation for Final Plat Approval for Tuscany Grove Subdivision

Eric Anderson said the request for the 2 TDR lots was approved at Schematic Plan by the City Council. The lot sizes match or exceed the surrounding communities. He said the only remaining issue is with the storm water and drainage; however, the applicant is working closely with Ken Klinker to resolve the concerns. Also, all comments from the DRC have been or will be addressed prior to review by the City Council. Rebecca Wayment asked if there is significant run-off from the elevated Bamburger rail road property that may cause flooding to the property owners. Eric Anderson said no, Ken Klinker thoroughly reviews the elevations to ensure storm water flow is appropriate. Eric Anderson also said it is planned that the subdivision's storm water empties into a regional detention basin farther north of 1600 North. He reviewed the newly added condition #1 (as shown in the staff report) that addresses the applicant entering into a development agreement with the City that will allow for use of the regional detention basin.

Item #7. Nick Mingo/Ivory Development – Recommendation for Final Plat Approval for Brentwood Estates Subdivision

The Commissioners and staff discussed the applicant's approved Schematic Plan and Preliminary Plat as well as the appeal of the plat. The City Council accepted the appealed Preliminary Plat. The Commissioners discussed whether to approve the Final Plat, as it is assumed the plat is what the City Council requested or review the Final Plat to ensure it included all the requests from the City Council. Eric Anderson said a condition can be added to the motion requesting staff confirm the proposed Final Plat does include all that was requested by the City Council. The Commissioners agreed they would like to review both plans to ensure it is what was requested by the City Council.

REGULAR SESSION

Present: Chair Rebecca Wayment, Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Val Halford, Kent Hinckley and Alex Leeman, Associate City Planner Eric Anderson, Community Development Director David Petersen and Recording Secretary Lara Johnson.

#1. Minutes

Kent Hinckley made a motion to approve the Minutes from the February 5, 2015 Joint City Council/ Planning Commission meeting. Bret Gallacher seconded the motion which was unanimously approved.

#2. City Council Report

Eric Anderson gave a report from the City Council meeting on February 17, 2015. He said the Residences at Station Parkway Rezone (housekeeping item that amended the zone from Transit Mixed-Use to Open Space) and Street Cross-Section Modification were approved. The Chapter 18

Zone Text Change (standards for rights-of-ways of large footprint buildings) and amendments to Chapters 1, 2 and 6 Subdivision Ordinance (the approval process for subdivisions) were also approved. **David Petersen** said the City Council also agreed with the Planning Commission's recommendations regarding resident Cal Fadel's non-conforming monument sign and amended the sign ordinance as recommended.

SUBDIVISION APPLICATIONS

#3. Scott Harwood/The Haws Companies – Applicant is requesting approval of Preliminary Plat for the Cabela's Subdivision (Park Lane Commons Phase II) consisting of 2 lots on 11.185 acres located at approximately Grand Avenue and Station Parkway in a GMU (General Mixed Use) Zone. (S-3-15)

David Petersen explained the Preliminary Plat is almost identical to the previously approved Schematic Plan. Staff recommends approval with the condition that the City and Cabela's enter into an agreement and approve easements, as was discussed during the Study Session. **David Petersen** also added that Exhibit 2 in the staff report should be amended to say "Preliminary Plat" in lieu of "Preliminary Plan" as currently listed.

With regards to the email between **David Petersen** and the applicant, **Brett Anderson** asked if the motion should also include an extension agreement to specifically address the request for sidewalks. **David Petersen** said yes, it is important to include the words "extension agreement" for the condition on the motion.

Applicant was present, but did not have any comments.

Brett Gallacher said he is comfortable moving forward with the approval as he does not see any concerns with it; the Commissioners agreed.

Motion:

Kent Hinckley made a motion that the Planning Commission approve the Preliminary Plat for the Park Lane Commons Phase II, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Prior to or concurrent with the Final Plat, the City and Cabela's enter into one extension agreement and one easement agreement that will supplement the easements and rights of way and related matters as shown on the Preliminary Plat being approved tonight;
2. Amend the word Plan to Plat on the included Plat found in the staff report.

Val Halford seconded the motion which was unanimously approved.

Finding:

The proposed subdivision will ensure compliance by the applicant with City Ordinance in conjunction with concurrent approval for the Cabela's site and allow for Lot 1 to be owned and maintained by Cabela's.

Item #4. Jared Darger/Clearwater Homes – Applicant is requesting preliminary plat approval for the Meadow View Phase II Conservation Subdivision consisting of 19 lots on

8.89 acres located at approximately 1725 West Spring Meadow Lane in an AE (Agricultural Estates) Zone. (S-10-14)

Eric Anderson said when the applicant presented his proposed Schematic Plan to the City Council, the Council denied the request for 5 TDR lots, but granted the applicant a partial open space waiver as there will be some open space provided for a trail access. With the denial of the TDR, he said the lots are now larger than were previously proposed and exceed the size of those in the surrounding neighborhoods. The applicant is also proposing a 20' fire access road for emergency vehicles. The only outstanding issue is with storm water; however, the applicant is working with the City Engineer to resolve those questions and staff is confident they will be resolved prior to Final Plat. Staff feels this Preliminary Plat is a good compromise based on the previous feedback from the residents and Commission members during the Schematic Plan approval.

Rebecca Wayment asked if the provided open space for the trail access needs to be specifically identified. **Eric Anderson** said no as it is provided under the trail access easement. The applicant is in negotiations with the City Manager to determine compensation for the partial waiver.

Heather Barnum asked if the fire access road will be paved or unpaved and if it will be blocked off to only allow emergency vehicles. **Eric Anderson** said it may be paved and it may have a crash gate blocking it off to thru-traffic, but the applicant can confirm if that is correct.

Micah Peters, 732 E. Northcrest Dr. Salt Lake City, is the president of Clearwater Homes. He said that after the many conversations with the larger versus smaller lots, the City Council approved 19 larger lots in exchange for a partial open space waiver with the trail easement. They also widened the fire access easement from 16' to 20'. The fire access road will be paved identical to the road. He said they are still resolving storm water issues which are resulting from discharge from one of the City's regional ponds. This subdivision will pick up approximately 75 acres of regional discharge. Once the analysis returns on the seasonal flow from this discharge, they can determine adequate pipe size for the development. He expressed frustration that the last 185 lots that have been approved by the City are all smaller in size than what he was approved for his development.

Heather Barnum asked if the access road will also be considered as part of the trail system as well. **Micah Peters** said the fire access road has been designed with the City's new Fire Marshal. They feel it is a good idea to use the access road to allow for access the DRGW trail. The access road will be paved, allow for pedestrian access, will include a 3-4' bike lane and a crash gate to ensure no cars can get in. He also added that the reason the design of this subdivision includes a cul-de-sac is that it backs the base of a steep hill with poor sight lines. He is aware of this concern with increasing the pedestrian activity of it with the access road and has suggested additional signage for the area.

Heather Barnum asked if they will improve 1525 West with sidewalk. **Micah Peters** said there is a small parcel owned by Farmington City along 1525 West [staff note: this parcel is the 1525 West ROW]; he is unsure what the City plans to do with it so sidewalk has not yet been discussed.

Val Halford asked if the trail easement on the west side of the development is part of the City's overall trail network. **David Petersen** said yes, the trail is set do weave through adjoining subdivisions before it connects back to the DRGW trail.

Heather Barnum is happy to see the changes that were previously discussed at length. The Commissioners agreed. **Brett Anderson** did not see any additional concerns with approving this item.

Alex Leeman suggested including in the condition that the access road is to be paved. **David Petersen** agreed and suggested amending it to read “the emergency access road.”

Motion:

Heather Barnum made a motion that the Planning Commission recommend that the City Council approve the preliminary plat for Meadow View Phase II subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant shall receive City Council approval of the open space waiver amount, which shall be determined through negotiations with the City Manager prior to Final Plat;
2. Any outstanding issues raised by the DRC at Preliminary Plat shall be resolved prior to final plat;
3. The 20’ paved emergency access road shall also serve as an easement for a trail connecting the subdivision to 1525 West.

Alex Leeman seconded the motion which was unanimously approved.

Findings:

1. The preliminary plat meets all of the requirements of a conservation subdivision in the AE zone including lot size and width;
2. The densities requested by the applicant reflect those in other surrounding developments or are less;
3. The open space that would be provided by the applicant, while significant (2.7 acres) could be better used elsewhere in the City where it could be consolidated as either a trail or a park.

Item #5. Justin Atwater/Pembridge Heathrow Holdings – Applicant is requesting a recommendation and approval of Preliminary and Final Plat for the proposed Parkwalk Downs Subdivision consisting of 4 lots on 2 acres located at approximately 520 South 650 West in an AE Zone (S-17-14)

Eric Anderson said this is major subdivision as there is dedication of ROW; however, staff is treating it as a minor subdivision as it is relatively small, yet a motion for Preliminary Plat approval is still required. 500 South and 650 West are both planned to be minor collector roads; however, neither road has been improved upon at this time. The City is requesting the ROW be dedicated through an extension agreement; when improvements to the road are being made, the City will call upon the agreement to be fulfilled by the property owners. **Eric Anderson** also said the TDR of 2 lots has been approved by City Council at Schematic Plan; however, the applicant needs to negotiate just compensation with the City Manager prior to approval for Final Plat from the City Council.

Justin Atwater, 520 S. 650 W. said he is happy to answer any questions the Commission may have for him.

Rebecca Wayment said based on the aerial view, it looks like there is an existing structure; she wondered if it will be demolished. **Justin Atwater** said there is currently a home on Lot 101 and that will remain. Also, lot 104 has a barn located on the property. He has contemplated leaving it for now to see if the future property owners will want it.

David Petersen asked the applicant if he has met with the City Manager yet to finalize the TDR. **Justin Atwater** said yes, they are working on finalizing the cost of the 2 TDR lots. **Brett**

Anderson pointed out that the condition 3 for the motion states the applicant needs to receive approval for the TDR lots, but the approval has already been received. **Bret Gallacher** suggested removing the approval clause and amending it to state the applicant must agree on a price with the City Council prior to Final Plat.

Motion:

Kent Hinckley made a motion that the Planning Commission approve the proposed preliminary plat and recommend that the City Council approve the proposed final plat for the Parkwalk Downs Minor Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant must dedicate 8' additional feet of ROW along 500 South;
2. The applicant will either fully improve his 650 West and 500 South frontages (i.e. sidewalk, park strip, curb and gutter, asphalt extension, road base, sub grade, etc.) OR enter into an extension agreement with the City until such time that these roads are improved to the subject property;
3. The applicant will agree on the TDR lot price and cost related thereto with the City Council prior to Final Plat approval;
4. Applicant will need to obtain secondary water for the project prior to recordation.

Bret Gallacher seconded the motion which was unanimously approved.

Item #6. Phill Holland/Wright Development – Applicant is requesting a recommendation for Final Plat approval for the proposed Tuscany Grove Subdivision consisting of 9 lots on 3.55 acres on property located at approximately 1470 South and 200 East in an LR Zone. (S-14-14

Eric Anderson said the applicant is proposing a cul-de-sac with 7 lots and is requesting an additional 2 TDR lots for a total of 9 lots in the subdivision. The TDR lots have been approved by the City Council and the applicant has agreed upon an amount for the lots with the City Manager. The lot sizes and density of the subdivision reflect what is found in the surrounding neighborhoods. The outstanding storm water issues are either in the process of being addressed or have been resolved.

Brett Anderson asked if the same condition listed for item #5 regarding the finalization of the TDR lots may also be included in this item's motion. **Eric Anderson** said yes.

The applicant, **Phil Holland**, was present and said he was available for questions.

Heather Barnum asked for further clarification on condition 2 of the motion and if the land that will be conveyed to the City will be negotiated with the TDR. **Eric Anderson** said conveying the land to the City is similar to a partial open space waiver. There is currently a sidewalk; this will just be memorializing that easement. **Phil Holland** said when the plat is recorded, the land will be granted to the City. Also, the cost of the land and the TDRs will be finalized and paid prior to plat recordation.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council approve the final plat for the Tuscany Grove Subdivision as requested, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant makes just compensation through approval of a development agreement to the City for use of the City's detention basin for storm water drainage as determined by the City Engineer;
2. Any comments from the DRC that have yet to be resolved, must be addressed prior to City Council consideration of final plat;
3. It appears that portions of the trail and the necessary abutting land adjacent to the Frontage Road may be located outside City property, if so, this land must be conveyed to the City, as per the TDR/arrangement with the City Council, prior to recordation.

Heather Barnum seconded the motion.

Brett Anderson asked for further clarification on the term "just compensation" as listed on condition 1, and if it is discussed with the TDR. Eric Anderson explained the City will be doing a regional detention basin near the Lagoon billboard. In order for the applicant to get his water there, he must enter into a development agreement with the City so he can use the regional detention basin. There is some compensation required for its use; the City Engineer is working on that amount.

Kent Hinckley expressed concern that agenda item #5's condition related to agreeing on a TDR price and related costs with City Council prior to Final Plat approval should also be included on this item. David Petersen said a price for the TDR lots has already been agreed upon with the City Council and therefore the condition would not need to be included.

The Commissioners unanimously approved the motion.

Findings:

1. The proposed subdivision meets the new requirements and standards of the underlying LR zone.
2. While the proposed subdivision layout is dependent on the TDR transaction approval, the densities proposed would reflect or be less than the surrounding developments, such as Tuscany Village, Tuscany Cove and Aegean Village.
3. The conditions placed on the motion reflect any outstanding minor concerns raised by the DRC and can be addressed more fully prior to City Council consideration of final plat or recordation of the plat.

Item #7. Nick Mingo/Ivory Development – Applicant is requesting a recommendation for final plat approval for the Brentwood Estates Subdivision consisting of 24 lots on 13.816 acres located at approximately 437 West 1400 North in an LR-F Zone. (S-20-13)

Eric Anderson said the Commissioners wanted to see the differences between the approved Preliminary Plat and the proposed Final Plat. He said they are nearly identical. As shown on the Final Plat, there is a road coming through on 1400 North and Welling Way. There is the same number of lots as the approved Preliminary Plat. The applicant received a partial open space waiver because he is providing a regional detention basin in Lot 1. The lot sizes match the conservation subdivision for this zone.

Brett Anderson asked if there was any documentation that resulted from the appeal and what the City Council actually decided. David Petersen said the information is included in the staff report and in the minutes from that meeting. Brett Anderson asked if the result of the Preliminary Plat appeal is now the Final Plat that is before the Commission. Eric Anderson said yes. The

Commissioners and staff discussed the steps this subdivision has gone through with approvals, denials and appeals of the Schematic Plan and Preliminary Plat.

Heather Barnum asked if it would be appropriate to have a more complete staff report, one that includes the exact outcome of the appeal, prior to the Planning Commission recommending approval of the Final Plat. **David Petersen** said what is before the Commission is the result of the appeal to the City Council; any party still has 30 days to appeal the decision. **Brett Anderson, Rebecca Wayment, Heather Barnum** and **Kent Hinckley** all expressed concern that the public as well as the Commission does not know what happened during the appeal and thus more information should be provided to the Commission prior to recommending approval on the Final Plat. **Alex Leeman** stated he feels all information needed has been included and all other information for the appeal is on record in past meeting minutes.

Nick Mingo, 978 E. Woodoak Lane., expressed frustration that the Planning Commission approved a Preliminary Plat that was not being presented; he felt he had no choice but to appeal the decision. The City Council and the City Attorney worked together to make a decision and finally approved the Preliminary Plat. He said in the end, the Preliminary Plat that was approved is now the Final Plat that is before the Commission. He feels delaying the decision an additional two weeks does not accomplish anything.

The Commissioners and staff discussed what previously took place when the Preliminary Plat went before the City Council and some of the concerns that were presented by the residents and the Attorney at the time. **Brett Anderson** would like to see the exact results from the appeal. **Eric Anderson** said the results of the appeal are included in City record, just not in the Commission's staff report for the evening.

Nick Mingo said when the Preliminary Plat was presented to the City Council, it was tabled until the City was able to receive directive from the City Attorney as to how to proceed. From that point, it was approved and the application has now reached Final Plat.

The Commissioners still expressed concern with moving forward with approving the Final Plat. **Alex Leeman** read the attorney's direction, as provided in the City Council meeting minutes on May 6, 2014 which explained the appeal was unnecessary as approval was given on something. He feels the Commission should focus on the item before them and not worry about what was previously presented. Many Commissioners were frustrated that results of the appeal were not discussed until at this point; however, **Kent Hinckley** said now that he has a better understanding on the matter, he is comfortable with moving forward and discussing Final Plat.

Alex Leeman asked the applicant what changes he made from the Planning Commission's recommendations at Preliminary Plat. **Nick Mingo** said the main change was the connection to 1400 North. He could have been persuaded either way; however, City Council felt taking the road through would help with fire and other safety concerns.

Bret Gallacher asked if staff was satisfied with all legal questions that arose as a result from Preliminary Plat and the appeals process. **David Petersen** said yes, all concerns have previously been addressed.

Motion:

Heather Barnum made a motion that the Planning Commission recommend that the City Council approve the proposed final plat for the Brentwood Estates Conservation Subdivision, subject

to all applicable Farmington City ordinances and development standards and the following conditions:

1. A truck route be established making all construction trucks use 1300 North to access the site prior to recordation;
2. If the applicant has not yet paid for the open space waiver, he will do so prior to City Council consideration for final plat
3. Any outstanding issues raised by the DRC at final plat shall be address prior to recordation;
4. The improvements for the subdivision shall not go into warranty until the trail connection to Compton Road is constructed and installed.

Kent Hinckley seconded the motion. **Heather Barnum, Bret Gallacher, Kent Hinckley, Val Halford and Alex Leeman** approved the motion; **Brett Anderson** denied it. The motion passed.

Findings:

1. The proposed final plat submittal is consistent with all necessary requirements for a final plat as found in Chapter 6 of the City's Subdivision Ordinance.
2. The proposed final plat meets all of the standards for a conservation subdivision such as lot size, width and required setbacks.
3. The outstanding issues raised by the DRC are minor revisions and can be address prior to either approval of stamped construction drawings or prior to recordation.
4. The density of the proposed subdivision matches the surrounding neighborhoods and conforms to the City's General Land Use Plan which designates this parcel as LDR (Low Density Residential) or 4 units per acre. Because the yield plan (attached) used lot sizes greater than 10,000 square feet, the development meets the required threshold as determined by the City's General Land Use Plan.
5. The applicant has negotiated a price with the City Manager for the open space waiver and has paid this amount.
6. The applicant is providing a detention basin that will service lots in addition to the Brentwood Estates i.e. North Compton Road.
7. The applicant has provided a trail connection from this development ease to Compton Road and has worked with the Trails Committee to do so, expanding connectivity for the development, and the trails committee has reviewed and approved this trail easement.
8. The second access onto 1400 North is needed for safety issues associated with emergency responses and slope challenges on neighboring roads.

Item #8. Lew Swain/Shepard Ridge Enterprises – Applicant is requesting a recommendation for Final Plat approval for the Oakwood Estates Phase VII Subdivision consisting of 1 lot on .8 acres located at approximately 517 West Oak Wood Circle in an LR-F Zone. (S-4-15)

Eric Anderson showed an aerial view of the parcel. He explained the improvements have already been made and the size and boundary of the lot has already been determined with the approval of the Preliminary Plat for the Oakwood Estates Subdivision. Platting the lot fulfils the requirements of the ordinance.

Bret Gallacher asked why this approval of this lot was not completed when the Subdivision was approved. **David Petersen** stated there are four different property owners of the Oakwood Estates Subdivision. The previously approved Preliminary Plat has been memorialized by a development agreement with the City. The applicant records the lots as they are ready to develop.

The applicant, **Lew Swain**, was available for questions by the Commission members.

Motion:

Brett Anderson made a motion that the Planning Commission recommend that the City Council approve the proposed final plat for the Oakwood Estates Phase VII subject to all applicable Farmington City ordinances and development standards. **Heather Barnum** seconded the motion which was unanimously approved

ZONE TEXT CHANGE

Item #9. Farmington City (Public Hearing) – Applicant is requesting a recommendation for a Text Amendment of Chapter 17 of the Zoning Ordinance regarding amendments to garage width standards in the OTR Zone. (ZT-3-15)

David Petersen said the Ballantyne family has brought this concern to staff's attention. He provided a brief history of the homes located in downtown Farmington. He explained a large amount of homes are under 85' in width and are located on narrow lots. He walked through the different garage layouts of homes located in the downtown and approximately percentages of how many homes have each layout. He explained for those homes that have the garage flush with the home, the garage can only make up 33% of the width of the front plain of the home. When reviewing the width of the lots located in the downtown area, **David Petersen** said almost half of the lots are under 85' wide. In the event the garage is flush with the home, it would be nearly impossible to fit a 2-car garage on such a narrow lot with the maximum garage width percentage of 33%. **David Petersen** provided the Commissioners with a handout outlining garage width percentages based on lot width and side setbacks. He explained increasing the garage width percentage from 33% to possibly 40% or more would allow property owners of narrow lots the option of a 2-car garage.

Bret Gallacher asked if the Board of Adjustment could grant an adjustment on setbacks in lieu of amending the ordinance standard. **David Petersen** stated staff has authority to grant up to 25% variance on setbacks; however, it may not be enough on the narrower lots as the ordinance is currently written. If the garage width percentage is increased to 40-42% with a proposed 22-24' garage, staff may grant a variance to allow it to work.

David Petersen said he has not requested input from the Historic Preservation Commission yet. The earliest this item could be presented to the City Council is March 17, 2015. There will be one more Planning Commission meeting prior to the City Council meeting. **David Petersen** suggested approving the item with the condition that input be received from the Historic Preservation Commission or table or continue the item until the March 5, 2015 Planning Commission meeting and the input has been received.

Brett Anderson is comfortable moving forward with the item's approval with a condition that the Historic Preservation Commission review the changes. **Rebecca Wayment** would like the input from the Historic Preservation Commission prior to approval. She feels increasing the garage width percentage from 33% to 40+% may change the look of downtown Farmington.

Rebecca Wayment opened the public hearing at 8:59 p.m.

Julie Ballantyne, 27 Joy Dr., explained she and her family members are building a home for their parents, one of which is wheelchair bound. She said having an attached garage is a priority. She said they want to maintain the historic nature of downtown Farmington, but are seeking to fit the lifestyle of her parents that result from health issues.

Rebecca Wayment asked if the BOA can wave the setbacks in lieu of amending the ordinance for a whole zone. **David Petersen** said the garages meet the required setbacks, but the percentage of how much the garage takes up the front plain of the house is where the problems arise. **Rebecca Wayment** asked if the BOA can grant a variance of the front plain percentage. **David Petersen** said possibly; however, standardizing the zone may give people an opportunity for change in a unique situation. **Bret Gallacher** expressed concern that the BOA may not grant an adjustment based on one of the five rules that govern an adjustment which addresses the need for an adjustment based on a hardship. He feels the BOA may not see a 1-car garage being enough of a hardship.²

David Petersen suggested continuing the public hearing until the March 5, 2015 Planning Commission meeting. In the meantime, he said staff will discuss the changes with the Historic Preservation Commission and will review the Americans With Disability Act (ADA). The changes the Ballantyne family are requested may qualify under the state code for ADA.

Rebecca Wayment closed the public hearing for this meeting at 9:07 p.m., but continued it until March 5, 2015.

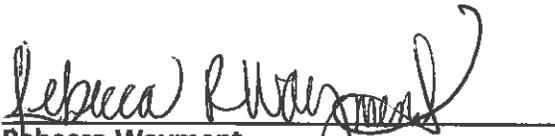
Motion:

Kent Hinckley made a motion that the Planning Commission continue this item until the next meeting on March 5, 2015 to allow time for staff to research ADA compliance and for meeting with the Historic Preservation Commission. **Heather Barnum** seconded the motion which was unanimously approved

ADJOURNMENT

Motion:

At 9:10 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.



Rebecca Wayment
Chair, Farmington City Planning Commission