

**FARMINGTON CITY  
PLANNING COMMISSION  
MARCH 21, 2019**

*PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Roger Child, Russ Workman, Shawn Beus, Rulon Homer; Community Development Director David Petersen, Associate Planner Meagan Booth*

*Excused: Alternate Planning Commissioner Mike Plaizier; Recording Secretary Brittney Whitecar*

**STUDY SESSION:**

**Subdivision**

3. **Brock Johnston/Miller Meadows Phase 7 – Applicant is requesting final plat approval for a one lot subdivision (3.59 acres) located at approximately 575 South 650 West in an AE (Agricultural Estates) zone. (S-25-18)**

**David Petersen** introduced the item, which is a section of the Miller Meadows Ph. 7 subdivision. The developer will plat the road and dedicate the right-of-way. There will be two parcels: A portion of parcel B will be buildable; meanwhile, the remainder of this parcel and all of parcel A will not be buildable until a plat amendment is completed and recorded.

**Conditional Use/Site Plan**

4. **S. David Clarke/Brookside Senior Living (Public Hearing) – Applicant is requesting site plan approval for Brookside Senior Living, a part of Brookside Hollow Subdivision, located at 411 South 200 West, in a BP (Business Park) zone. (C-5-19). Item was continued from March 7<sup>th</sup>.**

The subdivision containing this application is in the Final Plat approval stage and the public hearing has already been completed. The issue at hand is only the site plan for the senior living center, which is to be located on a lot within the Brookside Hollow Subdivision. **David Petersen** said that this use fits the area because there are several one and two story office buildings along 200 West. The senior living center presents a good buffer between the commercial buildings nearby and the residential homes in the subdivision.

**David Petersen** said that traffic studies have been done at the entrance of the subdivision and it has been found that the subdivision does not present a notable traffic increase along the curve where the frontage road and 200 West meet. He also reminded the planning commission

that because a senior living center is a conditional use in the zone, it would be difficult to deny without clearly present issues.

**Connie Deianni** noted that the subdivision conditions included keeping and protecting the existing trees surrounding the area, but it has been found that many of the trees are old and dying so they will be cut down which is unfortunate but necessary and may come up in the meeting.

**Amy Shumway** asked about a secondary water issue, which the planning commission received emails about. The emails detail citizen concerns about insufficient secondary water pipes going to homes developed by Brighton Homes. She asked, in these cases, is Brighton Homes responsible, or is the issue in the hands of Benchland Water District? **David Petersen** said that after a subdivision is platted, recorded and developed, it is probably a Benchland issue and certainly not a City issue. **David Petersen** said there has been some pressure reduction valve setting issues recently more so than pipe issues, which are fixable.

### Zone Text Amendment

5. **Jordan Sorensen – (Continued) Applicant is requesting a Zone Text Amendment for Section 11-24-210 regarding small auto dealership standards related to lot size, etc. (Z-6-18)**

No Comment was made.

### REGULAR SESSION:

*PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Roger Child, Russ Workman, Shawn Beus, Rulon Homer; Community Development Director Davis Petersen, Associate Planner Meagan Booth*

*Excused: Alternate Planning Commissioner Mike Plaizier; Recording Secretary Brittney Whitecar*

At 7:05 p.m., **Connie Deainni** opened the public meeting.

### Minutes

The Planning Commission reviewed the meeting minutes from the March 7<sup>th</sup> Planning Commission meeting. **Shawn Beus** made a motion to approve the minutes which was seconded by **Rulon Homer**, and approved unanimously.

## City Council Report

**David Petersen** said that it was a short meeting except for a closed session, having to do with property acquisition.

## Subdivision

3. **Brock Johnston/Miller Meadows Phase 7 – Applicant is requesting final plat approval for a one lot subdivision (3.59 acres) located at approximately 575 South 650 West in an AE (Agricultural Estates) zone. (S-25-18)**

**David Petersen** introduced the item. He said in study session there had been a question about a note included on the plat. The note states that the City shall issue no building permit on parcel A of the plat until the land is improved and a plat amendment has been completed and recorded.

**Nathan Rigby** 1428 S. 750 E. Kaysville, UT said that he is excited to build on his family's land and doesn't have any specific comments at this time.

## ***Motion:***

**Rulon Homer** made a motion that the Planning Commission Approve the final plat for the Miller Meadows Phase 7 Subdivision subject to all applicable Farmington City ordinances and development standards as well as the following conditions and findings. **Roger Child** seconded the motion, which was unanimously approved.

## Conditions:

1. The applicant must increase the size of the Ronald and Karen Rigby Parcel to include the narrow strip of land between this parcel and the 550 South right-of-way. Remnants of property shall not be left in the subdivision which do not conform to the lot requirements or are not required or suitable for common open space, private utility, or public purpose. (12-7-030 G).
2. The notes on the final plat must be amended as shown in the findings.
3. The final plat and final improvement drawings for the subdivision shall be reviewed and approved by the City Engineer and all other members of the City's DRC (Development Review Committee).

Findings for Approval:

- A. The Miller Meadows Phase 7 Subdivision Plat, which comprises two parcels is consistent with the preliminary plat and the notes on the plat as follows will ensure that this phase will continue to be consistent with the preliminary plat:
1. Parcel A does not constitute a building lot, and Farmington City shall issue no building permit thereon until such time as a plat amendment thereto is approved and recorded by the City.
  2. The temporary open space easement and drainage easement on Parcel B shall remain and Farmington City shall issue no building permit thereon, except for that portion of the parcel identified as "Buildable Area", until such time as a plat amendment thereto is approved and recorded by the City modifying and completing the final configuration of any future lots, conservation and/or drainage easement areas, and/or including any waiver (or partial waiver) of open space/conservation land approved by Farmington City consistent with its ordinances and the preliminary plat memorialized for this site.
  3. In the event Farmington City approves and records any amendment to parcels A or B, 550 South Street shall be improved in its entirety concurrently with the development of either parcel, whichever first, if either is developed.
- B. The proposed project complies with all applicable requirements of the zoning and subdivision ordinances.

Conditional Use/Site Plan

4. **S. David Clarke/Brookside Senior Living (Public Hearing)** – Applicant is requesting site plan approval for Brookside Senior Living, a part of Brookside Hollow Subdivision, located at 411 South 200 West, in a BP (Business Park) zone. (C-5-19). Item was continued from March 7<sup>th</sup>.

**Meagan Booth** said that the applicant would like to develop a residence for the elderly on a lot within the subdivision.

**Russ Workman** reminded the commission and the public that the issue at hand is not regarding the lots/homes to be developed in the subdivision, as they have been discussed in previous

meetings. The application at hand is the site plan for the senior living facility ONLY. He said that the facility is a permitted use in the area, the task at hand for the Planning Commission is to clarify any conditions that need to be set forth for the senior living center.

**S. David Clarke** 1786 County Circle, Centerville UT said that there will be a sign out front of the building and Farmington rock included in the landscaping. They will be constructing an ADA bridge for the residents to enjoy connecting the facility lot to the church next door.

**Rulon Homer** asked how many rooms the facility has. **David Clarke** said the property has about 30 resident rooms as well as dining, game, laundry, salon, and meeting rooms.

**Roger Child** asked if this is a high functioning facility and how much care the intended residents will require. **David Clarke** said this is a level 2 facility, meaning it is not a skilled nursing facility where the residents require constant care and oversight from medical professionals.

**Greg Wall** said the site plan doesn't show any back doors that may allow for deliveries. **David Clarke** said there is a side entrance for box trucks, but they don't foresee any semi's or large trucks needing to access the facility.

**Russ Workman** asked if the applicant changed the zoning after he purchased the land and asked what the largest roadblocks have been as he has designed this subdivision. **David Clarke** said that the zoning has not changed since he purchased it. He said the biggest roadblock throughout the application process for the entire subdivision has been about traffic. The public showed concern for increased traffic, so traffic studies had to be done during the review process.

**Greg Wall** mentioned the tree preservation plan. **David Clarke** said they had an arborist go to the site. Many of the older, dying trees will be removed and the arborist counseled them on what species of trees would be appropriate to plant in their place.

**Connie Deianni** asked how they intend to incorporate Farmington Rock. **Steven Clarke** said they may include it on the bridge, fence, sign, or the landscaping; probably a combination of two or three of those options.

**David Petersen** said that UDOT has plans to make changes to the frontage road in the future, changing the whole hook from the Frontage road to 200 West. Though the traffic issues presented by residents have been addressed, it is good for everyone to know that the roadways adjacent to this development may very well look completely different within the next 10 to 15 years.

**Public Hearing:**

At 7:50 p.m., Connie Deianni opened the public hearing.

**Jeff Tolman** 433 S 200 W, Farmington UT asked for details about the intersection at the entrance to the subdivision. He expressed concern about the increased traffic. **David Petersen** said that the City traffic engineer did a simulation, using existing traffic statistics and hit on all the points that were addressed in the planning commission meeting where they discussed traffic. David said Jeff and all others with concerns are welcome to have a copy of the study and the minutes from the relevant meeting. **Russ Workman** asked if the specific issue Jeff brought is are listed in the conditions for the subdivision. **David Petersen** said that Jeff's concern is a condition for the subdivision and not for the assisted living facility site plan, which is the discussion at hand.

**Jeff Tolman** stated that he does not like the Cottonwood trees in the development because they are a nuisance and would like to recommend they be replaced. **Dave Petersen** said the developer intends to replace them with Maple trees per the tree preservation plan adopted by the subdivision.

**Keith Sorensen** 362 S. 75 W. Farmington, UT said that part of the subdivision will be his back door neighbor. Keith said that the traffic drawing being displayed does not match the explanations having been discussed so far in the meeting. **Dave Petersen** said he is right, and tried to clear up the traffic pattern on the map. He invited Keith to obtain a copy of the traffic study. **Keith Sorensen** asked if the senior living facility had a 32 bed capacity from the beginning, as this is the first time he had heard that number. He also asked what the expected number of staff would be at any given time at the senior living facility, and whether the homes in the subdivision will have basements.

**Clyde Jackson** 353 S. 75 West, Farmington UT said he hasn't seen a traffic counter, or any proof of a traffic study and would like to see what has been done in that way. **Connie Deianni** said Meagan would happily send him a copy of the traffic study via email and collected Clyde's email address.

At 8:10 p.m. **Connie Deianni** closed the public hearing.

**Connie Deianni** said that the traffic study will be emailed to all that would like to receive it and asked interested parties to provide their email address. She invited the applicant back to the podium.

**S. David Clarke** said that in the last Planning Commission meeting, they were asked to keep trees

so they weren't planning on cutting down the Cottonwoods, but would be happy to if they need to comply with that condition. He said that the 30-32 beds in the facility has been consistent through the application process, and peak staffing will be between 9:00 a.m. and 2:00 p.m. He estimated the maximum staff number would be about 7 individuals, as the residents of the facility will be mostly self-sufficient. **S. David Clarke** said he has met the parking requirements for the zone. **Connie Deianni** said she feels comfortable with the number of parking spaces provided on the site plan.

**Connie Deianni** addressed the question that had been asked regarding basements and the floodplain. **S. David Clark** said that he has nothing to do with the homes so he cannot answer the basement question, but regarding the floodplain; the creek does fall within the property line of the senior living center, so he foresees that a maintenance person will need to be hired to maintain the creek.

**Amy Shumway** asked if maintaining the aforementioned monument sign would be in the conditions set forth for the facility. **Meagan Booth** said that will be covered by the DRC (Development Review Committee) as the City maintains the signs.

**Russ Workman** asked if a condition could be added regarding the traffic study, requiring four lanes at the intersection, as the lane numbers have been unclear. **David Petersen** said yes, that could be added should the commission choose to add it, but the burden of the traffic isn't the issue of this particular facility, so much as the subdivision as a whole. **Connie Deianni** reiterated that the focus needs to stay on the senior living facility only at this time.

**Rulon Homer** says he visits a similar facility regularly and has never experienced a traffic or parking issue as the residents don't drive and most of them received very few visitors.

***Motion:***

**Shawn Beus** made a motion that the planning commission approve the conditional use and site plan application for the Brookside Senior Living Facility subject to all applicable Farmington City ordinances and development standards and the following conditions. **Rulon Homer** seconded the motion, which was unanimously approved.

**Conditions:**

1. The applicant must meet all requirements and recommendations from DRC, including questions regarding maintenance and signage on 200 West.
2. The plat for the subdivision must be recorded.

3. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building and fire codes;
4. The applicant will provide any parking necessary for additional employees to reduce on street parking.
5. The final site plan and approval to be delegated to staff, including 11-7-070 requirement for Farmington Rock.

#### Findings for Approval

1. The proposed project complies with all applicable requirements of the zoning ordinance.
2. The proposed site plan is consistent with the underlying General Plan designation.

#### Zone Text Amendment

5. **Jordan Sorensen – (Continued) Applicant is requesting a Zone Text Amendment for Section 11-24-210 regarding small auto dealership standards related to lot size, etc. (Z-6-18)**

**Meagan Booth** said this item was continued from a January 2019 Planning Commission meeting and had been tabled for further research by staff regarding the number of lots half acre in size or larger on the BR and C zones containing properties that could be considered compatible businesses. Staff also wanted to discuss whether this is a use that should be allowed within Farmington's Historic Main Street.

The planning commission was provided with supplemental information including the applicant's narrative, a parcel size comparison map, and a list of compatible businesses in the geographic area. **Meagan Booth** said that only 4 comparable businesses exist in the zone, fitting the acreage as stated in the current code.

**Jordan Sorensen** 902 West Deer Clover Street, Farmington UT said he wants to be able to sell 3 cars at a time at the existing business on Main Street. It is close to his home and convenient for him to show people cars on evenings and weekends. He said he already has cars being fixed at the business periodically and would like to be able to keep the cars on the lot after they are fixed in order to sell them.

**Greg Wall** asked if the cars are able to have For Sale signs on them at the location. **Dave Petersen** said no, they are limited to a 1 sq. foot sign in the window of the building or displayed somewhere on the property.

**Roger Child** said that if the auto dealership is directly related to or part of the business, he doesn't feel the City has the right to restrict an existing business; however, once the text allows for "In connection with" businesses to include car dealerships, it adds broad allowance to add car dealerships to places like car washes and gas stations. He does not think the vague wording is appropriate to add to the ordinance text.

**Shawn Beus** said he doesn't feel like three cars on the property will make much of a difference. The existing business on Main Street has a lot more than three cars on it, so he doesn't think three cars is a big deal. He said he does agree with Roger that the language could stand to be changed from "in connection with".

After further discussion, **Connie Deianni** asked for a "straw vote." It appeared that a majority of members were not in favor of the applicant's request. More discussion ensued. **Greg Wall**, who had studied the ordinance extensively, offered many comments, not all related to the specific application.

The commission as a whole encouraged Greg Wall to work with City Staff to update the Small Auto Dealership ordinance for their consideration, which he said he would be happy to do.

**Russ Workman** made a motion to deny the request to amend Section 11-28-210 Small Auto Dealerships Ordinance. **Amy Shumway** seconded the motion.

#### **Findings:**

1. The dealership will be placed in a highly visible area on Main Street. This state right of way of part of a Sycamore National Historic District and car dealerships are not consistent with the goals and purposes of this district.
2. Both the Precision Windshield Repair and Farmington Towing do not conform with the with Chapter 32 of the zoning ordinance because their parking area abut the sidewalk and leave no transition area between the sidewalk and the existing commercial use. Sometimes, cars from these businesses already block use of the sidewalk or park on neighboring properties. Any additional cars at this location for small auto dealership purposes will exacerbate an already negative parking situation.

**Adjournment**

At 9:31 p.m.,                      motioned to adjourn the meeting.  
which was unanimously approved.

Seconded the motion,



**Connie Deianni**

*Planning Commission Chair*