



Farmington City Planning Commission

October 4, 2018



**AGENDA**  
**PLANNING COMMISSION MEETING**  
**October 4, 2018**

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah  
*Regular Session: 6:30 p.m. - Conference Room 3 (2<sup>nd</sup> Floor)*

1. Minutes
2. City Council Report
3. Study Session And/Or Action Items -
  - Storm drainage issues - Chad Boshell / City Engineer
  - Mountain View Subdivision dead-end street issue
  - Frontage Road traffic study
  - Home Occupation / Land Use Determination
  - Other

Posted October 1, 2018

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Eric Anderson  
City Planner

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
**September 20, 2018**

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**STUDY SESSION**

*Present: Chair Kent Hinckley, Commissioners Roger Child, Amy Shumway, Russ Workman, Rulon Homer, Shawn Beus, Community Development Director Dave Petersen, Associate City Planner Eric Anderson and Recording Secretary Tacy Stine. Commissioner Connie Deianni was excused.*

**SUBDIVISION – REZONE – PRELIMINARY PUD MASTER PLAN**

**Item #3. John Wheatley / Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for rezone, schematic plan, and preliminary PUD master plan approval for the Chestnut Farms Phase V Subdivision consisting of 26 lots on 10.27 acres of property located at approximately 1400 West and 475 South. The rezone application is requesting an amendment of the zoning map from an A (Agriculture) to an AE (Agriculture Estates) zone for 7.34 acres of the subject property (S-18-17 & Z-4-17).**

**Eric Anderson** said the only item on the agenda is a continuation from the June 21, 2018 meeting, where the Planning Commission held a public hearing, and after discussing it they decided they wanted to see a revised schematic plan and preliminary PUD master plan that does not show 475 South going through to 1525 West. He said that's what the applicant has done. He has a revised PUD master plan that shows the road does not go through. Instead, it becomes a cul-de-sac. He said the trail, as originally approved, will still remain. The trail serves two purposes. He said it was done as part of Phase 3. The trail is to be a pedestrian connection to 475 South down to 1525 West. He said it's also a sewer line, an easement and some storm drain.

**Roger Child** said he thinks it's a much better plan with the two cul-de-sacs rather than the through street. **Dave Petersen** said it makes it more difficult to get around. Before, with the road coming through, there were two neighborhoods equally taking on traffic. Now, only one takes it all. He said it was evenly distributed before. **Eric Anderson** said even if the cul-de-sac disappeared and the road had stayed the same, it still wouldn't have been a direct shot to 1525 West. **Roger Child** said in his opinion, however, it protects the residents who have lived there for longer. He said anyone who buys into the subdivision now knows what they're dealing with, as opposed to the residents who were already there. **Eric Anderson** said it was originally supposed to be a through street, then the residents turned it into a cul-de-sac and fought back to keep it that way. But, he said, it was always planned to be a through street. **Kent Hinckley** said eight years ago the City Council said it was going to be a cul-de-sac, so the residents are taking a lot of stock in that. He said they put in improvements that made it look permanent. He said he thinks that's one of the problems.

**Dave Petersen** said the history behind it is that 475 South up to 1100 West was a private lane. The property came to the center of that lane. He pointed out that it being a private lane meant no water or other improvements necessary for a building permit, so there was no way they could ever develop unless all the property owners agreed to dedicate the private lane and enter to an SID. He said they had a hundred percent. They got toward the bottom, then Symphony Homes came in with a master plan where the road was to punch through and go all the way to a local street that runs north and south. He

said the Planning Commission was on board, as well as the City Engineer, staff and the DRC. He said it came to the City Council, and it was a split decision.

**Russ Workman** asked if the Planning Commission should go back to the way it was with the through street. **Dave Petersen** said the Planning Commission would take a lot of political hits if they did that. **Amy Shumway** asked if there are any other options. She said she noticed the road was moved closer to the church. She went and drove it to get to the church, and she said it's really out of the way and winding, so you'd have to know your way without getting lost. **Eric Anderson** have to drive all the way to Glovers Lane or Clark Lane to get to church. **Kent Hinckley** agreed it is a bad layout. **Eric Anderson** said one reason the cul-de-sac would have been fine is that the road would eventually go through the Bangerter property, but he got an agriculture protection.

**Kent Hinckley** said he went back and read the meeting minutes from June 21, and he doesn't think Symphony Homes addressed the second issue at all—the size of the lots. He said the Planning Commission told Symphony they wanted to see a mix of lot sizes, and he doesn't think they have addressed that. **Dave Petersen** said they haven't, but they are keeping under the yield plan. The plan before the current one shows more lots than what they now have. He also said they are providing a trail and improvements on 1525 West. **Eric Anderson** said the lot sizes are consistent with every other phase. **Russ Workman** said he was one of the people who asked about lot sizes at the meeting in June. He didn't realize how big they were. They are third acre lots. **Roger Child** said the size doesn't bother him at all. **Kent Hinckley** said he just doesn't want the Planning Commission to be ignored.

**Amy Shumway** asked for more clarification about a temporary road until the Bangerter property can connect through. **Dave Petersen** said that compromise has never been broached. He said it was the only saving grace at the time when the City Council reversed the Planning Commission's decision. They thought, in time, the road would stretch all the way up to 1100 West. He said it may not happen for a while because the Bangerter's have an APA on their land. **Eric Anderson** said just because it's under an APA doesn't mean it's never going to happen.

## OTHER

### Item #4. Miscellaneous, correspondence, etc.

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## REGULAR SESSION

*Present: Chair Kent Hinckley, Commissioners Roger Child, Amy Shumway, Russ Workman, Rulon Homer, Shawn Beus, Community Development Director Dave Petersen, Associate City Planner Eric Anderson and Recording Secretary Tacy Stine. Commissioner Connie Deianni was excused.*

### Item #1. Minutes

**Rulon Homer** made a motion to approve the Minutes from the September 6, 2018 Planning Commission meeting. **Roger Child** seconded the motion, which was unanimously approved.

### Item #2. City Council Report

**Eric Anderson** gave a report from the September 18, 2018 City Council meeting. He said there was only one item of merit—the North Station Phase 1 project master plan and development agreement for Ken Stewart, the one that was the townhouse project. The City Council tabled it a couple of meetings ago. He said they wanted to see some reconfiguration of some of the two and three story townhouses put closer on the western border, closer to the residential neighborhoods to the west. He said the applicant did revise their site plan and their whole project master plan, which took quite a few weeks. Ultimately, the City Council approved it. He said the applicant will be moving forward with it in the next couple of months.

### **Schematic Plan, Preliminary PUD Master Plan, and Zone Map Amendment for Chestnut Farms Phase V PUD Subdivision**

**Item #3 John Wheatley / Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for rezone, schematic plan, and preliminary PUD master plan approval for the Chestnut Farms Phase V Subdivision consisting of 26 lots on 10.27 acres of property located at approximately 1400 West and 475 South. The rezone application is requesting an amendment of the zoning map from an A (Agriculture) to an AE (Agriculture Estates) zone for 7.34 acres of the subject property (S-18-17 & Z-4-17).**

#### **Staff Report.**

**Eric Anderson** said Phase 4 has been approved. Initially Phase 5 was different, but Symphony Homes has purchased the Swedin property, which is included in Phase 5. The only significant change from the last meeting is on the topic of the cul-de-sac. The previous plan showed the road punching through to 1450 West, but a revised preliminary PUD master plan shows the cul-de-sac remains. There is no connection from 475 South to this street. Phase 3 approved a trail and easement for storm water and sewer that will remain. The issue from last meeting has been addressed by the developer. The subdivision remains the same because Phase 5 didn't show the road punching through. That would have been in phase 6 so the subdivision portion hasn't changed. **Dave Petersen** said the Planning Commission asked the developer to come back with a revised plan showing the road doesn't go through, and asked to hold another public hearing so the public would have a chance to see if the developer did what the Planning Commission asked.

**John Wheatley**, 526 N 400 W, North Salt Lake, said the original plan was without 475 South going through. That plan was never formally submitted to the City, but considered initially because they knew the residents did not favor that. The plan would eventually show a through road for reasons that the city had for engineering, snow removal and circulation. Symphony Homes is okay with it not going through, and they already constructed utilities in the easement and are planning a pedestrian trail. There won't be a vehicle connection, but a pedestrian connection going through to 1450 West. He said they didn't know if the city was open to making a connection that goes north to south to Bangerter, but would consider putting in a cul-de-sac there so there would be no future connection. He said they would lose a lot, but they would be ok because it would be on a cul-de-sac which is more desirable. It would look similar to the cul-de-sac to the south, but instead of four lots in the street, it would be 3. He said there was a concern that there will be traffic flow concerns in the future if the Bangerter property, currently a preserve, ever changes. It could still connect through their property on phase 4 and still have an outlet. One additional change they could make looked at putting an alternate road down from the

cul-de-sac down to 1450 West, but it would just be another way for people to cut down 475 South, so it wouldn't solve the traffic problem. He said Symphony is willing to have 2 cul-de-sacs.

**Dave Petersen** read a portion of an email from Lance and Carmen Samuelson, 1203 W 47 S, Farmington, which addressed their opposition to the addition of 26 homes as well as making 475 South a through street. The email also said they were puzzled by the fact the city is contemplating adding more homes when there is a serious lack of water. **Dave Petersen** said Mayor Talbot asked him to respond, so he did, telling them the Planning Commission will not consider an application tonight to make 475 South a through street connecting to 1525 West. He said 475 South cannot connect to 1525 West because of the wetlands preventing such a route. He said the Samuelsons may have been thinking of a possible T-connection on 475 South to the north to south street planned East of the existing church. As per the direction of the commission, the developer is no longer proposing this connection, but is placing a building lot there instead. The attached plan, which illustrates the same and demonstrates the developer's intent is included and the planning commission packet can be found on the city's website. Somehow the Samuelsons got the idea a road would be punching through 475 South, but that isn't the case. He said he invited them to come by the office. They have come by in the past.

**Dave Petersen** then addressed the water issues. He said Bountiful has a population of 44,000, 13.47 square miles, 3283 people per square mile. Farmington's population is 23,140, is 9.961 square miles, 2,323 people per square mile. He said we have less people, we have a water shortage, and Bountiful doesn't. Why? The last time there was a problem in Farmington with secondary water was in 1977. They had 3,608 people, 362 per square mile with the same shortage then as we do now. He asked why there is a shortage when it seems illogical. Everyone thinks it's all the people, but it's not. He said he talked to Benchland and Scott said Farmington has a unique situation because Farmington has 4 streams that Weber Basin has no rights to—Davis, Steed, Farmington and Shepherd. Some communities have water rights to some streams, other's do not. He said when the Weber Basin water project in reclamation in the 50's and early 60's, our predecessors felt we were going to be okay regarding secondary water. He said Farmington signed up for our allocation. Back in the day our allocation was \$6 per acre/foot of water. He said we purchased or set aside from Weber Basin 4,480 an acre/foot. With inflation it is now \$19.72 and acre/foot. Benchland, never in the history of the irrigation district, ever used more than that initial allocation. They came close in 1977. He said what happens is they siphon off the streams and reservoirs and have always had enough, and what wasn't used goes to the lake. He said this year is a dry year. Once an allocation is purchased you have to send that check to Weber Basin every year. You're in it for perpetuity. Bountiful, for example, is 100% on Weber Basin water. Now to get an allocation, if you're short on water, it is \$455.91 per acre/foot. Once they commit, they pay a penalty and next year they have to do it again, and they have to do it for life. That's why they balked at the cost. If we can get by this year, they don't have to tax or burden the water users. About mid-August or late-July they start using Weber Basin allocation because the flow of the stream isn't enough. Benchland pays Weber Basin.

**Russ Workman** asked if there is a mechanism in place for a developer to fund the purchase of allocations. **Dave Petersen** said if you're outside the shaded area, it's Weber Basin. The allocations are there, and yes there's a way because the City requires it. **Russ Workman** asked if the residents of Farmington are concerned about more houses, why can't developers purchase enough water from Benchland or Weber Basin so there is no impact on any of the other residents' availability to water? **Dave Petersen** responded that is one thing they are pondering. He went on to state we're pretty lucky here. The Weber Basin water project includes Rockport, Pineview, Lost Creek and Willard Bay. He said we have a lot of reservoirs and a lot of distributions systems, making water in our area much less expensive overall than the two counties to the south. A discussion with Benchland and Weber Basin would be needed, but they thought about having one rate for everyone before 2018 and another for

everybody after. For this year they are trying to avoid that \$450 price tag. **Russ Workman** asked if the Planning Commission has the authority to make a condition for approval that the developer must make arrangements for additional water to be available that covers the size of the development. **Dave Petersen** responded that stipulation is already in the city's ordinance, so that condition doesn't need to be made. **Russ Workman** wanted to know how they should respond to residents that are concerned about water. **Dave Petersen** said first, there is water available. The extra allocation costs are not included in the impact fees as it is included in the cost of getting a building permit. Number two, he said, it will not add to the apparent water shortage. He said he talked to Weber Basin and they said the reason why is that a field under agriculture uses more water than an acre with homes on it. The impervious surfaces like the homes, the driveways, sports courts and streets uses less water. He said Weber Basin has 19,000 residential connections and have started metering, about 4,000 of them since 2010. Most of West Farmington is part of this 4000 that's on a meter. Their hope is that water usage would go down by 25 percent, but it went down by 37%, with no penalties or extra surcharge. He said Weber Basin has digitized everyone's impervious surface on everybody's yard, provide a statement of usage and an estimate of how much that property owner should be using. People recognize they are using too much and start limiting their water consumption. Meters are expensive, but it's really dropped the water. He said long term, if we did that in the state, it would be wonderful because we have a unique system here in the Salt Lake valley and that's the lake effect. The more water we get to the lake, the more snow pack we have. It's key to get people to conserve water so more water gets to the lake. According to Benchland, the biggest violators of water consumption are the larger lots by far. The best thing to do if you're a citizen or on the Planning Commission is contact them directly to discuss concerns.

**Russ Workman** asked if the approval of 100 homes is going to reduce the amount of water available to the rest of the community. **Dave Petersen** responded no. If a subdivider wants to come in and build lots and the city denies him saying there is no secondary water out there, and if the developer says there is and they are willing to pay the extra cost, if we deny him on those grounds it could constitute a taking of his property. **Russ Workman** asked if a developer has to buy water to develop properties is part of the city ordinance. **Dave Petersen** said yes, but culinary water is a different situation. Culinary water doesn't have any shortages as they just put up a new reservoir. All water companies have to have a good capital improvement plan. They have to be prepared for the future. Benchland is very well prepared and have left a good thing for people coming after them. They are trying to avoid what would have been a one-time cost that they would have had to pay for forever.

#### **Kent Hinckley opened the public hearing at 7:38 p.m.**

**Mark Tingey**, 1339 W 475 S, Farmington, said at the last meeting they discussed the through street, but it looks like that's no longer on the table. He thinks a lot of residents came because they don't want to see traffic from 1525 West coming through their subdivision in any way. The road that stubs into the farm property could, if it was ever developed, adjoin to 1525 West, and there would be the traffic problem. He said that speaking to John outside of the meeting, he has no problem putting that to a cul-de-sac so they would never have to go down that road and not have a through road there. Either way, the farm would need to be developed to have a connection there, so they could take the road down through the farm property. He said that was his main concern, as well as a lot of residents there. Another concern he has is the lot sizes. On this particular proposal, the average is about 0.328 acre lots. He said on 475 South the average size lot is 0.71 acres. Seven houses that are either right across or butt up against this development, the average lot sizes are actually 0.91. Many of the Planning Commission agreed that the lot sizes were a bit small and said they'll table the discussion and have John

go back and redraw something that has bigger lot sizes and closer to what has been done in other subdivisions close by. He said he was surprised there was no change at all.

**Kent Hinckley** clarified that the cul-de-sac remains and was always planned to be there. The road was never going to go through to 1525 West because there are wetlands there.

**Karl Neff**, 1121 W 475 S, Farmington, said it sounds like the through street is off the table. He addressed the increased traffic with the new high school nearby. He believes any increase in the number of homes in the area would definitely add an element of traffic to the neighborhood. In that respect he is opposed to the project and the development. He reiterated the concern about the water issues and is concerned that adding more homes in that area will draw down on the water table. He received a notice from Weber Basin saying their water was going to be cut off for the secondary water on October 1<sup>st</sup>, which is a change from last year, so the water issue isn't going away. He said he can't see how adding more houses would not drive down that water table and further restrict the water available to residents. He also said any road connections into the 475 South area are just going to cause lots of congestion there.

**Valerie Bybee**, 1418 W 475 S, Farmington, said she lives on the cul-de-sac. She said her biggest concern is that Symphony Homes enhances the area they are building in instead of detract from it. 475 South is a street a lot of people love to build on because of the larger lot sizes, and it has a great down home feel to it. She said the biggest concern is that it's a one-way street. People who live there know that during any construction of any new home, cars are parked along the sidewalk and it becomes a one-way thoroughfare so cars have to pull off and wait or pull into a driveway. It is not a two-way street when it comes to traffic. She thinks adding that many more homes on that street is a big concern. She said rather than seeing the charm of the neighborhood, Symphony Homes is putting 9 new homes on a cul-de-sac. The cul-de-sacs on their street have 4 main ones and 2 corner ones with larger lots and have a wonderful feel. She said she thinks Farmington City needs to do a better job at the underground water flow that happens when developers come in. Once Symphony Homes started building they started having water issues in their backyard. Before then, it was dry. She had the city come out and look at the detention basin and saw there was water flowing from that basin. Their street is built much higher than her road, so water flows from the landscaping on the lots behind them so they have more water issues. Symphony Homes comes in and builds the streets up and they are left below. She said Farmington City doesn't acknowledge how much the underground water flows are being restricted, blocked off, and so more water comes in. She said she would like to see a better, more thorough job regarding the impact developers have on the neighborhood they surround. That should be the first and foremost thought because of Symphony Homes developing there. She supports building the cul-de-sac because it would obstruct traffic flow there.

**George Coleman**, 511 S 1175 W, Farmington, said he's concerned as a resident on 475 South that there are 18 homes punched in on this subdivision. He said Symphony Homes has not been a good neighbor for their neighborhood. Their water pushes down on them all the time. When he built his house, he had to ensure he retained all the water on his lot, but he doesn't see that happening with their subdivision. He doesn't see adding 18 homes in this subdivision as an enhancement to the neighborhood. High density, tract-style homes doesn't fit in with the feel of the subdivision. He would like to see larger lot sizes and the cul-de-sac instead of a sub-street. Larger lot sizes must be a priority to fit within the subdivision's overall feel, otherwise he believes it will make their property values go down.

**Scott Thurgood**, 1364 W 475 S, said it's a busy corner where the cul-de-sac would be or where it would punch through. He said he would like to see it go in as a cul-de-sac, as well as bigger lots. If there are bigger lots, there would be less traffic from that subdivision, especially with two, possibly three cars

per lot. He is also concerned about property values with smaller lots. He said he appreciates Symphony Homes being willing to work with the residents who live on 475 South, and hopefully they can work it all out. He also does have a concern with the water drainage issue. As was mentioned earlier, when he built the house they had to build retention ponds inside the lots to hold off their drainage and hold all the water from their lots. In the Symphony Homes subdivision, none of those houses have any kind of retention for their water, which is why they end up with a lot of water in the lower subdivision. He would like to see larger lots so Symphony Homes can put in their own retention and hold their own water and have that water drain out slowly to mitigate some of the problems some of the neighbors are having. He said his biggest complaint is they are put on sanctions to only use so much water, but if you drive down through the streets you see the city and commercial properties watering during the day, and watering a lot. One of the things he requests is for the city and commercial properties to put in sensors to turn the sprinklers off to save water.

**Lynn Gee**, 1283 W 475 S, Farmington said he is concerned about water. Every neighbor on the north side of 475 has been flooded, and he believes all of that was the direct result of how Symphony Homes put in their street north and west of them. He came to the last City Council meeting when the other phases were put in. He said they were promised by the City Council that the professional staff would watch very closely and that adequate drainage was put in. He feels obviously there were mistakes made because that didn't happen. He said homes flooded and his neighbors have water in their yards because Symphony Homes constructed at a higher elevation. **Roger Child** asked if the water is getting inside their homes. **Lynn Gee** answered absolutely. He said it's constant in the spring. He blames the City for not managing the construction that went in there. He read the planning packet put out by the City staff, but he has some concerns regarding some of the conclusions they drew. It talks about the green space that Symphony Homes has put in that already in compliance. He said he disagrees with the finding as the people on 475 South are not allowed to use any of the green space in phase 1 or 2. The homeowners literally chase their children out because they aren't part of the Chestnut Farms PUD. He doesn't think that has been addressed. He also thinks they need larger lot sizes and there are safety issues with all the kids and difficulty getting down the street. It's a public safety issue. He thinks adding all of these lots is a big mistake and completely opposes the development. **Rulon Homer** asked if the homes are being flooded below the surface of the ground **Lynn Gee** and his brother-in-law, the developer for his neighborhood, had soils tests done to ensure all homes they built were above the water table. They didn't have a single problem until Symphony Homes built higher than them, and now all those homes have flooded. He states many people in their neighborhood have been denied insurance claims for flooding, so those costs are on the residents. He states that if Symphony Homes is allowed to continue to build and he gets flooded, he will have to take legal action against the city and Symphony Homes.

**Dennis Packard**, 519 S 1175 W, Farmington, said we're in a drought. The water pie is only so big, even if we buy additional portions it's going to be cut smaller. He also has a problem with the smaller lots. A lot of the current property is horse property. If you put small lots amongst the horse property, the value of the horse property is going to go down. That is a concern for a lot of the people there, that their values will go down.

**Calvin Squires**, 1244 W 475 S, Farmington, said he has concerns with phase 4 with rezoning from the A to the AE. He also referenced the staff notes posted for tonight's meeting. The notes state that Symphony Homes has met all requirements for open space requirements for a developer. He would like to see a summary of that to show that the whole development there meets those requirements and that that has been done. In regards to the next part of the phasing, everyone has to retain water on their site, and they all complain about it. The city did do one thing, the Tingey lot when Phase 2 went in, because they blocked that end, there was an old historic ditch that didn't connect through. The City

connected that all the way through so that is now draining down into the detention pond. He knows of another development taking place on the southern end of Phase 1 of Symphony. He wants to make sure, regarding all the water concerns going on, the water detention is per requirements through an audit that can be confirmed by the geotech engineers and civil engineers. He wants to know where they're going to retain all of that water. He said he would like to see the lot sizes bigger, but understands the Planning Commission may not be able to do anything about that.

**Alan Wilbur**, 461 S 1350 W, said they just moved in a couple months ago. One of the main reasons they bought their house there was because of the quiet nature of the neighborhood. He would be disappointed to see that change. He also wants to see lot sizes change as it doesn't fit in with the feel of the neighborhood. He sees the throngs of kids walking to school and believes we are at capacity and unable to add much more traffic to the area. He also expressed a concern about the water. He believes there's no way to add 26 homes right next to his home and not have it affect the water available to them. He also stated he wants to note he was disappointed about the way they're notified about the meetings. There's a little note on one cul-de-sac which he believes nobody sees and feels it's their responsibility to notify the residents appropriately. **Roger Child** said it's a policy of the city to mail out mailers to residents within a certain distance of the project. **Dave Petersen** said it's within 300 feet. A few years ago the City Council wanted them to up the ante by doing a reader board on-site. Most communities don't do both, and they also post it on their website. They are only required to do one. He said a mailing went out to those addresses.

**Stuart Wilcock**, 1311 W 475 S, Farmington, said he he'd like to see bigger lots because of the ground water. He's on an acre lot so he has to retain his water and was careful not to dig into the ground. All the houses in the packet they received have a basement, so they will all affect the drainage. He is also concerned about there not being enough green space.

**Steve Beck**, 1392 W 475 S, Farmington, said he'd love to see bigger lot sizes and less traffic. He's mostly concerned about the cul-de-sac not being a cul-de-sac. He asked why there is a jog in Phase 5. Why can't they build the other 3 homes to lock in the cul-de-sac and prevent it becoming a road later on? Phase 5 has an interesting jog in it, so if they intend to close off the cul-de-sac, include the 3 or 4 homes that would truly close off the cul-de-sac.

**Kevin Allen**, 475 S 1152 W, Farmington, said the street is actually narrower when you go further west. He has been there nine years and has watched more development from Symphony Homes. With the school going in there is more traffic in the several years. He is concerned about congestion from the high school and other Symphony Homes development. He said he's observed 3 or 4 incidents involving kids narrowly being missed being hit by vehicles. He believes if additional development is going to be allowed, they need to look for other solutions regarding school pickup and drop off. He also agrees with others as far as the changes for the Symphony Homes developments on the west side. He wants to see the street deadlocked in a cul-de-sac and landlocked so there is no possibility of making it a through street in the future. He said he's also concerned about the small houses and small development which degrades from the property value and overall enjoyment of the neighborhood. He believes the way the streets are formed will add a water issue. Farmington City seems to be feast or famine with water. Right now Farmington is in a famine and hasn't had a lot of water. Years ago they were flooding. He used to have a lake in his backyard from the natural water runoff. With both streets the way Symphony Homes has it, they'll fish the same water that runs down 475 South now, and it is going to run down the street.

**Kent Hinckley closed the public hearing at 8:38 p.m.**

**John Wheatley** addressed the water shortage, saying they already have some allocations for this property because it came with the land when it used to be a farm. If they don't have enough they buy it from Weber Basin, and they do meter their properties. He said there were a number of artesian wells on Phase 2 of their project that have been capped, filled with concrete and no longer flow. He said all of the water for their projects comes from Weber Basin from existing allocations. If they need more they buy it. He said the whole area, traditionally, has had some ditches that drain, but overall the land is very flat. The water does not move west. It moves southwest. He said all the phases drain into a corner under powerlines where Symphony Homes is building a large regional detention pond. From that the water is piped south to Glovers Lane. He said there is an oil separator that cleans the water from the streets, and they got a permit to go into Farmington Bay. He said they're also taking all the water that runs down 475 South and adding it to their water. He said all of their lots have a backyard drain in, so they collect the surface water. He said it is a tough area because there is clay underneath all the homes that traps water there. They did a calculation to see if they could retain all their water, but it wouldn't be enough, so they are going to put a whole drainage in to take the water to Farmington Bay. He said the City doesn't have a storm drain system there. All the water from 475 South comes down to their property. He said when you build streets you have to put them at a grade. Symphony Homes put theirs at the minimum grade. This means they will be higher so their project drains. He said they participated financially with the City putting in a drain system that goes behind all the lots that are on the north side of 475 South. There is a drainage system that can take water from those backyards. He said they already have 26 lots in the next Phase 5 so it's already a large phase. He said Symphony is getting their master plan approved without a through street. After they build Phase 5 they will put in Phase 6 and put homes there so it can never be built again. They are proposing to leave 475 South a cul-de-sac. He said they are willing to close off other streets so no connections can go through there.

**Russ Workman** asked if the applicant disagreed with the point that prior phases have caused flooding in homes. **John Wheatley** said he thinks residents are correct. That is because Symphony has built higher so it prevents the water from neighboring lots to drain onto their property. He said they put drains along the back of all of their properties. All the lots on 475 South have a low point in their backyards and a yard drain that takes it out to the street. He said Symphony Homes is connecting all of their down spouts. The water will go into a storm drain then go out to Farmington Bay. **Rulon Homer** asked if there has been flooding in those homes since the drains were put in. **John Wheatley** said the resident's water is now locked on their lots. He said the streets and backyards of their development are higher. **Russ Workman** said it's not the purpose of this meeting to make decisions about past development, but he wants to inform future development of this. He asked if a developer is allowed to put something that stops the water from draining on a piece of property that has been draining to the adjacent property for a long time. **John Wheatley** said he doesn't think they should have to take on all of the other resident's water. He said 475 South was supposed to retain all their water on site. The water is supposed to stay on their lots. **Dave Petersen** said he's not as familiar with the issues north of the proposal as the City Engineer or Storm Water Official. He stepped outside to give Chad Boshell a call. Someone talked about having issues for years. He said after Phase 2 the City engineer worked for years with Symphony Homes to get a drainage facility to get relief to some of the people on the north side of 475 South. He said if there are still problems on the north side it's perhaps time for a neighborhood meeting with the Public Works so they can understand what's happening on there. He said that's for another day. For the matter at hand for Phase 5 the City engineer has said 475 South goes east to west. Symphony will take all of the storm water runoff and anybody's runoff that happens to make it to their front yard will go to the regional detention basin. The City Engineer said, regarding this phase, he doesn't see how it will compound or hurt the situation that happened on the north side. He is confident the drainage pattern will work for this phase. **Dave Petersen** said the issues are whether 475 South is going to go through to the north-south local street. He said Symphony does not want to do it. The only other issue is down to lot size and configuration.

**Kent Hinckley** asked about the width of 475 South and whether it is adequate or not. **Dave Petersen** said it is built to city standards.

**Russ Workman** said the first part of this is a rezone. The staff report says the rezone is consistent with the City's general plan. He said that doesn't mean it takes away from them to approve a rezone or not. **Dave Petersen** agreed, but said the City Attorney often cautions because it is east of our development restriction line. He said the City has never not approved a recommended rezone when requested when it's east and north of that line. If the Planning Commission does not approve they better have some good findings as to why. **Russ Workman** said he thinks now is the right time to address this issue. **Dave Petersen** said it is two rezones in one. There is a proposal to rezone to AE and there is the PUD overlay. The developer is allowed a certain number of rooftops. They are going to do that many, but they're going to move them around. The number of rooftops will be the same. The Planning Commission has discretion on that. **Russ Workman** asked if they have the authority to say the third acre lots have to be half acre lots instead. **Eric Anderson** said the only portion of the property that is not rezoned to AE is the Swedin property. **Kent Hinckley** said the portion that is already zoned AE can have third acre lots. **Eric Anderson** said no, it's the PUD overlay. It's what allows them to go with that, so that's discretionary. **Dave Petersen** said overall the density for the entire Chestnut Farms is still the same, but that's why they're going to the PUD. They want to provide open space elsewhere, and they're asking for permission to move the rooftops around. **Russ Workman** said he thinks it's important to listen to what everyone says at these meetings. Sometimes you have choices, sometimes you don't. He said a rezone is a choice. He thinks it's a community decision to rezone.

**Amy Shumway** asked if the developer would be willing to remove five lots. **John Wheatley** said he can't make that decision alone. It would change the economics of the project. He said the reason they have large and small lots is to have a range of prices. They don't want every lot to be a million dollar home. He said they have a similar subdivision in Kaysville that lets them have a range of lot and home sizes and prices. **Amy Shumway** asked how much open space they have, if they're meeting the bare minimum required for the PUD. **Eric Anderson** said he doesn't know, but because it's improved open space it's a lower threshold than unimproved. They get certain bonuses with that, but they're not asking for one, so they don't need to meet the maximum open space requirement. **Amy Shumway** said she's hearing from the public that they would like more open space. She knows the developer doesn't want to take another lot, but she thinks lot 605 next to the trail that would connect those two roads would be an option for open space or a park. **John Wheatley** said he doesn't know if it would help the street. He said those are private parks that each person pays sixty dollars a month for. They aren't public parks. **Amy Shumway** asked where the nearest playground is. **Dave Petersen** said it's the elementary school at 1100 West. **Amy Shumway** said, as a mom of five boys, she feels parks are important. **Kent Hinckley** said it's not easy for the City to maintain pocket parks. **Amy Shumway** said she has a suggestion for the HOA in the area. She said people have been complaining about getting down the streets. She said perhaps people shouldn't be allowed to park on the street at night. She said she thinks it would free up space on the street and increase safety for kids in the area.

**Russ Workman** asked what the minimum lot is on an AE. **Dave Petersen** replied it's a half acre on a yield plan. **Russ Workman** said it is the PUD, then, and is still discretionary. He asked if it's reasonable to interpret the lot size complaints as opposition to the PUD overlay. **Eric Anderson** said yes.

**Amy Shumway** asked if the City Engineer wanted 475 South to go straight through and what his comments were. She wanted to know if the City needs another way through. She said she'd hate to make it a cul-de-sac if the City Engineer's professional opinion was to make it a through street. **Dave Petersen** said circulation is always a good thing. Without 475 South going through, in time, the one

neighborhood, phase 6 and 3 will be taking more of the traffic. With the road going through it would have been more of an even split. Without it going through one neighborhood will take more traffic than the other. **Amy Shumway** asked if the City Engineer's suggestion would be to keep it a through street. **Dave Petersen** said it would be.

**Rulon Homer** said the purpose of this meeting is to determine the rezone from A to AE. **Eric Anderson** said there are three decisions. There's the rezone, the preliminary PUD master plan and the schematic plan. The schematic plan is just for the subdivision for Phase 5. The preliminary PUD master plan is for phases three through six of Chestnut Farms. The reason for that is they already have a PUD master plan in place, it just does not include the Swedin property. Since they added the Swedin property they have to amend their existing PUD master plan to include the Swedin property and also change the phasing. The third choice is the rezone, which the other two are totally dependent on. **Rulon Homer** asked if voting on those three things will address all the issues the public brought up. **Russ Workman** said the storm drain is already required by ordinance. **Eric Anderson** said it is part of the development review committee. The City Engineer and Storm Water Official reviews every plan. If they get to final plat they have to provide a drainage plan as well as improvement drawings, which show the cross section of the road and how the storm water is going to work. That's when the City Engineer looks at it to make sure it's going to work and that they have the proper sizing for the storm drain pipe. **Russ Workman** said if the Planning Commission doesn't approve the PUD master plan the prior PUD master plan still stands. **Eric Anderson** said that's correct. **Dave Petersen** said it looks very similar to this plan, but without the ? property. **John Wheatley** said they are installing the whole storm drain system for Phase 6 as well. They are connecting phases 3, 4 and 5 when they already put in the improved Phase 4. There will be a complete drain system.

**Roger Child** said he's been listening to everyone's concerns and taking notes. He's been thinking about trying to find a win-win solution. He said they can't stop development. They can't take people's property values away. He said he noticed 475 South does have a great mixture of lots from smaller lots to larger lots. Even within the neighborhood on 475 South there is a good mixture of lot sizes. He doesn't think asking the developer to go to one acre lots is a reasonable thing to do. He thinks third acre lots are reasonable. He said he believes in connectivity from one to another, but when it comes an Agriculture protective zone, like the Bangerter property, he thinks it's ok to turn it into a cul-de-sac. He said narrow roads have been proven to slow traffic. Wider roads engenders higher speeds, which is more detrimental to a neighborhood. He said it may not be convenient when cars are parked on the road, but narrower streets do slow traffic down. **Dave Petersen** agreed. He said having no parking would probably increase speed. **Roger Child** said not having the street a through street anymore should also decrease traffic. He also said property values are not always found in the size of the lot, but the quality of the subdivision. He's found Symphony has always maintained their subdivisions and built good homes. His recommendation would be to put that second stub street into the Bangerter property and make it a cul-de-sac.

**Shawn Beus** asked about the anticipated price of the houses being built. **John Wheatley** said their price point would be \$600,000—\$1 million. **Shawn Beus** said he favors connectivity between subdivisions. He asked for **Roger Child's** suggestion about that. **Roger Child** said he does believe in connectivity, but at the same time if the adjacent property owner doesn't want connectivity and the neighborhood doesn't want it, he would suggest not doing it.

**Amy Shumway** asked if it was requested that the lots be looked at and made larger and if that did not happen. **Kent Hinckley** said that was true. **Russ Workman** said he was concerned about lot sizes at the last meeting, but once he realized they were third acre lots he was no longer concerned. He thinks third acre lots are a good size lot, but he's hearing the whole community say they don't like it. He said he

wanted to know if they don't approve the PUD or the zoning change, what the difference would be in the number of lots. **Eric Anderson** said eighteen. **Russ Workman** asked how many Symphony has right now. **Eric Anderson** said it's twenty-six. **Russ Workman** asked how much difference they would make if they listen to the public and don't approve what the applicant is asking for. **Eric Anderson** said he doesn't know the answer to that. They would have to look at the PUD master plan that's in existence. He said that was already memorialized. They already have the zoning for that. **John Wheatley** said if the majority is that they have too much density, he's willing to look at the cul-de-sac and come back if the Planning Commission wants to table it. He said he doesn't like to be tabled, but it is an option. **Amy Shumway** said to keep with the Planning Commission before and the residents, she thinks they need to go back and take out a few lots that will make it easy to rezone it. **Dave Petersen** said in all areas that have been rezoned since 1993 there's a certain hit with densities that's consistent across the board. He thinks it would be wise to be consistent with this area, as they've done with all areas.

**Russ Workman** referenced **Dave Petersen's** comment about having an obligation to be consistent, but he doesn't want to take value away from someone who owns property. **Kent Hinckley** said with the PUD you have a great deal of discretion. If they weren't doing a PUD and had to make the lot sizes conform to the AE zone the Planning Commission wouldn't have any discretion. The PUD overlay gives them discretion.

**Shawn Beus** asked if the three decisions tonight will be reviewed and finalized by the City Council. Are we just making a recommendation? **Russ Workman** said yes. **John Wheatley** said if they are denied the AE zoning they would probably take legal action because it has never happened. He said he knows a lot of people want to see larger lots, but that is not what's happening in West Farmington. **Eric Anderson** said rezones are a legislative decision, and there's a good amount of discretion, but that doesn't mean there's not total discretion.

**Shawn Beus** said the applicant did express a willingness to reconsider the number of lots and the effect of the cul-de-sac. He said it sounds like there's a consensus on putting the cul-de-sac on the Bangerter property. He said he thinks it's hard to come to the conclusion that the rezone should be denied. He thinks the applicant's offer to reconsider the number of lots and have the Planning Commission table the item is reasonable. **Roger Child** said they could approve it in stages. The Planning Commission can approve the rezone from A to AE and hold off on the PUD based on a redraw of the schematic plan. **Dave Petersen** said that could be a good option to approve the rezone to AE, but ask to see the difference on the PUD master plan and overlay. **Kent Hinckley** said another alternative would be to approve A to AE, those two parcels (the Swedin property and another parcel don't have to be included in the PUD master plan. There is already a PUD master plan in affect. If the applicant wants to treat those two parcels separately the whole thing becomes a mute point because he has a memorialized PUD master plan in place for all of the property except those other two. He could create whatever he wants on those other two lots. **Eric Anderson** said it isn't a PUD in the traditional sense. It's actually an amendment to the original master plan.

**Motion:**

**Russ Workman** made a motion that the Planning Commission recommend that the City Council approve the rezone from A to AE for 7.34 acres of property located at approximately 475 South 1350 West as identified by parcel identification numbers 080810017 and 080810068 and the attached legal description, subject to all applicable Farmington City ordinances and development standards.

**Shawn Beus** seconded the motion, which was unanimously approved. **Russ Workman** wanted to make a note that his reason for approving the rezone is to be consistent with the master plan of the City.

Findings for Approval:

1. The proposed rezone is consistent with General Plan designation of RRD.
2. The proposed rezone is consistent with surrounding neighborhoods, including already developed portions of the Chestnut Farms PUD Subdivision.
3. 1.4 Acres of Phase V have already been rezoned from A to AE in 2016; this rezone will bring the remaining property into conformity with the rest of the subdivision.

**Motion:**

**Shawn Beus** made a motion that the Planning Commission table the schematic plan and the preliminary PUD master plan request for consideration per the applicant's suggestion of putting a cul-de-sac into the Bangerter property as well as other modifications, including a look at density. This will not include a public hearing.

**Amy Shumway** seconded the motion, which was unanimously approved.

OTHER

**Item #4. Miscellaneous, correspondence, etc.**

**Dave Petersen** brought back information about the noise test for the carwash. The decibel reader at the carwash in Farmington read 75 from 195 feet away. When the blower went on it went up to 82, which is a significant jump. One reading went up to 85. When they went to a carwash in Centerville their base from 195 feet away was 65. He thinks the noise from Highway 89 by the carwash in Farmington makes it much louder. He said the direct reading did not change with the carwash in Kasyville. Everything is enclosed, and all the blowers are inside, so the new one in Farmington going to be a significantly quieter facility than what is currently there.

**ADJOURNMENT**

***Motion:***

At 10:02 p.m., **Rulon Homer** made a motion to adjourn the meeting, which was unanimously approved.

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**Kent Hinckley**

**Chair, Farmington City Planning Commission**

**WORK SESSION:** A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be a discussion regarding alternative mode of transportation and to answer any questions the City Council may have on agenda items. The public is welcome to attend.

## **FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA**

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, October 2, 2018, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

*Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

The agenda for the meeting shall be as follows:

### **CALL TO ORDER:**

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

### **PRESENTATIONS:**

7:05 Recognition of Dave Quinley for 15 Years of Dedicated Service to the Police Department

7:15 Introduction of 2 New Police Officers and the Administration of Oath of Office

### **PUBLIC HEARINGS:**

7:25 Rezone and Schematic Plan for Kirkham Subdivision located at 975 N Compton Road

7:35 Amendment to Hughes Farms Subdivision Conservation Easement

### **NEW BUSINESS:**

7:45 Resolution Amending the Consolidated Fee Schedule related to Application Fees

7:50 Ordinance Amending City Code Regarding On-Street Parking

### **SUMMARY ACTION:**

*(Items listed are considered routine in nature and will be voted on in mass unless pulled for separate discussion)*

8:00 Minute Motion Approving Summary Action List

1. Approval of Minutes from September 18, 2018

*Minute motion adjourning to the Redevelopment Agency meeting.*

(See RDA Agenda)

*Minute motion to reconvene the City Council Meeting.*

**GOVERNING BODY REPORTS:**

8:15 City Manager Report

1. Fire Monthly Activity Report for August
2. Building Activity Report for August
3. City Manager Recruitment Update

8:30 Mayor Talbot & City Council Reports

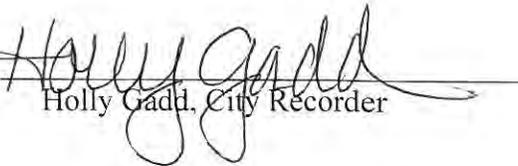
**ADJOURN**

**CLOSED SESSION**

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 25th day of September, 2018.

**FARMINGTON CITY CORPORATION**

By:   
Holly Gadd, City Recorder

**\*PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

*In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.*

**Posted 09/25/2018**