

Planning Commission Minutes July 27, 2020 at 6 PM

1. ROLL CALL – Meeting which was held using Zoom on-line service due to Corona Virus pandemic, was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

Robert Mann, Chair
Howard Carter, via zoom
Jay Moore
Chad Ball, via zoom
Gerry Harris, via zoom
Judy Horne, via zoom
Bobby Wilson

ABSENT

Keith Macedo

City Employees Present: Melissa McCarville, City Business Manager; Steve Tennant, City Attorney; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Mayor Ernie Penn

2. Approval of Minutes: June 22, 2020 Minutes were approved as written.

3. Comments from Citizens: none

Public Hearings:

4A. Variance of sidewalk location located west of Hunter Street from Wilson St. to Farmington Branch owned by Pitts Dynasty Trust #3 as presented by Jorgensen & Associates:

Charles Zardin was present to discuss the request. Mr. Zardin stated that they agree with the recommendations of the City as presented in City Engineer Chris Brackett's memo shown below:

“The Application for Variance/ Waiver for the Sidewalk Variance on Hunter Street for the improvements required of the Summerfield Subdivision Phase I has been reviewed and we recommend the acceptance of this variance for the following reasons. This recommendation follows a site meeting to discuss the challenges with the installation of the sidewalk on the west side of Hunter Street.

- The original challenge was the existing grade of the lot on the west side of Hunter, south of Candace Street. Hunter Street in front of this lot drops to the south while the lot stays a constant grade. This causes a high bank in front of this lot. If the sidewalk were installed with the standard greenspace, a retaining wall would be necessary to hold back this bank. This retaining wall would be required to be maintained by the City in the future. It was recommended that the sidewalk be installed behind the curb to eliminate the need for the retaining wall. This sidewalk would have to be moved to the back of the curb if it was ever extended to cross the bridge to the south.
- The remaining sidewalk in front the existing homes on Hunter Street is recommended to be installed at the back of the curb to allow the future powerlines to be built in a straight line. This would allow for the installation of the power poles without archers in the yards of these existing homes. This recommendation was to avoid any unnecessary disturbance to the existing home frontage.”

Melissa explained that there had been an on-site meeting to determine the right course of action that included project engineer, City's engineer, Melissa McCarville, utilities representatives, other City staff, a City Council member, and several Planning Commission members. Due to the slope of Sherry

Matthews' property the variance would be the best solution to the grading issue and if the sidewalk is to be extended south to the creek and beyond. In addition, this will improve the placement of powerlines along Hunter.

Chad Ball asked how many feet of grading would be needed in order to address the issue. It was determined about 800 feet.

Chris Brackett further explained the reason for the variance: With such a steep grade there by the street, working with existing plans would create a kink in the lines instead of allowing powerline to be installed in a straight line.

Pedestrian safety concerns were expressed, fearing they would not have enough buffer between traffic and the sidewalks. It was mentioned that there is a sidewalk all along the east side of Hunter to the park entrance crosswalk.

Public Comment:

Sherry Matthews - Hunter Street spoke in favor of the variance for reasons stated.

It was also determined that in addition to the other factors mentioned, this plan would do the least damage to residents' front lawns.

Having no further discussion, Robert Mann called the question to approve the variance: motion passed 5 Ayes, 1 Nay (Chad Ball), and 1 Absent (Keith Macedo).

4B. Rezone of lots 12, 13, 14, 15, 16, 19, 20, 21 Farmington Creek Subdivision & parcel # 760-01318-000 from R-2 to MF-2 for property owned by City of Farmington as presented by City of Farmington:

Mayor Penn discussed the request. He said this was not a dedicated city park, the City had found it to be a maintenance nuisance, and it was very seldom used. City Council approved the sale of this property at their last meeting. Since then, the City has had two bids of \$77,000 and \$85,000. This higher bid is contingent upon the rezoning for multi-family dwellings. There are flooding concerns but the high bidder understands that they will have to meet all requirements. This will be addressed during preliminary plat review. The proposed purchaser has been buying other property in the area and has renovated those properties. He proposes that the multi-family installation will be approximately a 3 million dollar investment.

Public comment:

Donald Williams - 496 Double Springs: He stated that he owns land on three sides of this property. Years ago, there was a "handshake deal" with the City concerning easements and 3 water gates that are used on the property by Mr. Williams. The flooding is controlled by these three water gates. Also, there was a fence that he built and it is maintained by the City. He asked who will maintain the fence and right-of-way.

Steve Tennant said he had found no formal, recorded easements/ documents showing any agreements for access or the fence. Therefore, this will all have to be agreed upon with the new property owner.

Cindy Kuhns - 277 Ecology Drive: She has lived in this area since 2007 and has seen this area flood significantly at least four times. She has even seen a large trash dumpster float by her home; also she remembers firemen having to come rescue someone during flooding. She feels it would be irresponsible to put buildings on those lots due to making flooding worse. She stated that she has had water to her front door before and she lives across from this proposed rezoning.

City Engineer Chris Brackett addressed the questions of new development and flooding control. Engineering on this project will have to guarantee that there will not be increased flooding beyond what now happens. This will require a flood plain development permit.

Patty Baker- 311 Nature Lane and Ecology Drive: She noted that this is a peaceful area and lots of children do play in the park area. She would rather see single family houses there and not apartments. The increased traffic is also a concern.

Melissa responded that the builder would have to allow 6,000 square feet per dwelling, so a four-plex would have to have 24,000 square feet, for example.

Chad Ball brought it to the attention of the Commission that this area is on the transportation plan for trails to run through to connect to the schools. He suggested that if the land isn't rezoned and thus remains with the City, the plan could eventually be utilized there. He also suggested that the \$85,000 bid price was too little money.

However, the City Council has already voted to sell the property, so it no longer belongs to the City plus it was never a dedicated city park.

Judy Horne suggested that the City work with the future developer to see if they might reserve space for a trailhead on the far eastern side of this property for future trail development.

Having no further discussion, Robert Mann called the question to approve the rezoning: Motion passed 4 Ayes and 2 Nos (Chad Ball and Judy Horne).

5. Adjournment: Having no further business, the third on-line Planning Commission meeting was adjourned.



Judy Horne - Secretary



Robert Mann - Chair