

**CITY OF FARMINGTON
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL DECISION**

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JAN 13 2005 *jm*

PETITION No. 1932 – Piñon Hills Boulevard Corridor Plan CITY OF FARMINGTON
CITY CLERK

REQUEST:

Petition No. 1932 is a request from the Community Development Department, requesting approval of the Piñon Hills Boulevard Corridor Plan.

PUBLIC PARTICIPATION:

- A. A total of five public hearings at the Planning and Zoning Commission were conducted on this petition, including three in 2002. Notice for the February 17, 2004 hearing was published in the Daily Times on Monday, February 2, 2004. Notice for the March 3, 2004 hearing was published in the Daily Times on Sunday, February 29, 2004. Notice of March 3 Special Meeting and Public Hearing were sent on Friday, February 27, 2004 to Interested Citizens of record from the February 17, 2004 Special Meeting and Public Hearing.
- B. The Planning and Zoning Commission conducted its final Special Meeting and Public Hearing on this request on Wednesday, March 3, 2004. Michael Sullivan, Long-Range Planner for Community Development Department presented the supplemental Plan information focusing on comparative traffic impacts and a proposed Neighborhood Commercial Zoning District. Several interested residents, most of whom favored Alternative "A," addressed the Commission at both the February 17 and March 3, 2004 hearings to voice their preferences and concerns on the Plan.

SUMMARY OF RELATED FACTS:

A. The Property

Parcel Size	N. A.
Location	The 6 plus mile long Piñon Hills Blvd. Corridor
Physical Characteristics	Mixed
Existing Land Use	Mixed
Existing Zoning	Mixed

B. Surrounding Land Use and Zoning

North	Mixed
East	Mixed
South	Mixed
West	Mixed

FINDINGS:

- A. A plan is needed to guide future development of this growing corridor.
- B. A range of land use options was originally presented by staff in 2002.
- C. There have been five hearings scheduled before the Planning and Zoning Commission at which extensive testimony has been heard.
- D. After consideration of all options, supplemental data and public testimony, the Commission selected Alternative LU-CD as recommended by the Community Development Department, with five conditions, as the best Plan for the area.

PLANNING & ZONING COMMISSION ACTION MARCH 3, 2004:

Motion was made by Commissioner Merrion and seconded by Commissioner Moffett to approve the Community Development Department's Recommendation, Alternative LU-CD for a land use alternative along Piñon Hills Boulevard, together with the following conditions:

- a. Consideration be given to adding Glade Road, between 30th Street and Piñon Hills Boulevard, as a "proposed Collector" when the Major Thoroughfare Plan is next amended, with the understanding that it is be constructed concurrent with development of the adjacent properties; and
- b. That frontage roads not be planned for construction along the corridor, provided however, that they not be prohibited if they are deemed necessary for a particular development project and are constructed at the expense of the developer, upon land to be dedicated to the City for future maintenance; and
- c. That the current Zoning Ordinance be amended to include a new Neighborhood Commercial (NC) District, patterned after the regulations and restrictions proposed for the NC district in the Unified Development Code (UDC), together with "residential protection;" signage; landscaping and screening; and buffering requirements applicable to the NC district, as set forth in the draft UDC; and
- d. That future petitions to rezone to a commercial district other than NC be approved only with a C-4 Planned Shopping Center designation, or, after adoption of the UDC, as a Planned Unit Development (PUD); and
- e. Petitions to rezone to higher intensity uses should be approved only if sanitary sewer is available, or provisions are made to extend sewer to properly serve such development.

AYE: Commissioners Moffett, Merrion, Shields, Kuchera, Wimsatt and Williams

NAY: None

ABSTAINED: None

ABSENT: Commissioner Kysar, Commissioner Simpson excused herself from the hearing (at approximately 8:50 p.m.) before any action was taken by the Planning and Zoning Commission.

The motion passed (6 – 0)

COUNCIL ACTION (Land Use Designations by Segment):

On April 13, 2004, the City Council, took the following action on the Land Use Plan for Segment A through Segment D as follows:

Segment A: by a vote of two (2) in favor, one (1) opposed, and (1) disqualified the Council voted to approve LU-CD as recommended by the Planning and Zoning Commission.

Segment B: by a vote of four (4) in favor and none (0) opposed the Council voted to approve LU-CD as recommended by the Planning and Zoning Commission with an amendment to expand the open space to include the strip of land adjacent to the northwest side of Piñon Hills Boulevard where a bike/pedestrian trail is to be developed.

Segment C: by a vote of three (3) in favor and one (1) opposed the Council voted to approve LU-CD as recommended by the Planning and Zoning Commission.

Segment D: by a vote of three (3) in favor and one (1) opposed the Council voted to approve LU-CD as recommended by the Planning and Zoning Commission with the following amendments:

1. To designate the southeast corner of Pinon Hills Boulevard and College Boulevard as NC, and;
2. To designate the area directly south of Piedra Vista High School as "greenbelt" open space.

COUNCIL ACTION (Plan Adoption):

On April 24, 2004, the City Council, by a vote of two (2) in favor, one (1) opposed, adopted with amendments the Planning and Zoning Commission Action Summary, and approved Petition No. 1932, a request from Community Development Department, the Piñon Hills Boulevard Corridor Plan together with the land use designations approved on April 13, 2004 with the following revised conditions:

- a. Consideration be given to adding Glade Road, between 30th Street and Piñon Hills Boulevard, as a "proposed Collector" when the Major Thoroughfare Plan is next amended, with the understanding that it is be constructed concurrent with development of the adjacent properties;
- b. That additional frontage roads not be planned for construction along the corridor, provided however, that they not be prohibited if they are deemed necessary for a

particular development project and are constructed at the expense of the developer, upon land to be dedicated to the City for future maintenance;

- c. That the parameters for the NC zoning district be developed in conjunction with the Unified Development Code (UDC) and that requests for zone changes on property designated as NC on the land use map be deferred until after the UDC is adopted.
- d. That future petitions to rezone to a commercial district other than NC be approved only with a C-4 Planned Shopping Center designation, or, after adoption of the UDC, as a Planned Unit Development (PUD); and
- e. Petitions to rezone to higher intensity uses should be approved only if sanitary sewer is available, or provisions are made to extend sewer to properly serve such development.

Approved this 13 th day of January 2005.

ATTEST:


William E. Standley, Mayor


Gina Morris, City Clerk

LEGAL DEPARTMENT

APPROVED AS TO FORM

BY


William Cohen ACA

DATE:

1/12/05