

FARMINGTON CITY COUNCIL MEETING

Wednesday, July 20, 2005

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Sidney C. Young, City Manager Max Forbush, City Attorney Todd Godfrey, Jim Carter of Bear West, Rachel Montgomery of the Youth City Council and Recording Secretary Jill Hedberg. Susan T. Holmes and City Planner David Petersen were excused.

Mayor Connors began discussion at 6:40 P.M. The following items were reviewed:

Agenda Item #6 - Consideration of an Ordinance Enacting new Neighborhood Mixed Use Zone (NMU) Text.

Mayor Connors said a final decision regarding the N.M.U. would not likely be made at the public hearing. He said a text drafting committee could be created. He did not think the committee should include opponents to the N.M.U. or developers. Another public hearing could then be held after the draft was created.

Todd Godfrey said the N.M.U. text could legally include a square footage cap so long as it were tied to something, such as the Wooten study, that were rational and reasonable. He said ratios could then be determined that would be defensible. It was important that the text match the General Plan.

Mayor Connors reminded the Council Members that the goal was to develop zoning text that would reflect the intent the City Council had when it adopted the general concept. He said the narrative text should be addressed, not a certain project.

The Council Members agreed the next N.M.U. public hearing could be held September 7, 2005.

Max Forbush briefly discussed the following items:

Agenda Item #8 - Consideration of Rice Valley Schematic Plan Approval (111 Lots on 32 Acres on Rawl Rice Farm) - Jerry Preston There was a connecting road issue that would need to be addressed.

Agenda Item #12 - Amendments to McKittrick/Hunter's Creek Reimbursement & Other Agreements The item was not prepared.

The meeting adjourned at 6:55 P.M.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Sidney C. Young, City Manager Max Forbush, City Attorney Todd Godfrey, Jim Carter of Bear West, Rachel Montgomery of the Youth City Council, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg. Susan T. Holmes and David Petersen were excused.

Mayor Connors called the meeting to order at 7:00 P.M. **Max Forbush** offered the invocation. The Pledge of Allegiance was led by **Boy Scout Bryce Spencer**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Sid Young moved to approve the minutes of the July 6, 2005, City Council Meeting. **David Hale** seconded the motion. The voting was unanimous in the affirmative. Rick Dutson abstained due to his absence at the previous meeting.

INTRODUCTION OF MISS FARMINGTON (Agenda Item #3)

Miss Farmington, **Lindsey Allenbach**, introduced herself and said her platform was to volunteer with the Intermountain Donor Services. She informed the Council Members of the many benefits that can come from being a donor. She encouraged donor registration.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

Chairman Ritz reported proceedings of the Planning Commission meeting held July 14, 2005. He covered the following items:

Agenda Item #3 - Garbett Homes (Public Hearing) - Applicant is requesting a recommendation for schematic plan approval for the remaining phases of Farmington Crossing PUD consisting of 361 dwelling units on 30.8 acres south of Shepard Lane adjacent to the Shepard Creek Parkway in a C zone. The Planning Commission recommended that the City Council grant schematic plan approval for the southern phase of the Farmington Crossing P.U.D. subject to four conditions but tabled schematic plan approval for the northern phase in order to review the drawings.

Agenda Item #4 - Donald Mayfield (Public Hearing) - Applicant is requesting a recommendation for schematic plan approval to create a three lot subdivision on 1.46 acres located at 121 West 600 North in an OTR zone. The Planning Commission recommended that the City Council grant schematic plan approval subject to all applicable Farmington City development standards and ordinances.

Agenda Item #5 - Dan Cook - Applicant is requesting a recommendation for minor plat for a 2 acre subdivision consisting of 2 lots and 1 parcel located at approximately 1300 West 475 South in an AE zone. The Planning Commission recommended that the City Council approve the final plat for the requested subdivision subject to the conditions of schematic plan approval.

Agenda Item #6 - Jerry Preston - Applicant is requesting a recommendation for schematic plan approval for a proposed PUD consisting of 111 lots on 32.3 acres located at approximately 50 West 700 South in the LR, A, and AE zones. The Planning Commission recommended that the City Council approve the final plat for the requested subdivision subject to the three conditions.

Agenda Item #7 - Utah Landquest LLC, Todd Bradford (Public Hearing) - Applicant is requesting a recommendation to rezone property located on the southwest corner of 200 East and 200 South from A to R-4, and a recommendation for schematic plan approval for a subdivision containing 20 lots related thereto. The Planning Commission tabled the rezoning request for the property located on the southwest corner of 200 East and 200 South until the City Council submitted preliminary feedback.

Agenda Item #8 - Farmington City (Public Hearing) - Applicant is requesting a recommendation to amend Chapter 10 of the General Plan regarding residential development. The Planning Commission recommended that the City Council approve the final draft of Chapter 10 of the General Plan with the density being changed to 10+ dwelling units/acre within the core area of the TOD zone.

Agenda Item #9 - Symphony Development - Applicant is requesting a recommendation to rezone 30.92 acres located at approximately 275 South 1100 West from A to AE, and a recommendation for schematic plan approval for a subdivision containing 53 lots related thereto. The Planning Commission recommended that the City Council approve the schematic plan but withhold the property zoning until the developer complies with the standards set forth in Chapter 27 (Planned Unit Development) of the Zoning Ordinance amendments as recommended by the Planning Commission and with the trail description provided by **David Petersen**.

Agenda Item #10 - Garbett Homes (Public Hearing) - Applicant is requesting conditional use and site plan approval to construct a club house located at approximately 850 North Shepard Creek Parkway in a C zone. The Planning Commission granted conditional use approval for the proposed clubhouse, which may also accommodate a sales office/HOA management office, subject to all applicable Farmington Development standards and ordinances and conditions placed by the Planning Commission.

Agenda Item #11 - Garbett Homes (Public Hearing) - Applicant is requesting conditional use approval to establish a temporary sales office in a club house located at approximately 850 North Shepard Creek Parkway in a C zone. The conditional use approval was not necessary since the sales office would be located in the club house.

Agenda Item #12 - Joseph Jardine - Applicant is requesting conditional use and site plan approval to establish a ground sign at 57 North Main in a BR Zone. The applicant requested that the item be addressed at a later date.

Agenda Item #13 - JMR Land & Development, Rainey Homes - Applicant is requesting a recommendation for a zone designation and schematic plan approval for a proposed development in conjunction with the proposed annexation of 12.9637 acres of property located between 200 East and the Frontage Road, north of Lund Lane. The Planning Commission recommended that the City Council zone the subject property LR and approve the schematic plan related thereto, subject to two conditions set by the Planning Commission and all applicable Farmington development standards and ordinances.

Agenda Item #14 - Farmington City - Applicant is requesting a recommendation to amend Chapter 27 of the Zoning Ordinance regarding Planned Unit Developments. The Planning Commission recommended that the City Council approve a draft ordinance with the amendments that were discussed.

Agenda Item #16 - Farmington Greens Master Plan revision. The applicant requested the Planning Commission's opinion as to whether it would be acceptable to include a church parcel in the subdivision in exchange for the addition of 13 smaller sized lots. The Planning Commission took a roll call vote and the request was denied by a 3 to 2 vote.

Agenda Item #17 - Children's Justice Center New Parking Lot Layout. The Children's Justice Center requested that their current parking lot be extended. The Planning Commission members agreed to visit the site in order to have a better visual when discussing the proposed parking extension.

Agenda Item #18 - Hunter's Creek Phase 1 Plat Amendment Request. The Planning Commission recommended that the City Council amend the Hunter's Creek Phase 1 plat amendment to accommodate the requested changes.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE DESIGNATING ZONING ON THE TERRANCE GLOVER/SUSAN D. TURNER PROPERTY; CONSIDERATION OF SCHEMATIC PLAN APPROVAL; CONSIDERATION TO ADOPT ORDINANCE AMENDING 13 ACRES OF THE GLOVER/TURNER PROPERTY (NOT PART OF HEARING (Agenda Item #5)

Max Forbush said a public hearing had been held regarding the annexation and zoning of the property. The Planning Commission had recommended that the City Council approve the Ordinance to extend the corporate limits of Farmington City to include the annexation of 12.9637 acres of property located in South Farmington between the Frontage Road and 200 East north of Lund Lane, but tabled the zoning of the property to LR. The Planning Commission recommended that the Schematic Plan be approved subject to the following:

1. Provide a trail or stub trail connection to the open space area north of the project on the Rice property.

2. Preserve the old historic Glover home and incorporate it a part of the proposed development.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Chris Balling (Rainey Homes, JMR Land and Development) said the City Council had tabled the item at the last meeting. Rainey Homes was committed to preserving the Glover home and incorporating a trail into the subdivision. Ten percent of the property would be dedicated as open space and would be located near the Frontage Road. The area north of the open space would be designated as a regional detention basin.

David Mulholland asked that the area be reviewed using the City's new Trail Checklist.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Motion

Sid Young moved that the City Council adopt ORDINANCE NO. 2005-29, AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF FARMINGTON CITY TO INCLUDE THE ANNEXATION OF 12.9637 ACRES OF PROPERTY LOCATED IN SOUTH FARMINGTON BETWEEN THE FRONTAGE ROAD AND 200 EAST NORTH OF LUND LANE. **Larry Haugen** seconded the motion, which passed by unanimous vote.

Larry Haugen moved that the City Council approve the Schematic Plan subject to the conditions recommended by the Planning Commission. **Rick Dutson** seconded the motion, which passed by unanimous vote.

The City Council meeting was moved to the Community Center at 7:45 P.M.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE ENACTING NEW NEIGHBORHOOD MIXED USE ZONE (NMU) TEXT (Agenda Item #6)

Mayor Connors explained the history of the Neighborhood Mixed Use (NMU). He said the purpose of the public hearing was to address the narrative text for the NMU zone which should reflect the concept presented by the City Council. A specific project within the geographic area of the NMU would not be addressed. Any proposed projects would need to meet the zoning requirements. A subcommittee would be created to address the proposed changes to the NMU text.

He suggested that the public address items that related to the text such as the intensity of the commercial development, the ratio of non-residential/residential development, the size of individual buildings, and the hours of operation for a non-residential area within the zone.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Scott Lewis (1665 Somerset Court) said the NMU text should preserve the residential character of Main Street and Farmington City. He was concerned that the proposed text did not require a certain amount of residential development. There could be a potential for 1,000+ vehicles per day in the area if the proposed commercial space were approved. He was also concerned about the 500+ school children who cross Main Street since a bus service was not available. He suggested that area west of the freeway be developed to provide the needed tax base for the City. He said that the large building square footages that were being considered were not in the best interest of the constituents, but rather that of an outside influence.

Drew Neil (1454 North 900 West) said he was concerned about the proposed NMU text. He referred to the resignation letter of John Montgomery which stated that the property owners near the proposed development had a large investment that deserved protection. He said he planned to hire an MIA certified appraiser to insure that his property values did not decrease if the proposed development were approved.

Joe Pearson (1459 Foxglove Road) said he had served on the NMU Committee and he did not approve of how the document was created. He did not think the text should be written to accommodate a certain project or developer. He was in favor of the Planning Commission adding a building size limitation to the text. He said he submitted a new proposal to the City Council and to the Planning Commission which would better represent Farmington City's concept of an NMU.

Doreen Poulsen (1732 North Main) said she was concerned about the access points to the Frontage Road since it would increase traffic on North Main. She referred to the meeting that had been held between **Rex Harris** of UDOT, the developer, and **David Petersen**. Mr. Harris said he was in favor of the na/la but was against the proposed access point. He suggested the text be a guideline for the proposed development, as well as other developments in Farmington City.

David Potter (1745 North Main) said the NMU Committee had been meeting for approximately five months before Mr. Pearson joined the Committee. He said the building size text was written so any building larger than 15,000 square feet would need the City's conditional use approval. The Committee tried to ensure that a development would have the square footage necessary to be successful. The conditional use would be granted based on a development's merit which would include traffic, safety, and economic development.

Wayne Klein (724 Sheringham Court) said the NMU area was needed to bring commercial and retail services to Farmington so the tax dollars would not be spent outside of the community. He felt residents should be able to interact within the City. He referred to developments on Holladay Road and Walker Lane that had been done tastefully and had not effected the property values in the area.

David Safeer (790 Hampton Court) said the City should provide an area for people to congregate, to spend money, and to dine. If the NMU were approved, it would provide a tax base for the City and would provide services to the residents. He hoped the NMU text would be flexible enough to provide that type of environment.

Colleen Reeve (687 Leonard Lane) said she was in favor of the proposed development. She was concerned a tax increase would be necessary if the City were not able to generate a commercial tax base. She said the NMU text should not stand in the way of the City planning for the future.

Jana Fowers (497 West 700 South) said she had spoke with a real estate agent who had assured her that the commercial development would enhance the property values in the area. She asked if Station Park would contribute to the City's tax base.

Mayor Connors said a portion of the tax base generated at Station Park would be used to repay the RDA for the first 15 years. Any retail development would generate sales tax for the City and County.

Charles Junker (328 East 200 South) said he was in favor of the NMU zone. He said he would like to have the development near his residence. He thought the property values in the area would increase if the proposed development were approved.

Joan Davis (1362 North Lupine Court) said she felt commercial development was necessary since "the town died when the highway came through". She recommended that the development be kept small.

David Mulholland (434 Welling Way) said he thought the text had been written for a certain development and suggested that the text be carefully reviewed to eliminate any "loopholes".

Dan Anderson (678 Ridgewood Circle) said it was the City Council's duty to protect the existing neighborhood. The NMU text should not be approved to generate revenue or help the developer. He felt the NMU text was CMU text "in disguise". He felt the proposed NMU text was out of balance and referred to the text he had created and submitted to the City Council. Some of the changes included the following:

- The area north of Smith's should be limited to a combined total square footage of 125,000 square feet.

- The hours of operation should be limited to 7:00 A.M. - 10:00 P.M.
- Drive-in and drive-through businesses should not be allowed.
- Retail buildings should be limited to 35,000 square feet.
- The health and safety of the existing neighborhood should not be compromised.
- Businesses should be required to provide proof that there would not be a negative financial impact to adjoining properties.
- Developments should not create a visual distraction to the existing neighborhood.
- Each NMU project should include an Enforcement Committee which would include a resident from a nearby neighborhood.

Walter Mortimer said he was concerned about the commercial/residential ratio. He said the text should be created to protect the neighborhood environment and that traffic issues should be considered.

Ron Dunn (420 West Quail Flight) said he spoke on behalf of the Main Street residents who wanted development brought back to Farmington.

Carly Neil (1454 North 900 West) said she was concerned that the special considerations clause could be overturned and could result in lawsuits. She said the text should require size limitations and should define commercial use. She referred to John Montgomery's resignation letter and suggested his ideas be considered while creating the NMU text. She suggested developers be required to provide a buffer for the existing homes. She favored the original NMU text which had a higher ratio of residential development.

Kem Gardner said he was the owner of Foxglove and the Farmington Ranches. He felt the proposed development could successfully co-exist with Station Park. He said the City needed a development that could be a gathering place for the residents. He said the proposed development could revitalize the City. He said the text should allow enough square footage for the businesses to be successful. He said the current NMU text would allow him to develop a successful project.

Damon Barber (Harmon's representative) read a letter from the President of Harmon's. It stated that an average Harmon's store is approximately 68,000 square feet. They would need at least 55,000 square feet to be competitive and to provide customer satisfaction.

Dave Dixon (1047 North 100 West) said the current zoning text would allow the City the ability to limit the building size and to impose restrictions on commercial buildings. The developers would have the burden to present their case to the City. He felt it was restrictive to limit the buildings along Highway 89 to 10,000 square feet. He said Farmington's zoning ordinance could not be compared to that of other cities due to Farmington's unique placement between Highway 89 and Main Street. If the NMU were "cloaked" as a CMU, it would not allow single family homes, there would not be office building size restrictions, 65,000 square foot grocery stores would be allowed, and aluminum siding would be allowed.

Quinn Gatrell (787 West Dandelion Circle) said his house value had depreciated since the discussion began regarding the proposed development. He did not think it was necessary for the City to have two grocery stores and did not think restaurants would survive.

Julie Barfuss (673 Ridgewood Circle) said she agreed with Mr. Anderson's statement and felt the neighborhood should be the focus of the text. She would like restaurants and small shops that would maintain Farmington's spirit.

Rob McMaster (660 West Ramsgate) submitted written comments to the City Council members. He said he would like a smaller scale development. He felt the amount of non-residential space needed to be defined. The economic impact analysis needed to include lower property values for the homes surrounding the development.

Steve Anderson (671 Somerset Street) said he was a former Retail Vice President for Target, Walmart, and Toys-R-Us. and specialized in store placement. He said he would not have placed a 35,000 square foot space in an NMU zone. He suggested the City Council consider the ten points provided by Dan Anderson. He suggested that ingress and egress issues be considered, as well as safety issues. He recommended that building sizes be limited and that the City realize that the projected revenues were based on full-occupancy.

Patricia Anderson (671 Somerset Street) submitted written comments. She did not think the NMU text was written to protect the existing neighborhoods. She suggested that the text require that 50% of the NMU zone be residential and that it be written more clearly to prevent future controversy. She did not think the conditional use provision would provide adequate protection for the City. She urged the City Council to reject the proposed NMU text and to rewrite using the points suggested by Dan Anderson.

John Gust said if a retail development was successful, it was because a retailer had invested their own money for improvements. He felt Harmon's was a quality retailer. He said the majority of the proposed development would be along Highway 89 rather than Main Street.

Harv Jeppsen said it would be difficult for the text to please everyone. He said the City needed a tax base to eliminate the need for a tax increase. The NMU would meet all aspects of the City's General Plan, as well as the requirements suggested by Ross Consulting. He said the City needed additional commercial space since the commercial space on Shepard Lane had been eliminated. He said the text should not include restrictions that would cause a development to fail.

Sharon Treu (931 West Northridge Road) said she was against the proposed text since it was a departure from the City's original intent. She said the NMU zone was not intended to be primarily commercial or to accommodate a large commercial center. She felt the text lacked the appropriate guidelines. If the draft were adopted, the City would have to modify the entire General Plan. She urged that the text be rewritten according to the suggestions made by Dan Anderson.

James Stewart (Farmington Resident) said he would like to have Dan Anderson's ten points adopted. He said the NMU zone would apply to other areas so a large box should not be allowed.

Spencer Henderson (1890 North Kensington) said the proposed text was a departure from the original intent of the NMU zone. He suggested that the square footage cap be 10,000 square feet.

Don Leonard (715 Leonard Lane) said he was a representative for Citizens for Farmington's Future. He said the group was organized to inform residents of the truth. He said he represented the Leonards who had not been included in all of the process but they were still willing to compromise. They felt they should receive the same treatment as other landowners in Farmington. The family felt they had tolerated the adverse affects that had come from the development of Somerset, Foxglove, etc. They asked that the surrounding neighbors tolerate the same. He said development would not occur in Farmington if Dan Anderson's points became the zoning text. He said Steve Bogden of Coldwell Banker Commercial had informed him that Station Park and Village Farm could successfully co-exist.

Suzanne Leonard Hess (947 North Main) suggested that the City Council consider their position when all of the Council Members were present.

Bill Bonn (903 West Stowe Court) suggested that the City Council distinguish between the CMU zone and the NMU zone so commercial developments would not compete. He suggested that the NMU zone be limited to 5,000 square feet of non-residential per acre.

Paul Hayward (1663 West 1410 North) said it would be difficult to compare Farmington to other cities since Farmington does not have a central business district. The NMU zone would prevent a property tax increase. Commercial developments would have guaranteed failure if the sites were made too small. He said the City's welfare should be considered over existing neighborhoods, although the safety of school children should be considered. If the NMU zone were not passed, the area should be zoned CMU to generate the needed tax base.

Bob McKeen (1351 North 1670 West) said every town needs a commercial development to fund the needs of the City. He said the proposed developments would be locally owned and operated by individuals who would contribute to the community. Property values could be determined by the goods and services that the City is able to provide from the tax revenue.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and the City Council for their consideration.

Youth City Council Member, **Rachel Montgomery**, said the decisions made now would have a long term impact on the City. She said the City's Master Plan should be followed. She recommended developing areas that were already zoned for commercial use.

David Hale said he would like time to consider the public input that had been received.

Rick Dutson moved that the City Council continue the public hearing to September 7, 2005, to allow the Council Members additional time to consider the public comments that had been received. **David Hale** seconded the motion, which passed by unanimous vote.

Mayor Connors clarified the following points:

- The brochures that had been received in the mail had not been submitted by the City Council.
- The Ross Consulting Group study did not suggest that only one commercial development could succeed in Farmington.

Rick Dutson said both sides presented relevant information that would be beneficial to the City Council.

Mayor Connors suggested that a Drafting Committee be formed to make suggestions to the City Council. He suggested the Committee be made up of two City Council members, a Planning Commission member, the City Attorney, Jim Carter of Bear West, and David Petersen.

David Hale and **Sid Young** volunteered to serve on the Committee.

PUBLIC HEARING: CONSIDERATION OF THREE-LOT SCHEMATIC PLAN ON 1.46 ACRES LOCATED AT 600 NORTH 121 WEST (FORMERLY IRENE OLSEN PROPERTY) - DON MAXFIELD (Agenda Item #7)

According to packet information, the Planning Commission voted on July 14, 2005, to recommend to the City Council schematic plan approval for a three lot subdivision on property located at 121 West 600 North subject to all applicable Farmington City Development Standards and Ordinances.

Max Forbush displayed a Vicinity Map and said the area, which was formerly owned by Irene Olsen, was located on the south side of 600 North. The applicant wished to create three lots on the two parcels. The Planning Commission recommended that the City Council grant schematic plan approval. The Planning Commission assumed that UDOT would not allow an additional curb cut so the driveway would need to be shared.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Chris Judd said he lived in the home across the street from the Olsen property. He favored the schematic plan and hoped the rock house would be preserved.

George DeHaan (510 North 200 East) said he was the project realtor and supported the Schematic Plan. The existing curb cut was 20'. If UDOT would not allow the curb cut to be extended to 30', the driveway could be shared. He said there were neighbors who had attended the public hearing to show their support but were unable to stay due to the lengthy NMU hearing. He submitted Mr. Kartchner's written comments to the City Council.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing.

Motion

Rick Dutson moved that the City Council approve the schematic plan for a three lot subdivision on property located at 121 West 600 North subject to all applicable Farmington City Development Standards and Ordinances. **David Hale** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF RICE VALLEY SCHEMATIC PLAN APPROVAL (111 LOTS ON 32 ACRES ON RAWL RICE FARM) - JERRY PRESTON (Agenda Item #8)

According to packet information, the Planning Commission voted on July 14, 2005, to recommend to the City Council schematic plan approval for a 111 lot Planned Unit Development located at approximately 50 West 700 South subject to all applicable Farmington City Development standards and ordinances and the following:

1. The applicant must prepare a wetland mitigation plan that meets U.S. Army Corp requirements and/or receive a permit from the Corp to fill wetlands now located on the property.
2. The developer's proposed east to west important local street connection from 200 East directly to the Frontage Road must receive a positive recommendation from the City's traffic engineer regarding its compatibility with the Master Transportation Plan.

3. The property must be rezoned to LR-PUD concurrently with preliminary development plan approval but prior to preliminary plat approval subject to standards set forth in Chapter 27 of the Zoning Ordinance.

Max Forbush displayed a Vicinity Map. He referred to a letter from David Petersen to Jerry Preston which stated that the Planning Commission had approved the schematic plan subject to three contingencies. He said condition #2 would bring the most controversy from the neighbors:

“The developer’s proposed east-to- west important local street connection from 200 East directly to the Frontage Road must receive a positive recommendation from the City’s traffic engineer regarding its compatibility with the Master Transportation Plan.”

Mr. Forbush displayed the proposed street layout. Some property owners felt there should be a direct access. The 620 South residents were concerned their street would become the only major collector from 200 East to the Frontage Road. The Planning Commission recommended that the traffic impact be thoroughly studied.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Jerry Preston (347 East 100 North) said the State would have to be addressed regarding the 200 East access since it was considered a Category 5 street. The State would not allow two accesses that were within 600' of the other.

Shannon Hicks said she supported the development of the property but was concerned about the potential for traffic congestion since she also intended to develop property in the area.

Nadine Barrett (57 East 700 South) said she was concerned that 700 South would become a thoroughfare. The street was already in need of repair and would not be able to handle the traffic impact. She said she would prefer that the new homeowners incorporate the road into their development since 700 South was not considered a through street on the City’s Master Plan.

Max Child (36 East Continental Drive) said he was supportive of the empty-nester development but was concerned that the lot next to his home would be used by Symphony Homes for drainage.

Jerry Preston said Symphony Homes intended to use the lot adjacent to his house for storm drainage until a detention basin could be constructed in Phase 1. Symphony Homes and the LDS Church were mitigating their wetlands. He was working with the Army Corp regarding wetland mitigation but hoped to begin Phases 1, 2, and 3 prior to the issue being resolved.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Sid Young said the plan had been well done but wanted the traffic engineer to review the street issue.

Motion

Sid Young moved that the City Council approve the Schematic Plan for a 111 lot Planned Unit Development located at approximately 50 West 700 South subject to all applicable Farmington City Development standards and ordinances and the following:

1. The applicant must prepare a wetland mitigation plan that meets U.S. Army Corp requirements and/or receive a permit from the Corp to fill wetlands now located on the property.
2. The developer's proposed east to west important local street connection from 200 East directly to the Frontage Road must receive a positive recommendation from the City's traffic engineer regarding its compatibility with the Master Transportation Plan.
3. The property must be rezoned to LR-PUD concurrently with preliminary development plan approval but prior to preliminary plat approval subject to standards set forth in Chapter 27 of the Zoning Ordinance.

David Hale seconded the motion, which passed by unanimous vote..

MINOR PLAT APPROVAL REQUEST FOR LOT SPLIT ON 475 SOUTH STREET - DAN COOK (Agenda Item #9)

According to packet information, the Planning Commission voted on July 14, 2005, to recommend to the City Council minor plat approval for a two lot, one parcel subdivision on property located at approximately 1300 West 475 South subject to all applicable Farmington City Development Standards and Ordinance conditions of schematic plan approval.

Max Forbush displayed the Vicinity Map. Mr. Cook requested that he be allowed to split his parcel to create two lots. The conservation easement requirements would be met. Mr. Cook also requested that his application fee be reduced. **Mr. Forbush** recommended the City waive \$1,000 from his application fee since the City had not incurred additional costs.

Motion

David Hale moved that the City Council grant the minor plat approval for a two lot, one parcel subdivision on property located at approximately 1300 West 475 South. **Rick Dutson** seconded the motion, which passed by unanimous vote.

Motion

David Hale moved that the City Council authorize the reduction of fees from \$1,540.00 to \$540.00. **Rick Dutson** seconded the motion, which passed by unanimous vote.

HISTORIC PRESERVATION COMMISSION DIALOG/REPRINTING OF “MY FARMINGTON” AND RELATED MATTERS - ALYSA REVELL (Agenda Item #10)

Alyssa Revell asked the City Council to set a date to hold a ceremony for the placement of the Preserve America Community Sign. She said the Historic Preservation Commission would like the sign placed on the south east corner of State Street and Main.

Mayor Connors said he was trying to arrange for Congressman Bishop to attend the ceremony. The tentative date was August 3, 2005.

Alyssa Revell said the Historic Preservation Commission wanted to preserve Farmington’s historically unique open space, as recommended by the City General Plan. She said a study should be done to determine which agricultural land should be preserved as part of Farmington’s history.

Max Forbush said **David Petersen** and **George Chipman** had traveled to Vermont to determine the best way to secure land for the City. A trust could be established to buy, preserve, and manage the land.

Alyssa Revell requested that two Planning Commission members serve on the Historic Preservation Commission and attend the regular meetings.

Mayor Connors said **Chairman Ritz** should be contacted as to whether two Planning Commission members would be able to serve.

Alyssa Revell said it was the goal fo the Historic Preservation Commission to reprint 1,000 copies of “My Farmington”. It included names, addresses, and photos, and was the single best source for the history of Farmington. She said a national grant could be obtained to pay for up to half of it. The best bid was obtained from the printing company who had done the original print of the book since they still had the plates. A 20% profit would be made from the sale of each book which would be returned to the original funding source.

Rick Dutson said he was concerned about the inaccuracies of the book.

Alyssa Revell said the book did contain inaccuracies but they were mostly omissions. No history book is complete or accurate. An insert could be sold separately to include the corrections.

Max Forbush said the City Attorney and **Susan Holmes** were concerned about the risk of violating the copyright laws.

Alyssa Revell said the Steed and Hess families had been contacted. The Daughters of Utah Pioneers said they had been given the copy right which had expired in March of 2005. The Helen Mar Miller camp of the Daughters of Utah Pioneers had signed over the rights.

Rick Dutson asked for the cost of a printing bid. He asked about the possibility of receiving a grant for the reprint.

Alyssa Revell said the grant could range from \$5,000-\$10,000.

The City Council members agreed to research the possible legal ramifications prior to making a decision.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #11)

Larry Haugen moved that the City Council approve the following item by consent as follows:

11-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.

David Hale seconded the motion, which passed by unanimous vote.

AMENDMENTS TO MCKITTRICK/HUNTER'S CREEK REIMBURSEMENT AND OTHER AGREEMENTS - MAX FORBUSH (Agenda Item #12)

Max Forbush said the item was not prepared.

SILVERWOOD SUBDIVISION REIMBURSEMENT AGREEMENT AND AMENDMENTS TO OTHER RELATED AGREEMENT AND EASEMENTS - MAX FORBUSH (Agenda Item #13)

According to packet information, the City Council had previously approved or accepted several easements and a pioneering agreement in conjunction with the final plat approval for the Silverwood Subdivision in northwest Farmington. The original developer, Ron Martinez, has since sold the property to Gary Wright of Ivory Homes, Ltd. It is proposed that the City Council amend

the aforementioned easements and agreement to reflect the change in ownership. It is recommended that the City Council approve a reimbursement agreement with Ivory Homes, Ltd., to provide a payback arrangement because the developer is upsizing a culinary water line from 8" to 10".

Max Forbush said he recommended that the City Council authorize the signing of the agreements upon completion of the Exhibits.

David Hale suggested that the drainage issues be addressed.

Motion

David Hale moved that the City Council approve the following agreements and easements subject to the approval of the City attorney and the drainage requirements:

1. Public Improvements Reimbursement Agreement
2. Public Improvements Extension and Reimbursement Agreement
3. Storm Drainage Easement
4. Trail Easement
5. Conservation Easement

Larry Haugen seconded the motion which passed by unanimous vote.

300 WEST STREET ENGINEERING AUTHORIZATION (Agenda Item #14)

According to packet information, it is recommended by the City Manager that 300 West Street be designed and bid out as an added alternate to the west State Street storm sewer and curb and gutter project. It is likely that the CDBG grant will not pay for all of this. There may be other alternatives for paying for portions of west State Street. Individuals living on 300 West are low-and-moderate income families and participated in the survey that qualified the State Street 300 West project. It is recommended by the City Manager that the City should do everything within its power to include this street in the improvements. It will be difficult to do that until bids are actually received to determine whether or not the City is able to accomplish this goal.

Max Forbush recommended that an alternate bid be done for the 300 West curb and gutter improvement. It was a 99' right of way so the road improvements could be made smaller and the land could be given back to the property owners. He suggested that a portion of the transportation impact fees be used for west State Street and that most of the CDBG funds be used to improve 300 West and its drainage issues.

Motion

Rick Dutson moved that the City Council authorize the City Manager to include engineering services for the design of the 300 West curb and gutter and the CDBG projects and to give authorization to bid said improvements out. **Larry Haugen** seconded the motion, which passed by unanimous vote.

ANNUAL “THANK YOU” CITY VOLUNTEERS/CITY EMPLOYEE POOL PARTY (Agenda Item #15)

The City Council members agreed to schedule the party on their calendars.

UTAH LEAGUE OF CITIES AND TOWNS NOMINATIONS COMMITTEE (Agenda Item #16)

Max Forbush said a Nominations Committee would be selected to nominate Board Members based by geographic location. Davis County will have two vacancies on the Board.

Mayor Connors, Larry Haugen, and Rick Dutson volunteered to serve on the Nominations Committee. It was determined that the Mayor be nominated to the League’s Nominations Committee.

MISCELLANEOUS

Rick Dutson volunteered to be on the Office Space Committee. He said he would address the logo issue and have the necessary corrections made.

Larry Haugen said a developer would submit a proposal at the next Planning Commission meeting regarding the combined sale of the 600 North properties.

Max Forbush said the City Attorney was developing a Station Park Agreement. The draft would be done the first week in August.

Viola Kinney submitted a letter to the City Council which stated that the fees had been established for the basement of the Community Center. She said the projected completion date was the first week of August so new brochures would need to be printed. She reviewed the proposed rental fees for the basement which were based upon comparisons received from the school district, hotels, etc.

Motion

David Hale moved that the City Council approve the Leisure Services Advisory Board’s recommendations as provided by the Leisure Services Director. **Rick Dutson** seconded the motion which passed by unanimous vote.

Viola Kinney asked whether Dog Days would be allowed to be held at the Farmington City Pool, as it was a few years ago. She said the pet owners had been responsible and that the event had received positive news coverage.

The City Council members agreed they were not in favor of Dog Days. No motion was made to consider the proposal.

Max Forbush said **Hank Semadeni** had informed him that there were four members of the Farmington Area Pressurized Irrigation District (FAPID) who were up for election and he suggested that representatives from Farmington be considered. The sign ups would be held July 15, 2005 - August, 15, 2005. He suggested that an article be included in the newsletter. Council Members suggested that **Jim Parcel** and **Bob Hasenyager** represent the City.

ADJOURNMENT

David Hale moved that the meeting adjourn at 12:35 P.M..

Margy Lomax, City Recorder
Farmington City