

FARMINGTON CITY JOINT PLANNING COMMISSION/CITY COUNCIL MEETING

Tuesday, September 26, 2006 - 7:00 p.m.

Community Center
120 South Main, Farmington

Present:

Planning Commission: Chairman Jim Talbot, Commission Members John, Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg.

City Council: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, and City Recorder Margy Lomax

State & County Representatives: Senators Greg Bell and Sheldon Kilpack, Representatives Dave Clark, Kirk Oda, Julie Fisher, Roger Barrus, and Dean, and Davis County Commissioners Carol Page and Al Hansen.

Mayor Harbertson called the meeting to order at 7:10 P.M. **Sid Young** offered the invocation. The Pledge of Allegiance was led by **Rick Dutson**.

PUBLIC HEARING: THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) IS REQUESTING A RECOMMENDATION FROM THE PLANNING COMMISSION TO THE CITY COUNCIL REGARDING A PROPOSAL TO AMEND THE CITY'S MASTER TRANSPORTATION PLAN (MTP), AN ELEMENT OF THE CITY'S GENERAL PLAN, IN ORDER TO CREATE AN ALIGNMENT FOR A FUTURE EXTENSION OF THE LEGACY PARKWAY INTO NORTH DAVIS COUNTY. UDOT IS PROPOSING TO PRESERVE A CORRIDOR ADJACENT TO THE EAST SIDE OF THE UTA RAILROAD RIGHT-OF-WAY (THE OLD D&RGW RAILROAD) TRAVERSING THE LENGTH OF THE CITY FROM SOUTH TO NORTH (MP-1-06) (Agenda Item #1)

Max Forbush displayed a slide presentation and briefly reviewed the following Legacy/North Legacy Corridor Time Line as it Pertains to Farmington City:

Date

- | | | |
|-----------|----|--|
| 1996 | 1. | Western Transportation Corridor Study (I-215 north through Davis County) <ul style="list-style-type: none">• Six different alignments• City preference - Do not divide City; place against I-15 |
| 1998-2000 | 2. | North Legacy Corridor Study showed an extension of Legacy from |

Farmington into western Davis and Weber Counties.

- | | | |
|--------------------|-----|--|
| March 4, 1998 | 3. | Adoption of first Farmington City Transportation Master Plan which included the North Legacy connection adjacent to I-15. |
| 2000? | 4. | Construction begins on Legacy South. |
| September 2001 | 5. | 10 th Circuit Court of Appeals stops Legacy Highway <ul style="list-style-type: none"> • Court order didn't affect Park Lane north. • Legacy contractor (FAK) constructs U.S. 89/Park Lane and interconnection between I-15 and Cherry Hill interchange along U.S. 89. |
| 2004-2005 | 6. | City Transportation Master Plan update discussions included proposed flyover "Legacy North connection to Legacy/I-15" south of Shepard Lane. |
| November 16, 2005 | 7. | City adopted updated Transportation Master Plan which included the "Legacy North to I-15" connection. |
| Jan-Feb 2006 | 8. | City officials invited to meet with Davis County, UDOT, Wasatch Front Regional transportation officials and northern Utah Legislators to discuss Legacy-to-Legacy connection. Northern Utah Legislators directed UDOT to find more acceptable "Legacy-to-Legacy" connection. UDOT hired Horrocks Engineers as consultants. |
| April 28, 2008 | 9. | Horrocks Engineers presented recommendation of preferred Legacy-to-Legacy alignment to UDOT, northern Utah Legislators, regional transportation officials, Davis County and city officials from Kaysville, Farmington and Centerville. |
| August 1, 2006 | 10. | City asked by UDOT to amend its Transportation Master Plan adding the UTA/D&RG corridor as the preferred "Legacy-to-Legacy" connection. |
| September 26, 2006 | 11. | Public Hearing notice to consider adding the UTA/D&RG corridor as the preferred Legacy-to-Legacy connection published in Farmington newsletter. |

David Petersen gave a brief summary of the written correspondence (emails and letters)

received by Farmington City staff as of September 25, 2006, regarding the UDOT Legacy North proposal. The City received approximately 140 written responses, all of which were against the proposal. He reviewed concerns that were addressed in the written correspondence, including the following issues which were the top three concerns listed by the residents:

1. Quality of life: it will destroy the areas beauty, peacefulness, sense of community, and impact views.
2. Reduction in property values.
3. Negative impacts to trails/not consistent with Trails Master Plan.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Cory Pope (UDOT Region One Director) gave a brief history of the proposal to connect Legacy Highway to I-15. He displayed a slide presentation which included the following information:

Responsibilities of UDOT: Stewards of the State transportation system
UDOT does not dictate local land use policies

Events that are currently taking place in the Farmington area: significant growth, construction of commuter rail, the advertisement of construction of Legacy Parkway, and corridor preservation activities for a North Legacy transportation corridor.

Purpose of North Legacy Highway:

- Regional need for a transportation corridor through west Davis County (north of Legacy Parkway)
- Area is rapidly developing and therefore corridor preservation techniques have been employed.

Farmington City's Alternative, as included in the Master Plan: The alternative was considered a C- alternative which means it may work but could possibly compromise the I-15 corridor. UDOT was challenged by State leadership and regional transportation planners to find a better alternative. They considered several alternatives along the I-15 corridor. Although it was not substantiated, there seem to be insurmountable obstacles.

Denver Rio Grande Corridor: The 66' right-of-way is owned by UTA and is in place for a trail system and to provide a future transit corridor. There is a 300' pipeline corridor east of

the right-of-way which could act as a natural buffer for a transportation system.

Corridor Preservation for a Legacy Connector Road

- Prudent regional planning to have an alternate route to the I-15/U.S. 89/Legacy Parkway interchange complex.
- Additional capacity in an area experiencing tremendous growth.
- Provides an alternate route in the event of emergencies.

Why preserve a 300 foot wide corridor?

- Available space between petroleum product gas line and west boundary of D&RGW Tracks
- Allows multiple uses of the corridor.

Mr. Pope said UDOT is concerned that the I-15 and Park Lane interchange could be compromised in the future. If I-15 is used as a corridor, it may compromise the entire system. He asked the Planning Commission to consider UDOT's "preservation only" proposal.

Senator Greg Bell briefly reviewed the history of the Legacy/North Legacy corridor. He explained that the previous Mayor and City Council requested that the corridor follow I-15. It was determined that the corridor could not integrate with Legacy North at the "spaghetti bowl". Farmington City and UDOT determined upon another corridor that would connect the two systems for approximately one mile. The Legislators determined that the alternative would likely fail within a few years so they requested that UDOT find another alternative. Farmington City presented the "shared solution" which was also unfavorable to the Legislators. He said the current proposal has not been accepted by the Legislature. The purpose of the meeting is to discuss how the alternative might impact the community.

Karl Asay (850 South 650 West) questioned how many families will have to sacrifice for the highway. He has been unwilling to sell his property for development purposes, yet UDOT is proposing to take half of his land. If the proposal is approved, the remainder of his property will be worth less than it was ten years ago. He will lose his green belt exemption and will be required to reimburse five years of back taxes. According to the pipeline companies, the pipelines would have to be relocated at UDOT's expense which would be extremely costly.

Jeremy Holmes (1 Belmont Drive) said he is speaking on behalf of 60 residents. He read the letter that he submitted to the Planning Commission, and stated the following concerns:

1. There are significant safety concerns to the current and future families of west Farmington. While at times unavoidable, we are now looking to route a major transportation thoroughfare through the middle of residential neighborhoods

making travel even more treacherous for children and families.

2. The proposal would take an already bisected City and trisect it into an east, central and west areas. In doing so, this decreases the close knit community for which our City strives.
3. The proposed corridor would completely destroy Farmington City's Legacy Center. To destroy the Center after having worked so hard to build it is counterintuitive.
4. The proposed highway would obliterate respected and needed businesses. It would also tear neighborhoods apart.
5. The proposed road is a "regional" road and offers not benefit to Farmington City residents. The road will only take away from Farmington in a way that is evidenced by the aftermath of other similar roads.
6. The proposed road will disrupt natural habitats, and immensely effect the birds that migrate through Farmington's wetlands and open areas each year.
7. The proposed corridor will condemn the enormous personal and financial investment families have made to be in Farmington.

Ralph Crook (624 South 1025 West) moved that the Planning Commission reject UDOT's proposal. He suggested that other alternatives be studied such as connecting the highways near the fields near Park Lane. He also suggested that the Planning Commission take a field trip to the proposed corridor so they can measure the utility and fiber optic lines.

Roger Eggett (612 South 650 West) expressed appreciation to the Mayor and Council Member Alder for responding to his comments regarding the proposal. He said he is opposed to the proposal and believes that UDOT is biased on the issue and is misinformed. UDOT is utilizing outdated maps of the City so it appears the proposal will not impact homes. He believes that there is a way to utilize the current proposal.

Tonna Bounds (678 South 650 West) read the letter that she submitted to the Planning Commission. She asked that the corridor be located as far north or west as possible for health and safety reasons. She suggested that an air-quality study be completed by the Davis Health Department prior to the City taking action.

Sherman Hadley (173 North Brahma Road) asked that the audience members indicate

whether they are for or against the proposal. There was only one person who indicated they were in favor of the proposal. He said the Environmental Impact Study that was done for South Legacy Parkway stated multiple times that the D&RG alternative is “logistically impractical”. He suggested that the Army Corp of Engineers conduct a study regarding the possibility of aligning the corridor on the west side of the City. He asked that the Planning Commission protect the community by denying UDOT’s proposal.

Ryan Draayer (1386 Longhorn Drive) said he is opposed to the proposal since it will split the City into three zones and will destroy the quality of life. He said it is not intelligent planning to construct a high school and bus compound in-between major freeway systems. He said he is prepared to “back his opposition” in whatever way possible.

Eric Scott (176 North Longhorn Drive) said it is UDOT’s responsibility to preserve the highways but it is the responsibility of the Planning Commission and City Council to make decisions that are in the best interest of the Farmington residents. The corridor will be a detriment to the community.

Stephen Gray (27 South Belmont) said he is concerned that the proposed corridor will create health and safety risks. He read statistics from the National Highway Safety Association and from the Sierra Club. According to the reports, more deaths will occur from motor vehicle pollution than from accidents, particularly for those who live near busy highways. He asked that the health and safety risks associated with the increased traffic be addressed if the proposal is accepted.

Heidi Eggett (612 South 650 West) said the proposal is approved, she would lose four of her seven acres, and would have the freeway as her backyard. She said she does not agree that all of the other alternatives have “insurmountable obstacles”. She suggested that the City follow the Master Transportation Plan since it is accepted by the community.

Brad Pack (1278 South 650 West) said the west Farmington community will be devalued, which will effect the entire City. He urged the Planning Commission to reject the proposal for reasons relating to safety, emergency services, and other unseen impacts from the corridor. He suggested that the City further study the possibility of the corridor being near I-15. He said 70 acres of his family’s property will be effected if the proposal is approved.

Jason Snow (537 South 1025 West) said he is opposed to the proposal. He urged UDOT, Farmington City and the Legislators to find a solution to make the City’s existing plan work. He said he would prefer a 1000’ corridor over a 300’ corridor in his backyard.

Eric Oldroyd (558 South 350 West) said the proposal may have been appropriate ten years ago but it is not appropriate today. He said the City’s proposal may not have been a C-

solution if there had been A+ planning. If the corridor is preserved, it will continue to expand, as was the case with the Justice Center.

Jeremy Farnsworth (336 Wrangler Road) said the regional transportation corridor will bring hazardous materials, D.U.I.'s, high speed chases, sirens, etc.. If the City approves the corridor, it will continue to expand. The City should consider the long-term effects of the proposal and should look out for the best interest of the residents.

Leo Wilcox (110 South 200 East) said he is in favor of preserving Farmington but understands that there is a demand for a regional system. He is not opposed to the proposal since he has not heard an acceptable alternative. There will be less pollution if the system is successful and the traffic keeps moving.

Steven Abbott (633 South 1025 West) said prior to purchasing his property, he was told by the City, the County, and the State that Farmington Creek Estates would not be impacted by highways. He asked that the Planning Commission reject the proposal.

Steve Christensen (351 North Main) said he is the counsel for Woodside Homes and it's related entities. He said Woodside Homes owns approximately 500 acres in west Farmington. They have lost 8 home sales in the past three weeks. He said the proposed corridor is preserved since Woodside Homes and SLI have development plats for both sides of the corridor. He said the proposal will likely require more land than anticipated since the "corners are tight". He suggested that the corridor near I-15 be utilized since it would be less expensive to condemn the homes near I-15 than to condemn homes throughout the entire City.

Jonathon Hughes (927 South Mountainside Circle) referred to the letter he submitted to the City which includes the following three points:

1. Another road in this location is neither necessary nor desirable.
2. For many years, the old D&RG tracks through Farmington have been planned for "Rails to Trails" residential recreational use.
3. Construction of another traffic exchange or road through this corridor would result in zoning changes.

Mr. Hughes requested that the issue be further studied.

Elizabeth Richards (1846 West Frontier Circle) said she is concerned about the impact to the emergency response system if the City is divided. She requested that the road be aligned further west or that the country club be reconfigured rather than adjusting the resident's way of life.

Steve Flanders (577 North 1525 West) said his property is located in the center of the right-of-way so his home and the S&S train park will be eliminated if the proposal is accepted. He said the train park has been referred to as a “treasure” on a number of occasions. He asked that the Planning Commission have the courage to direct UDOT to find an alternate route.

Nathan Zaugg (334 North Frontier Road) said money has already been invested in the Park Lane interchange so to create an alignment from Glover Lane to Park Lane would be a duplicate investment. The alignment along I-15 would preserve homes, developments and railways. He believes the Legacy Highway/North Legacy Highway connection will be built if the corridor is preserved. He asked that the Commissioner’s provide a quick refusal to the petitioner’s request.

George Coleman (511 South 1175 West) said his daughter was hit by a motor vehicle in the city where he last lived. He studied the Master Plans for Farmington, Kaysville, and Layton before making his decision to move to Farmington. If the proposal is approved, it will massively increase traffic flow, danger to children and property values. He suggested that a toll road be used to offset the cost of constructing an alternative alignment.

Don Francis (578 South 650 West) suggested that the alignment be west of the tracks which would allow the traffic to continue traveling in the event of an emergency. He urged the Planning Commission to consider all of the options prior to making their decision.

Steve Bouck (246 Limousine Court) said UDOT did not plan for the future of the corridor. He suggested that the Commission create an all-encompassing Master Plan that includes the build out of the entire west side. It would preserve the integrity of the City and solidify the decisions made on the City’s behalf.

Kyle Stowell (1764 West Burke Lane) said he represents the residents on Burke Lane. He said the proposal would not have created such a negative impact if it had been considered several years ago. It will now be a significant impact since there are homes located along the tracks and there are hundreds of additional homes planned. He suggested that the alignment be located through the Woodside Homes acreage since they have already indicated they are willing to contribute to the corridor preservation. He suggested that UDOT study the possibility of the corridor being located over the wetlands near the lake. He asked that the Commission vote against the proposal.

Chase Bybee (557 West 700 South) said if the proposal is approved, irreplaceable properties such as the Asay property and the S&S Railroad property will be destroyed. He requested that the Planning Commission deny the proposal and direct UDOT to consider other alternatives.

Davis County Commissioner, Alan Hansen (1493 North 1375 West, Clinton) said the Davis County Commission unanimously opposed the proposed alignment. If the proposal is approved, the Davis County Fair Park which offers a quality of life for the community, will be negatively impacted. He suggested that UDOT study new alignments and further study those alignments that have already been considered.

John Coyle (553 South 1025 West) questioned whether the City's traffic engineer is interested in protecting Park Lane or Station Park. He said the issues are related to "money". He said there is a large money issue driving the proposal that will be discovered in the future.

Lane Sweat (696 North 1875 West) said it appears that Farmington is the "dumping ground" for adjacent cities. He asked the members of the Planning Commission and City Council to indicate whether they live on the west side of the City. The majority of the members of both governing bodies indicated that they live on the east side of the City. He said he believes that the Commissioners will consider the requests of the residents regardless of where they reside. He suggested that the corridor be located near I-15 or further west than the current proposal.

Barbara Smith (2143 South 225 East, Kaysville) said if the new alignment is approved, it may be considered a breach of the agreement that was signed by the Governor. She said the environmental studies indicate that the Denver Rio Grande corridor is not an acceptable alignment. She urged the Planning Commission to determine the environmental impacts of the proposal for those residents who live west of the freeway.

Jennifer Thornton (799 North Dakota Drive) said they moved to Farmington to have a safe environment for their children. She asked that the City preserve the community atmosphere and not allow a freeway to be constructed in her back yard.

Joan Walker (163 East Glover Lane) said her property was condemned in order to accommodate Legacy Highway South. She said it is a terrible experience. She urged the Planning Commission to proceed with the corridor that has already been preserved by the City and the residents. The City should not subject their citizens to being intimidated and robbed during the condemnation process.

Steve Ellis (658 South 650 West) said the corridor should not be preserved until UDOT is willing to conduct the necessary studies to determine if the alignment will be successful. If the proposal is accepted, the City will not be contributing to a greater highway, they will only be duplicating the Legacy Highway.

Don Johnson (1071 East 250 North) suggested that the City consider his proposal which is to put the railroad on the corridor on the Lake with a road system that is wide enough for a

highway. This proposal would eliminate flooding, would be more cost effective, and would create an opportunity for a freshwater corridor into Salt Lake County. He offered to share the details of his proposal with the City.

Debbie Wong (Home construction at 818 South Country Lane) said if UDOT's request is granted, the corridor would be within 200' of her new home. She suggested that rush hour traffic lanes be created, as was done in Seattle. She is concerned about the negative impacts the City will face if the corridor is approved, such as a divided community, graffiti, vandalism, decreased home values, etc. She asked that the Commission reject the proposal and consider other alternatives.

Chad Pomeroy (1311 Citation Drive) said the residents who live north of the City will benefit from the proposal, not the citizens of Farmington. He said if the proposal is accepted, a precedent will be set and there will be additional requests to run corridors through the City. He asked that the City representatives consider the best interest of the citizens.

Aaron Held (181 North Eastfork Circle) said he is a sales agent for Richmond American Homes. He relocated his own family to the area because he was impressed with the quality of the area. He believes that the freeway will change the type of developments that are built and will change the community as a whole. He urged the Commission to protect the City's high character and quality people.

Heidi Ritz (903 West 500 South) said UDOT has admitted that they did not do adequate planning. She was concerned that if the proposal is accepted, children will be forced to cross the freeway twice to get to the elementary, junior high, or high school. The rights of the motorists from other cities should not be more important than those who pay the tax base and who live in Farmington

Cory Pope said UDOT's intent is to preserve the corridor. If the corridor is not preserved at this time, it will be too late in the future. He said the routes along side of I-15 do not appear to be feasible, but they owe it to the community and the State to further study the alternatives. He asked that the Planning Commission not to pursue a vote at this time.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

John Bilton said he appreciates the public input, as well as the representation from UDOT and the State. He said he wants to preserve the open space and quality of life of west Farmington. He understands that there are issues that need to be addressed. He agrees with Mr.

Pope and feels there are alternatives that should be further studied.

Cory Ritz said the elected officials and UDOT have admit that they have not done the necessary studies to determine whether the City's preferred alignment will truly fail or whether the current proposal will truly succeed. He suggested that studies be conducted to determine whether the lake route, alternating roads, or toll roads would be acceptable alternatives. He is in favor of following the route that the Planning Commission, City Council, and City staff have pursued since it would be less of an impact to the City. Any deviation from the Master Plan will set a precedent and will have a long-term impact on the City.

Rick Wyss said the public comments have helped him understand facets that were not apparent in the e-mails. Regardless of what alternative is chosen, there will be residents who will be negatively effected.

Kevin Poff said the proposal that best benefits the region, may negatively impact the City. He prefers that studies be done to determine whether the corridor could be aligned near the Lake since it would resolve both water and traffic issues. The Planning Commission wants to preserve the quality of life in Farmington, but in the process, there will be tough decisions that have to be made.

Andrew Hiller said he has lived in east Farmington, as well as west Farmington. He volunteered to serve on the Planning Commission because he wants to protect the uniqueness of the City. He said the citizens need to work as a group to find a solution to get the motorists through the city. He asked how many feet exist between North Legacy and South Legacy.

Cory Pope said there are approximately three miles between the two highways.

Andrew Hiller said the proposal will impact three miles of a City that has less useable land than any other city in the area. The current proposal may have worked several years ago, but it is no longer an acceptable alternative. This proposal should not be considered any further since there are other alternatives that will work.

Jim Talbot suggested that UDOT conduct further studies to verify whether the City's preferred solution will actually fail. He also suggested that the City seek the opinion of another traffic engineering firm to determine whether their findings are consistent with that of Horrocks Engineers.

Cory Ritz said the Planning Commission wants to send a message to UDOT and to the State representatives that the City is willing to work to find a solution within Farmington. He has thoroughly reviewed the alternatives and believes that the City has already found the best

solution. The City has made concessions to developers to preserve the properties. It is not in the best interest of the City to preserve hundreds of acres of property to allow the issue to be further studied in the future.

Motion

Cory Ritz moved that the Planning Commission recommend that the City Council strongly deny UDOT's request to amend the City's Master Transportation Plan in order to create an alignment for a future extension of the Legacy Parkway into north Davis County. **Andrew Hiller** seconded the motion.

Rick Wyss requested that the Planning Commission send a message to the City Council that the City, UDOT and the State, should consider all possible options.

Motion

Cory Ritz moved that the Planning Commission recommend that the City Council strongly deny UDOT's request to amend the City's Master Transportation Plan in order to create an alignment for a future extension of the Legacy Parkway into north Davis County, with the direction to UDOT that the future extension of the Legacy Parkway into north Davis County may be discussed further, so long as all possible alternatives have been considered. **Rick Wyss** seconded the motion. The motion passed by unanimous vote.

ADJOURNMENT

Kevin Poff moved that the Planning Commission adjourn at 10:45 P.M.

Jim Talbot, Chairman
Farmington City Planning Commission

Scott C. Harbertson, Mayor