

FARMINGTON CITY COUNCIL MEETING

Wednesday, November 2, 2005

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, Planning Commissioner Kevin Poff, Ron Mortimer and Russell Youd of Horrocks Engineers, Thayne Smith of Woodside Homes George Ramjoue of Wasatch Front Regional Council (WFRC), Greg Scott of WFRC, Jory Johner of WFRC, and Recording Secretary Jill Hedberg.

Mayor Pro Tem Holmes began discussion at 5:35 P.M. The following items were reviewed:

David Petersen said the Planning Commission would not approve of the Woodside Homes Schematic Plan until the connector road alignment for the North Legacy Highway was determined. Horrocks Engineers recommended three different alignments. City Staff and Woodside Homes representatives agreed that the middle alignment would best serve the City and the development. (See attached illustrations incorporated into the minutes)

[**Mayor Connors** arrived at 5:40 P.M.]

Russell Youd said it would be best to handle UDOT's improvements in two phases. The first phase would accommodate the present traffic through the next fifteen years. It would focus on directing traffic away from Shepard Lane by connecting the traffic to Park Lane. The second phase would be to handle the traffic for the next 30 years and would accommodate the Legacy North Highway after it was complete.

UDOT has not determined whether Legacy North Highway will be an expressway or whether it will be an arterial type highway. The results from the environmental document will determine the highway type. If North Legacy is an expressway, Farmington City has made accommodations for future access.

Ron Mortimer said if Legacy North Highway is created as an expressway, the road would be elevated but would not have a local connection. It would also be possible to limit access to right in/right out without a signal. The goal would be to maintain access while preserving the Park Lane and Shepard Lane corridors. He said the signalized intersection at the proposed Legacy North option would also work for 15-20 years, but after the signalization is removed, the west side traffic would likely travel Shepard Lane.

David Hale said there needed to be a plan in place to prevent west Farmington traffic from using Shepard Lane.

George Ramjoue of the Wasatch Front Regional Council said an interchange could be built in the future to provide local land access.

Susan Holmes asked if there were funds available to assist with the corridor preservation.

George Ramjoue said the City could apply for the revolving loan fund but the funds are very limited. The loan fund would be repaid when the project comes to fruition. The loan fund does not pay for accrued interest and does not have a time limit. Mr. Ramjoue reported that Senate Bill 8 is the local corridor preservation funding bill that could raise three times more money than the revolving loan fund but it would not be available for current projects. The local governments need to encourage the County to increase the vehicle registration fee.

Russell Youd and **Max Forbush** agreed UDOT should apply for the funding since the corridor is being preserved for their project.

Greg Scott said if developers needed to bond to the City, land could be used in lieu of a bond.

Susan Holmes and **David Hale** agreed additional density should not be added to the area until the traffic issues were resolved.

David Hale asked why a full interchange would utilize more land than other alternatives.

Russell Youd said diamond interchanges with ramps utilize a significant amount of room due to the grade separation.

George Ramjoue said a traffic light could be used on an interim basis and would create flexibility for the future. If Legacy North was not constructed, it could be a permanent solution.

Max Forbush said the City currently has the 1525 West right of way and the Shepard Lane right of way.

Mayor Connors asked what the time frame would be for the Legacy North Highway construction.

Jory Johner of the Wasatch Front Regional Council said the construction would be done in two phases. It had not yet been determined in what phase the flyover would be constructed. Half of the tie-in to Legacy Parkway would be constructed in Phase 1, the other half would be constructed in Phase 2.

Rick Dutson asked what the traffic rating might be when the Woodside Homes development and Station Park were built out.

Ron Mortimer said the traffic would likely be rated "C" and would have the ability to handle all of the area's traffic except that of West Kaysville.

Thayne Smith said Woodside Homes was willing to assist in the funding of the road to south. They would expect to be reimbursed when the development is complete.

Susan Holmes said although Woodside Homes was willing to contribute to the City's roads, she was hesitant to increase density levels on the west side.

Thayne Smith said the Woodside Homes development would have 4.5 to 5 dwelling units per acre.

Mayor Connors asked if there was only one acceptable alignment.

Ron Mortimer said they had considered different road alignments but the middle alignment worked the best for the City and for Woodside Homes.

Kevin Poff said he was concerned the new developments in the area would create a negative traffic impact on the City, similar to Layton City's intersections. He suggested that a large intersection be created to handle the traffic near Clark Lane instead of mid-point on the Park Lane ramp.

Ron Mortimer said Farmington would not suffer the same traffic problems as Layton because Farmington's intersections would be better spaced than Layton City's intersections.

Russell Youd said it would not be beneficial to concentrate all of the traffic into one intersection.

Kevin Poff asked why the other suggested alignments were not recommended.

Ron Mortimer said if the traffic were to exit onto Clark Lane, there would be no where for it to go. The alignment would create two left turns which is inefficient. A northbound flyover across I-15 is needed to prevent Park Lane and Shepard Lane from being overloaded. The traffic growth should be handled by the Legacy corridor and should not affect the local system.

Larry Haugen said the flyover would handle the traffic since motorists tend to stay on the freeway as long as possible and to find the route that is the shortest distance.

Sid Young said the future and existing traffic lights should have coordinated timing to prevent stops at every intersection.

Ron Mortimer agreed that the traffic lights would have to be timed so the intersection would not fail. The Park Lane corridor can only handle 35,000 to 40,000 cars per day.

Kevin Poff said he was concerned that the Farmington Ranches residents would have a difficult time traveling through the Station Park area.

Susan Holmes suggested that the City create an ordinance along the (road to the north) corridor that would limit driveway access.

Ron Mortimer said the City would have to maintain the current private accesses but in the future, only public streets should be allowed access to the corridor.

Thayne Smith said the Woodside Homes development would have two accesses from the development but they would limit the access to residential driveways and to the public streets. Woodside Homes was exploring the different housing types that would be appropriate adjacent to the freeway.

The City Council agreed that the middle alignment was their preferred alignment. Representatives from Woodside Homes, WFRC, and Horrock Engineers were then excused.

The remainder of the City Council Work Session was held in the kitchen. The following agenda items were discussed:

Agenda Item #4: Consideration of Amendment to Farmington Greens Development Plan to Consider LDS Chapel

Max Forbush said the developer wanted to sell a portion of the property to the LDS Church but the density (number of lots) would remain the same.

David Petersen said the City Council needed to determine whether or not to allow the amendment. Without the City Council's approval, the developer would remain locked into the current site plan.

Susan Holmes said the developer was struggling financially. Her son lives in the Farmington Greens subdivision and was in favor of the proposed church site.

David Hale said he did not think the church site would cause significant change to the development.

Agenda Item #6: Request for Approval of Exchange of Title pertaining to Units 14-5, 22-1, 25-1, 25-2, and 26-1 of Farmington Crossing on Spring Creek Pond, Phase 3- Garbett Homes

David Petersen said surveying problems existed on six of the units so it has to be corrected. It will be a minor adjustment. The proposal before the Council is really a housekeeping matter that is not controversial.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg.

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 **Larrick Siddoway**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Larry Haugen moved to approve the minutes of the October 5, 2005, City Council Meeting. **Susan Holmes** seconded the motion. The voting was unanimous in the affirmative. Sid abstained.

Susan Holmes moved to approve the minutes of October 5th and October 19, 2005, City Council Meeting. **Larry Haugen** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held October 27, 2005. He covered the following items:

- The Planning Commission recommended final plat approval for the Farmington Fields commercial subdivision consisting of four lots and one parcel on approximately 11.77 acres located on the east side of Park Lane at Lagoon Drive in a CMU zone.
- The Planning Commission recommended that the City Council amend the final development plan for the Farmington Greens Planned Unit Development by providing a site for a future church building.
- The Planning Commission denied JR Warner's request for a recommendation to amend the CR Estates subdivision plat by subdividing Lot 2 into two lots.
- The Planning Commission recommended that the City Council amend the General Plan for property located west of I-15 and 1525 West Street north of Burke Lane and east of the old Denver Rio Grande western right-of-way and south of Shepard Lane from Rural Residential density and Class A Business Park to Low Density Residential and Medium Density Residential. The Planning Commission also recommended that the City Council grant a zone change from "A" and "AE" to "R-4" and "LR" on the same property. The recommendation was subject to the applicant providing the City an acceptable Schematic Plan within 6 months or the zone change would revert to AE.

- The Planning Commission tabled consideration of Pacific Avenue LLC's request for a development in conjunction with the proposed annexation of 16.29 acres of property located between 200 East and the Frontage Road until the issue regarding the 4,218 line is resolved and a detailed contour map is provided to the Planning Commission. They instructed City Staff to review the possibility of limiting the 4218 line exception to a single piece of property.
- The Davis County Housing Authority requested a text amendment to allow them to create a storage structure. The Planning Commission asked **David Petersen** to survey other cities to determine their setbacks in their business park zones.

PUBLIC HEARING: CONSIDERATION OF AMENDMENT TO FARMINGTON GREENS DEVELOPMENT PLAN TO CONSIDER LDS CHAPEL (Agenda Item #4)

David Petersen said the developer would like to alter the final development plan by adding a church, a cul-de-sac, and a through road. **Cory Ritz** was unable to attend the Planning Commission meeting but submitted the following comments to the Planning Commission:

“They apparently were not listening when they came last time. Their statement #1 is misleading and incorrect. They say “The overall density of 176 lots will remain the same.” In actuality, and by definition, the number of lots will remain the same. The density will go up since they are proposing the same number on a piece of ground that is now smaller by the size of the church parcel. They want to play both sides against the middle. They are selling the ground to the church at market price. They then want the City to allow greater density (when this project was already quite dense for the area and very unpopular with the neighborhood, and they were uncooperative with neighborhood concerns). Now they are wanting to increase the number of very small lots in the center of the project. Must be a high margin product for them. This sets a bad precedent and my vote would be strongly NO.

The Planning Commission recommended that the City Council amend the final development plan for the Farmington Greens Planned Unit Development by providing a site for a future church building.

Public Hearing

Mayor Connors opened the meeting to a public hearing and invited the applicant to address the Council.

Mike Akerlow (Proterra) said Gerry Tulley wanted the City Council members to know that the density would remain the same if the church site were added. The church would be a positive addition to the neighborhood and the improved road configuration would provide a better traffic

flow.

Mayor Connors asked Mr. Akerlow if he would like to rebut any of **Cory Ritz's** statements.

Mike Akerlow said he would further review **Mr. Ritz's** statement and would comment at the end of the public hearing.

Clark Olsen (182 South 1525 West) said he lives across the street from the proposed church site. He asked how access to the church would be configured.

David Petersen said there would be two driveway cuts on 1525 West.

Clark Olsen said he was concerned the lighting from the church would impact his property. He was also concerned the church would cause increased traffic on 1525 West. He suggested that the church be located within the subdivision, as was done with the Farmington Ranches.

Mr. Akerlow said the developer was not increasing the number of small lots. The size of the larger lots would decrease slightly.

David Petersen said the smaller lots were not changed, medium sized lots were added, and the lots around the perimeter of the church were made smaller.

Mr. Akerlow said the number of lots and the density would remain the same.

Public Hearing Closed

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

Rick Dutson questioned whether the access to Clark Lane from the proposed road would cause a negative traffic impact.

David Petersen said the road would not have a negative impact on Clark Lane since there was adequate road spacing. He said the concern should be on the subdivisions internal traffic.

Susan Holmes said the church only purchased a portion of the property. She asked why the lots needed to be reconfigured in other areas of the development.

Mr. Akerlow said the developer needed to maintain the 176 building lots since the developer was not making a profit from the sale of the church parcel,

Mayor Connors said the density would increase since the acreage was decreased but the amount of lots did not. He asked why the developer should be allowed to have the same amount of lots.

Mike Akerlow said the amount of open space would remain the same.

David Hale said when the subdivision was initially approved, it was assumed the development would sell quickly. The development is considered unfavorable and he was concerned about decreasing the already small lot sizes.

Mike Akerlow said their best seller is the cottage home. The size of the larger lots would only decrease by approximately 200 square feet. The smaller lots would remain the same.

Susan Holmes said she understood that adjustments needed to be made to the road configuration but there was not a reason to change the lot configuration.

Sid Young asked if the church had to be located on 1525 West since it would increase the traffic and could also change the lighting on 1525 West.

David Petersen said the LDS Church would provide light reflectors and would restrict the hours that the lights were in use. He said the only significant traffic increase would likely be on Sunday. He felt 1525 West as an appropriate site for the church.

David Hale said he was not opposed to the proposed church site. He was opposed to the unnecessary alterations to the development.

The item died for lack of a motion.

Mayor Connors said the City Council is not opposed to the proposed LDS church but the City Council should not be asked to include the same amount of units on less acreage. He said any plan modifications made by the developer should be presented to the Planning Commission.

REQUEST FOR FINAL PLAT APPROVAL OF FARMINGTON FIELDS COMMERCIAL SUBDIVISION - GREG BELL (Agenda Item #5)

David Petersen said the Planning Commission voted on October 27, 2005, to recommend to the City Council final plat approval for the Farmington Fields Commercial subdivision on property located on the east side of Park at Lagoon Drive.

Greg Bell (744 Eagle Way, Fruit Heights) said David Dixon is preparing the advertising for the project. The sign ordinance would be discussed at a later time.

David Hale asked if storage units were planned for the property.

Greg Bell said the storage units would be located on Lot 1. Parcel A is made up of wetlands. It will have a storm water discharge and will also be landscaped.

David Hale asked if the Pioneering Agreement would delay the City Council's decision.

David Petersen said the Pioneering Agreement could be included in the motion as condition #9.

Motion

Rick Dutson moved that the City Council approve the Final Plat of the Farmington Fields Commercial subdivision subject to the following conditions:

1. The applicant shall comply with all conditions of preliminary plat approval.
2. The plat shall be reformatted to meet Farmington City standards.
3. A note shall be placed on the final plat indicating a soil report has been prepared and submitted to the City for the proposed subdivision in accordance with the provisions of the subdivision ordinance.
4. Parcel A shall be identified as "*Not a Building Lot*" on the final plat. The applicant must submit an ownership and maintenance plan for this parcel acceptable to the City.
5. Addresses shall be placed on each lot as shown on the final plat and numerical street names shall also be provided for Lagoon Drive and Spring Creek Circle.
6. Public utility easements at least 10' in width shall be shown on the front, rear and on one-side of the property line of each lot.
7. Improvement drawings for the development, including a grading and drainage plan, shall be reviewed and approved by the City Engineer, Public Works Department, Planning Department, Fire Department, Central Davis Sewer District and Farmington Area Pressurized Irrigation District.
8. The applicant shall prepare a storm water pollution and prevention plan (SWPPP) for review and approval by the City.

9. The applicant and City shall enter into a Pioneering Agreement acceptable to both parties.

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

REQUEST FOR APPROVAL OF EXCHANGE OF TITLE PERTAINING TO UNITS 14-5, 22-1, 25-1, 25-2, AND 26-1 OF FARMINGTON CROSSING ON SPRING CREEK POND, PHASE 3 - GARBETT HOMES (Agenda Item #6)

David Petersen said the Planning Commission recommended that the City Council approve of the title exchange for five units within the Farmington Crossing subdivision. The title exchange is needed since portions of the survey were inaccurate.

Motion

David Hale moved that the City Council approve the title exchange of land parcels pertaining to five units within the development. **Sid Young** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #7)

Rick Dutson moved that the City Council approve the following items by consent as follows:

- 7-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 7-2. Approval of September's Disbursement List.
- 7-3. Approval of Public Improvements Extension Agreement with Jason Howard. Mr. Howard is building a single-family home on 1100 West across the street from the entrance to Eagle Creek Estates. Hence the need for the extension agreement.

Larry Haugen seconded the motion, which passed by unanimous vote.

The City Council agreed to discuss Agenda Item #8 later in the meeting so the applicants could be present.

DISCUSSION RELATED TO PROPOSED LDS CHAPEL SITE WITHIN FARMINGTON CROSSING AT SPRING CREEK POND (Agenda Item #9)

David Petersen showed the schematic plan for the northerly phase of Farmington Crossing at Spring Creek Pond. The City Council approved of the northerly phase but requested that the remaining property have a commercial use. A meeting was held with City Staff, the LDS Church,

David Hale and **Cindy Roybal** to discuss a possible church site for the area. Garbett Homes was willing to dedicate a church site but requested they be allowed additional residential development.

David Hale said the following options were discussed as a possible church site location:

- Garbett Homes was willing to donate land adjacent to the Maverik store but it would not work for the Church due to the alcohol that is sold by Maverik.
- The land on the corner would not work as a church site due to the roundabout.
- Property owned by Dick Prowse would not work due to the stop light and roundabout.
- The possibility of creating a stake center in the interior of the subdivision was being explored.

Max Forbush suggested that the City's traffic engineer develop a traffic analysis to determine what effect the church would have on the Frontage Road traffic.

David Petersen said the property would be used for a stake center so the traffic would come from outside of the development as well.

Scott Harbertson said a church location within the development would cause traffic issues that were similar to the Steed Creek stake center where a chain is used to limit access to the subdivision.

David Petersen said he did not think a chain would be needed to limit access to the development since it would not be faster to use the parking lot than to use the road.

Mark Elgren said he is the area's Stake President. He said there is a need for another church site between the west side of Highway 89 and the east side of I-15. He said the Church's real estate advisors said access to the Frontage Road from the parking lot should be blocked.

Rick Dutson said he knew there was a need for a stake center but was concerned that the majority of the CMU area was being used for high density residential.

David Hale said Garbett Home's was willing to donate over four acres of land which would be worth approximately \$2,000,000.00.

Max Forbush recommended that a traffic study, pertaining to the proposed church, and a market feasibility analysis be done to determine whether the property near Shepard could be used for a use other than residential.

Mayor Connors said the City Council supported the developer providing land in the subdivision to accommodate an LDS church site but the appropriate land use and traffic issues needed to be resolved.

TODD AND WENDY RICE AGREEMENT PERTAINING TO PROVISIONS FOR BUILDING LOT AT THE SOUTH END OF 50 EAST STREET IN CREEKSIDE ESTATES PUD (Agenda Item #8)

According to packet information, this agreement allows Todd and Wendy Rice to build a single-family home near the Davis Creek flood plain. The Rices get a home and in exchange, the City gets a trail easement against the dike and gets fee title land to its detention basin within the flood way which has encroached on the Rice property. In exchange, the City builds the trail before April 30; extends water and sewer laterals 100 feet to the end of the right of way on 50 East; and paves a 20-foot driveway 100 feet long to the end of the street for the Rices.

Max Forbush distributed the proposed Agreement and displayed a map of the area. He said the Planning Commission and City Council agreed to allow a single family home outside of the flood plain at 50 East. If the property owner were to add a lot, the unimproved stub street and hammer head turn around would have to be improved. He pointed out the location of the future house which would be outside of the flood plain. He said the trail easement would be as close to the dike as possible. After it was built, a new easement would be given that would correspond to the exact location of the trail. The trail would be completed by April 30, 2006, weather permitting. The detention basin, which has encroached on the Rice property, would be conveyed to the City. The City would be responsible to install a water and sewer lateral from the end of 50 East to the end of the right of way.

David Petersen said the hammer head was needed because the parcel does not have street r.o.w. frontage. The conveyance of the right of way would provide frontage. He described how the driveway would be designed and said it is acceptable for a driveway to travel through a flood plain. If a lot split were approved in the future, the right of way would have to be fully improved.

David Hale asked how the City would fund the project.

Max Forbush recommended that the Public Works Department perform the work. Costs could also be saved by not paving the trail for the time being.

Motion

Rick Dutson moved that the City Council approve the Agreement between Farmington City and Todd A. Rice and Wendy B. Rice. **Larry Haugen** seconded the motion.

Sid Young asked why a dead line for the completion of the trail was needed.

Max Forbush said the applicants requested a trail deadline so all construction would be complete by the time they occupied their house.

The motion passed by unanimous vote..

MISCELLANEOUS

Sid Young asked how the Station Park negotiations were progressing.

Max Forbush said that Agreement negotiation would continue after Rich Haws determined the cost estimates for the public improvements within the development.

Max Forbush said the City had computer equipment that was surplus and antiquated. It is no longer needed. City Council consent was requested to declare the property surplus, authorizing it's sale or disposal.

Motion

Susan Holmes moved that the City Council declare the property surplus so it can be disposed of. **Larry Haugen** seconded the motion, which passed by unanimous vote.

Max Forbush asked the City Council which council members should be assigned to meet with Mr. Bradford whose development near 200 East and 200 South recently received schematic approval.

The City Council agreed that the Problems and Resolution Committee consisting of David Hale and Sid Young, would meet with Mr. Bradford.

Max Forbush said the Master Transportation Plan (MTP) stated that a trail should be included on the east side of 1100 West, South of Clark Lane. A portion of the sidewalk/trail was installed on the west side of the street. He asked if the City Council wanted to alter the Master Transportation Plan by having sidewalk on the west side of the street and the equestrian trail on the east side of the street. He said Mr. Gines, who lives near 500 South and 1100 West, did not want to install a sidewalk since the MTP called for a trail.

David Hale suggested that the equestrian trail be located on the east side of the street.

David Petersen said Mr. Gines agreed to dedicate 7 feet of property. The City would be responsible for adding the curb, gutter, and sidewalk.

Susan Holmes said the sidewalk should be installed on the west side of the street since all but three of the properties would have sidewalk installed should the Symphony Homes development receive approval. The equestrian trail would be similar to the other trails in the area.

Max Forbush said the City Attorney informed him that Master Plans are to be used as a flexible guide, not a hard and fast rule.

The City Council agreed the sidewalk should be located on the west side of the street.

David Petersen asked if the City Council would like to review the CMU zone text changes or if they would like certain members of the Council to review them.

The City Council agreed **Sid Young** and **David Hale** would make up the Subcommittee to discuss possible CMU text amendments.

Margy Lomax asked if the City Council wanted the City to provide the “get out and vote” calling campaign for the November 8, 2005, election.

By consensus, the City Council members gave conceptual approval for the calling campaign so long as it were covered by the budget. **Mayor Connors, Susan Holmes** and **David Hale** abstained from the vote.

ADJOURNMENT

Rick Dutson moved that the meeting adjourn at 8:35 P.M.

Margy Lomax, City Recorder
Farmington City