

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to discuss the Economic Sustainability of the form based codes and to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, August 6, 2013, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

7:05 Executive Summaries for Planning Commission held June 27, 2013 and July 11, 2013

PUBLIC HEARING:

7:10 Schematic Plan for Kestrel Bay Estates PUD Subdivision

SUMMARY ACTION:

7:20 Minute Motion Approving Summary Action List

1. Approval of Minutes from July 2, 2013 and July 16, 2013
2. Proclamation for "Attendance Awareness Month"
3. Nomination of Robinson homes for the Historic Landmarks Register
4. Park Lane Restriping Proposal
5. Revised Final Plat and Amended Development Agreement for the Meadow View Conservation Subdivision

NEW BUSINESS:

7:25 Discussion on Changing Recycling Rates for Residents

GOVERNING BODY REPORTS:

7:35 City Manager Report

1. Fire Monthly Activity Report for June
2. Staff Vacancies
3. Donation of Parcel Number 08-051-0230 from Garbett Homes to the City
4. DNRG Rail Trail Update
5. Oak Lane Water Line/Repaving Project Completion
6. Signal Light 200 West and State Street

7:50 Mayor Harbertson & City Council Reports

1. FABL Contract – Revisit Deposit Question
2. Status of Main Street Well

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for litigation and potential litigation.

DATED this 1st day of August, 2013.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that Council Member Jim Young give the invocation/opening comments to the meeting and it is requested that Mayor Scott Harbertson lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

S U B J E C T: Executive Summaries for Planning Commission held June 27, 2013 and July 11, 2013

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

See enclosed staff reports prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
CINDY ROYBAL
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy J. Alexander, Associate City Planner

Date: July 16, 2013

SUBJECT: EXECUTIVE SUMMARY FOR PLANNING COMMISSION ON JUNE 27, 2013

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on June 27, 2013 [note: seven commissioners attended the meeting— Bob Murri, Brett Anderson, Kris Kaufman, Brigham Mellor, Mack McDonald, Michael Nilson and Alternate Rebecca Wayment]:

1. Scott Balling – (Public Hearing) - Applicant is requesting a recommendation of Schematic Plan approval for the Kestrel Bay Estates PUD subdivision (51 lots) on property on 8.68 acres located at 500 South 200 West in AE & R-8 zones. (S-5-13)

Voted to recommend that the City Council DOES NOT approve the Schematic Plan.

Vote: 7-0

* Scott Balling asked the Commissioners if they would approve a plan with the compromise of 450 South connecting through the development. Commissioners asked staff what options the Applicant has from here with his plans. Christy Alexander clarified the Applicant can proceed to City Council or can pull the application and come back to the Planning Commission with a new design. She also stated if the Applicant wishes to pull the application, the resubmittal can take place the next day. A review of bi-laws took place to explore the option of reversing the motion to table the item to allow for the Applicant to revise his plans without having to

resubmit a new application. Commissioners concluded they would prefer the applicant reapplies than to revise the motion to ensure all procedures are followed accurately.

2. Scott Balling – (Public Hearing) – Applicant is requesting a recommendation to rezone the Leavitt property (6.54 acres) located at approximately 500 South 200 West from AE (Agricultural Estates) to R (Residential) concurrent with his application for schematic plan for the Kestrel Bay Estates PUD subdivision. (Z-2-13)

Voted to table this item once more in case the applicant decided to pull his application and reapply with a new plan showing the road going through..

Vote: 7-0

3. Symphony Homes – (Public Hearing) – Applicant is requesting a recommendation of Schematic Plan and Preliminary Master Plan approval for the Chestnut Farms Phase 3 PUD subdivision (14 lots) on property on 7.8 acres located at 300 South 1400 West in an AE zone. (S-7-13)

Voted to recommend that the City Council approve the Schematic Plan and Preliminary PUD Master Plan.

Vote: 7-0

4. Symphony Homes – (Public Hearing) – Applicant is requesting a recommendation to rezone property (7.8 acres) located at approximately 300 South 1400 West from A (Agricultural) to AE (Agricultural Estates) concurrent with their application for schematic plan for the Chestnut Farms Phase 3 PUD subdivision. (Z-3-13)

Voted to recommend that the City Council approve the requested zone change from A to AE.

Vote: 7-0

5. Harv Jeppsen – (Public Hearing) – Applicant is requesting a recommendation of Schematic Plan approval for a minor subdivision (5 lots) on property on 1.351 acres located at 1530 North Main Street in an R zone. (S-9-13)

Voted to recommend that the City Council approve the Schematic Plan..

Vote: 7-0

6. Davis County – (Public Hearing) – Applicant is requesting conditional use approval to add parking lots for the soccer fields, expand RV parking, install a RV Sanitary Sewer Dump Station, develop a loop road at the Legacy Event Center

and add a greenhouse adjacent to the Sheriff's Office Justice at 100 North 1100 West. (C-9-13)

Voted to approve the conditional uses.

Vote: 7-0

7. Olympus Fireworks – (Public Hearing) – Applicant is requesting temporary use approval for an outdoor firework sales tent at 151 South 1100 West. (TU-2-13)

Voted to approve the temporary use.

Vote: 7-0

8. Other Business
- a. TDR Ordinance update
 - b. Wetlands Study
 - c. Flexibility in Mixed-Use Districts
 - d. Uses in BR zone

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
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CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy J. Alexander, Associate City Planner

Date: August 6, 2013

SUBJECT: EXECUTIVE SUMMARY FOR PLANNING COMMISSION ON JULY 11, 2013

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on July 11, 2013 [note: seven commissioners attended the meeting— Bob Murri, Brett Anderson, Kris Kaufman, Brigham Mellor, Brad Dutson, Michael Nilson and Alternate Rebecca Wayment]:

1. Scott Balling – (Public Hearing) - Applicant is requesting a recommendation of Schematic Plan approval for the Kestrel Bay Estates PUD subdivision (51 lots) on property on 8.68 acres located at 500 South 200 West in AE & R-8 zones. (S-5-13)

Voted to recommend that the City Council approve the Schematic Plan with additional conditions. (see minutes included in City Council Staff Report for August 6th).

Vote: 7-0

2. Scott Balling – (Public Hearing) – Applicant is requesting a recommendation to rezone the Leavitt property (6.54 acres) located at approximately 500 South 200 West from AE (Agricultural Estates) to R (Residential) concurrent with his application for schematic plan for the Kestrel Bay Estates PUD subdivision. (Z-2-13)

Voted to table this item yet again in case the applicant decided to pull his application and the Leavitt's property remains up-zoned. They wish to look at this concurrent with Preliminary Plat.

Vote: 6-1, Commissioner Nilson feels the property owner has the right to petition for a zone change without presenting development plans to the City.

3. Northstar Homes – (Public Hearing) – Applicant is requesting a recommendation of revised Final Plat approval for the Meadow View Conservation subdivision (19 lots) on property on 11.01 acres located at 1525 West and Spring Meadow Drive in an AE zone. (S-10-11)

Voted to recommend that the City Council approve the revised Final Plat.

Vote: 7-0

4. Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend Chapter 12 of the Zoning Ordinance regarding transfer of development rights (TDR). (ZT-2-13)

Voted to table item.

Vote: 7-0

5. Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend Section 11-28-180 (a)(9) of the Zoning Ordinance regarding roof pitch to enable flat or flatter roofs in residential housing. (ZT-3-13)

Voted to recommend that the City Council DOES NOT amend Section 11-28-180 of the Zoning Ordinance.

Vote: 5-2. Commissioners Dutson and Nilson would like to allow more creative flexibility with architectural design.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

PUBLIC HEARING: Schematic Plan for Kestrel Bay Estates PUD Subdivision

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. Approve the attached Schematic Plan for Kestrel Bay Estates PUD Subdivision (50 lots), located at approximately 300 South 1400 West, subject to the same conditions and findings established previously by the Planning Commission on July 11, 2013 as set forth in the attached supplemental information including the conditions to add a connection to 620 South and move the Frontage Road connection further to the south.

GENERAL INFORMATION:

See enclosed staff report prepared by Christy Alexander.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
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DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Christy Alexander, Associate City Planner
Date: AUGUST 6, 2013

SUBJECT: APPROVAL OF A SCHEMATIC PLAN FOR KESTREL BAY ESTATES
PUD SUBDIVISION

RECOMMENDATION

1. Hold the public hearing.
2. Approve the attached Schematic Plan for Kestrel Bay Estates PUD Subdivision (50 lots), located at approximately 300 South 1400 West, subject to the same conditions and findings established previously by the Planning Commission on July 11, 2013 as set forth in the attached supplemental information including the conditions to add a connection to 620 South and move the Frontage Road connection further to the south.

BACKGROUND

The applicant, Scott Balling, is requesting Schematic Plan approval for a 50 lot PUD subdivision consisting of single-family homes on property located at approximately 500 South 200 West. The proposed schematic plan contains a total of 50 lots on 8.68 acres of property. The applicant wishes to build these homes and market them to the "empty-nester" community that is looking to downsize and have their yards be maintenance free. The underlying zone for this property is an R-8 zone and an AE zone. Under conventional zoning, the developer would be allowed approximately 32 multifamily units on the R-8 property and six (one acre) single family lots on the AE property. The applicant does not wish to build multifamily housing which is allowed in the R-8 but instead wishes to rezone the AE property to R and create an upscale, smaller lot, single-family home subdivision patterned after the Fairways of Oakridge just east of the golf course. In order to do this he would need to obtain the rezone of the AE to R and present a yield plan that shows higher density for giving up open space within development. The applicant has provided a yield plan that shows he could develop the entire property (if rezoned to R) with 61 lots. However, the applicant has decided to

lower the density and only develop 50 lots. The General Plan calls for this area to be zoned Low Density Residential (LDR). An R zone is consistent with this General Plan designation as many other areas under the larger LDR area are zoned R as well. Since it is a PUD, the approval process consists of a Schematic Plan & Preliminary PUD Master Plan, Preliminary Plat and Final Plat & Final PUD Master Plan. The applicant will bring in the Preliminary PUD Master Plan in at the Preliminary Plat stage. Right now he is trying to get a read on the Schematic Plan layout before he moves forward.

Due to the nature that it is a PUD, the developer has proposed a site plan that does not conform to many of the City's zoning codes (for instance there are no sidewalks on the interior of the project. The master transportation plan for this area called out an extension of 450 South westward through to the frontage road. The applicant did not initially feel this was feasible and provided on his plan a paved trail behind the northerly homes to be extended westward from 450 South to the Frontage Road instead of a public road. This was an item of much debate at the last three Planning Commission meetings amongst the residents along 620 South that were promised it would go through as a street many years ago and the residents along 450 South who are opposed to the street going through. The Planning Commission voted at the May 30th meeting that the applicant would need to work with the residents and should bring in a new plan within 30 days showing the 450 South road connecting to the frontage road, with a road that meets City standards. The applicant, however, never brought in a new plan and the Planning Commission then voted at the June 27th meeting to recommend it for denial due to the road not connecting through.

The applicant then pulled his application the next day and submitted a new plan for consideration, which shows 450 South connecting through. The City's Engineer and Traffic Engineer have both looked at the new plans and agree the new connection will work with traffic. The new connector will have sidewalk going down the northern side for the pedestrian connection. The applicant had to remove one lot in order to make this new plan work. He also made two of the lots flag lots in order to remove the cul-de-sacs. These flag lots must have a shared access agreement to allow for a common drive aisle to their homes. Staff feels this new plan is much better providing for proper connectivity as well as removing those privately maintained cul-de-sacs. Now all of the roadways will be dedicated to the City. The new plan erased the connection out to 620 South and after much debate at the Planning Commission meeting on July 11th, the Commission placed a condition that the 620 South connection be reinstated so as to provide three connections out of the subdivision. The City Engineer does not agree with reinstating the 620 South connection so this will have to be a decision of the Council whether to reinstate it or not. The Planning Commission also recommends that the applicant move the Frontage Road connection to the south a couple lots. The applicant has not brought in a new plan showing these added conditions and changes to the connectivity in hopes that the City Council will approve his plan as is or will instruct him as to what should be shown on the Preliminary Plat.

Also the City Council must approve a rezone to the property in order for this subdivision to develop as proposed. Many residents would like to see the AE portion of this site remain 1 acre lots but may be unaware that the R-8 portion of the lot could see 32 multifamily units built. The Planning Commission was very hesitant to recommend the rezone due to the fact that the applicant could walk away and the Leavitt's property would be up-zoned for another developer to put in more intense development without the certainty of a site plan duly considered. They decided to table the re-zone until further along in the process at Preliminary Plat level where the applicant receives his first vesting.

There are also no sidewalks proposed along the streets on the interior of the project, the applicant feels that the residents would like to walk on the trail system on the very interior of the project as well as keep the streets quiet. This was an item of much debate whether or not to force the applicant to include sidewalks on all roadways. As taken from the zoning ordinance "the intent of the PUD is to promote flexibility in site design, to achieve, for example, the clustering of buildings, the mixture of housing types, and the combining of housing with supplementary uses such as commercial centers, business parks or other multiple use centers, etc. A PUD is a large scale, predominantly residential development in which the regulations of the underlying zone are waived to allow flexibility and innovation in site and building design in accordance with a PUD Master Plan approved by the Planning Commission and City Council.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager



Planning Commission Staff Report July 11, 2013

Item 4: Schematic Plan for the Kestrel Bay Estates PUD Subdivision

Public Hearing:	Yes
Application No.:	S-5-13
Property Address:	Approximately 500 South 200 West
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	AE (Agricultural Estates) & R-8 (Multi-Family Residential)
Area:	8.68 Acres
Number of Lots:	50 lots
Property Owner:	Leavitt Properties LLC
Agent:	Scott Balling

Request: *Applicant is requesting a recommendation for Schematic Plan approval for the Kestrel Bay Estates PUD Subdivision.*

Background Information

(Applicant pulled his application after the June 27, 2013 Planning Commission Meeting and has resubmitted a new plan.)

The applicant, Scott Balling, is once again requesting a recommendation for Schematic Plan approval for a 50 lot PUD subdivision consisting of single-family homes on property located at approximately 500 South 200 West. The proposed schematic plan contains a total of 50 lots on 8.68 acres of property. The applicant wishes to build these homes and market them to the "empty-nester" community that is looking to downsize and have their yards be maintenance free. The underlying zone for this property is an R-8 zone and an AE zone under a PUD would be allowed approximately 32 multifamily units on the R-8 property and 1 acre single family lots on the AE property. The applicant does not wish to build multifamily housing which is allowed in the R-8 but instead wishes to rezone the AE property to R and create an upscale, smaller lot, single-family home subdivision. Since it is a PUD, the approval process consists of a Schematic Plan & Preliminary PUD Master Plan, Preliminary Plat and Final Plat & Final PUD Master Plan. The applicant will bring in the Preliminary PUD Master Plan at the Preliminary Plat stage.

The Planning Commission provides a recommendation to the City Council regarding the Schematic Plan. Due to the nature that it is a PUD, the developer has proposed a site plan that does not conform to many of the City's zoning codes (for instance there are no sidewalks on the interior of the project. The master transportation plan for this area called out an extension of 450 South westward

through to the frontage road. The applicant did not initially feel this was feasible and provided on his plan a paved trail behind the homes to be extended westward from 450 South to the frontage road instead of a road. This was an item of much debate at the last two Planning Commission meetings amongst the residents along 620 South that were promised it would go through as a street many years ago and the residents along 450 South who are opposed to the street going through. The Planning Commission voted at that May 30th meeting that the applicant would need to work with the residents and should bring in a new plan within 30 days showing the 450 South road connecting to the frontage road, with a road that meets City standards. The applicant, however, never brought in a new plan and the Planning Commission then voted at the June 27th meeting to recommend it for denial due to the road not connecting through. The applicant then pulled his application the next day and submitted a new plan for consideration, which shows 450 South connecting through. The City's Engineer and Traffic Engineer have both looked at the new plans and agree the new connection will work with traffic. The new connector will have sidewalk going down the northern side for the pedestrian connection. The applicant had to remove one lot in order to make this new plan work. He also made two of the lots flag lots in order to remove the cul-de-sacs. These flag lots must have a shared access agreement to allow for a common drive aisle to their homes. Staff feels this new plan is much better providing for proper connectivity as well as removing those privately maintained cul-de-sacs. Now all of the roadways will be dedicated to the City.

Also the City Council must approve a rezone to the property in order for this subdivision to develop as proposed. Many residents would like to see the AE portion of this site remain 1 acre lots but may be unaware that the R-8 portion of the lot could see 32 multifamily units built. There are also no sidewalks proposed along the streets on the interior of the project, the applicant feels that the residents would like to walk on the trail system on the very interior of the project as well as keep the streets quiet.

As taken from the zoning ordinance "the intent of the PUD is to promote flexibility in site design, to achieve, for example, the clustering of buildings, the mixture of housing types, and the combining of housing with supplementary uses such as commercial centers, business parks or other multiple use centers, etc. A PUD is a large scale, predominantly residential development in which the regulations of the underlying zone are waived to allow flexibility and innovation in site and building design in accordance with a PUD Master Plan approved by the Planning Commission and City Council. A PUD shall be permitted as a conditional use in the R-8 zone" A separate conditional use application is not needed, it is implied with the approval of the PUD Master Plan that it is approved.

Suggested Motion:

Move that the Planning Commission recommends that the City Council approve the Schematic Plan for the Kestrel Bay Estates subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Schematic Plan prior to Preliminary PUD Masterplan and Preliminary Plat approval;
2. The applicant obtain a rezone from AE to R for that portion of the proposed subdivision concurrent with Schematic Plan approval;
3. The applicant obtains a CLOMR for the entire property previous to Preliminary Plat approval;
4. The applicant must come to agreement with the Davis County Flood Control on the treatment of the water on this property prior to Preliminary Plat approval;

5. Applicant must receive approvals of the Preliminary Plat/Preliminary PUD Master Plan from the Planning Commission and Final Plat/Final PUD Master Plan from the City Council to record the proposed subdivision;
6. The applicant must obtain and record a cross-access agreement for the two drive aisles when the plat is recorded;
7. Any additional conditions that the Planning Commission deems appropriate for the PUD.

Findings for Approval:

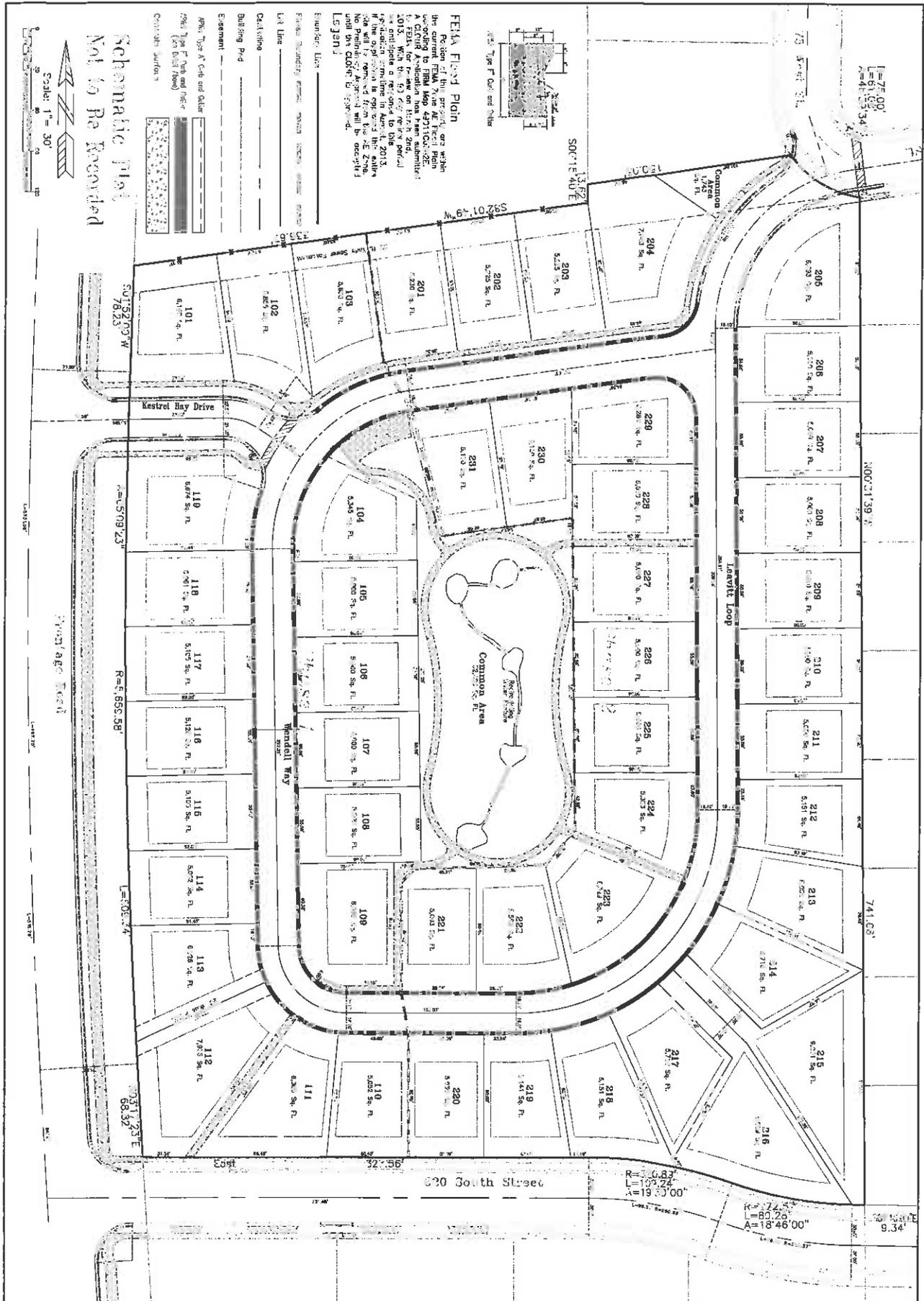
1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for a schematic subdivision approval including;
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the R-8 & proposed R zone;
 - c. Description and preliminary layout of utilities and other services required.
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Schematic Plan submittal is consistent with all necessary requirements for a Schematic Plan as found in Chapter 3 of the City's Subdivision Ordinance.

Supplemental Information

1. Vicinity Map
2. Schematic Plan
3. Building Elevations
4. Floor Plans

Applicable Ordinances

1. Title 12, Chapter 3 – Schematic Plan
2. Title 12, Chapter 6 – Major Subdivisions
3. Title 12, Chapter 7 – General Requirements for All Subdivisions
4. Title 11, Chapter 13 – Multi-Family Residential Zones
5. Title 11, Chapter 10 - Agricultural Zones
6. Title 11, Chapter 11 – Single Family Residential Zones
7. Title 11, Chapter 13 – Multi Family Residential Zones
8. Title 11, Chapter 27 – Planned Unit Development



FEPA Flood Plain

The portion of this project that within the Flood Plain of the State of Utah is shown on the Flood Map 42110-A-2E. A CEQR Application has been submitted to the Utah Department of Environmental Quality for review on this project. The CEQR process is ongoing and will provide a response to the project. The project is open to the public for review and comment until the CEQR is completed.

Scale: 1" = 30'

**Schematic Plan
Not to Be Recorded**

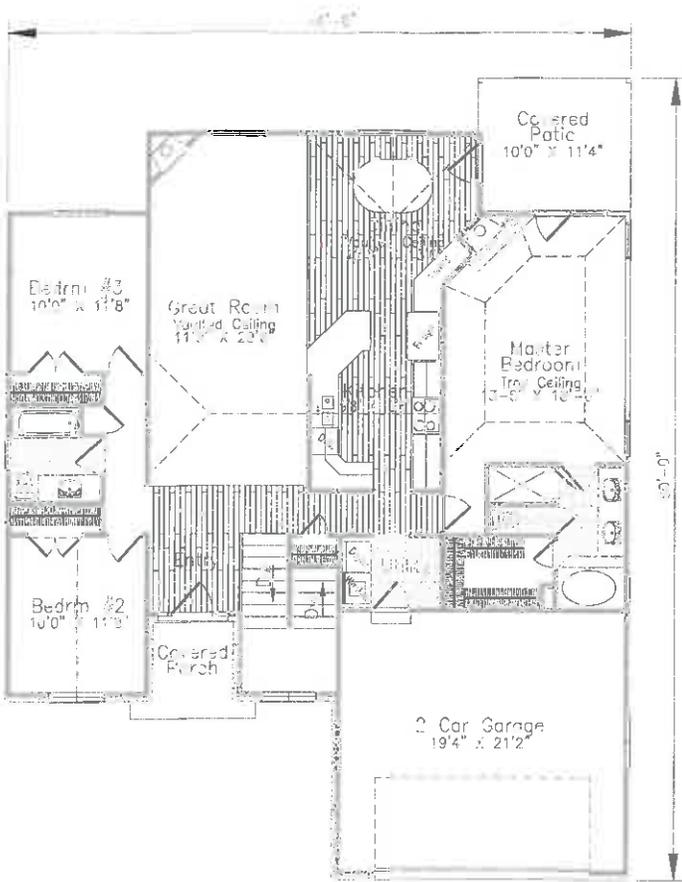
C101
Sheet 5 of 8

Surveyor	D.W. Collins
Data Surveyed	4-4-13
Drafting	J.P. Belling
Checked By	J.P. Belling
Submit Date	7-25-13
File Number	

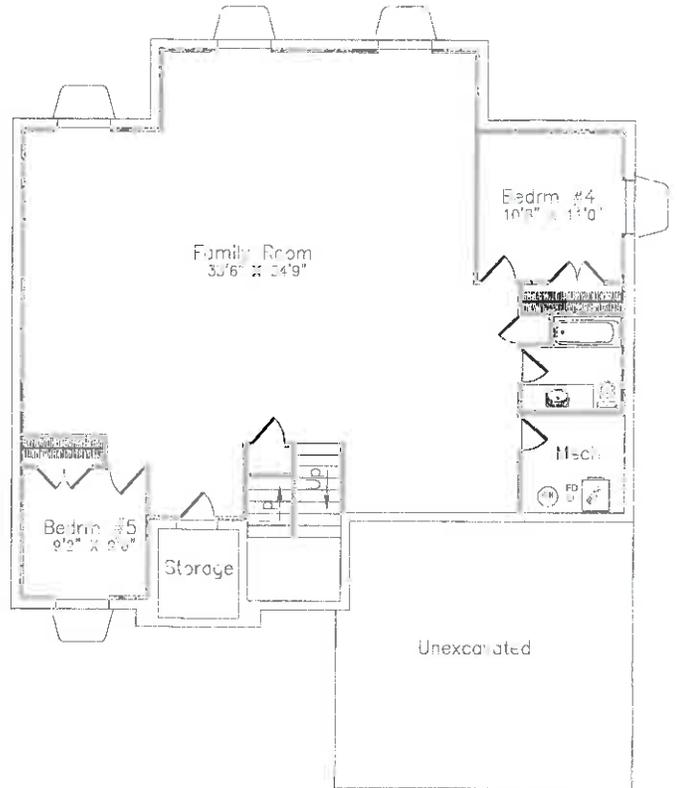
Revisions	
Date	Description

Kestrel Bay Estates P.U.D.
Schematic Site Plan
For Scott Belling

Balling Engineering
Civil Engineering * Surveying * Planning
223 East Pages Lane
P.O. Box 805
Center, UT, Utah 84014
Phone: (801) 295-7237
Fax: (801) 299-0419
Email: scottballing@gmail.com



Main Floor



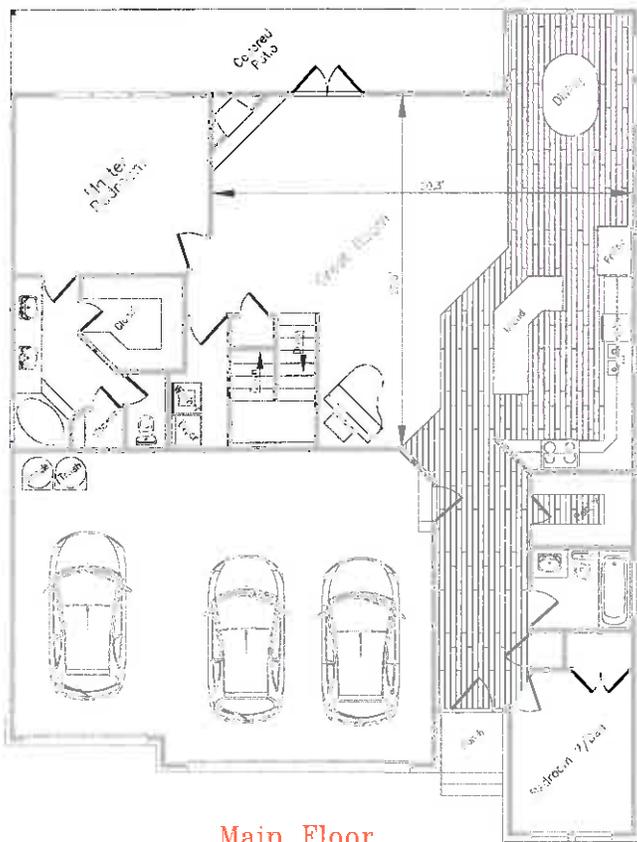
Basement



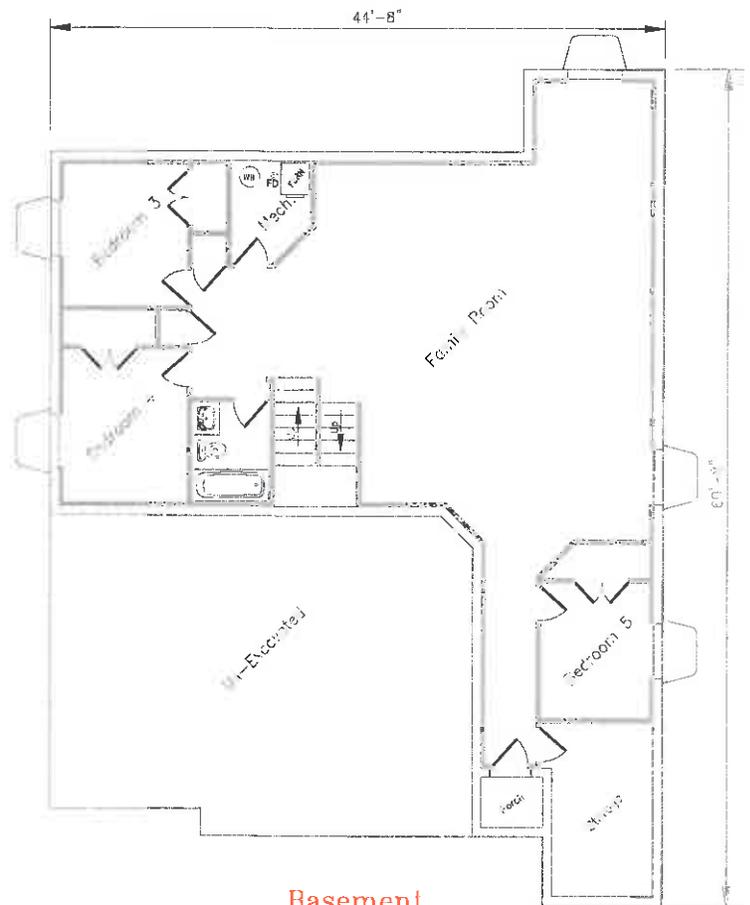
Cooper Floor Plan

Main Floor Area 1,590 sq.ft.
 Basement Floor Area 1,510 sq.ft.





Main Floor



Basement

Falcon Floor Plan

Main Floor Area 1,543 sq.ft.
 Basement Floor Area 1,513 sq.ft.



#5. Scott Balling – (Public Hearing) – Applicant is requesting a recommendation of Schematic Plan approval for the Kestrel Bay Estates PUD subdivision (51 lots) on property on 8.68 acres located at 500 South 200 West in AE & R-8 zones. (S-5-13)

Christy Alexander explained at the last Planning Commission meeting the Commission recommended the City Council deny the Applicant's plan. The Applicant withdrew his application and resubmitted it with a new plan, which included the connection to 450 South as the Planning Commission suggested. The new plan also removed 620 South connection, but added in a pedestrian trail to 620 South. She stated the City's Public Works agencies would also review the plans, if approved, to determine what safety measures would be appropriate for 450 South. She also clarified the Planning Commission and City staff did not request the connection at 620 South be removed.

Scott Balling, 1995 N 100 E Centerville, stated the City's Engineer, Paul Hirst, gave the Applicant a sketch of how the City would like the connection, which included the connection on 450 South. **Christy Alexander** clarified Paul Hirst said he provided the 450 South connection with a road down the property line as an option, but did not state it was the official opinion of the City. The Applicant continued to explain he does not want a lot of entrances as he loses the security of the development. **Rebecca Wayment** asked the applicant to clarify if he intends to have an age requirement in the CC&R's? He stated no. He was worried it could create problems for the Homeowners Association down the road, but he would like to heavily market the subdivision to the "empty-nesters."

Bob Murri opened the Public Hearing at 7:42 p.m.

Wes Holmes, 39 W 620 S, stated he supports the Schematic Plan as presented by the Applicant. He also presented 19 additional signatures to the previous petition asking the City to enforce the City's Master Transportation Plan.

Shannon Hicks, 511 S 111 W, is one of the current owners of the Leavitt property which the Applicant is purchasing for the Kestrel Bay Estates PUD subdivision. She stated she does not like the connection on 450 South. She feels it will create dangerous circumstances for children.

Rich McKenna, 62 E 450 S, is opposed to the Schematic Plan. He stated he believes in connectivity; however, he feels 450 South, combined with 75 West, is already a road that majorly connects the community. He stated when the Master Transportation Plan was created, the City wanted to connect all streets to the Frontage Road; however, there are already 8 streets doing so between State Street and Centerville. He would like the City to preserve 450 South as a safe haven for the children to walk.

Matt Tittle, 65 E 450 S, stated the bottom line for him is safety. He stated 450 South is crowded with children going the elementary and junior high schools. Increasing the traffic on 450 South would be a disaster as it creates a big hazard to the children.

Lance Drollinger, 450 S 100 E, also stated keeping the 450 South will greatly increase traffic as it would be an attractive route for drivers to take. The resident provided a map showing the narrowness of the road on 450 South. He also provided a letter to the Planning Commission regarding his opinion on the connection of 450 South.

Logan Peterson, 68 E 450 S, stated he is against the presented plan. He feels it does not meet typical standards for a road as it measures 35 feet wide asphalt to asphalt. He stated the 450 South

would provide the shortest route for drivers to get to 200 East, which would heavily increase commuter traffic. 450 South also provides a considerable risk compared to 620 South as 60% of 620 South road is a “buffer zone” for pedestrians.

Jenny Brown, 161 E 450 S, stated that on the opposite side of the street from her home, there is no sidewalk, gutter or parking strip. She stated depending on where you measure, the street is approximately 27 to 29.5 feet wide asphalt to asphalt. She is very concerned about the width of the street as it does not provide any buffer for children or others using it. She also expressed concern regarding the road’s steepness as there are regularly accidents on 450 South during the winter.

Kathy McGill, 446 S 200 E, stated she is opposing connecting 450 South to the Frontage Road as it will greatly increase traffic and will compound all current problems. She stated there are numerous accidents that take place during the winter on this road. She also feels there should be a cross-walk on 200 East to 450 South for the children to use.

Shirley Morris, 10 E 450 S, stated the amount of children that cross 450 South is unbelievable. She stated she is always calling to cars to slow down to help protect the children. She said the curve down the road helps to slow the vehicles, but if the road is a through street to the Frontage Road, she doesn’t know what will slow the vehicles down.

Carolyn Toronto, 47 E 450 S, stated that since everything keeps coming back to the City’s Master Transportation Plan, then why not change it. She brought an application she is submitting to change it. She expressed frustration of the problems they have seen that no formal traffic study could show as she has lived on 450 South for 33 years. She feels as it stands, this plan is the least desirable situation.

Ken Hamilton, 24 W 620 S, stated he is in favor of the current plan. He feels 450 South should share the load of traffic that is currently coming down 620 South. There is currently a stop sign on 620 South that drivers are already running. Adding additional traffic will only worsen the circumstance.

Kim Farr, 82 E 620 S, questioned the Commission regarding whether the Frontage Road is a city or UDOT road. **David Petersen** answered it is a hybrid as it is a state roadway, but the City maintains the road. She continued to ask if the Applicant could put an entrance from the Frontage Road into the subdivision, then a median with an exit on the other side so all traffic would be directed onto the Frontage Road. She also suggested decreasing the speed limit down to 25 to 30 miles per hour on the Frontage Road near the development’s entrance.

Cindy Anderson, 442 S 10 W, said in the 19 years she lived there, which included raising little kids, she would get very upset with the speed of drivers coming down from 200 East. She stated she was always asking for additional assistance from the police department to help monitor the speeds of cars. She wondered if speed bumps or even a 3-way stop could be put in on the 450 South and 200 East intersection, but the City said they couldn’t.

Brandon Halliday, 517 S 10 W, stated he has a lot of concerns with the road on 450 S and was also here to represent his parents, Paul and Diane Halliday that live on 448 S 75 W. He stated if the Commission saw an accident where a child was injured, the decision would already be made and this connection on 450 South would not be created. He also stated that his parents feel the value of their home may decrease if the road is built. If there is a desire to have a connector road, why not move Kestrel Bay Drive over to approximately Lot 116? That would make the 450 South road less of a

straight through road to the Frontage Road which will slow traffic down. He also suggested that there needs to be a 3-way stop on the 450 South and 75 West intersection.

Jim Fiacco, 36 E 620 S, feels that a good compromise for residents on both 450 South and 620 South would be to put the street in the middle of the development on Frontage Road as explained by **Brandon Halliday**. This would allow for residents on both sides to be content.

Bob Murri closed the Public Hearing at 8:26 p.m.

Scott Balling stated he does not have an economic advantage to either plans, but has tried to match the guidelines as provided by the City. When he initially presented his plans, there was an island (see **Kim Farr's** comment) on the Frontage Road, but was told by the City's Traffic Engineer and Public Works department that it needed to be removed.

Brigham Mellor asked the Applicant his feelings were about moving Kestrel Bay Drive to Lot 116. **Scott Balling** stated he would prefer the entrance from the Frontage Road to remain where it is as to increase the security by limiting the amount of cars driving through the entire development. Commissioners also asked resident **Wes Holmes** his opinion on the compromise. **Wes Holmes** said he feels it does make sense to move the entrance to approximately Lot 116. He also said he feels it would also help to relieve traffic from 620 South.

Rebecca Wayment wanted to know if the City has looked at putting a cross walk on 200 East and 450 South. **David Petersen** said staff will look into it. She continued to also ask if stop signs and a cross walk be put in at the proposed connection of 450 South and 75 West to also protect the children when walking to school. **Rebecca Wayment** also expressed frustration with the current plan because she feels the development needs to have a compromise for residents on 450 South and 620 South to share the traffic burden.

Brett Anderson and **Bob Murri** would like to see 3 access roads coming out of the development to help better distribute traffic.

David Petersen stated the Applicant has used the Fairways of Oakridge PUD as a pattern for his development. **Scott Balling** presented the Plats of the Fairways PUD for the Commissioners to review and compare.

Commissioners felt that although the Fairways is a good standard, it also is a destination whereas the Kestrel Bay Estates PUD connects two major neighborhoods. **Scott Balling** stated he is trying to eliminate multi-family housing in this area, but expressed frustration with the many requests as it ruin the overall goals he's trying to create for the development.

Michael Nilson was disappointed the entrance on 620 South was removed, but is very sensitive to property rights. He explained the Commission has to look out for the overall good of the community. In determining what's best for the community, the Commission has to remove the "what if's" because we don't have control over them. He still feels connectivity is the best situation for a City. He also feels making a 3-way stop at 450 South and 75 West would be appropriate as it will create an effective control point. He also believes that the Applicant has followed the City's Master Transportation Plan so although he is disappointed 620 South entrance was removed, he is still supportive of the current plan as he wants to support the Applicant's property rights.

Kris Kaufman agrees connectivity is important, but was still frustrated 620 South was removed. He feels a fair compromise would be to have 3 access roads into the development. He also feels the 3-way stop at 450 South and 75 West is a good idea. He does not feel we should compare this development to that of the Fairways of Oakridge PUD as Kestrel Bay Estates is part of a larger subdivision. **Bob Murri** agreed with his comments.

Brad Dutson stated if it makes the residents feel better, he is comfortable with moving the Frontage Road entrance to approximately Lot 116 and is also in favor of a connection to 620 South. He believes stop signs are critical to help drivers slow down.

Rebecca Wayment said she would also like to see an entrance on 620 South. She believes having those connections will not de-rail this development as there are still many interested in coming to Farmington.

Bob Murri asked if moving Kestrel Bay Drive over to approximately Lot 116 will make a significant difference in traffic patterns. **David Petersen** said as the plan currently shows, the City's Traffic Engineer stated 450 South will not significantly attract more traffic. **David Petersen** continued saying he also believes the Traffic Engineer would agree that moving the road to Lot 116 would not make a difference either.

Brett Anderson suggested making a condition for the Applicant to put in a speed limit sign with a built-in radar. He feels this will help slow traffic, as well as the 3-way stop on 450 South and 75 West.

Brad Dutson also stated there were several emails received by staff from the residents of these areas.

A motion was proposed that the Planning Commission deny recommendation of the Schematic Plan to the City Council. **David Petersen** provided a brief background of this property, stating many developers looked at it, but would not pursue it. He explained the Applicant listened to the residents' desire of not having multi-family housing so he created a development that appropriate blends the R-8 zone. **David Petersen** suggested making the motion positive by approving the Plan based on certain conditions instead of simply denying it. He also explained adding recommendations for things like stop signs to a motion will mean the City police department will immediately review it.

Motion:

Rebecca Wayment made a motion that the Planning Commission recommend that the City Council approve the Schematic Plan for the Kestrel Bay Estates subdivision subject to all applicable Farmington City ordinances and development standards with the following conditions 1-7, as well as add conditions 8-12:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Schematic Plan prior to Preliminary PUD Masterplan and Preliminary Plat approval;
2. The applicant obtain a rezone from AE to R for that portion of the proposed subdivision concurrent with Schematic Plan approval;
3. The applicant obtains a CLOMR for the entire property previous to Preliminary Plat approval;

4. The applicant must come to agreement with the Davis County Flood Control on the treatment of the water on this property prior to Preliminary Plat approval;
5. Applicant must receive approvals of the Preliminary Plat/Preliminary PUD Master Plan from the Planning Commission and Final Plat/Final PUD Master Plan from the City Council to record the proposed subdivision;
6. The applicant must obtain and record a cross-access agreement for the two drive aisles when the plat is recorded;
7. Any additional conditions that the Planning Commission deems appropriate for the PUD;
8. The applicant create a road to connect the Kestrel Bay development and 620 South;
9. A 3-way stop sign be put in at 75 West and 450 South;
10. A stop sign be placed at the Frontage Road into the Kestrel Bay development;
11. A speeding sign with a built-in radar be put in on 450 South for drivers coming from east to west to help slow traffic as they come closer to the school zone;
12. And the applicant include a sidewalk along the small connection from the Kestrel Bay development to 620 South road.

Kris Kaufman seconded the motion. Michael Nilson stated he does not disagree with the 620 S connection, but is still sensitive to the desires of the Applicant. The motion was unanimously approved.

Findings for Approval:

1. The proposed schematic subdivision is in substantial compliance with all subdivision and zoning requirements for the schematic subdivision approval including;
 - a. A completed application;
 - b. Minimum lot sizes as set forth in the R-8 & proposed R zone;
 - c. Description and preliminary layout of utilities and other services required.
2. The proposed subdivision is desirable in that the platting of the property in this area will provide a cleaner description and record of the properties and residences in the subject area.
3. The proposed Schematic Plan submittal is consistent with all necessary requirements for a Schematic Plan as found in Chapter 3 of the City's Subdivision Ordinance.

ZONE CHANGE APPLICATION

#6. Scott Balling – (Public Hearing) – Applicant is requesting a recommendation to rezone the Leavitt property (6.54 acres) located at approximately 500 South 200 West from AE (Agricultural Estates) to R (Residential) concurrent with his application for schematic plan for the Kestrel Bay Estates PUD subdivision. (Z-2-13)

Christy Alexander explained the 6.54 acres of the approximate 8.68 acres of the development is currently zoned as AE but Applicant would like it to be rezoned as R. Staff recommends the Commission give the same recommendation to this agenda item as was given to the last item.

Scott Balling, 1995 N 100 E, explained that previous requests have been made to rezone all the property to an R zone; however, he does not have authority to make that change as the current property owners would like to leave it as it is currently zoned. Once he purchases the property upon Final Plat Approval, he will pursue making the property an R zone.

Bob Murri opened the Public Hearing at 9:28 p.m.

Wes Holmes, 39 W 620 S, asked what the benefit of changing the zone from AE to R at this meeting. Commissioners discussed that if conditions are not met by the Applicant, than the Commission would have already given the R zone, which includes higher density housing than the AE zone, to the property owner. Staff recommended tabling the zone change until the Preliminary Plat is presented.

Brandon Halliday, 517 S 10 W, feels it would be in the best interest of the residents and the Planning Commission to hold off on the rezone until the development is ready to move forward.

Michael Nilson clarified that a City cannot down zone a property without just compensation as it would be a taking and would devalue the property. He also clarified that the Applicant is allowed 10 more lots than currently shown on the plan so it is very rare that a developer is not maximizing the number of lots allowed on a property.

Robert Leavitt, 511 S 111 W, expressed frustration with the Applicant’s current plans.

Lance Drollinger, 450 S 100 E, feels the builder has good intentions so he is not against the rezone.

Shannon Hicks, 511 S 111 W, is in favor of this development so apartments are not developed on the R-8 zone; however, she does not want to lose the R-8 zone until it is purchased.

Bob Murri closed the Public Hearing at 9:38 p.m.

Commissioners discussed the zone change; they feel it would be appropriate to wait on “up-zoning” the property until the Applicant is ready for Final Plat Approval. **David Petersen** suggested if this item is tabled to still move the Schematic Plan on to City Council. The zoning of the property can still be done together in the Applicant’s next steps.

Motion:

Brett Anderson made a motion that the Planning Commission table this item until staff determines the appropriate course of action in moving this project forward and until the City Council approves the Schematic Plan. **Rebecca Wayment** seconded the motion. Commissioners Brad Dutson, Brett Anderson, Brigham Mellor, Kris Kaufman and Rebecca Wayment approved the motion. Commissioner Michael Nilson denied the motion as he feels the property owner has the right to petition for a zone change as the ordinance does not require the property owner to follow through on presented plans.

ZONING TEXT CHANGES

#7. Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend Section 11-28-180 (a)(9) of the Zoning Ordinance regarding roof pitch to enable flat or flatter roofs. (ZT-3-13)

David Petersen stated the City can apply reasonable standards for all dwellings, which is why the additional 9 standards included in the ordinances were created, including requirements for roof

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

S U B J E C T: Minute Motion Approving Summary Action List

1. Approval of Minutes from July 2, 2013 and July 16, 2013
2. Proclamation for "Attendance Awareness Month"
3. Nomination of Robinson homes for the Historic Landmarks Register
4. Park Lane Restriping Proposal
5. Revised Final Plat and Amended Development Agreement for the Meadow View Conservation Subdivision

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY COUNCIL MEETING

July 2, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, City Engineer Paul Hirst, City Attorney Todd Godfrey and City Recorder Holly Gadd

Solid Waste Collection Agreement

Dave Millheim explained that the press made an error when they reported that Farmington City was lowering its waste collection rates. Robinson Waste lowered their recycling rates which allowed them to submit the lowest bid. Because of the mistake, the **Mayor** asked that the item be removed from the Summary Action List and handled separately.

Farmington Area Baseball League (FABL) Contract

There are a couple of issues that need to be discussed during the regular session.

Local Consent for a Full-Service Restaurant Liquor License – Twigs Station Park, LLC

Jim Talbot reported that he and the **Mayor** met with the Executive VP of Twigs in Portland, Oregon to express concern regarding their restaurant sign. They informed him that Farmington is a conservative community with strong family values. **Trevor Blackwell** was surprised by the timing (the restaurant is opening soon) but agreed to discuss the matter with his father. They made several modifications in their signage in an effort to be sensitive to community culture issues, but both CenterCal and Twig's reserve the right to change the signs in the future. The bar in their Portland restaurant is just inside the restaurant, but at Station Park the bar is located in the back. **Dave Millheim** advised the Council not to apply approval of the liquor licenses to the signage and said there would be public hearings on both licenses.

Miscellaneous

Dave Millheim said there will be a closed session for two potential litigation items and one property acquisition item.

Conference

David Petersen attended a conference sponsored by the Congress of the new Urbanism, which focuses on urban developments. He attended a retail session which was very beneficial. He shared details regarding successful developments. **John Bilton** said it is sometimes good to challenge practices that have been in place for many years, and he would like to learn more about the process. **Jim Talbot** said many developers will not participate in a development until the zoning has been changed.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Finance Director Keith Johnson, City Development Director David Petersen, City Recorder Holly Gadd

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Cory Ritz** and the Pledge of Allegiance was led by **Cindy Roybal**.

PUBLIC HEARING:

Local Consent for a Full-Service Restaurant Liquor License – Twigs Station Park, LLC

Public Hearing opened at 7:05 p.m.

David Stringfellow, 2068 Sharpshooter Court, said the Council expressed concern regarding the name of this restaurant at their previous meeting, but he thinks private businesses (and not the Council) should be able to make their own decisions regarding signs.

Christine Nicholson, 17 North Buffalo Road, applauded the City Council for their position to maintain a family atmosphere at Station Park and said she appreciates any measure taken to protect family values.

Public Hearing closed at 7:10 p.m.

The **Mayor** said he and **Jim Talbot** met with the owners of Twigs. They were impressed with their willingness to be respectful of Farmington's family values.

Motion:

Jim Talbot made a motion to approve Twig's Station Park's Local Consent for a State of Utah Full-Service Restaurant Liquor License. **John Bilton** seconded the motion which was unanimously approved.

Local Consent for a Club Liquor License – Twigs Station Park, LLC

Steve Barth, 1403 East Lombardi Court, Murray, is a lobbyist, and he said the Club Liquor License allows the owner to extend their hours slightly and to install a drink preparation barrier.

Public Hearing opened at 7:10 p.m.

There were no public comments and the public hearing was closed.

Motion:

Jim Talbot made a motion to approve Twig's Station Park's Local Consent for a Club Liquor License. **Cory Ritz** seconded the motion which was unanimously approved.

SUMMARY ACTION:

1. Approval of Minutes from the June 18, 2013 meeting
2. Road Overlays for Fiscal Year 2014
3. Richards Rock Mill Nomination to Farmington City Historic Landmarks Register
4. Award of bid for water line replacement and new roads
5. Adoption of Uniform Construction Codes

Mayor Harbertson stated that staff needs additional time for #3, and #4 needs to be addressed separately.

Motion:

Jim Young made a motion to approve Items #1, #2 and #5 on the Summary Action List. The motion was seconded by **Cindy Roybal** and unanimously approved.

Award of bid for water line replacement and new roads (Bayview and Oakridge Lane)

Mayor Harbertson said the Cap Companies submitted the lowest bid for this project, and when the construction schedule has been finalized, a letter will be sent to the residents and a meeting will be scheduled.

Motion:

John Bilton made a motion to award the bid of \$ 508,937.35 to Kapp Companies for the reconstruction of water lines and roads on Bayview and Oakridge Lane. The motion was seconded by **Jim Talbot** and unanimously approved.

NEW BUSINESS:

Solid Waste Collection Agreement

The **Mayor** said several minor changes were made to the Agreement, including a diesel fuel surcharge which addresses fluctuating fuel prices.

Motion:

Cindy Roybal made a motion to approve the Solid Waste Collection Agreement between Farmington City and Robinson Waste. The motion was seconded by **Cory Ritz** and unanimously approved.

Keith Johnson prepared an analysis of waste collection rates during the past few years. The last adjustment was in 2008 when rates increased from \$12 to \$12.50, and the City

pays \$35,000 annually for the recycling cans. **Cory Ritz** his two garbage cans are heavy duty, but his neighbor has a much lower quality can. **Mr. Johnson** said the lower quality cans have not lasted well, and they now stock only the heavy duty cans. There was discussion regarding the cost of replacing cans, landfill costs, and a possible reduction in recycling costs.

Wetland Study Results

On May 7, 2013 the City signed an agreement with Frontier Corporation for a preliminary wetland study on 80 acres north of Park Lane, east of US-89, and south of Shepard Park. **David Petersen** shared details of the study and asked for permission to meet with the residents and share the results of the study, which the Council granted. He believes it will be a great planning tool for the property owners and the City. A consultant will do a more detailed study in the future which will be shared with the Army Corps of Engineers.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- Police/fire monthly activity reports for May 2013 were included in the staff report.
- He thanked the Council for observing the sample lights and staff plans to move forward with induction lighting rather than LED lighting. There are pros and cons to each type of lighting, but induction seems to have a better warranty.
- He referred to an email he received from a potential tenant and stressed the importance of being prepared in the future to handle this type of request. He would like the City to work with edcUtah as they make plans for the future of Farmington.
- He and **Keith Johnson** attended URMMA meetings last week in Cedar City. The Draper City Attorney shared information regarding impact fees and the 6-year window from the time the fee is collected until it is spent.
- **Keith Johnson** shared information regarding Davis County property tax rates. He explained that the City set the rate in June 2012, but they received \$20 million in RDA funds from US-89 and \$49 million in RDA funds from Station Park, so \$46,000 went to the RDA rather than the City's General Fund. He explained that "truth in taxation" is the amount collected (not the rate) from property tax minus growth. The State and Davis County suggested separating the two RDAs this year which would lower the rate from .001714 to .001685.

Mayor – Scott Harbertson

- He asked staff to look into the possibility of purchasing portable microphones for the Mayor and City Council.
- There was discussion regarding a City Council float for the Festival Days Parade, and the City Manager said he would make arrangements with the Fire Department.

- He asked for an update regarding **Doug Allen** and the road, and **Dave Millheim** said he would follow up on the issue.
- He asked about the turn signal on Park Lane and Station Parkway, and **Dave Millheim** said the count has been completed, but they do not know if a change is warranted. He will follow up with the Traffic Engineer.
- Farmington has approximately 6000 Benchland Irrigation connections with a current usage of 32 million gallons. Benchland would like residents to reduce their water usage and will be placing signs throughout the City to inform the public. They will issue citations to daytime water users and will cut off the water supply on October 1, 2013.

City Council

Cory Ritz

- **Steve Andersen** will be out of town during Festival Days, and his fire truck is not available for this year's Festival Days Parade.
- There is a fire hydrant at 267 South 1400 West in the Chestnut Farms Subdivision which is poorly placed. The City Manager agreed to follow up on the issue.

Cindy Roybal

- The Trails Committee reported that one of their new trail chiefs was one of the emergency responders to a hiker who fell. The Committee would like an update on the D&RG Trail, and the City Manager said it is out to bid.

Jim Talbot

- The street behind Kmart that intersects with Shepard is a very dangerous intersection.

CLOSED SESSION

Motion:

At 8:30 p.m. **Cindy Roybal** made a motion for the Council to go into a closed meeting to discuss potential litigation and property acquisition of real property. The motion was seconded by **Cory Ritz** and unanimously approved.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Scott C. Harbertson, Mayor

Motion:

At 9:05 p.m. a motion to reconvene into an open meeting was made by **Jim Talbot**, seconded by **John Bilton**, and unanimously approved.

ADJOURNMENT

Motion:

Cory Ritz made a motion to adjourn the meeting. The motion was seconded by **Jim Talbot** and approved by Council Members **Bilton, Ritz, Roybal, Talbot** and **Young**. The meeting was adjourned at 9:10 p.m.

Holly Gadd, City Recorder
Farmington City Corporation

FARMINGTON CITY COUNCIL MEETING

Tuesday, July 16, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

Form-Based Code Presentation

Mark Morris, Principal Landscape Architect at VODA Landscape and Planning, presented information regarding “walkability” as it relates to the use of a form-based code.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Jim Talbot** and the Pledge of Allegiance was led by **Dave Millheim**.

PUBLIC HEARINGS:

Schematic Plan/Preliminary PUD Master Plan for Chestnut Farms Subdivision Phase 3

Christy Alexander said this Plan will add 14 lots to the Subdivision, and the applicant has met all of the requirements.

John Wheatley, Symphony Homes representative, said Phase 2 has been successful, and Phase 3 will be similar in many aspects. There will not be a connection at 475 South and a 25-foot wide trail through the Subdivision is planned.

Public Hearing opened at 7:10 p.m.

Steve Bouck, 1392 West 475 South, showed a picture of a ditch in the area which still had water in it in May. He is anxious for this project to be completed, and he asked the City to ensure that the drainage system will be adequate for the area.

Valerie Bybee, 1418 West 475 South, said she is very concerned about drainage in this area and in her yard, and she encouraged the City to require Symphony Homes to mitigate the water issues.

Public Hearing closed at 7:15 p.m.

John Wheatley said Symphony recently capped two old irrigation wells on the edge of Phase 2, and there is no water flowing down the ditch to the wetlands. Their formal plans regarding drainage will be submitted during the preliminary plat approval.

Motion:

Cory Ritz made a motion to approve the Schematic Plan and Preliminary PUD Master Plan for the Chestnut Farms Phase 3 PUD Subdivision (14 lots), located at approximately 300 South 1400 West, subject to the same conditions and findings established previously by the Planning Commission on June 27, 2013. The motion was seconded by **Jim Talbot** and unanimously approved.

Zone Change for Chestnut Farms PUD Subdivision Phase 3

Christy Alexander said the master plan for this area is AE, and because it will be a PUD subdivision, the area must also be rezoned as a PUD. Staff is recommending approval because: (1) the same zone change was made for Phases 1 and 2; and (2) the City's policy since 1993 has been that any land east of the 4218 elevation line will be zoned AE.

The Public Hearing opened at 7:18 p.m. There were no public comments and it was closed.

Motion:

Jim Young made a motion to approve a Zone Change from A (Agricultural) to AE (PUD) (Agricultural Estates (Planned Unit Development)) on approximately 7.8 acres of property in the Chestnut Farms PUD Subdivision Phase 3, located at approximately 300 South 1400 West, subject to the findings established by the Planning Commission on June 27, 2013. The motion was seconded by **Cory Ritz** and unanimously approved.

Harv Jeppsen Minor Subdivision – Schematic Plan

David Petersen said the owner has three unplatted parcels and two existing homes. The property awkwardly shaped and the owner is proposing a flag lot with one home behind the other. The Planning Commission added an additional condition requiring the new home to face south. It is a simple layout, and all of the public improvements are installed.

Harv Jeppsen, 727 Leonard Lane, said he realizes that the City does not encourage flag lots, but in this situation it seems to make sense. He does not plan to sell the lots—they will likely stay in his family.

The Public Hearing opened at 7:26 p.m. There were no public comments and it was closed.

There was discussion regarding the existing property line on the north and the neighbors. **Mr. Jeppsen** said he is not aware of any issues. **Cindy Roybal** said Farmington has a reputation for not approving flag lots, but this appears to be the best use for this property, and it makes sense to avoid backing out onto Main Street. **Mr. Jeppsen** is grateful for the opportunity to work for Farmington City and thanked the **Mayor** and the City Council for their service.

Motion:

Cindy Roybal made a motion to approve the recommendations and findings established by the Planning Commission on June 27, 2013 and as set forth in a letter to **Harv Jeppsen** dated July 5, 2013. The motion was seconded by **Jim Talbot** and unanimously approved.

PRESENTATION OF PETITIONS AND REQUESTS:

Presentation of Citizen Awards

Police Chief Wayne Hansen shared a quote made by John F. Kennedy: “There are risks and costs to action, but they are far less than the long-range risks of comfortable inaction.” He recognized the actions of the following Farmington citizens:

- **Gaylene Johnson** called the Police Department to report that a man at Smith’s was acting strange. He was later arrested as a suspect in a robbery at Zions Bank.
- **Ian Oldroyd and Olivia Oldroyd** were caught in the crossfire of a shooting on Legacy Parkway. **Ian** pushed his sister into the back seat of the car and they both stayed down until the shooting ended—they showed bravery in the face of extreme danger.
- Several months ago, a fugitive felon left the courthouse and fled west on State Street. **Spencer Gregory** notified Davis County dispatch and Farmington officers which led them to a home near 300 West State Street where the homeowner discovered the man in her garage, and authorities were able to quickly take him into custody. **Mayor Harbertson** (his daughter-in-law was the homeowner) and resident **John Anderson** (his daughter was the homeowner) also expressed appreciation to **Mr. Gregory**.

SUMMARY ACTION

1. Amend Resolution setting Property Tax Rates for FY2014 Budget
2. Historic Landmark Designation
3. Maverik Improvements Agreement
4. Award of Bid for Street Overlay Project
5. Plat Amendment of Hidden Meadows Phase 3 Subdivision
6. Poll Workers for Upcoming Elections

Motion:

Cory Ritz made a motion to approve all of the items on the Summary Action List except #2 which will be discussed separately. **Jim Talbot** seconded the motion which was unanimously approved.

Historic Landmark Designation for Franklin D. Richards Mill

Tom Owens expressed appreciation to the Historic Commission and the City for recognizing the importance of historical buildings and taking steps to preserve them. He purchased the Mill 20 years ago, and at that time there was little empathy or awareness of historical structures. He thanked the Council for being proactive and hopes the Mill will be around for another 150 years.

Motion:

Jim Talbot made a motion to approve the Ordinance designating the Franklin D. Richards Mill as an historic resource on the Farmington Historic Landmarks Register. The motion was seconded by **Cindy Roybal** and unanimously approved.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- He reported that the police department had 170 cases in May and 240 in June which was a significant increase.

Mayor – Scott Harbertson

- He and **Cory Ritz** will attend the town hall meeting on Wednesday, July 17th.
- He congratulated City staff and everyone who helped make Festival Days 2013 a fabulous experience. He also congratulated the Youth City Council (19 youth), and their advisor, **Kristen Harbertson**, who assisted with many of the activities.
- The FABL contract was on the agenda, but because **John Bilton** was unable to attend, it will be discussed at a later time.

City Council

Cory Ritz

- He expressed appreciation to the fire department for their prompt attention last week when a transformer blew and caused a grass fire which was quickly contained and for their continued support of the police department.

Cindy Roybal:

- She said Farmington Days is “Americana” at its best and thanked everyone for their efforts.

Jim Talbot

- Several people in his neighborhood were confused by the fireworks restrictions signs, and he spoke with **Chief Smith** regarding the issue. The City Manager said he would look into the issue.

Jim Young:

- He encouraged staff to continue efforts to obtain a cover for the outdoor stage at Forbush Park.

CLOSED SESSION

Motion:

At 8:05 p.m. **Cory Ritz** made a motion to go into a closed meeting to discuss potential litigation. The motion was seconded by **Jim Talbot** and unanimously approved.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Scott C. Harbertson, Mayor

Motion:

At 8:50 p.m. a motion to reconvene into an open meeting was made by **Cindy Roybal**, seconded by **Jim Young** and unanimously approved.

ADJOURNMENT

Motion:

Cory Ritz made a motion to adjourn the meeting. The motion was seconded by **Jim Young** and unanimously approved. The meeting was adjourned at 8:50 p.m.

Holly Gadd, City Recorder
Farmington City Corporation



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
CINDY ROYBAL
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: Holly Gadd

Date: July 19, 2013

SUBJECT: ATTENDANCE AWARENESS MONTH

RECOMMENDATION

Approve the attached Proclamation proclaiming September 2013 as "Attendance Awareness Month".

BACKGROUND

The City would like to encourage parents, family, friends, and community partners to support our local schools in their efforts in reaching out to students that have attendance challenges.

Missing 10 percent or more of school per year for any reason is a proven predictor of academic trouble and dropout rates. We would like to encourage students to strive for less than one absence (excused or unexcused) per academic quarter.

It is critical for our community as a whole to be aware of the significance of regular school attendance.

Respectfully Submitted

Holly Gadd
City Recorder

Review & Concur

Dave Millheim
City Manager

**PROCLAIMING SEPTEMBER 2013 AS
“ATTENDANCE AWARENESS MONTH” IN FARMINGTON CITY**

WHEREAS, Farmington City officials understand the vital service that the Davis School District and other area schools provide. These educational institutions make valuable learning opportunities available for students to obtain knowledge and become an integral part of our community; and

WHEREAS, We recognize the importance of student attendance at school and are supportive of the efforts of our schools to improve attendance. These efforts help to ensure that students are able to fully utilize the valuable learning opportunities available to them; and

WHEREAS, Chronic absence – missing 10 percent or more of school per year for any reason including excused and unexcused beginning in kindergarten – is a proven predictor of academic trouble and dropout rates; and

WHEREAS, It is critical for students, parents and our community as a whole to be aware of the significance of regular school attendance. Good attendance is an essential part of student achievement and graduation; and

WHEREAS, Student absences can be significantly reduced when schools, parents and the community work together to promote good attendance and help to address challenges that keep children from getting to and staying in school.

NOW, THEREFORE BE IT RESOLVED that the Farmington City Council and Mayor, Scott C Harbertson hereby proclaim September 2013 as “Attendance Awareness Month” in Farmington City. We recognize the importance of regular school attendance and how this can strengthen our community.

BE IT FURTHER RESOLVED that we encourage parents, family friends and community partners to support our local schools in their efforts by reaching out to students that have attendance challenges.

BE IT FURTHER RESOLVED that we encourage parents, family, friends, and community partners to strive for less than one absence (excused or unexcused) per academic quarter for every student.

PASSED AND ADOPTED this 6th day of August 2013

ATTEST:

Holy Gadd, City Recorder

Scott C Harbertson, Mayor

FARMINGTON CITY
HISTORIC PRESERVATION COMMISSION

July 22, 2013

Mayor Scott Harbertson and City Council Members
160 South Main Street
Farmington, UT 84925

Re: Nomination of Robinson homes for the Farmington City Historic Landmarks Register

On Wednesday, July 17th the Farmington City Historic Preservation Commission approved the nomination of five homes on or near 100 North for the Farmington City Historic Landmarks Register. Homeowners had been notified of the nomination, and only one objection resulted in the exclusion of a sixth home. Each of the homes were built by Joseph Lee Robinson or members of his family.

Joseph Lee Robinson, first L.D.S. Bishop of Farmington (originally named North Cottonwood) came to Farmington in 1848, soon after arriving in the Salt Lake Valley. He lived a life of service, and he and his family played an important part in the development and growth of this community. He and others of his family built six homes in the 100 North area and five are recommended for your approval for placement on the City's Historic Landmarks Register. In 2011 these homes were part of the newly formed Main Street Historic District, and all are listed on the National Register of Historic Places.

The homes include:

*127 N. Main Street, built in 1923, by Judge Harold H. Robinson, a great grandson of Joseph Lee Robinson.

*104 W. 100 N., built in 1874, by Joseph Elijah Robinson, son of Joseph Lee Robinson.

*94 N. 100 W., built in 1854, by Joseph Lee Robinson, later owned by his son, Oliver Lee Robinson.

*67 W. 100 N., built as a barn in 1872, by Oliver Lee Robinson.

*79 N. Main Street, built in 1889, as a millinery shop by Joseph Elijah Robinson.

Thank you for your consideration.

Sincerely,

Annette Tidwell, Executive Director
Farmington City Historic Preservation Commission

enclosures

Joseph Lee Robinson

94 N. 100 W.

Oliver Lee Robinson
67 W 100 N.

Joseph Elijah Robinson
104 W 100 N.
79 N. Main St.

~~James Henry Robinson~~
~~68 W 100 N.~~ EXCLUDED

Harold H. Robinson
127 N. Main St.

127 N. Main Street
Judge Harold H. Robinson,
son of James Henry Robinson,
great grandson of Joseph Lee Robinson



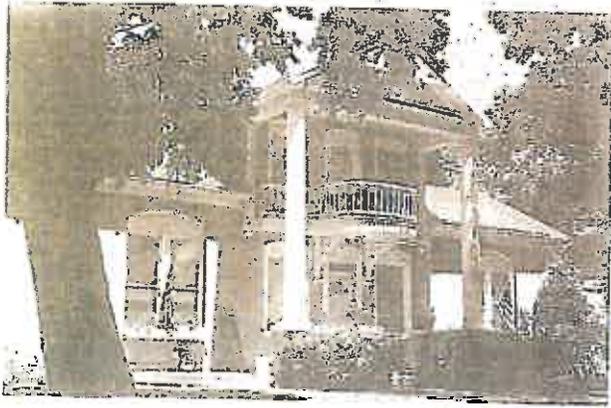
The home was built in 1923, and is reminiscent of the fine homes found on the East Coast. It is a 2-story, hip-roofed colonial style. More is known of Judge Robinson than of the home.

Harold Henry Robinson was born in 1891, to James Henry and Rhymina Chaffin Robinson. He completed 8th grade in Farmington and then went to Brigham Young Academy (there was no high school at the time). He and his wife, Hazel, came back to Farmington in 1920, and he started working for his father, James H., in the Farmington Commercial and Manufacturing Company, which was once located on the northeast corner of Main and State Street. He was asked to be one of the first teachers at Davis High School in 1914, and remained involved in education until his death. He was a Farmington City Treasurer from 1916-1921. He built the home on Main Street in 1923. He was City Recorder from 1928-1929. He was active in the community and served for many years as justice of the peace. He passed away in 1987.

Curtis and Elise Allred currently own the home, and it is listed on the National Register.

104 W. 100 N.

Joseph Elijah Robinson



The home was built in 1874, as a two room home, constructed with adobe bricks. Joseph E. was married in 1874, and moved into the home soon after. Two rooms were added upstairs. It had Green Revival Pillar Poles on the front, with a small porch balcony with a gable roof.. Joseph E.'s son, Dr. Robert C. Robinson, moved into the home about 1920, soon after he graduated from dental college. He and his wife, Delilah, made some improvements to the home and it became a "showplace" of elaborate gardens, play areas for children, statues, and rooms with floor to ceiling murals.

In 1986, the home was sold to Lagoon Investment Corporation, and it is included in the Farmington Main Street Historic District and is listed on the National Register.

94 N. 100 W.
Joseph Lee Robinson



Home built in 1854, by Joseph Lee Robinson. His journal reads "Laying adobe, making wall, haying, watering crops. I have built one house 42 feet long with 3 rooms, a fireplace in each room, in the city of Farmington". Later additions included a kitchen and back bedrooms and an upstairs. The home is of adobe bricks with an outside layer of plaster for preservation. Joseph and each of his five wives are believed to have lived in the home for some portion of their married lives. Joseph's son, Oliver Lee, also lived in the home with his first and third wives. Oliver's son, James Henry, also lived in the home during the time the first six of his nine children were born.

Jeff and Kristen Gregson currently own the home, and in 2010 added a garage, family room, laundry room, downstairs rooms, and an upstairs bedroom and bath. The south side addition did not change the original structure. The home is listed on the National Register.

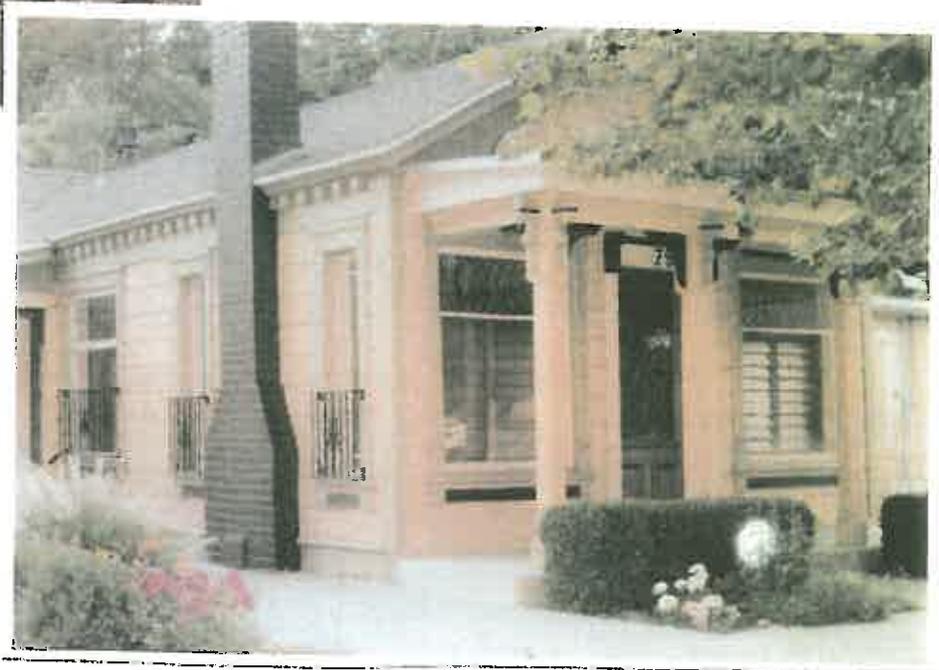
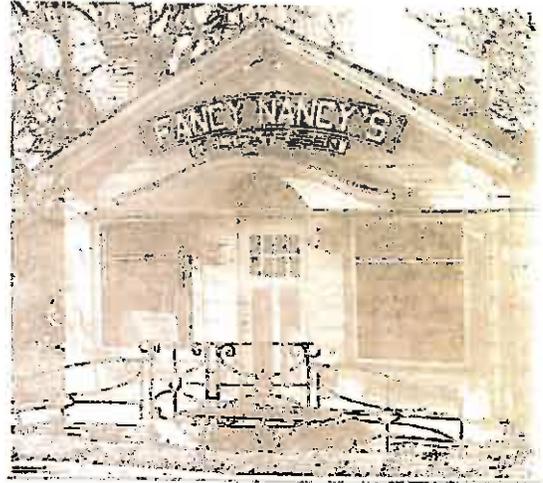
67 W. 100 N.
Oliver Lee Robinson Rock Barn



Built about 1872, by Oliver Lee Robinson during the time he lived in the home at 94 N. 100 W., which was directly west of the barn. It was used some twenty five years as a hay and animal barn, and then was converted into a home around the early 1900's when it was sold out of the Robinson family. In 1948, when Fred and Zelda Tidwell bought the home, it did not have indoor plumbing and was only heated with a large black coal range in the kitchen. There was no landscaping done and no outdoor buildings. The original structure has not been changed other than adding a utility porch and patio on the south side. The walls are 18" solid rock, with a rock foundation extending three feet into the ground. Original wooden pegs and mahogany logs are visible in the upstairs.

The home is currently owned by Annette Tidwell, and is listed on the National Register.

79 N. Main Street
Joseph Elijah Robinson



Built in 1889-1890, Joseph Elijah Robinson, son of Joseph Lee Robinson, originally built it as a millinery shop for his wife, Dorothy, and her partner, Mary E. Cowley. It is adobe brick. It was built as a one level building, with a long room in the front with a cross wing at the back. There have not been any additions. It has been used as a home, and a variety of businesses such as a restaurant, floral shop, copy shop, pie shop, clothing store, and now used as offices.

It is currently owned by Olde Millinery Investment LLC, is included in the Farmington Main Street Historic District, and is listed on the National Register.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
CINDY ROYBAL
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Dave Millheim, City Manager

Date: July 31, 2013

SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH CRS FOR SCOPE OF SERVICES FOR PARK LANE RESTRIPING

RECOMMENDATION

Authorize the attached professional services agreement with CRS for the Park Lane Restriping project in the amount of \$34,979 to be paid from Account # 38-600370.

BACKGROUND

A few years the City and UDOT concluded a jurisdictional transfer wherein the City obtained responsibility for most of Park Lane. Prior to that time, monies were set aside within UDOT for a major restriping project from the west side of the interchange to just past the Station Parkway signal. The signal light was not built yet nor was the final asphalt overlay completed so UDOT held off on the restriping project as it would all have had to be redone when the signal and asphalt overlay projects were completed. This restriping project will also facilitate adding an additional traffic lane in each direction on top of the interchange to improve traffic flow in the area. Lastly, turn signal movements into Station Park will be accommodated which many have been wanting and is becoming a problem with the growth of the area. UDOT and the City are now ready to move forward with spending the earmarked restriping funds but updated plan and profiles are needed. We are requesting approval of a sole source proposal due to the fact CRS completed the original plans in 2008. We want to get this work done this construction season and before we cause too large of a traffic impact during the holiday shopping season. Please understand this is a large restriping effort which will have some significant traffic routing issues while the work is being completed.

Respectfully Submitted,

Dave Millheim
City Manager



CALDWELL RICHARDS SORENSEN
ANSWERS TO INFRASTRUCTURE

July 25, 2013

Dave Millheim, City Manager
Farmington City Corporation
160 South Main
Farmington, UT 84025

RE: PARKLANE RESTRIPIING COST PROPOSAL

Dear Dave,

CRS Engineers is pleased to submit this cost proposal for the Park Lane Restriping project. This project will include reviewing the existing conditions to Park Lane and updating the design drawings in preparation for putting this project out for bid.

Due to schedule CRS has already begun some work activities on this project in order to keep on task with this aggressive schedule. We have coordinated with UDOT Region 1 on the various scope activities required to update the previous plan set issued in 2008 such that it is ready for bidding and construction. Activities that will be required of the successful contractor include obtaining an encroachment permit and receiving UDOT and City approval of a Maintenance of Traffic plan (MOT) detailing how traffic will move throughout the area during construction. Listed below is the scope of work necessary for the 2008 plans to be brought current, accounting for interium changes that have occurred in the area and other requirements from UDOT Region 1:

SCOPE OF SERVICES

- **Task 1 - Update Design Files:** This task will consist of updating the 2008 design documents to the current requirements. We anticipate that the work will continue to be in UDOT's standard drawing and document format, consistent with the 2008 plan set, being built per UDOT specifications and UDOT and City construction oversight.
 - **Update Design Sheets** - There has been some City and other improvements to Park Lane in the past 5 years. We will have to document what has changed and what still needs to be done for this project, based on the 2008 plan set providing revised plan sheets that apply to the current scope of the project. This includes: signal heads, shoulder, pavement widening, microseal, tape or paint striping, and signage.
 - **Update Survey Control** The original 2008 project was tied to the survey control from the Legacy Parkway Project. That control may not exist. We are proposing to modify the 2008 project design to relate back to the Park and Clark project control. This item is necessary for construction so the selected contractor can layout the project correctly.



- **Task 2 - Updated Estimate:** After we determine what still needs to be built; we will prepare an updated engineer's estimate for construction so that the City can make value based decisions on the construction scope and help City determine if the work can be phased.
- **Task 3 - Prepare Bid Package:** CRS will prepare a bid package for the project, (plans and specifications) and we will also answer questions from contractors prior to bidding and conduct the bid opening, including bid tabulation so the City can select a contractor and award a contract. .

COST ESTIMATE

We anticipate performing these services for a fixed fee in the amount of \$34,979 as outlined in the task breakdown below.

TASK 1	\$19,664
Update Design Files	
Update Design Sheets	
Update Survey Control	
TASK 2	\$ 2,457
Updated Estimate	
TASKS 3	\$12,858
Prepare Bid Package	
TOTAL	\$34,979

There is currently no scope or fee contemplated for construction administration by CRS once the project has been awarded to a contractor. We are available to assist the City, please let us know if you require any assistance with during construction services.

We appreciate the opportunity of working with you on this project. Please call with any questions you may have regarding this proposal and scope of work.

Sincerely,

CALDWELL RICHARDS SORENSEN

Matt Hirst, P.E.
Project Manager

cc: file



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
CINDY ROYBAL
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy J. Alexander, Associate City Planner

Date: August 6, 2013

SUBJECT: **APPROVAL OF A REVISED FINAL PLAT AND AMENDED DEVELOPMENT AGREEMENT FOR THE MEADOW VIEW CONSERVATION SUBDIVISION**

RECOMMENDATION

1. Approve the enclosed revised Final Plat for the Meadow View Conservation Subdivision (19 lots) located at approximately 1525 West and Spring Meadow Drive, subject to the conditions and findings as set forth in the attached Planning Commission Staff Report and the third open space area shall be identified as Parcel "C" on the Final Plat.
2. Approve the enclosed Amended Development Agreement for the Meadow View Conservation Subdivision.

BACKGROUND

The applicant, Northstar Homes, is requesting a revised Final Plat approval for their major 19-lot conservation subdivision on property located at approximately 1525 West and Spring Meadow Drive. The proposed Final Plat contains a total of 19 lots on 11.01 acres of property (same as previously). The underlying zone for this property is an AE zone.

Northstar Homes received Final Plat approval from the City Council on August 7, 2012. They have been installing the road and the laterals and have decided to now move their open space all together into one area so that they may develop that into a second phase of homes if and when the City approves a new Transfer of Development Rights (TDR) ordinance that it is currently reviewing. Staff finds no issues with this revised plat, the laterals have already been stubbed to all potential properties and the moving of the open space causes no harm to the other lots as the developer and staff had worked together previously to allocate open space where building lots could be placed in the future. The Development Agreement needs to be amended to include the revised Final Plat as an exhibit.

Respectively Submitted

Christy J. Alexander
Associate City Planner

Review and Concur

Dave Millheim
City Manager

AMENDMENT No. 1 TO DEVELOPMENT AGREEMENT
FOR
THE MEADOW VIEW SUBDIVISION

THIS AMENDMENT TO DEVELOPMENT AGREEMENT is made and entered into as of the ____ day of _____, 2013, by and between **FARMINGTON CITY**, a Utah municipal corporation, hereinafter referred to as the “City”, and **NORTHSTAR DEVELOPMENT, LLC**, a Utah Limited Liability Company, hereinafter referred to as the “Developer”.

RECITALS:

I. The parties previously entered into a Development Agreement for the Meadow View Subdivision dated August 7, 2012 (the “Development Agreement”), and desire to amend said Development Agreement as more particularly provided herein (“Amended to Development Agreement”); and

II. Subsequent to approval of the Development Agreement, the City approved a revised Final Plat for the Project (the “Revised Final Plat”), on August 6, 2013.

III. The parties now desire to amend the Development Agreement to incorporate the Revised Final Plat.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The above recitals are hereby incorporated into the Development Agreement.

2. Recitals D of the Development Agreement is hereby amended to read in its entirety as follows:

D. Developer desires to develop the Property consisting of a total of 19 lots and 3 open space parcels, which open space parcels consist of approximately 2.502 acres, collectively along with street are more particularly described and illustrated on the Revised Final Plat as set forth in Exhibit X attached hereto and by this reference made a part hereof (the “Project”).

3. Exhibit “C” of the parties’ prior Development Agreement dated August 7, 2012, is hereby amended by replacing Exhibit “C” with the Revised Final Plat as set forth in Exhibit “X” attached hereto and by this reference made a part hereof.

4. Except as expressly modified herein, the parties' Development Agreement for the Meadow View Subdivision, dated August 7, 2012, shall remain in full force and effect.

5. This Amendment to Development Agreement shall be binding upon the parties hereto and their respective heirs, agents, representatives, officers, successors and assigns.

6. This Amendment to Development Agreement may be amended only in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to Development Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

"CITY"
FARMINGTON CITY

By: _____
Mayor

ATTEST:

Holly Gadd
City Recorder

"DEVELOPER"
Northstar Development, LLC

By: _____

Its: _____

CITY ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On the ____ day of _____, 2013 personally appeared before me Scott C Harbertson, who being by me duly sworn, did say that he is the Mayor of FARMINGTON CITY, a municipal corporation, and that said instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On this ____ day of _____ 2013, personally appeared before me, _____, who being by me duly sworn, did say that (s)he is a managing member of Northstar Development, L.L.C, a Utah Limited Liability Company, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization and duly acknowledgment to me that said limited liability executed the same.

Notary Public

Residing at:

My Commission Expires:

EXHIBIT X
Revised Final Plat



Planning Commission Staff Report July 11, 2013

Item 3: Revised Final Plat for the Meadow View Conservation Subdivision

Public Hearing:	No
Application No.:	S-10-11
Property Address:	Approximately 1525 West and Spring Meadow Drive
General Plan Designation:	RRD (Rural Residential Density)
Zoning Designation:	AE
Area:	11.01 Acres
Number of Lots:	19
Property Owner:	Northstar Homes & Development, LLC
Agent:	Jared Darger

Request: *Applicant is requesting a recommendation for a revised Final Plat approval for the Meadow View Conservation Subdivision.*

Background Information

The applicant, Northstar Homes, is requesting a revised Final Plat approval for a major 19-lot conservation subdivision on property located at approximately 1525 West and Spring Meadow Drive. The proposed Final Plat contains a total of 19 lots on 11.01 acres of property. The underlying zone for this property is an AE zone. Northstar Homes is proposing a conservation subdivision adjacent to the Spring Creek Phase 3-C Subdivision that is currently under construction to the northwest. Since the number of lots exceeds 10, the approval process consists of a Schematic Plan, Preliminary Plat and Final Plat. The Planning Commission recommends the Final Plat for approval.

Northstar Homes received Final Plat approval from the City Council on August 7, 2012. They have been installing the road and the laterals and have decided to now move their open space all together into one area so that they may develop that into a second phase of homes if and when the City approves a new Transfer of Development Rights (TDR) ordinance that it is currently reviewing. Staff finds no issues with this revised plat, the laterals have already been stubbed to all potential properties and the moving of the open space causes no harm to the other lots as the developer and staff had worked together previously to allocate open space where building lots could be placed in the future.

Suggested Motion:

Move that the Planning Commission recommends that the City Council approve the Final Plat for the Meadow View Conservation Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the revised Final Plat;
2. The applicant must receive approval of the Final Plat from the City Council in order to record the proposed subdivision;
3. The development agreement must be amended to include the revised final plat.

Findings for Approval:

1. The proposed Final Plat revision is consistent with the previously approved Schematic Plan, Preliminary Plat and Final Plat.
2. The proposed subdivision meets all the requirements for approval of a Final Plat.

Supplemental Information

1. Vicinity Map
2. Meadow View Conservation Subdivision Final Plat

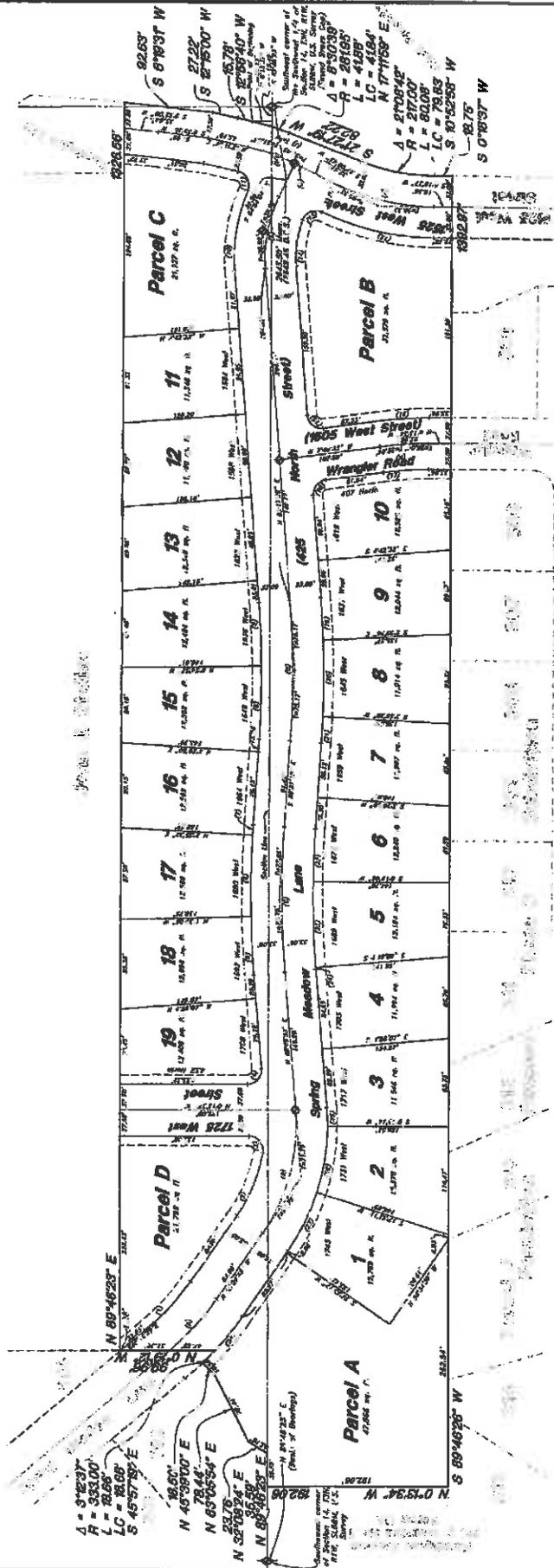
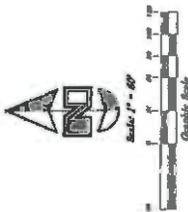
Applicable Ordinances

1. Title 12, Chapter 6 – Major Subdivisions
2. Title 12, Chapter 7 – General Requirements for All Subdivisions
3. Title 11, Chapter 10 – Agricultural Zones
4. Title 11, Chapter 12 – Conservation Subdivisions

PREVIOUSLY APPROVED AUGUST 7, 2012

Meadow View

A Conservation Subdivision
 A part of the Southwest 1/4 of Section 14, and the
 Northwest 1/4 of Section 23, T34N, R11W, SLB&M, U.S. Survey
 Farmington City, Davis County, Utah



CONTIGUOUS WORK SHEETS

Sheet No.	Section	Area (Ac.)	Notes
10	10	12.00	See Plan
11	11	12.00	See Plan
12	12	12.00	See Plan
13	13	12.00	See Plan
14	14	12.00	See Plan
15	15	12.00	See Plan
16	16	12.00	See Plan
17	17	12.00	See Plan
18	18	12.00	See Plan
19	19	12.00	See Plan

PROPERTY LINE CORNER DATA

Corner	Bearing	Distance	Notes
1	N 89°46'23" E	12.00	See Plan
2	S 89°46'23" W	12.00	See Plan
3	N 0°13'34" W	12.00	See Plan
4	N 89°46'23" E	12.00	See Plan
5	S 89°46'23" W	12.00	See Plan
6	N 0°13'34" W	12.00	See Plan
7	N 89°46'23" E	12.00	See Plan
8	S 89°46'23" W	12.00	See Plan
9	N 0°13'34" W	12.00	See Plan
10	N 89°46'23" E	12.00	See Plan
11	S 89°46'23" W	12.00	See Plan
12	N 0°13'34" W	12.00	See Plan
13	N 89°46'23" E	12.00	See Plan
14	S 89°46'23" W	12.00	See Plan
15	N 0°13'34" W	12.00	See Plan
16	N 89°46'23" E	12.00	See Plan
17	S 89°46'23" W	12.00	See Plan
18	N 0°13'34" W	12.00	See Plan
19	N 89°46'23" E	12.00	See Plan

NOTES:
 1. All work shall comply with the Utah Subdivision Map Act, Chapter 20A, U.C.A. and the Utah Subdivision Map Act Rules, Chapter 20A-101, R.C.M.
 2. Foundation drains must be able to gravity discharge, not require sump pumps.
 3. All utility lines shall be shown and located in accordance with the Utah Subdivision Map Act, Chapter 20A, U.C.A. and the Utah Subdivision Map Act Rules, Chapter 20A-101, R.C.M.
 4. All easements shall be shown and located in accordance with the Utah Subdivision Map Act, Chapter 20A, U.C.A. and the Utah Subdivision Map Act Rules, Chapter 20A-101, R.C.M.

GREAT BASIN ENGINEERING
 1525 EAST GREEN, UTAH BEACH, UTAH 84080
 PH: 801-735-4410 FAX: 801-735-4411
 WWW.GREATBASINENGINEERING.COM

SHEET 2 OF 2
 DAVIS COUNTY RECORDER
 BOOK NO. _____ PAGE NO. _____
 RECORDED IN BOOK _____ PAGE _____
 DATE OF RECORDING _____

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

S U B J E C T: Discussion on Changing Recycling Rates for Residents

ACTION TO BE CONSIDERED:

Discussion item only

GENERAL INFORMATION:

See enclosed staff report prepared by Keith Johnson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY



SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
CORY R. RITZ
CINDY ROYBAL
JIM TALBOT
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: Keith Johnson, Assistant City Manager

Date: July 26, 2013

Subject: **DISCUSSION ON CHANGING RECYCLING RATES FOR RESIDENTS.**

RECOMMENDATIONS

Discuss the proposed rate change that the City charges to residents for recycling.

BACKGROUND

As you know the City just went out to bid for garbage service and have contracted again with Robinson Waste for garbage and recycling pickup. In their bid, the rates for recycling pickup dropped from \$2.72 per can per month to \$1.93 per can per month. It was suggested that with the savings to the City, we might look at lowering the recycling rate the City charges to the residents. We would recommend considering lowering the recycling rate from \$3.85 per can per month to \$3.00 per can per month. This would reduce the amount what the City keeps over what is paid to Robinson Waste for over head and can replacements by \$277.00 per month (see enclosed recycling rate sheet). As you can see also on the Garbage Fund sheet, the garbage fund balance is strong enough to handle this slight decrease per month.

If the City Council concurs with this recommendation or any other alteration to it, we will bring it back to the next Council meeting to have it approved and to go into effect September 1, 2013.

Respectfully Submitted,

Keith Johnson,
Assistant City Manager

Review and Concur,

Dave Millheim,
City Manager

Recycling Rates

Monthly Totals		\$3.85 Current Rates	\$3.00 New Rate	Decrease
Customers	4624	17,802.40	13,872.00	3,930.40
Robinson Pickup Rates		\$2.72 12,577.28	\$1.93 8,924.32	3,652.96
Total Difference		5,225.12	4,947.68	<u>-277.44</u>

Garbage Fund Balance

Fund Balance 6/30/07		<u>191,103</u>
FY 08		
Revenues	824,155	
Expenses	803,086	
Fund Balance 6/30/08	21,069	<u>212,172</u>
FY 09		
Revenues	891,401	
Expenses	806,487	
Fund Balance 6/30/09	84,914	<u>297,086</u>
FY 10		
Revenues	1,181,346	
Expenses	1,233,347	
Fund Balance 6/30/10	-52,001	<u>245,085</u>
FY 11		
Revenues	1,123,965	
Expenses	1,066,505	
Fund Balance 6/30/11	57,460	<u>302,545</u>
FY 12		
Revenues	1,154,568	
Expenses	1,148,871	
Fund Balance 6/30/12	5,697	<u>308,242</u>
FY 13		
Revenues	1,174,500	
Expenses	1,187,117	
Fund Balance 6/30/13	-12,617	<u>295,625</u>
FY 14		
Revenues	1,172,500	
Expenses	1,218,070	
Fund Balance 6/30/14	-45,570	<u>250,055</u>

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

SUBJECT: City Manager Report

1. Fire Monthly Activity Report for June
2. Staff Vacancies
3. Donation of Parcel Number 08-051-0230 from Garbett Homes to the City
4. DNRG Rail Trail Update
5. Oak Lane Water Line/Repaving Project Completion
6. Signal Light 200 West and State Street

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



Farmington City Fire Department



Monthly Activity Report

June 2013



Emergency Services

Fire / Rescue Related Calls: **36**
All Fires, Rescues, Haz-Mats, Vehicle Accidents, CO Calls, False Alarms, Brush Fires, EMS Support, etc...

Ambulance Related Calls: **80 / Transported 38 (48%)**
Medicals, Traumatic Incidents, Transfers, CO Calls w/ Symptomatic Patients, etc...

Calls Missed / Unable to adequately staff: **1**

Urgent EMS Related Response Times (AVG): **4.1 Minutes** **GOAL 4 minutes or less (+.1min.)**

Urgent Fire Related Response Times (AVG): **6.6 Minutes** **GOAL 4 minutes or less (+ 2.6 min.)**

Department Man-Hours (based on the following 28-day pay period June 14th and June 28th)

Part-Time Shift Staffing:	1344	Budgeted 1344	Variance -0
Part-Time Secretary:	80	Budgeted 80	Variance - 0
Part-Time Fire Marshal:	48	Budgeted 80	Variance - 32
Full-Time Captains:	N/A	48/96 Hour Schedule	Variances / Overtime + 0
Full-Time Fire Chief:	N/A	Salary Exempt	
Training & Drills:	197		
Emergency Callbacks:	222	FIRE 88 Hrs / EMS 134 Hrs	
Special Event Hours:	63		(YTD:) 201
Total PT Staffing Hours:	1954		(YTD:) 9,885.5

Monthly Revenues & Grant Activity YTD

Ambulance:	Prev. Month	Calendar Year	FY 2013
Ambulance Services Billed (previous month):	\$ 37,259.56	\$208,968.63 YTD	\$402,884.67
Ambulance Billing Collected (previous month):	\$ 15,596.64	\$120,089.39 YTD	\$240,890.85
Variances:	-\$21,662.92	-\$88,879.24 YTD	-\$161,399.82

Grants / Assistance / Donations:

Grants Applied For:	Additional Fuel Mitigation	\$ 20,000	\$81,570 YTD
Grants Received:	Wildland Fuel Mitigation	\$ 40,000	\$160,010 YTD

Scheduled Department Training (To Include Wednesday Evening Drills) & Man Hours

Drill # 1– Officers Monthly Meeting & Training:	21	
Drill #2– Firefighter / Bailout / Self-Rescue Prop	58	Avg. Wednesday Night Drill Attendance
Drill #3– EMS – Dr. Fredrickson – Respiratory & Doc.	58	by FFD Personnel This Month: 20
Drill #4– Wildland Refresher / Radio Communications	58	

Other:

Total Training / Actual Attended Man-Hours: 197 5,257 YTD

Fire Prevention & Inspection Activities QTY

Business Inspections:	6
Fire Plan Reviews & Related:	5
Station Tours & Public Ed Sessions:	9

Health, Wellness & Safety Activities QTY

Reportable Injuries:	1	1 YTD
Physical Fitness / Gym Membership Participation %	38%	
Chaplaincy Events:	2	

FFD Committees & Other Internal Group Status

Process Improvement Program (PIP) Submittals: 0 3 YTD

Active FFD Committees: Emergency Medical Services (EMS), Apparatus & Equipment, Fire Apparatus & Equipment, Rescue – Heavy Rescue, Water, Rope & Related Equipment, Wildland Apparatus & Equipment, Health, Wellness & Safety, Charity / Fund Raiser, Fire Prevention & Pub-Ed, Haz-Mat, Building and Facilities.

Additional Narrative:

June proved to be a busy month. Call volumes followed typical summer month trends with more people engaging in outdoor activities. Delivery of services (response times) already showing improvement with the addition of one full-time Captain with the other position scheduled to be filled next month - EMS calls 4. 1 minute avg. and FIRE calls 6.2 minute avg. Only one call resulted in no-staffing of apparatus – on-duty crew attending to other call. FFD filled all shift hours for staffing (only 52 Hrs. short YTD). Ambulance transport percentages came in at 48% with many calls being precautionary – heat related. With the previous stated, FFD did see an increase of life-threatening traumatic incidents requiring PT's to be transported by air (5 total)... Collections of revenues continue with little predictability due to collection & mandated billing variables. June training focused on Firefighter Self Rescue / Bailout Drills, Interface Firefighting and Communications, EMS- Dr. Fredrickson – Respiratory and Documentation. FFD received \$40,000 allotment towards fuel mitigation work to be performed on the east side of Farmington with an additional \$20,000 in the works. Mitigation work started in mid-June and is expected to end mid-July. FFD is very proud to complete this project as we have truly provided a high-quality prevention and education program to include: 1. Fuel Removal / Reduction opportunities via grants and utilization of manpower services (low-risk inmates) that effectively increased our output by 50%. 2. Provided door-to-door education to our interface areas and delivered tri-folds throughout the city . 3. Prepared hazard staffing during the 14 days of fireworks shooting – July 1-7 and July 21-27. Although we cannot always control Mother Nature's fury when dealing with wildland / interface fires, we can rest assured we have done everything possible to help minimize the impact of hazardous situations on life, property and the environment through effective prevention, response and preparedness programs as stated within our mission statement. FFD is in the process of training several new part-time FF / EMT's. FFD is also gearing up to start its new full-time Captain (Chris Winter) on July 1st.

Please feel free to contact myself at your convenience with questions, comments or concerns:

Cell (801) 643-4142 or email gsmith@farmington.utah.gov

Respectfully,

**Guido Smith
Fire Chief**

Bryson Garbett
Sixty-Four Associates, LC
273 N. East Capitol Street
Salt Lake City, UT 84103

RE: Receipt of Donation of Parcel Number 08-051-0230 from Sixty-Four Associates, LC

Dear Bryson,

Farmington City is pleased to accept your donation of the .33 acre parcel located adjacent to the Maverick gas station on west Shepard Drive in Farmington, Utah. The property was developed jointly by Garbett Homes and Farmington City as a trail head park. The property is parcel number 08-051-0230.

Although the property has not been appraised, we believe the property has a value of \$4,900. Other than the above referenced parcel, no other goods or services were provided or received as part of this donation.

Thank you for your donation,

Mayor Harbertson

CITY COUNCIL AGENDA

For Council Meeting:
August 6, 2013

SUBJECT: Mayor Harbertson & City Council Reports

1. FABL Contract – Revisit Deposit Question
2. Status of Main Street Well

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Zimbra

hgadd@farmington.utah.gov

Fwd: FABL User Agreement with City

From : Dave Millheim <dmillheim@farmington.utah.gov> Tue, Jul 02, 2013 10:10 AM
Subject : Fwd: FABL User Agreement with City
To : Holly Gadd <hgadd@farmington.utah.gov>

Sent from my iPad

Begin forwarded message:

From: Neil Miller <nmliller@farmington.utah.gov>
Date: July 2, 2013, 7:04:30 AM MDT
To: Dave Millheim <dmillheim@farmington.utah.gov>
Subject: Fwd: FABL User Agreement with City

Not sure if you seen this.

Neil M. Miller
Farmington City
Parks & Recreation Director

From: "John Wendt" <j.wendt@pony.org>
To: "Scott Harbertson" <scottharbo@msn.com>, "John Bilton" <jbilton@centershift.com>, "Neil Miller" <nmliller@farmington.utah.gov>, "Colby Thackeray" <Cthackeray@farmington.utah.gov>
Cc: "Casey Fisher" <Cfisher@surroundair.com>, "Mike Embrey" <msembrey@msn.com>, "Mike Embrey" <mike@embreyinc.com>, "Rebecca Wendt" <beckywendt97@gmail.com>, "Robert Glance" <rob@integracore.com>, "Sherm Hadley" <nchadley@juno.com>, "Stefanie Embrey" <Stefembrey@me.com>, "Wayne Bennett" <wbenn2@yahoo.com>
Sent: Monday, July 1, 2013 3:11:17 PM
Subject: FABL User Agreement with City

Dear Mayor,

The user agreement drafted and given to Colby was presented to me on Wednesday, June 26, 2013 - I believe this is a document that was supposed to

reflect the meeting on April 3rd where we all agreed upon the stipulations of a new contract.

In a quick review of the document given to me by Colby, it appears numerous changes and additions were made beyond what was agreed upon with you, Neil, Colby, and our board members. City council members and the city manager were all invited to this meeting but did not choose to attend at that time.

It appears that the person(s) who drafted this document have little concern for the time and effort spent personally by yourself, Neil, Colby, Stephanie Gallagher, and our board members by discarding the essential elements we agreed upon during our meeting.

We are in the middle of our baseball season and board members do not have time to review, discuss and counter the document given to us on June 26th. Waiting until after August 1 will not negatively impact our baseball program or the City as it would not take effect until next year.

I appreciate your efforts on this matter.

John
