

WORK SESSION: A work session will be held at 5:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The agenda for the work session will be to answer questions on items the City Council may have and to discuss the City's Financial Study. 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, September 6, 2011, 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

7:05 Approval of Minutes from August 16, 2011

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

7:10 Executive Summary for Planning Commission on August 25, 2011

PRESENTATION OF PETITIONS AND REQUESTS:

7:15 Final Plat for Farmington Crossing North Phase 5 Subdivision

SUMMARY ACTION:

7:25 Minute Motion Approving Summary Action List

1. Approval of Disbursement Lists for July
2. Lot Line Adjustment (Jonathan and Natalie Shurtliff)
3. Ratification of Approvals of Construction & Storm Water Bond Logs

GOVERNING BODY REPORTS:

7:30 City Manager Report

1. Upcoming Agenda Items
2. Economic Development Packet
3. Cemetery Expansion
4. Plan Check Review Fee Policy
5. Hampton Inn Conditional Use Approval Appeal (Fence Issue)
6. PBS Show Case Profile

7:45 Mayor Harbertson & City Council Reports

1. National Register of Historic Places

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session to discuss property acquisition.

DATED this 1st day of September, 2011.

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:
September 6, 2011

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

It is requested that Mayor Scott Harbertson give the invocation/opening comments to the meeting and it is requested that Council Member Rick Dutson 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:
September 6, 2011

S U B J E C T: Approval of Minutes of Previous Meetings

ACTION TO BE CONSIDERED:

Minute motion approving the minutes of the City Council meeting held on August 16, 2011.

GENERAL INFORMATION:

Please see enclosed minutes. They have been reviewed by staff and are ready for Governing Body review and approval.

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

August 16, 2011

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, City Intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

The **Mayor** began the meeting at 6:00 p.m. with an announcement that CNN Money Magazine named Farmington City as #12 on their “Best Places to Live” list (population under 50,000). Four other cities in Utah were also on the list—North Salt Lake, Logan, Lindon, and Draper. **Cory Ritz** offered an opening prayer, and the Council discussed several of the items on the Summary Action List and other agenda items.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, City Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

CALL TO ORDER:

Opening Comments/Invocation/Pledge of Allegiance

Mayor Harbertson opened the meeting at 7:05 p.m. and welcomed those in attendance, including Youth City Council Members **TJ Jewett**, **Sarah Barfuss**, **Jace Riley**, and **Cooper VandeMerwe**. The invocation was offered by **Sid Young**, and the Pledge of Allegiance was led by local Boy Scout **Ben Jardine** of Troop 1837.

Approval of Minutes

Motion

Cory Ritz made a motion to approve the minutes of the August 2, 2011 City Council Meeting. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton**, **Dutson**, and **Ritz**. Council Members **Talbot** and **Young** abstained because they did not attend the meeting.

PRESENTATION OF PETITIONS AND REQUESTS:

Request from Ozone Sports and Rockwell Relay for a Bike Race

Tyler Servoss said the bicycle race is scheduled for Sept. 17th from 8-12 a.m. on the Festival Days course. It will be sponsored by Ozone Sports and Rockwell Relay—they plan to cover all associated costs and conduct a door-to-door campaign to inform residents of the race. He predicted that there would be 100 racers, and benefits include exposure for local businesses and overtime pay for the police department.

The Council expressed concern regarding local residents’ ability to drive and from their homes, the safety of young children, and liability coverage for the City. **John Bilton** suggested the possibility of

changing the location to Harmon's parking lot where there are fewer residents, and **Mr. Servoss** that area may be an option in the future but is not ready at this point. The entire course will be wrapped in caution tape, and the police department will be hired to assist with safety.

Motion

Jim Talbot made a motion that the City Council approved the bike race with the following conditions:

1. Farmington City will be listed as an additional insured for liability coverage in the amount of \$1 million, and evidence of such insurance will be provided in writing by September 1, 2011.
2. Race sponsors will provide a cash deposit to the City in the amount of \$2000 no later than September 1, 2011 to cover the costs associated with traffic control from both Public Works and Police Department personnel.
3. Race sponsors will provide proper public notice to residents affected by the race route.
4. Race sponsors will provide safety for Farmington residents by clearly marking the race route.

The motion was seconded by **Sid Young** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

1. **Verizon Cell Tower Lease Agreement**
2. **Approval of Final Plat for the VanZweden Subdivision**
3. **Revocation and Abandonment of Easement – Farmington Creek Estates, Phase III**
4. **Greg Garfield Easement Request**
5. **Local consent for Main Events Concessions and Catering “On-Premise (Non-tavern) Beer License” and “On-Premise Banquet Liquor License”**
6. **Ratification of approvals of Construction & Storm Water Bond Logs**
7. **Approval of Disbursement Lists for May and June**
8. **Approval of Poll Workers for upcoming elections**

Motion

John Bilton made a motion to approve items #2, #6, #7, and #8 of the Summary Action List and to review Items #1 and #4 separately. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

Motion

John Bilton made a motion to table items #3 and #5 of the Summary Action List. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

4. Greg Garfield Easement Request

Greg Garfield, 1384 South 700 East, Kaysville, is requesting an easement for improved access to Lot #2 in the Farmington Hills East Subdivision. He referred to a letter he wrote to the City which outlines his proposal.

Motion

John Bilton made a motion to approve a perpetual access easement for Lot #2 in the Point-of-View Subdivision in exchange for certain public improvements as outlined in the June 23, 2011 request letter (copy attached) and direct staff to prepare the necessary easement documents requiring that the improvements (1-5) (as outlined in the June 23, 2011 request letter) be constructed by **Mr. Garfield** prior to the recording of the easement with an additional condition #6 requiring the project to be completed within 12 months. **Cory Ritz** seconded the motion which was approved Council Members **Bilton, Dutson, Ritz, Talbot and Young**.

1. Verizon Cell Tower Lease Agreement

The Council reviewed this Agreement several months ago and requested additional information regarding the look of the tower and the amount of compensation the City would receive.

Doug Kofford, 9847 South 500 West, Sandy, said the height of the pole will be 60 feet. Verizon will be the only carrier using the cell tower, and they do not actively market to other carriers. The fence will be chain link with barbed wire, and there will not be any surveillance. **Dave Millheim** explained that if the Council approves this Lease Agreement, the Planning Commission will receive notice that the City as a property owner approved and supports this action. However, if the elevation is amended in any way, the Agreement will be null and void. The Council discussed the exact location of the pole, the revenue terms, and possible health issues associated with cell towers.

Motion

Rick Dutson made a motion to authorize **Mayor Harbertson** to sign the Lease Agreement between Verizon Wireless and Farmington City for the purposes of locating a cell tower in the area of the police building with a condition that the tower cannot be higher than 60 feet. **Cory Ritz** seconded the motion which was approved by Council Members **Bilton, Dutson, Ritz, Talbot and Young**.

3. Revocation and Abandonment of Easement – Farmington Creek Estates, Phase III

This item was previously tabled, but because the builder and homeowner were both present, the **Mayor** allowed them to speak concerning this matter.

Blake Matthews has a contract to build a home on Lot 309, and when he applied for a building permit, he was told that before it could be issued, he would be required to release a 40-foot wide Chevron Gas Easement and P.U.E. on the entire subdivision. The existing home on Lot 316 has a swimming pool which encroaches on the 40-foot easement. He feels that a deck on Lot 309, which will be 15 feet away from the marked easement line, should also be allowed. He was given an unfair burden to release the easement on the entire subdivision—the other homeowners in the subdivision should be required to pay for their share. An engineer surveyed and marked the easement lines at a cost of \$500. He asked the Council to allow him to move forward with a building permit.

City Manager **Dave Millheim** pointed out that although mistakes were made in the past, the situation needs to be remedied. He gave a more detailed description of the problem and discussed the matter with the **Mayor** and City Council. He stressed the need for official Chevron documentation and said the City is the owner of a legal easement which is protects the Chevron pipeline. The City does not want to abandon its rights to Chevron, but they are willing to draft a letter to Chevron asking if they will approve a modification of this easement.

Brandon Funk, owner of Lot 309 and member of the Woods Cross Planning Commission, has had his construction loan for six weeks, and he asked the City Council and the City Manager to make a decision tonight so that he could move forward on his home construction. **Dave Millheim** said that was not possible—he could not allow a temporary building permit without clearing up this easement issue. However, the Council determined that they would hold a special Council meeting on August 25, 2011 to consider the matter.

NEW BUSINESS:

Proposed Sign Ordinance (Title 15) Revisions

Motion

Rick Dutson made a motion to approve Ordinance No. 2011-____ amending the Sign Ordinance (Title 15) of the Farmington City Code. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

General Plan and Zoning Ordinance Amendment Discussion – Mixed Use and nearby areas

David Petersen said the Council approved temporary zoning regulations on April 28, 2011, to allow time to review and consider possible amendments to the City's General Plan and Zoning Ordinance. City staff met with developers and experts to obtain their suggestions regarding residential and non-residential possibilities in Farmington's mixed use and other areas. **Mr. Petersen** presented the proposed changes and requested that the Council provide feedback no later than August 29, 2011.

Flag Lot Study Presentation and Policy Decision

David Petersen said the Planning Department conducted a flag lot study pursuant to a request from the Council to create standards for flag lots in the City. The standards may include:

- Increase stem width which will allow more room for landscaping but will require more frontage, property and side yard areas to create flag lots;
- Prohibit flag lots in cul de sacs and in smaller lot zones such as the R, R-2, R-4, R-8 zones and the NMU and CMU zones and in conservation subdivisions and PUDs;
- Continue to allow flag lots in large lot zones developed conventionally—such as the LR, S, LS, AE, A, and AA zones, but at the same time increase stem length for flag lots in these zones.

He said another option would be to amend the City's Ordinance and prohibit flag lots. The Council provided input regarding the pros and cons and directed staff to prepare an ordinance.

Approval of Street Standards not listed in the Development Standards (The Haws Companies)

The **Mayor** explained that the applicant is requesting approval of a revised site plan for the trail along the perimeter of Park Lane Village which includes paving the trail north of the existing Legacy connection and veering northwest on Red Barn Lane and ending at Station Parkway. They would like to pave the trail according to City trail standards rather than public street standards. He referred to the staff report which listed three conditions upon approval.

Rich Haws agreed with conditions #1 and #2 but he did not agree with condition #3. He said the Haws Companies would pay any amount over the \$325,000, but the City would provide a credit through impact fees which would be incurred during Phase 1. The **Mayor** explained that money was not allocated through the capital facilities plan, and no funds are available for additional costs.

Dave Millheim said that no one is debating the change in the trail—it is a better short-term solution. The City does not want to lose the trail along Shepard Creek because the two trails are compatible with each other. There was discussion regarding the original development agreement, the joint use of the trail, public safety, the width of the trail, and the striping/markings of the trail.

Motion

Jim Talbot made a motion to approve the revised Park Lane Village trail location and corresponding public street standards not listed along Red Barn Lane as proposed in the attached site plan, subject to all applicable Farmington City ordinances and development standards and the following:

1. The applicant must provide a trail extension along Shepard Creek, southwest of Red Barn Lane, when future development occurs adjacent to the creek.
2. The City shall always maintain the right to improve Red Barn Lane in accordance with public street standards as listed in the City Development Standards, unless the right-of-way is vacated.
3. City staff shall create an amendment to the Development Agreement stipulating what the \$325,000 includes and ensuring that the City's impact fees are protected and remain intact;
4. The applicant shall include appropriate signage and striping of the street to determine the roadway vs. trails.

The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

GOVERNING BODY REPORTS:

City Manager Report

- He referred to the list of upcoming agenda items and asked for Council input on the “To Do” lists.
- The grant request for Spring Creek Park was not approved—the agency did not have sufficient funds for all of the requests. Residents have asked what the City's plans are for the park, and he agreed to meet with **Neil Miller** to determine what can be done with the Park.

Mayor Harbertson

- There will be a meeting with Key Bank officials on August 31, 2011 at 11:30 a.m. to discuss possibilities for the Old Farm site.
- He and **Cory Ritz** will attend the town hall meeting on Wed., August 17, 2011.
- He commended **Neil Miller** and his staff for their efforts with the appreciation dinner.
- A Farmington resident has asked about the possibility of using a 2-acre piece of property the City owns for a community garden.
- Sports Authority had a successful grand opening of their new store in Farmington.
- Main Street received its historic designation—it will now go to the national committee.
- He and the City Manager participated in a bus tour sponsored by Davis County. It was an insightful meeting, and Farmington looks great compared to some other sites in the County.

- He plans to meet with resident **Jason Farr** regarding a trail easement on the side of his home.
- The annual Council shoot will be held on August 25, 2011 at 5:00 p.m., and spouses are invited.
- There is a meeting with **Nate Pugsley** on Thursday at 3:00 p.m. to discuss the possible purchase of the Old Farm development. **Rick Dutson** and **Jim Talbot** agreed to attend.

Jim Talbot

- He suggested that the City earmark the funds from the Verizon cell tower for a specific use rather than placing the money into the general fund.
- He proposed allowing political signs on City property six days prior to the elections in an effort to draw more voters.
- An article regarding the new artwork in the City building will be printed in the newsletter.

Sid Young

- He asked when the grand openings of Marshall's and Home Goods would be held. The City Manager said they are scheduled for August 25, 2011.
- Mile High stadium will be named Sports Authority Stadium.
- The north end of fire break road will be on private (**Jerry Stevenson**) property; the south end will be as shown, and the City is working on getting it finalized with the Forest Service.

Rick Dutson

- He expressed concern regarding the progress of the Class A Office Park and asked if the City could offer some type of incentive to help it move forward. **Dave Millheim** replied that the most important thing for the City to do is to get the infrastructure in place.

Cory Ritz

- **Garbett Homes** appears to be moving ahead with their Farmington Crossing development.

John Bilton

- He attended the open house for the new Historic Sycamore District.

ADJOURNMENT

Motion

Rick Dutson made a motion to adjourn the meeting. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**. The meeting was adjourned at 10:05 p.m.

Holly Gadd, City Recorder
Farmington City Corporation

CITY COUNCIL AGENDA

For Council Meeting:
September 6, 2011

**S U B J E C T: Executive Summary for Planning Commission meeting held
August 25, 2011**

ACTION TO BE CONSIDERED:

No action required.

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
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: David E. Petersen, Community Development Director

Date: September 1, 2011

SUBJECT: EXECUTIVE SUMMARY FOR PLANNING COMMISSION ON AUGUST 25, 2011

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on August 25, 2011 [note: five commissioners attended the meeting—Chairman Randy Hillier, Nelson Michaelson, Michael Wagstaff, Rick Draper, Kris Kaufman]:

1. Minutes
2. City Council Report
3. Rainey Homes – Applicant is requesting Preliminary Plat approval for the Miller Meadows Conservation subdivision consisting of 61 lots located at approximately 600 South 650 West in an AE/SBO zone. (S-6-11)

Approved, Vote: 5 – 0. A condition was added to ensure east to west storm water flow across the property. Moreover, the developer was also required, among other things, to meet scenic by-way design standards since the subdivision abuts the Legacy Parkway. In other action the Commission recommended approval of a plat amendment for phases I and II to accommodate lot line adjustments involving remnant land resulting from the vacation of a conservancy lot (lot 305) related to the eventual recordation of what may become phase IV

4. Rainey Homes – Applicant is requesting Preliminary Plat approval for the Tuscany Cove Phases 2 & 3 subdivisions encompassing 2.09 acres and consisting of 4 lots located at approximately 275 East Tuscany Cove Drive in an LR-F zone. (S-7-11)

Approved, Vote: 5 – 0.

5. Shreya Management Inc. – (Public Hearing) - Applicant is requesting approval of a conditional use permit/site plan for the construction of a Hampton Inn on property located near the northeast corner of Park Lane and Lagoon Drive in a CMU zone. (C-14-11)

Approved, Vote: 4 – 1. Approximately 75% of the entire length of the north boundary line of the site abuts property zoned A (Agriculture); and the remaining 25% is adjacent to an LR (Large Residential) zone. All of the northern abutting property is owned by the DeJong family. Despite concerns raised by the DeJong's and City staff, the Commission did not require a masonry fence next to the A zone (or similar barrier [note: solid wood or vinyl fences are not permitted]); nor did they require a fence next to the LR zone, but delegated this decision to City staff as to whether or not there should be a fence, and if so, if it should be a masonry or wrought iron fence, and if it should be up to 72" in height; nor did the Commission require additional landscaping along the entire length of the northern property line. The Commission's decision(s) may likely be appealed to the City Council.

6. Lawson Landscaping, LLC – (Public Hearing) - Applicant is requesting approval of a conditional use permit for a home occupation on property located at 215 East 300 North in a OTR-F zone. (C-13-11)

Tabled, Vote: 5 – 0. The Commission received many comments (mostly against) about the application. The Commission tabled the item to allow time to understand the following issues: 1) The reason a conditional use approval is necessary is because of the outside storage associated with the business, but it appears much of the outside storage is off-site in violation of the ordinance; 2) Greenhouses are a conditional use in the OTR zone—can this be considered a similar use; and 3) What can be done to screen the visibility of the outside storage area.

7. Farmington City – (Public Hearing) – Request for a recommendation/approval for Preliminary (PUD) Master Plan for a two dwelling (zero lot line) planned unit development in conjunction with the proposed restoration and preservation of a home located at 68 West 100 North in an OTR zone. (C-15-11)

Tabled, Vote: 5 – 0. The Commission received two written comments in favor of the proposal—one from an adjacent property owner and the other from a property owner across the street. Also; the one person in attendance spoke against duplexes (this person lives in west Farmington). The Commission tabled the item to determine the feasibility of the project and if an ordinance amendment may be necessary.

5. Miscellaneous, correspondence, etc.
- a. PC Policies and Procedures
 - b. Affordable Housing Plan Draft Amendment

c. Other

A draft copy of amendments to PC Policies and Procedures was distributed (the Affordable Housing Plan Draft Amendment was not ready), and Commissioners were given a "homework" assignment to review, redline, and return the draft.

Respectfully Submitted



David E. Petersen
City Planner

Review & Concur



Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
September 6, 2011

S U B J E C T: Final Plat for Farmington Crossing North Phase 5 Subdivision

ACTION TO BE CONSIDERED:

See staff report prepared by Christy Alexander for recommendation.

GENERAL INFORMATION:

See 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
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Christy Alexander, Associate City Planner

Date: August 24, 2011

SUBJECT: APPROVAL OF A FINAL PLAT FOR FARMINGTON CROSSING NORTH
PHASE 5 SUBDIVISION

RECOMMENDATION

Approve the attached Final Plat for Farmington Crossing North Phase 5 Subdivision (93 lots), and to reflect the existing Final (PUD) Master Plan, located at approximately Shepard Church Drive and Stillwater Drive, subject to the same conditions and findings established previously by the City Council on November 21, 2006, schematic plan approval, and preliminary plat approval as set forth in the attached supplemental information.

BACKGROUND

Garbett Homes first obtained recommendations and approvals for a schematic plan from the Planning Commission and City Council for the entire North Phase on August 8, 2005 and October 5, 2005. The schematic plan was amended November 10, 2005 and November 16, 2005, to accommodate a church site [note: this plan was approved subject to the developer preserving an area for commercial uses along Shepard Lane and laid the ground work for what eventually became the final master plan or Final (PUD) Master Plan]. The Planning Commission granted preliminary plat approval for the subject property on April 27, 2006, this approval has since expired. Section 12-3-080 of the Subdivision Ordinance states in part, "If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the City". Therefore, as part of the reapproval for the preliminary plat, and thereafter the final plat, the developer was required to obtain re-approval of the schematic plan. The applicant submitted a new request and the City Council granted schematic plan approval for the subject property on July 19, 2011. The Planning Commission approved the Preliminary Plat for this phase on August 11, 2011. The applicant is now requesting Final Plat approval consistent with their previously approved preliminary plat. Conditions have not changed (all building elevations and necessary development information will remain as

previously approved). The Planning Commission voted on August 11, 2011 to recommend approval of the Final Plat for Farmington Crossing North Phase 5 Subdivision.

Respectfully Submitted



Christy J. Alexander
Associate City Planner

Review & Concur



Dave Millheim
City Manager



Planning Commission Staff Report August 11, 2011

Item 4: Farmington Crossing North Phase 5 Subdivision Preliminary/Final Plat

Public Hearing:	No
Application No.:	S-4-11
Property Address:	Approximately Shepard Church Drive and Stillwater Drive
General Plan Designation:	C (Commercial)
Zoning Designation:	C-PUD
Area:	5.9 Acres
Number of Lots:	93
Property Owner:	Farmington Development Corporation (ie. Garbett Homes)
Agent:	n/a

Request: *Applicant is requesting a recommendation for Preliminary/Final Plat approval for Farmington Crossing North Phase 5*

Background Information

The applicant first obtained recommendations and approvals for a schematic plan from the Planning Commission and City Council for the entire North Phase on August 8, 2005 and October 5, 2005. The schematic plan was amended November 10, 2005 and November 16, 2005, to accommodate a church site [note: this plan was approved subject to the developer preserving an area for commercial uses along Shepard Lane and laid the ground work for what eventually became the final master plan or Final (PUD) Master Plan]. The Planning Commission granted preliminary plat approval for the subject property on April 27, 2006, this approval has since expired. Section 12-3-080 of the Subdivision Ordinance states in part, "If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the City". Therefore, as part of the reapproval for the preliminary plat, and thereafter the final plat, the developer must obtain re-approval of the schematic plan. The submitted a new request and the City Council granted schematic plan approval for the subject property on July 19, 2011. The applicant is now requesting Preliminary/Final Plat approval consistent with their previously approved preliminary plat. Conditions have not changed (all building elevations and necessary development information will remain as previously approved).

Suggested Motions:

Move the Planning Commission approve the preliminary plat for Farmington Crossing North Phase 5, and to reflect the existing Final (PUD) Master Plan, subject to all the same conditions and findings as previously approved by the Planning Commission on April 26, 2006, and schematic plan approval.

-AND-

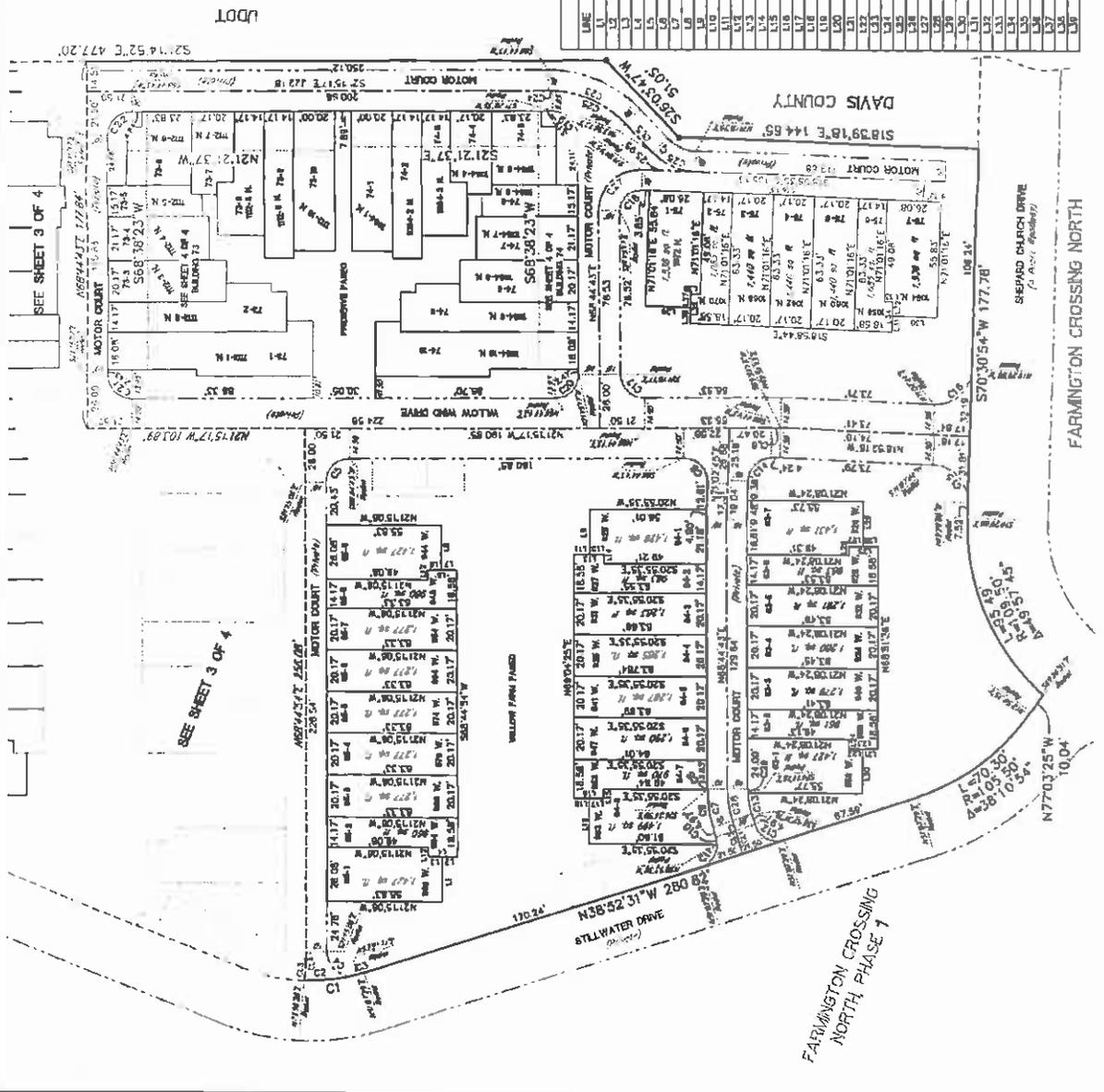
Move the Planning Commission recommend that the City Council approve the final plat for Farmington Crossing North Phase 5, and to reflect the existing Final (PUD) Master Plan, subject to the same conditions and findings established previously by the City Council on November 21, 2006, and schematic plan approval.

Supplemental Information

1. Existing Final (PUD) Master Plan showing the area for Phase 5
2. Final Plat
3. Planning Commission minutes, April 27, 2006 (previous preliminary plat approval)
4. Letter to Noel Ballstaedt from David Petersen, October 17, 2006 (previous Planning Commission final plat recommendations)
5. City Council minutes, November 21, 2006 (previous City Council final plat approval)
6. City Council minutes, July 19, 2011 (schematic plan approval)

Applicable Ordinances

1. Title 11, Chapter 16 – General Commercial Zone
2. Title 11, Chapter 27 – Planned Unit Development (PUD)
3. Title 12, Chapter 6 – Major Subdivisions



LINE TABLE

LINE	LENGTH	BEARING
C1	11.50	S81°02'28"E
C2	4.97	S81°02'28"E
C3	10.81	N73°58'20"E
C4	13.19	S78°11'47"W
C5	13.19	S78°11'47"W
C6	4.84	N70°12'17"W

PLAT NOTES

1. Lots and common area defined in this plat are subject to the Declaration of Covenants, Conditions and Restrictions, if any, of the property located at the address shown on this plat.
2. All areas within the numbered lot are common area.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	78.12	85.50	18.2052°
C2	54.80	85.50	17.7710°
C3	13.80	85.50	9.0833°
C4	21.87	85.50	15.2254°
C5	18.08	11.50	18.5268°
C6	18.45	11.50	18.1802°
C7	18.45	85.00	17.2715°
C8	0.37	85.00	0.0253°
C9	18.11	85.00	17.1741°
C10	3.61	11.50	17.3635°
C11	11.50	11.50	90.0000°
C12	18.08	11.50	18.5268°
C13	10.24	40.00	14.1813°
C14	17.60	40.00	17.4157°
C15	27.30	17.50	29.2310°
C16	17.60	17.50	22.8356°
C17	17.60	17.50	22.8356°
C18	18.11	10.00	18.7143°
C19	18.65	12.00	18.0000°
C20	18.08	11.50	18.5268°
C21	18.08	11.50	18.5268°
C22	18.08	11.50	18.5268°
C23	18.08	11.50	18.5268°
C24	18.08	11.50	18.5268°
C25	18.08	11.50	18.5268°
C26	18.08	11.50	18.5268°
C27	18.08	11.50	18.5268°
C28	18.08	11.50	18.5268°
C29	18.08	11.50	18.5268°
C30	18.08	11.50	18.5268°

LINE TABLE

LINE	LENGTH	BEARING
L1	21.87	S81°02'28"E
L2	2.50	N71°00'00"W
L3	6.20	N71°00'00"W
L4	14.27	S81°02'28"E
L5	14.27	N71°00'00"W
L6	6.20	S81°02'28"E
L7	2.50	N71°00'00"W
L8	21.87	S81°02'28"E
L9	6.20	S81°02'28"E
L10	6.20	S81°02'28"E
L11	7.50	S70°55'35"E
L12	4.47	S68°41'52"W
L13	15.25	S78°23'33"W
L14	4.47	S78°23'33"W
L15	14.20	N73°58'20"E
L16	7.25	S78°23'33"E
L17	7.25	S78°23'33"E
L18	21.87	S81°02'28"E
L19	21.87	S81°02'28"E
L20	21.87	S81°02'28"E
L21	21.87	S81°02'28"E
L22	21.87	S81°02'28"E
L23	21.87	S81°02'28"E
L24	21.87	S81°02'28"E
L25	21.87	S81°02'28"E
L26	21.87	S81°02'28"E
L27	21.87	S81°02'28"E
L28	21.87	S81°02'28"E
L29	21.87	S81°02'28"E
L30	21.87	S81°02'28"E
L31	21.87	S81°02'28"E
L32	21.87	S81°02'28"E
L33	21.87	S81°02'28"E
L34	21.87	S81°02'28"E
L35	21.87	S81°02'28"E
L36	21.87	S81°02'28"E
L37	21.87	S81°02'28"E
L38	21.87	S81°02'28"E
L39	21.87	S81°02'28"E
L40	21.87	S81°02'28"E

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR RECORD AND RECORDED THIS _____ DAY

OF _____ 20____ AT _____ IN BOOK _____

OF OFFICIAL RECORDS _____

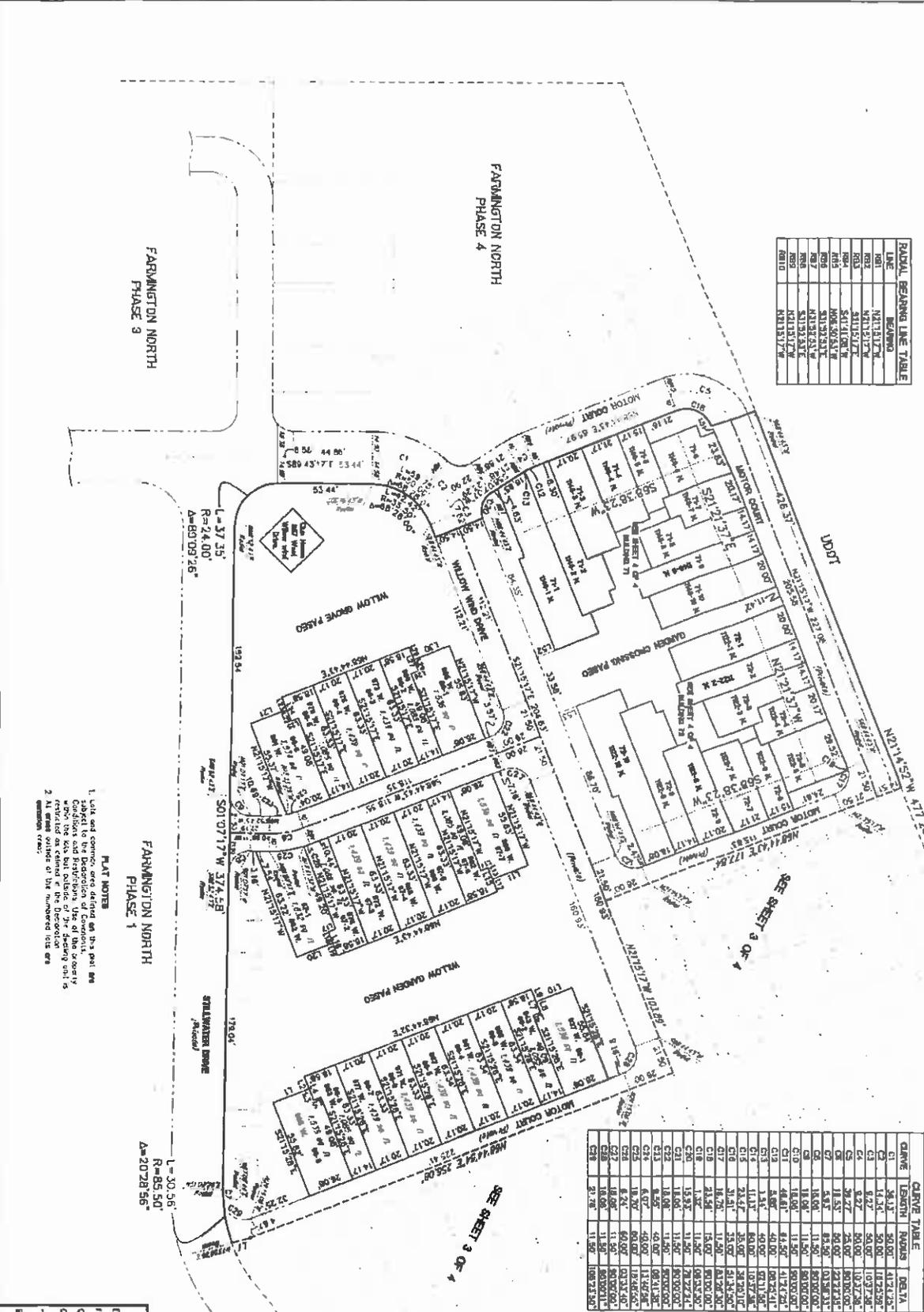
DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

FARMINGTON CROSSING NORTH, PHASE 6, A PLANNED UNIT DEVELOPMENT

RADIAL BEARING LINE TABLE

LINE	BEARING
R01	N113.17°W
R02	N113.17°W
R03	S115.17°E
R04	S115.17°E
R05	S115.17°E
R06	S115.17°E
R07	S115.17°E
R08	S115.17°E
R09	S115.17°E
R10	S115.17°E



GRADE TABLE

GRADE	LENGTH	RADIUS	DELTA
G1	34.12'	50.00'	41°24'25"
G2	14.32'	50.00'	11°25'29"
G3	8.22'	50.00'	05°27'28"
G4	38.22'	50.00'	02°27'28"
G5	18.55'	50.00'	02°27'28"
G6	4.83'	50.00'	01°27'28"
G7	18.00'	11.50'	80°00'00"
G8	18.00'	11.50'	80°00'00"
G9	18.00'	11.50'	80°00'00"
G10	18.00'	11.50'	80°00'00"
G11	18.00'	11.50'	80°00'00"
G12	18.00'	11.50'	80°00'00"
G13	18.00'	11.50'	80°00'00"
G14	18.00'	11.50'	80°00'00"
G15	18.00'	11.50'	80°00'00"
G16	18.00'	11.50'	80°00'00"
G17	18.00'	11.50'	80°00'00"
G18	18.00'	11.50'	80°00'00"
G19	18.00'	11.50'	80°00'00"
G20	18.00'	11.50'	80°00'00"
G21	18.00'	11.50'	80°00'00"
G22	18.00'	11.50'	80°00'00"
G23	18.00'	11.50'	80°00'00"
G24	18.00'	11.50'	80°00'00"
G25	18.00'	11.50'	80°00'00"
G26	18.00'	11.50'	80°00'00"
G27	18.00'	11.50'	80°00'00"
G28	18.00'	11.50'	80°00'00"
G29	18.00'	11.50'	80°00'00"
G30	18.00'	11.50'	80°00'00"
G31	18.00'	11.50'	80°00'00"
G32	18.00'	11.50'	80°00'00"
G33	18.00'	11.50'	80°00'00"
G34	18.00'	11.50'	80°00'00"
G35	18.00'	11.50'	80°00'00"
G36	18.00'	11.50'	80°00'00"
G37	18.00'	11.50'	80°00'00"
G38	18.00'	11.50'	80°00'00"
G39	18.00'	11.50'	80°00'00"
G40	18.00'	11.50'	80°00'00"
G41	18.00'	11.50'	80°00'00"
G42	18.00'	11.50'	80°00'00"
G43	18.00'	11.50'	80°00'00"
G44	18.00'	11.50'	80°00'00"
G45	18.00'	11.50'	80°00'00"
G46	18.00'	11.50'	80°00'00"
G47	18.00'	11.50'	80°00'00"
G48	18.00'	11.50'	80°00'00"
G49	18.00'	11.50'	80°00'00"
G50	18.00'	11.50'	80°00'00"
G51	18.00'	11.50'	80°00'00"
G52	18.00'	11.50'	80°00'00"
G53	18.00'	11.50'	80°00'00"
G54	18.00'	11.50'	80°00'00"
G55	18.00'	11.50'	80°00'00"
G56	18.00'	11.50'	80°00'00"
G57	18.00'	11.50'	80°00'00"
G58	18.00'	11.50'	80°00'00"
G59	18.00'	11.50'	80°00'00"
G60	18.00'	11.50'	80°00'00"
G61	18.00'	11.50'	80°00'00"
G62	18.00'	11.50'	80°00'00"
G63	18.00'	11.50'	80°00'00"
G64	18.00'	11.50'	80°00'00"
G65	18.00'	11.50'	80°00'00"
G66	18.00'	11.50'	80°00'00"
G67	18.00'	11.50'	80°00'00"
G68	18.00'	11.50'	80°00'00"
G69	18.00'	11.50'	80°00'00"
G70	18.00'	11.50'	80°00'00"
G71	18.00'	11.50'	80°00'00"
G72	18.00'	11.50'	80°00'00"
G73	18.00'	11.50'	80°00'00"
G74	18.00'	11.50'	80°00'00"
G75	18.00'	11.50'	80°00'00"
G76	18.00'	11.50'	80°00'00"
G77	18.00'	11.50'	80°00'00"
G78	18.00'	11.50'	80°00'00"
G79	18.00'	11.50'	80°00'00"
G80	18.00'	11.50'	80°00'00"
G81	18.00'	11.50'	80°00'00"
G82	18.00'	11.50'	80°00'00"
G83	18.00'	11.50'	80°00'00"
G84	18.00'	11.50'	80°00'00"
G85	18.00'	11.50'	80°00'00"
G86	18.00'	11.50'	80°00'00"
G87	18.00'	11.50'	80°00'00"
G88	18.00'	11.50'	80°00'00"
G89	18.00'	11.50'	80°00'00"
G90	18.00'	11.50'	80°00'00"
G91	18.00'	11.50'	80°00'00"
G92	18.00'	11.50'	80°00'00"
G93	18.00'	11.50'	80°00'00"
G94	18.00'	11.50'	80°00'00"
G95	18.00'	11.50'	80°00'00"
G96	18.00'	11.50'	80°00'00"
G97	18.00'	11.50'	80°00'00"
G98	18.00'	11.50'	80°00'00"
G99	18.00'	11.50'	80°00'00"
G100	18.00'	11.50'	80°00'00"

LINE TABLE

LINE	LENGTH	BEARING
L1	21.87'	S88°44'31"E
L2	21.87'	S88°44'31"E
L3	21.87'	S88°44'31"E
L4	21.87'	S88°44'31"E
L5	21.87'	S88°44'31"E
L6	21.87'	S88°44'31"E
L7	21.87'	S88°44'31"E
L8	21.87'	S88°44'31"E
L9	21.87'	S88°44'31"E
L10	21.87'	S88°44'31"E
L11	21.87'	S88°44'31"E
L12	21.87'	S88°44'31"E
L13	21.87'	S88°44'31"E
L14	21.87'	S88°44'31"E
L15	21.87'	S88°44'31"E
L16	21.87'	S88°44'31"E
L17	21.87'	S88°44'31"E
L18	21.87'	S88°44'31"E
L19	21.87'	S88°44'31"E
L20	21.87'	S88°44'31"E
L21	21.87'	S88°44'31"E
L22	21.87'	S88°44'31"E
L23	21.87'	S88°44'31"E
L24	21.87'	S88°44'31"E
L25	21.87'	S88°44'31"E
L26	21.87'	S88°44'31"E
L27	21.87'	S88°44'31"E
L28	21.87'	S88°44'31"E
L29	21.87'	S88°44'31"E
L30	21.87'	S88°44'31"E
L31	21.87'	S88°44'31"E
L32	21.87'	S88°44'31"E
L33	21.87'	S88°44'31"E
L34	21.87'	S88°44'31"E
L35	21.87'	S88°44'31"E

PLAT NOTES

1. Lot and common area defined on this plat are subject to the Reservation of Easements, Conditions and Restrictions Use of the property contained on the plat of the Developer.
2. All areas outside of the numbered lots are common area.

DAVIS COUNTY RECORDER

ENTRY NO. _____

FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ 20____ AT _____ IN BOOK _____ OF OFFICIAL RECORDS

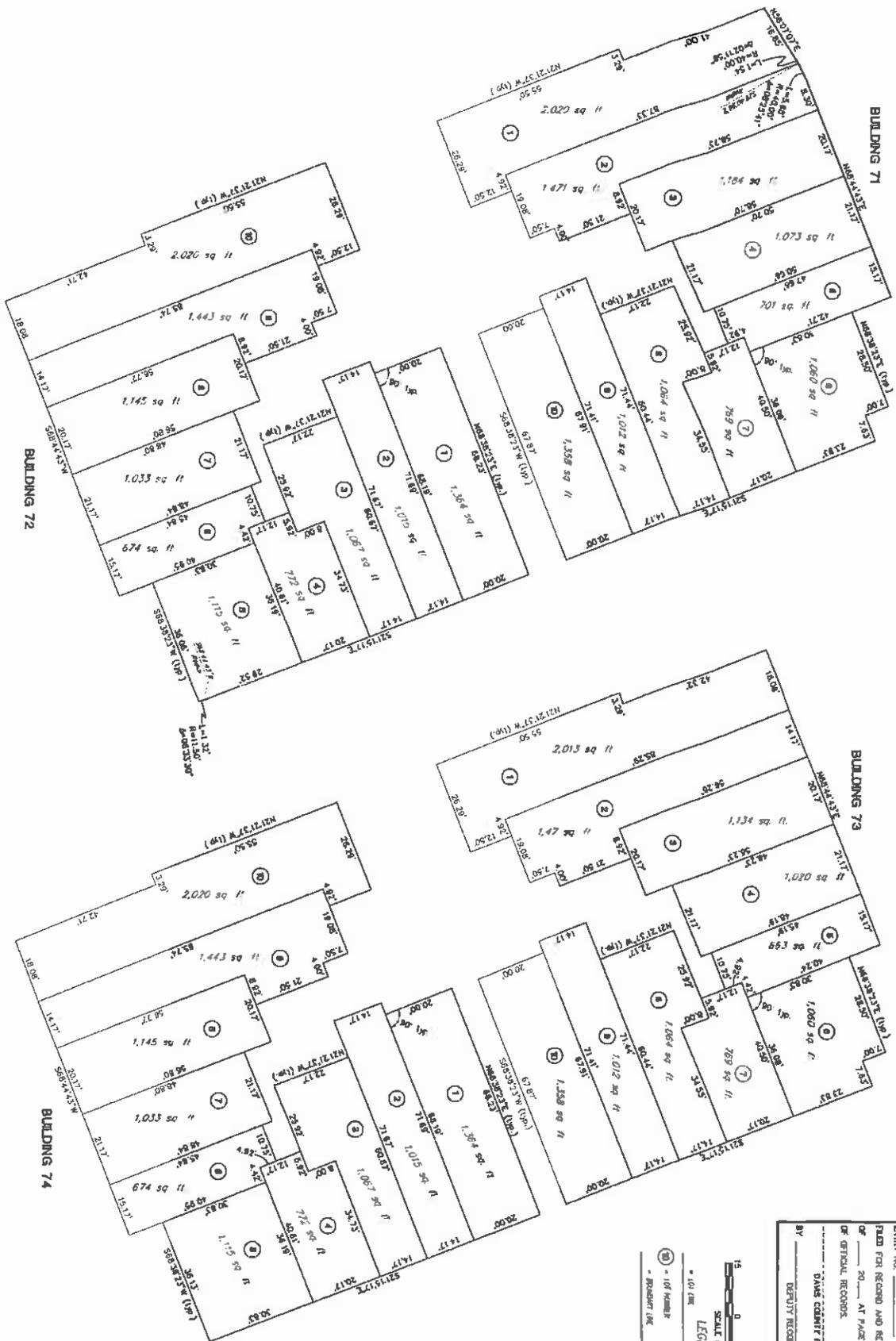
DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

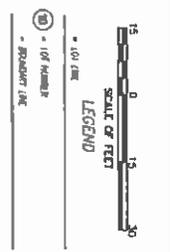
SHEET 3 OF 4

LEGEND

- 1/4" = 1" Scale
- 1/8" = 1" Scale
- 1/16" = 1" Scale
- 1/32" = 1" Scale
- 1/64" = 1" Scale
- 1/128" = 1" Scale
- 1/256" = 1" Scale
- 1/512" = 1" Scale
- 1/1024" = 1" Scale
- 1/2048" = 1" Scale
- 1/4096" = 1" Scale
- 1/8192" = 1" Scale
- 1/16384" = 1" Scale
- 1/32768" = 1" Scale
- 1/65536" = 1" Scale
- 1/131072" = 1" Scale
- 1/262144" = 1" Scale
- 1/524288" = 1" Scale
- 1/1048576" = 1" Scale
- 1/2097152" = 1" Scale
- 1/4194304" = 1" Scale
- 1/8388608" = 1" Scale
- 1/16777216" = 1" Scale
- 1/33554432" = 1" Scale
- 1/67108864" = 1" Scale
- 1/134217728" = 1" Scale
- 1/268435456" = 1" Scale
- 1/536870912" = 1" Scale
- 1/1073741824" = 1" Scale
- 1/2147483648" = 1" Scale
- 1/4294967296" = 1" Scale
- 1/8589934592" = 1" Scale
- 1/17179869184" = 1" Scale
- 1/34359738368" = 1" Scale
- 1/68719476736" = 1" Scale
- 1/137438953472" = 1" Scale
- 1/274877906944" = 1" Scale
- 1/549755813888" = 1" Scale
- 1/1099511627776" = 1" Scale
- 1/2199023255552" = 1" Scale
- 1/4398046511104" = 1" Scale
- 1/8796093022208" = 1" Scale
- 1/17592186044416" = 1" Scale
- 1/35184372088832" = 1" Scale
- 1/70368744177664" = 1" Scale
- 1/140737488355328" = 1" Scale
- 1/281474976710656" = 1" Scale
- 1/562949953421312" = 1" Scale
- 1/1125899906842624" = 1" Scale
- 1/2251799813685248" = 1" Scale
- 1/4503599627370496" = 1" Scale
- 1/9007199254740992" = 1" Scale
- 1/18014398509481984" = 1" Scale
- 1/36028797018963968" = 1" Scale
- 1/72057594037927936" = 1" Scale
- 1/14411518807585584" = 1" Scale
- 1/28823037615171168" = 1" Scale
- 1/57646075230342336" = 1" Scale
- 1/115292150460684672" = 1" Scale
- 1/230584300921369344" = 1" Scale
- 1/461168601842738688" = 1" Scale
- 1/922337203685477376" = 1" Scale
- 1/1844674407370954752" = 1" Scale
- 1/3689348814741909504" = 1" Scale
- 1/7378697629483819008" = 1" Scale
- 1/14757395259366438016" = 1" Scale
- 1/29514790518732876032" = 1" Scale
- 1/59029581037465752064" = 1" Scale
- 1/118059162074931504128" = 1" Scale
- 1/236118324149863008256" = 1" Scale
- 1/472236648299726016512" = 1" Scale
- 1/944473296599452033024" = 1" Scale
- 1/1888946593198904066048" = 1" Scale
- 1/3777893186397808132096" = 1" Scale
- 1/7555786372795616264192" = 1" Scale
- 1/15111572745591232528384" = 1" Scale
- 1/30223145491182465056768" = 1" Scale
- 1/60446290982364930113536" = 1" Scale
- 1/120892581944729860227072" = 1" Scale
- 1/241785163889459720454144" = 1" Scale
- 1/483570327778919440908288" = 1" Scale
- 1/967140655557838881816576" = 1" Scale
- 1/193428131111567763763552" = 1" Scale
- 1/386856262223135527527104" = 1" Scale
- 1/773712524446271055054208" = 1" Scale
- 1/1547425048892542110108416" = 1" Scale
- 1/3094850097785084220216832" = 1" Scale
- 1/6189700195570168440433664" = 1" Scale
- 1/12379400391140368880867296" = 1" Scale
- 1/247588007822807377617344512" = 1" Scale
- 1/49517601564561475523468864" = 1" Scale
- 1/99035203129122951044717728" = 1" Scale
- 1/19807040625824590208943456" = 1" Scale
- 1/39614081251649180417886912" = 1" Scale
- 1/79228162503298360835773824" = 1" Scale
- 1/15845632500659672167154752" = 1" Scale
- 1/31691265001319344334309056" = 1" Scale
- 1/63382530002638688668618112" = 1" Scale
- 1/12676506000527737733736224" = 1" Scale
- 1/25353012001055474467472448" = 1" Scale
- 1/5070602400211088893494896" = 1" Scale
- 1/10141204800422177886988992" = 1" Scale
- 1/20282409600844355773977984" = 1" Scale
- 1/405648192016887115475555968" = 1" Scale
- 1/811296384033774229511111936" = 1" Scale
- 1/1622592768067548459022233728" = 1" Scale
- 1/3245185536135189118044466656" = 1" Scale
- 1/6490371072270378228888933312" = 1" Scale
- 1/1298074214540757657777766624" = 1" Scale
- 1/2596148429081515315555533248" = 1" Scale
- 1/5192296858163030631111106696" = 1" Scale
- 1/103845937162606612622222133392" = 1" Scale
- 1/20769187432521322444444266864" = 1" Scale
- 1/41538374865042644888888533728" = 1" Scale
- 1/83076749730085289777777067456" = 1" Scale
- 1/16615349940017057955555334912" = 1" Scale
- 1/33230699880034115911111069824" = 1" Scale
- 1/66461399760068231822222139648" = 1" Scale
- 1/13292279952013646364444279296" = 1" Scale
- 1/26584559904027292728888558592" = 1" Scale
- 1/53169119808054585457777117184" = 1" Scale
- 1/106338237616109170915555343728" = 1" Scale
- 1/212676475232218341831111087456" = 1" Scale
- 1/42535295046443668362222174912" = 1" Scale
- 1/85070590092887336724444349824" = 1" Scale
- 1/17014118018577467348888699744" = 1" Scale
- 1/34028236037154934697777194888" = 1" Scale
- 1/68056472074309869395555389776" = 1" Scale
- 1/136112944146619738791111779552" = 1" Scale
- 1/272225882293239477582222159104" = 1" Scale
- 1/544451764586478955164443118208" = 1" Scale
- 1/1088903529172779110328886364416" = 1" Scale
- 1/2177807058345558220657771328928" = 1" Scale
- 1/4355614116691116441315552657856" = 1" Scale
- 1/8711228233382232882631111315712" = 1" Scale
- 1/1742245466676465775262222631424" = 1" Scale
- 1/34844909333529315505244441262848" = 1" Scale
- 1/69689818667058631010488882525696" = 1" Scale
- 1/139379635340117260209777750511392" = 1" Scale
- 1/278759270680234520419555510102784" = 1" Scale
- 1/557518541360469040839111120215768" = 1" Scale
- 1/111503708272093801678222240431536" = 1" Scale
- 1/22300741654418760336444480863072" = 1" Scale
- 1/446014832888375206728888816172448" = 1" Scale
- 1/89202966577675041353677773234496" = 1" Scale
- 1/17840593315535008270755556468992" = 1" Scale
- 1/3568118663107001654151111129379968" = 1" Scale
- 1/713623732621400330830222258759936" = 1" Scale
- 1/14272474652428006616604444117519984" = 1" Scale
- 1/28544949304856013233208888355159968" = 1" Scale
- 1/57089898609712026466417777111319936" = 1" Scale
- 1/114179797219424052932815555222639744" = 1" Scale
- 1/22835959443884810586563111144797888" = 1" Scale
- 1/456719188877696211731111129597776" = 1" Scale
- 1/91343837775339242262222259195552" = 1" Scale
- 1/1826876755506744452444441183911104" = 1" Scale
- 1/365375351101348



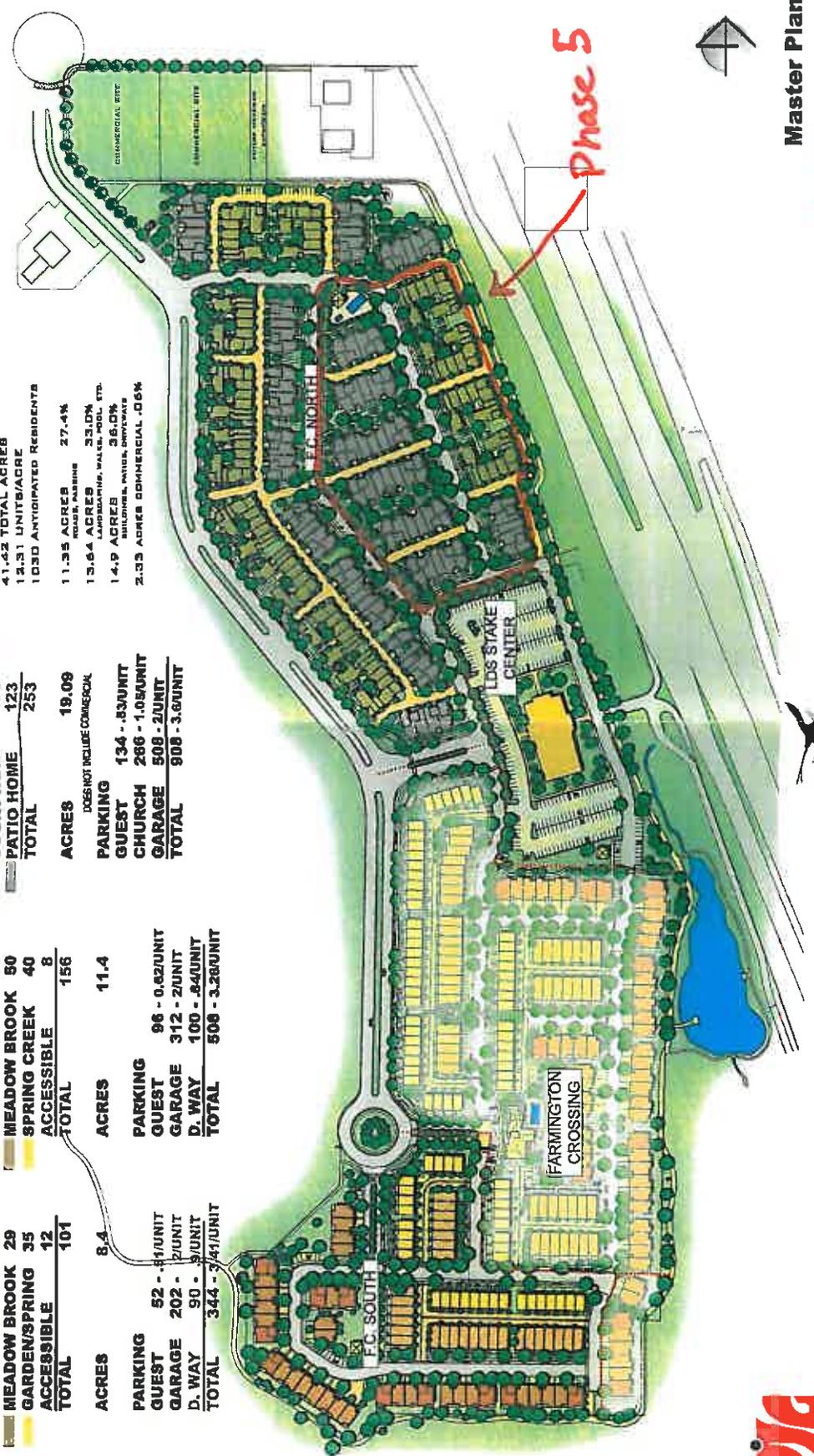
DAVIS COUNTY RECORDER
 ENTRY NO. _____ FEE PAID _____
 FILED FOR RECORD AND RECORDED 1985 _____ DAY
 OF _____ MO. AT PLACE _____ IN BOOK _____
 OF OFFICIAL RECORDS
 DAVIS COUNTY RECORDER
 DEPUTY RECORDER



F. C. SOUTH		F. C. NORTH	
WATERSIDE	27	COURTYARD	130
MEADOW BROOK	29	PATIO HOME	123
GARDEN/SPRING	35	TOTAL	253
ACCESSIBLE	12		
TOTAL	101	ACRES	19.09
		DOES NOT INCLUDE COMMERCIAL	
ACRES	8.4	PARKING	134 - .83/UNIT
PARKING		GUEST	266 - 1.06/UNIT
GUEST	52 - .51/UNIT	GARAGE	508 - 2/UNIT
D. WAY	90 - .89/UNIT	TOTAL	908 - 3.6/UNIT
TOTAL	344 - 3.41/UNIT		

OVERALL DEVELOPMENT

618 TOTAL UNITS	27.4%
41.42 TOTAL ACRES	
12.31 UNITS/ACRE	
1033 ANTICIPATED RESIDENTS	
11.35 ACRES	
13.64 ACRES	
14.9 ACRES	
2.33 ACRES COMMERCIAL .06%	



Master Plan
garbett HOMIES



FARMINGTON CROSSING
ON SPRING CREEK FOND

- The City Council designated a committee to create a low scale office district zone that can be placed over the Pilcher property and other areas in the City.
- The City Council approved an "Assumption of Risk Agreement" to permit home construction within the Silverwood Subdivision prior to the roads being paved.
- The City Council approved a Resolution to amend City development standards excluding the section that pertains to widening the radiuses for cul-de-sacs and modifying the cross-section for local streets.

PUBLIC HEARING: GARBETT HOMES - APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL FOR THE PROPOSED FARMINGTON CROSSING NORTH PUD CONSISTING OF 253 DWELLING UNITS ON 19.09 ACRES IN A C ZONE WEST OF U.S. 89, EAST OF THE SHEPARD CREEK PARKWAY, SOUTH OF SHEPARD LANE, AND NORTH OF THE DEVELOPMENT KNOWN AS FARMINGTON CROSSING AT SPRING CREEK POND PUD (S-30-05) (Agenda Item #3)

Background Information

The developer received a recommendation for Preliminary (PUD) Master Plan approval from the Planning Commission on December 19, 2005. Thereafter, the City Council approved the Preliminary (PUD) Master Plan and Ordinance 2006-06 on January 18, 2006. Consideration of the preliminary plat was deferred to allow time to resolve off-site storm drainage issues. These issues have now been resolved between the City Engineer, the developer, and Davis County.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map and pointed out where the northern phase of the development is located. He explained which roads will be public and which will be private. The road that wraps around the stake center will be a public street that connects to Highway 89. It will be necessary for the applicant to obtain a conditional use permit during the final plat process. Mr. Petersen reviewed the "Suggested Motion". He discussed Condition #3 which pertains to drainage facilities. He pointed out where the County detention basin is located and explained that preventative measures are being taken so that the area is drained properly.

Scott Carlson (Garbett Homes) said the City has agreed to remove the dirt on the City property adjacent to the County property and to clean out the ditches on the other side of the highway. Discussions are still taking place with the County to determine whether they will contribute to the project.

Mr. Petersen reviewed Condition #4 and said the trail will be located on the Garbett Homes property so it will not be necessary to place easements on adjacent properties.

Public Hearing

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

Noel Balstaedt/Garbett Homes (8501 South Tallis Drive, Sandy) said Garbett Homes has satisfied the City's requirements and provided storm retention that will benefit the City.

Scott Carlson/Garbett Homes (710 Twin Peaks, Lehi) explained that in the past, drainage in the area has been discharged out of two locations under I-15. Garbett Homes has made it possible for the water to drain from a third location which will increase the drainage capacity by 40%. The storage capacity will increase by 10-15%. When the City removes the dirt on their property, it will also allow for additional drainage. All of the drainage precautions were done considering the historical 100 year storm.

David Petersen explained where the third discharge area is located. Since the size of the detention basin has increased, run off will not be a problem for adjacent property owners. The adjacent properties have historically been a flood plain but will now benefit from the Garbett Homes drainage improvements.

Noel Balstaedt said the flood level will be lowered because the drainage capacity has increased. Garbett Homes will create a berm around the perimeter of the golf course and properties to the north which will provide additional protection, and can also be used as a footpath. The County will obtain the necessary permits from the Army Corp of Engineers and will also maintain the area. The improvements will be done in conjunction with the northern phase.

Mr. Balstaedt explained that the foot trail will encompass 10-30 swath of property. He pointed out where the trails will be located. Access will be provided to a trail head on the northern side of the development. It may be possible to provide another access to the area for the northern trail when the Maverik convenience store is relocated.

Cindy Roybal (1267 West 1875 North) said the community has planned on the trail for a number of years. She suggested that additional public access be provided. She suggested that the City consider another trail access when Maverik is relocated. She asked how the water will access the third drainage location.

Scott Carlson said the water will migrate towards the third drainage location because the existing pond will be at the same elevation.

Sue Bauman (1154 North 1100 West) asked the definition of PUD.

David Petersen explained that a Planned Unit Development makes it possible to modify setbacks to allow for a more creative design in exchange for the developer giving something in return such as perimeter trails, clubhouses, etc.

Sue Bauman said property owners in the area are concerned about the proposed density.

Noel Balstaedt said the entire project is made up of town homes. The homes in the northerly phase will be mansion-type homes.

Sue Bauman said it is important for the area to be properly drained since sewage backed up three years ago.

Jim Talbot explained that **Paul Hirst**, the City Engineer, has gone to great lengths to verify that the development will not be detrimental to the area. The drainage capacity has actually increased by 15% because of the development.

Sue Bauman asked if a road will exist on the south side of the stake center.

Noel Balstaedt said there will be roads and access on both sides of the stake center.

Leroy Larson (1017 Prescott Circle) asked if sidewalks will be provided on Shepard Creek. He was concerned that it will be difficult to access the trails because of the amount of traffic that has generated from the development.

Noel Balstaedt said sidewalks will be installed on Shepard Creek Parkway.

Public Hearing Closed

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

Kevin Poff questioned whether the development includes adequate parking. He was not aware that the side street parking would be a two foot strip of red brick and that there would not be adequate room for the cars to be away from the street. He felt the parking design would constrict the flow of traffic. He asked if the same type of parking is planned for Shepard Creek Parkway.

Noel Balstaedt said "pop-outs" are common in multi-family housing projects. He felt adequate parking was provided. The property manager lives on-site and strictly enforces the parking regulations.

Jim Talbot said parking has been a concern of the Planning Commission in the past. It is important that the southerly phase include ample parking.

Noel Balstaedt said the “pop-outs” on Shepard Creek Parkway were approved by the City Engineer. He is willing to reconsider the parking alignment if a problem exists.

Kevin Poff asked if emergency vehicles would have difficulty accessing the development due to the parking configuration.

David Petersen said the street and parking plan was carefully reviewed by the Fire Chief, **Larry Gregory**.

John Bilton asked if the “pop-outs” would be blocked by snow in the winter.

Noel Balstaedt said designated spots have been provided for snow removal. The “pop-outs” will be shoveled. He said he is willing to make changes if the current system is failing.

Rick Wyss said he is concerned that a number of the units are owned by investors since **Garbett Homes** indicated that the units would be owner-occupied. He asked how **Garbett Homes** is keeping their commitment to the City.

Noel Balstaedt said approximately 15% of the units are rentals. In the past, they would only sell one unit to each investor. They are no longer selling the units to investors. He said their policy regarding rental units is not addressed in their covenants.

Rick Wyss asked what is being done to prevent investors from purchasing the units.

Noel Balstaedt said **Garbett Homes** offers a \$3,000 financing incentive for the units to be owner-occupied. Although they are not able to discriminate what an owner does with their property, the buyers are carefully screened. He is willing to consider including text in their CC&R's stating that the units are to be owner-occupied, but said it is difficult to enforce.

Rick Wyss suggested that City staff consider ways of limiting investors from purchasing the units.

John Bilton asked what is being done to prevent commercial use from existing in the development.

Noel Balstaedt said at one time it was proposed that a portion of the units be live/work units but the only use allowed now is residential.

David Petersen said the conditional use permit allows the City to enforce uses not part of the project.

Jim Talbot said the developer has done an excellent job meeting the needs of the City but suggested that the developer address the issues relating to parking and rental units.

Motion

Paul Barker moved that the Planning Commission grant preliminary plat approval as requested subject to all applicable Farmington City development standards and ordinances and the following:

1. Applicant must comply with all conditions of preliminary development plan approval for the PUD including Ordinance 2006-06.
2. All final improvement drawings related to the PUD must be reviewed and approved by the City Engineer, Public Works Department, Planning Department, Fire Department, Central Davis Sewer District, Weber Basin Water Conservancy District, Davis County Flood Control/Public Works, and Utah Department of Transportation (UDOT). The final improvement drawings shall include but not be limited to plans for a "right-in/right-out" ingress and egress from the development onto the UDOT collector distributor road adjacent to U.S. 89, and a grading and drainage plan and a storm water management plan for the project.
3. Off site (or on-site if necessary) drainage facilities, including among other things, the size and location of a detention basin, must be reviewed and approved by the City Engineer and Davis County Flood Control.
4. The applicant shall obtain off-site easements if necessary for the perimeter trail.
5. A section shall be added to the Farmington Crossing CC&R's for City review regarding owner-occupancy issues on the northern and southern phases, thereby eliminating or drastically reducing the number of rentals that may occur in the project.
6. The applicant shall review the parking plan and make any necessary changes, and again present this plan back to the Planning Commission regardless if there is any changes or not.

John Bilton seconded the motion, which passed by unanimous vote.

Findings

- The development is consistent with the Preliminary PUD Master Plan and consistent with the zoning requirements.
- The storm drainage issues have been resolved.
- The trail system will be an amenity that will enhance the area.

SITE VISIT: RETAINING WALL IN TUSCANY COVE (Agenda Item #4)

David Petersen said the Planning Commission visited the Tuscany Cove subdivision during their Study Session to view the lot where a resident would like to have a retaining wall constructed. The issue that needs to be considered is that the retaining wall will be constructed using a material that is different than other residents in the area. The wall will also be larger than the other retaining walls in the development.

Rick Wyss asked if there is a reason why the request should not be approved.

Jim Talbot said so long as the wall is safe in turbulence or excess water, there is not a reason to deny the request.

David Petersen said from a distance, the wall will visually blend with the other walls in the area.

The contractor from Crestwood Construction said the wall will be 6 ½' higher than adjacent walls on the south end of the property and 3 ½' higher than adjacent walls on the north end of the property. He explained how the wall will be constructed. He submitted letters from the property owners to the north and south stating that they are not opposed to the wall. With the permission of the City, he will install a temporary fence so children in the area will not be near the drop-off. His engineer will verify that the existing rocks will remain stable while the new wall is constructed.

Kevin Poff felt the site was unsafe for building since the property straddles a wash and is located in a fault zone. He asked if the City could be held liable in the event the wall fails.

David Petersen said the Planning Commission is determining whether the wall is acceptable aesthetically. The Planning Commission and City Planner could not be held liable since it the responsibility of the applicant's engineer to verify that the wall is structurally sound.

The Planning Commission agreed to allow the wall to be created using a material other than rock.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

PAULA ALDER
RICK DUTSON
DAVID S. HALE
LARRY W. HAUGEN
SID YOUNG
CITY COUNCIL

MAX FORBUSH
CITY MANAGER

October 17, 2006

Garbett Homes
Noel Ballstaedt
8438 South Gad Way
Sandy, Utah 84093

Dear Mr. Ballstaedt:

The Farmington Planning Commission voted on October 10, 2006, to recommend to the City Council **final (PUD) master plan and final plat approval** of your application #(S-30-05) for Farmington Crossing North PUD consisting of 253 lots on 19.09 acres located west of U.S. 89, east of the Shepard Creek Parkway, south of Shepard Lane, and north of the development know as Farmington Crossing at Spring Creek Pond PUD.

The motion for approval was subject to all applicable Farmington City development standards and ordinances and the following:

1. Condominium plats must be approved by the Planning Commission and the City Council for the development as descriptions are prepared for individual units (Note the developers have prepared a "final plat" for consideration by the City which divides the property into three parcels and two lots in preparation for more detailed condominium plats, the development of an LDS Church, and future commercial development);
2. Demonstrate to the satisfaction of the City that all units will be "for sale" or "owner-occupied" dwelling units (Rental dwelling units shall not be allowed). Submit any proposed restrictions for such to be reviewed by our City Attorney;
3. Submit CC&Rs for review by Farmington City;
4. Obtain a flood control permit from Davis County;
5. Comply with all conditions of preliminary plat approval including;
 - a. Applicant must comply with all conditions of preliminary development plan approval for the PUD including Ordinance 2006-06.

- b. All final improvement drawings related to the PUD must be reviewed and approved by the City Engineer, Public Works Department, Planning Department, Fire Department, Central Davis Sewer District, Weber Basin Water Conservancy District, Davis County Flood Control/Public Works, and Utah Department of Transportation (UDOT). The final improvement drawings shall include, but not be limited to, plans for a "right-in/right-out" ingress and egress from the development onto the UDOT collector distributor road adjacent to U.S. 89, and a grading and drainage plan and a storm water management plan for the project.
 - c. Off site (or on-site if necessary) drainage facilities, including among, other things, the size and location of a detention basin, must be reviewed and approved by the City Engineer and Davis County Flood Control.
 - d. The applicant shall obtain off-site easements if necessary for the perimeter trail (Note: apparently a portion of the trail is on adjacent property owned by Maverick).
 - e. A section shall be added to the Farmington Crossing CC&Rs for City review regarding owner-occupancy issues on the northern and southern phases. Thereby eliminating or drastically reducing the number of rentals that may occur in the project. The CC&Rs shall be in substantially the same form as those provided to the Planning Commission.
6. Plans must be reviewed and approved by UDOT for the proposed right-in and right-out on U.S. 89 collector distributor road and the applicant must provide written verification of such from UDOT. Such ingress and egress shall be constructed concurrently with the condominiums. The applicant may, however, construct this access with the development of the church site upon receiving a recommendation from the City Engineer (especially with regard to traffic circulation) and posting a bond acceptable to the City to ensure the same.
 7. The applicant must prepare plans to be approved by the City for round-about improvements at the south end of Shepard Creek Parkway and post a bond acceptable to the City to ensure the construction thereof prior to the recordation of the final plat. These plans must be implemented concurrently with the construction of the condominiums.
 8. The developer must re-pave (or improve), to the satisfaction of the City, Shepard Creek Parkway upon completion of the project. In order to fulfill this requirement, the developer may meet with the City officials to decide what is fair regarding participation in construction of the improvements. The cost of such improvements must be part of the overall bond for the project.
 9. No detention basin shall be provided on the land designated for a future church site.
 10. The applicant must comply with all conditions of schematic plan approval, and Preliminary (PUD) Master Plan and preliminary plat approval.
 11. The applicant must comply with all existing development agreements, including but not limited to agreements for the trail.
 12. All landscaping for the project must be completed and/or bonded in a manner acceptable to the City, prior to final occupancy of any buildings.

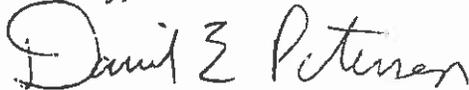
The Planning Commission established the following findings:

- Final development plans are consistent with the Preliminary (PUD) Master Plan and preliminary plat.
- The project conforms to the goals and policies of the City's General Plan.
- Due to the tremendous number of dwellings proposed for the project, the round-about at the south end of Shepard Creek Parkway, the connection to US 89, and the re-paving of both sides of Shepard Creek Parkway, must be completed as soon as possible.
- Landscaping will enhance the PUD.

You will be notified of the date and time your application will appear on the City Council agenda.

If you should have any comments or questions, please feel free to contact our office at 451-2383.

Sincerely,

A handwritten signature in cursive script that reads "David E. Petersen".

David E. Petersen, AICP
City Planner/Zoning Administrator

cc: Max Forbush, City Manager
Paul Hirst, City Engineer
Eric Miller, Building Inspector

Jody Burnett reviewed the history of the application and explained that Reagan Outdoor Advertising was appealing the Planning Commission's decision regarding the sign height. Reagan Outdoor Advertising has agreed to enter into an agreement which will resolve the issue by allowing the appellant to establish a V-shaped billboard with each face measuring 14' x 48'. The lighting will be directed solely on the face of the sign. He recommended that the City Council approve the agreement since it addresses the concerns of both parties.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing and invited the appellant to address the Council.

Leslie VanFrank (Legal Counsel for Reagan Outdoor Advertising) expressed appreciation to the City officials and staff for their efforts to resolve the issue.

Public Hearing Closed

With no further comments, Mayor Harbertson closed the public hearing.

Members of the City Council expressed appreciation to Reagan Outdoor Advertising, as well as to the City's legal counsel and other City staff for their efforts to reach a compromise.

Motion

David Hale moved that the City Council approve the agreement, including Exhibits A, B, C, and authorizing the Mayor to sign the same for and in behalf of the City. Rick Dutson seconded the motion, which passed by unanimous vote.

REQUEST FOR FINAL PLAT APPROVAL FOR THE FARMINGTON CROSSING NORTH/FINAL PUD MASTER PLAN APPROVAL/APPROVAL OF AMENDMENT #1 TO DEVELOPMENT AGREEMENT - GARBETT HOMES (Agenda Item #6)

David Petersen said after attending a meeting with Garbett Homes representatives, City staff, Mayor Harbertson, and David Hale, it appears that issues regarding the CC&Rs and the prohibition of rental units have been resolved. He reviewed the changes that were suggested by Garbett Homes to the "Amendment No. 1 to Agreement".

David Hale suggested that the developer be required to construct the Relocated Access within a certain time period.

The Council discussed the suggestion with the developer, who agreed to have commence construction of the U.S. 89 access within 270 days following receipt of final approval by the City,

UDOT and Davis County for the location and final construction and engineering plans for said access.

The Council then discussed the following points relating to the Agreement:

- Paragraph 4.B: The City Council and Noel Ballstaedt agreed that Garbett Homes will participate in resurfacing Shepard Creek Parkway, but the actual amount will be determined in the future. In any event, Garbett's share will not exceed 50% of the cost of improvements.
- Noel Ballstaedt and the City Council agreed to exclude the church site and Phase 1B from the Agreement.
- Paragraph 5: The developer will also be required to provide street striping regarding roundabout improvements at the south end of the Parkway.
- Paragraph 6: The City Engineer recommended that the original language be used in the Agreement.

Paul Hirst said the City has indicated that they need an additional 7 acre feet of storm water detention area is needed for the project. Once the developer has provided the additional storage, Garbett Homes will have done their part to contribute to the overall drainage for the area.

Noel Ballstaedt said he is not opposed to striking the entire sentence.

Paul Hirst recommended deleting the words "City Engineer" and "7 acre feet" from the paragraph.

- Paragraph 8: Noel Ballstaedt stated that they are requesting the same amount of time to complete the trail as they had in the original Trail Agreement, which is 2 years from the signing of the Agreement.

David Petersen said City staff recommends that the City Council follow the Planning Commission's recommendation and conditions. He reviewed their recommendation which was included in a letter from Mr. Petersen to Mr. Ballstaedt dated October 17, 2006.

Noel Ballstaedt asked that the last sentence of Condition #5e read as follows:

"The CC&Rs shall be in substantially the same form as those provided to the Planning Commission with the recommendation that subsection 7(a)(3) in the recommended CC&Rs provided by Garbett Homes be stricken and that the requirement that the owner/occupied

reference shall mean and refer to a lot occupied by one of the following: the owner of record or the owner of record and/or his spouse, children, parents, and/or trust."

The City Council agreed to amend the language, as suggested.

As requested by **David Hale**, **Noel Ballstaedt** agreed to provide a copy of the CC&Rs (which include the "grandfather clause") to the City Council, as well as City staff.

In response to a question by **Council Member Hale**, **Noel Ballstaedt** said **Garbett Homes** would have liked to have improved the pond to be used for fishing, but the County was opposed to the idea since it would create a liability. The County would not be opposed to the idea if the City were willing to take over the responsibility of the pond. **Garbett Homes** would be willing to contribute to the improvement of the pond (such as providing a dock, trail, and stocking it with fish) if the City were to assume the liability.

Mayor Harbertson suggested that the City seek the advice of their legal counsel to determine whether it would be in the City's best interest to be responsible for the pond.

Noel Ballstaedt displayed renderings and asked for the Council's input regarding the proposed exterior colors for the northerly phase.

The City Council members indicated that the colors may be too bold and may be drawing attention to the density of the development.

Rick Dutson asked if the rendering portrayed a three-story building.

Mr. Ballstaedt indicated that there are three-story elements but all of the buildings are fire-sprinkled. He said the buildings are not three-stories.

Rick Dutson said the Courtyard interior buildings do include three floors since there are two levels on top of a garage.

Mr. Ballstaedt acknowledged that half of the units in that phase have three stories.

David Hale said the City's Fire Sprinkler Ordinance is not written as they would like it to be. The Fire Chief does not have an adequate ladder to fight a 3-story fire.

Noel Ballstaedt said the Fire Marshall reviewed and approved the plans. He said this phase includes three-story elements but the entire building is not three-stories. Their architect feels the three-story element is essential to add character to the building.

David Hale said the City is concerned about the safety of the citizens, not the appearance of the building.

When asked **David Petersen** said he did not know whether the Fire Chief had seen the three-story elevations.

A Garbett Homes representative said the Fire Chief visited the development several months ago. He seemed pleased with the northerly phase. He has not received any negative feedback from the Fire Chief.

Rick Dutson suggested that a condition be added stating that the approval is subject to the Fire Chief reviewing and approving the three-story structures.

Mayor Harbertson expressed concern that the Council was led to believe that there are no three-story dwellings in this phase. He agreed that the Fire Chief should review the plans prior to approval being given.

Noel Ballstaedt said Garbett Homes will not build that building style again since it is too high and is expensive to build. He said he is accepting of the proposed condition.

Motion

Sid Young moved that the City Council approve the final plat for the Farmington Crossing North subdivision. **David Hale** seconded the motion, which passed by unanimous vote.

Motion

Sid Young moved that the City Council approve the Final PUD Master Plan, which shall include the changes that were discussed by the Council, and shall be subject all applicable Farmington City development standards and ordinances and the following:

1. Condominium plats must be approved by the Planning Commission and the City Council for the development as descriptions are prepared for individual units (Note the developers have prepared a "final plat" for consideration by the City which divides the property into three parcels and two lots in preparation for more detailed condominium plats, the development of an LDS Church, and future commercial development);
2. Demonstrate to the satisfaction of the City that all units will be "for sale" or "owner-occupied" dwelling units. (Rental dwelling units shall not be allowed.) Submit any proposed restrictions for such to be reviewed by the City Attorney;

3. Submit CC&Rs for review by Farmington City;
4. Obtain a flood control permit from Davis County;
5. Comply with all conditions of preliminary plat approval including:
 - a. Applicant must comply with all conditions of preliminary development plan approval for the PUD including Ordinance 2006-06.
 - b. All final improvements drawings related to the PUD must be reviewed and approved by the City Engineer, Public Works Department, Planning Department, Fire Department, Central Davis Sewer District, Weber Basin Water Conservancy District, Davis County Flood Control/Public Works, and Utah Department of Transportation (UDOT). The final improvement drawings shall include, but not be limited to, plans for a "right-in/right-out" ingress and egress from the development onto the UDOT collector distributor road adjacent to US 89, and a grading and drainage plan and a storm water management plan for the project.
 - c. Off site (or on-site if necessary) drainage facilities, including among other things, the size and location of a detention basin, must be reviewed and approved by the City Engineer and Davis County Flood Control.
 - d. The applicant shall obtain off-site easements, if necessary, for the perimeter trail (NOTE: apparently a portion of the trail is on adjacent property owned by Maverick).
 - e. A section shall be added to the Farmington Crossing CC&Rs for City review regarding owner-occupancy issues on the northern and southern phases. Thereby eliminating or drastically reducing the number of rentals that may occur in the project. The CC&Rs shall be in substantially the same form as those provided to the Planning Commission with the recommendation that subsection 7(a)(3) in the recommended CC&Rs provided by Garbett Homes be stricken and that the requirement that the owner/occupied reference shall mean and refer to a lot occupied by one of the following: the owner of record or the owner of record and/or his spouse, children, parents, and/or trust.
6. Plans must be reviewed and approved by UDOT for the proposed right-in and right-out on US 89 collector distributor road and the applicant must provide written verification of such from UDOT. Such ingress and egress shall be constructed concurrently with the condominiums. The applicant may, however, construct this access with the development of the church site upon receiving a recommendation

from the City Engineer (especially with regard to traffic circulation) and posting a bond acceptable to the City to ensure the same.

7. The applicant must prepare plans to be approved by the City for round-about improvements at the south end of Shepard Creek Parkway and post a bond acceptable to the City to ensure the construction thereof prior to the recordation of the final plat. These plans must be implemented concurrently with the construction of the condominiums.
8. The developer must re-pave (or improve), to the satisfaction of the City, Shepard Creek Parkway upon completion of the project. In order to fulfill this requirement, the developer may meet with the City officials to decide what is fair regarding participation in construction of the improvements. The cost of such improvements must be part of the overall bond for the project and in no event shall the Developer pay for more than 50% of such improvements.
9. No detention basin shall be provided on the land designated for a future church site.
10. The applicant must comply with all conditions of schematic plan approval, and Preliminary (PUD) Master Plan and preliminary plat approval.
11. The applicant must comply with all existing development agreements, including but not limited to agreements for the trail.
12. All landscaping for the project must be completed and/or bonded in a manner acceptable to the City, prior to final occupancy of any buildings.
13. The Fire Chief must review and approve the three-stories for the northerly phase.

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

Motion

David Hale moved that the City Council approve the Amendment #1 to the Development Agreement to include the changes discussed by City staff and the developer. Rick Dutson seconded the motion, which passed by unanimous vote.

REQUEST FOR FINAL PLAT APPROVAL FOR "CHESTNUT FARMS" SUBDIVISION - SYMPHONY HOMES (Agenda Item #7)

David Petersen said the issues relating to the detention basin were resolved. The basin was included in the final plat. He read a letter that was submitted to the City by Central Davis Sewer

FARMINGTON CITY COUNCIL MEETING
Tuesday, July 19, 2011

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, Associate City Planner Christy Alexander, City Finance Director Keith Johnson, City intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Mayor Harbertson began the work session at 5:10 p.m., the opening prayer was offered by David Petersen, and the Council discussed several of the items on the agenda.

City Attorney Todd Godfrey joined the meeting at 5:50 p.m.

Motion

At 6:00 p.m. a motion was made by Sid Young for the Council to go into a closed meeting to discuss strategy as it pertains to potential litigation. The motion was seconded by John Bilton and approved by Council Members Bilton, Ritz, Talbot and Young.

Council Member Rick Dutson joined the meeting at 6:25 p.m.

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 6:50 p.m. a motion to reconvene into an open meeting was made by Rick Dutson and seconded by John Bilton. The motion passed with Council Members Bilton, Dutson, Ritz, Talbot and Young voting in favor.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, Associate City Planner Christy Alexander, City Finance Director Keith Johnson, City intern Erin Vogeler, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

CALL TO ORDER:

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

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed those in attendance, including Jace Riley of the Youth City Council. Jim Talbot offered the invocation, and the Pledge of Allegiance was led by John Bilton.

Approval of Minutes

Motion

Sid Young made a motion to approve the minutes of the June 21, 2011 City Council Meeting. The motion was seconded by John Bilton and approved by Council Members Bilton, Dutson, Ritz, Talbot and Young.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Proclamation recognizing Lagoon

Mayor Harbertson welcomed representatives of the Freed family, owners of Lagoon, and read the City's Proclamation recognizing and commending Lagoon for its 125-year history in Farmington.

Miss Farmington Report

Jessica Francis explained that her platform is "Fight Like a Girl", and she plans to support women as they deal with difficult challenges in their lives. She thanked the City Council for their support during Festival Days—\$450 was raised for the Children's Miracle Network. She has planned several events: (1) A mother-daughter and/or sisters high-heel-a-thon in September at Heritage Park to raise additional money for the CMN; (2) A benefit concert for the same cause; (3) A Halloween party in October; (4) Assemblies at the various schools in the City.

Introduction of new Police Officer/Administration of Oath of Office

Adam Sudweeks was sworn in as a new Police Officer for Farmington City by City Recorder Holly Gadd. He was born and raised in West Jordan, Utah, served in the military, and became a policeman. He is looking forward to serving the citizens of Farmington City.

Executive Summary for Planning Commission meeting held June 30, 2011

Mayor Harbertson referred to the staff report prepared by Associate City Planner Christy Alexander.

PUBLIC HEARINGS:

Garbett Homes (Public Hearing) – Farmington Crossing North Phase 5 Schematic Plan

Rick Dutson recused himself on this item because of a conflict of interest and said he will return to the meeting following this item. Mayor Harbertson asked the audience not to applaud or shout, and to use courtesy and civility. He requested that each speaker adhere to a 2-minute time limit.

David Petersen explained that Garbett Homes received approval for this Phase in 2006, but it has expired. The buildings, layout and design are the same--the only modification is a request for lease-to-own units.

Noel Ballsteadt, 8501 S. Taos Drive, Sandy, said Garbett Homes began the process for this project eight years ago. This request is to reinstate the previous approvals with an amendment to allow lease-to-own units. The townhomes will be the same as the existing units with respect to color schemes, landscaping, and elevations, and Garbett will be able to finish the project, including the trail connection to the Maverick gas station and the Highway 89 connection. They have several townhome projects which are located adjacent to apartment buildings, and there has been no negative impact on the townhomes. He pointed out six Garbett Homes projects:

- Farmington Crossing and Rose Cove Apartments
- Chandler Pointe & Liberty Hill Apartments in Draper
- Hidden Creek and River Oaks Apartments in Sandy
- The Pines & Liberty Landing Apartments in West Jordan
- The Heights and Liberty Bend Apartments in Sandy
- Arbor Square & Liberty Commons Apartments in West Valley City

Rene Oehlerking, Marketing Director for Garbett Homes, said economic conditions have forced them to look at other options for Farmington Crossing. He explained that Garbett has not been able to obtain financing to finish the project; however, because of many short sales and homes in foreclosure, the market for lease-to-own units has increased. They completed an extensive market study and found that the lease-to-own option is great for people who are in need of housing. They would be able to completely finish the project within 15-18 months. He read a letter written by two realtors from REMAX (attached to the minutes). He listed the following benefits:

1. Garbett is motivated to manage the units well so they can maintain their own investment;
2. Garbett will have more control of the selection and screening process;
3. Garbett believes that this is a good solution for Farmington Crossing—it will allow them to finish the project and assist the HOA.

Denae Mollerup, 6179 Heritage Hill Drive, Herriman, is the General Property Manager for Treo Property Management. She currently manages 11 units in Farmington Crossing and has not had any problems in the past three years. Treo has an extensive screening process—including a criminal background check—and their process eliminates most problems and violations. The tenants are given warnings and then fines which if left unpaid could result in eviction.

Jacob Despain, 1983 Ashley Mesa Lane, Sandy, Zions Bank, said they are interested in this type of product because it is doing well both locally and nationally. Vacancy rates in Davis County are around 7% with this type of product and are expected to decrease in the future.

Public Hearing

Mayor Harbertson opened the public hearing at 7:52 p.m. He asked the residents to display courtesy and civility and adhere to a 2-minute time limit.

Theresa Larrabee, 953 W. Willow Green Way, submitted a copy of a supplement to the CC&Rs for Farmington Crossing dated September 27, 2006 and read: "No lots in the project may be

leased or occupied by non-owner residents. All lots in the project must be owner occupied.” Garbett never planned to allow rentals, and each homeowner in the development signed this contract. They are now asking to change the contract, and she asked the Council to vote against lease-to-own units. She said there is no proof to show that this will not negatively affect her home, and she purchased a unit in this development because of the promise of no rentals.

Roger B. Wright, 905 Willow Bend Way, asked those in opposition to the proposal to stand. He said they are willing to work with Garbett Homes, but this option will not enhance Farmington Crossing. He was told that if Garbett is allowed to construct lease-to-own units, Farmington Crossing will become the ghetto of Farmington. Current homeowners should not be penalized because they relied on the representation that there were to be no rentals. He suggested that Garbett file for Chapter 11 and restructure the loan or pursue other options that will preserve their rights.

Curtis Marsh, 863 N. Farmington Crossing, signed up to speak but said his points were covered by a previous speaker.

Garn Chilcote, 859 N. Spring Pond Drive, moved to Farmington Crossing in May of 2006. He said the project was never meant to be an investor or rental property, but both have been problems from the beginning. At one point the police had to be called in to solve a problem—Garbett Homes did nothing. Bringing an additional 93 rental units will negatively affect the current residents, and he is worried about what will happen at the end of the 18 months if the units are not sold. He believes there are at least 30 units currently being rented, and he asked the Council to deny this request.

Renee McDonald, 856 Spring Pond Drive, said she has been a property manager with Garbett for 11 years, and it is difficult to oppose them. She bought a home in Farmington Crossing and attended the City Council meetings and the groundbreaking ceremony and heard promises that these units would not be rentals. She and her eight children live in one of the larger units, but they have not been able to sell their home. Currently there are 25 grandfathered units, 29 units that qualify for a hardship, and many rentals under the table. She asked the City Council to deny this request.

Dean Godfrey signed up to speak but passed his turn on to the next resident.

Rudolph Mensink, 911 W. Willow Green Way, is a long-time citizen of Farmington. He worked for an insurance company for 40 years and dealt with real estate investments and contracts. He told the City they must adhere to the contract which states that rentals will not be allowed.

Elizabeth Etter, 773 N. Willow Green Way, used the word “value” as it relates to homes, neighbors and safety. She plans to live in Farmington Crossing for many years. She explained that she lives on the southwest side of the development next to the Rose Cove Apartments, and the retirees who live in Rose Cove are great; however, other tenants who live there do not value their living space. If the lease-to-own request is approved, there would be many tenants who would not value the area as much as current residents do.

Franklin R. Etter II, 773 N. Willow Green Way, submitted several documents (attached to the minutes) and referred to an email he sent to the City Council on July 7, 2011. He also quoted a 2006 Salt Lake Tribune news article titled Garbett Homes Rebuffs Investors: “In any case Farmington City officials are growing increasingly worried about affordability, but more importantly, Mayor Scott Harbertson said he does not want to see a community dominated by rentals. Owners who plan to occupy their homes generally will invest more to beautify their properties and keep them in good

condition than those simply renting them out.” In the same article, **Bryson Garbett** said: “Each person can buy only one unit in Farmington Crossing and has to live in it or have it as a second home. Garbett wants to make one thing clear—investors are not welcome in this development.” He pointed out that this is not just a down market situation. He does not agree with Garbett’s comment that lease-to-own units will have no negative impact on their properties—rentals will have an impact! He asked the Council to consider the interests of the entire community.

Mack McDonald, 856 N. Spring Pond Drive, complained that Garbett Homes has not followed through with the promises they made. Lease-to-own units will increase the demand on City resources and bring additional crime.

Ray Walsh, 847 Shepard Creek Parkway, signed up to speak but passed his turn..

Eric Higham, 907 Willow Bend Way, said that if Garbett loses the property, the City should obtain grant money to use the area for parks and recreational activities. This would garner national attention for both Farmington Crossing and the City.

Rainey Christofferson, 1137 N. Stillwater Dr., said she is a lone voice but is inclined to support Garbett Homes. She has some of the same concerns and fears that have been shared; however, she is also afraid of what will happen if approval is not granted. The economy is challenging, and everyone has had to make difficult decisions. She and her husband moved from New York City because of the economy. She loves Farmington Crossing and would like the units to be built and the master plan to be completed.

Lindsay Cutler, 169 E. Burton Lane, Kaysville, represents one of the homeowners who submitted a hardship application. They attempted to sell their home for 1 ½ years but were forced to rent their home to avoid foreclosure. They applied for the hardship in a timely manner, and Garbett did not respond for six months at which time they said the Board had not yet reviewed their request. She questioned Treo Management’s ability to manage 93 units and feels that would be a conflict of interest. She would like to see Farmington Crossing remain a strong and valuable community.

Laura Crandall signed up to speak but passed her turn on to the next resident.

Phil Cox, 828 N. Spring Pond Drive, bought a home in Farmington Crossing in February 2006. They moved from west Kaysville where many homes had turned into rentals, so they specifically asked salesman **Jacob Ballstead** whether or not rentals would be allowed. He told them rentals would not be allowed and listed many of the problems that can occur with rentals. Having a high-density project next to lower density units will negatively affect the homeowners.

Brian Clark, 928 Shepard Creek Parkway, purchased a home in October of 2010 and was promised there would be no rentals. The original owners of his unit paid \$210,000 and lost a significant amount of money when they sold it to him for \$165,000. Homes in Farmington Crossing cannot be sold, and everyone is suffering a hardship. People are determining how many children they will have based on how long it will be until they can sell their unit and buy a larger home. He said if Garbett Homes cannot finish the project now, let the property sit—it will be finished eventually, and he does not want 20-25% of the homes to be rentals.

Adam Magalei, 889 W. Willow Bend Way, read a letter (attached to the minutes) and said this proposal is not right for his family or for Farmington City. He quoted from Garbett Home’s website:

"All of the economic fundamentals show that this is a good time to buy a home. Continuing strength in rental demand signals that there is upward pressure on rental apartments. The real risk isn't buying a home, it is continuing to rent." He said this proposal is not right for Farmington Crossing residents or the City of Farmington, and he asked the Council to uphold the recommendation of the Planning Commission who set a precedent in this case for making a good decision.

Tiffany Ann Magalei, 889 W. Willow Bend Way, works for Treo Management (a subsidiary of Garbett Homes) and shows the rental units to interested tenants. There have been some major problems with renters, and although she might lose her job, she is against allowing 93 lease-to-own units in Farmington Crossing.

James Muirbrook, 796 N. Shepard Creek Parkway, said he has lived in Farmington his entire life, and he loves it here. He opposes lease-to-own units in Farmington Crossing.

Mayor Harbertson closed the public hearing at 9:00 p.m.

Mr. Ballsteadt said he wished the market was strong enough that Garbett could have finished the project like they had planned. He asked the Council to approve the request and grant them permission to incorporate lease-to-own units in Farmington Crossing.

Kevin Anderson, Legal Counsel for Garbett Homes, 2211 Laird Way, Salt Lake City, submitted a packet of material (attached to the minutes). He said Garbett does not come as an enemy but as one of two parties working together to solve a difficult situation. They are asking for the flexibility of lease-to-own units to ensure that the remaining portion of the project does not go into an abyss which will not benefit anyone. He pointed out that if 93 units were to come on the market during this down economy, it would be very difficult for anyone in Farmington Crossing to sell their used homes when new units are also available for sale. This lease-to-own option would allow Garbett Homes to bring units into the market which would help increase and stabilize property values. Another important issue is that the selective application of an owner-occupied requirement imposed on this development but is not uniformly imposed on every other condominium development in the City is improper and illegal, and it violates the constitution. When real estate is sold, the owner is buying a bundle of rights. One of those rights is the right to sell your unit, and another is the right to lease or rent your property. It is not proper or legal to strip away that right and inform a developer that he can sell his property but he cannot lease it—that is a violation of the Constitution and is the taking of property rights without compensation. He urged the Council to grant this request and thanked them and the residents for their decorum during a difficult meeting.

Mayor Harbertson said that as the Mayor of Farmington for 5½ years, he has enjoyed working with Garbett Homes and feels that he had a good working relationship with them. However, the past few months have been very difficult. He was disappointed by the lease-to-own request and felt that the goodwill which the City had built with Garbett was under extreme pressure. Garbett made many promises to the residents of Farmington Crossing and to the City. The City made a difficult choice to change the zoning and allow Garbett to develop Farmington Crossing—they did not want a rental project and were willing to wait rather than approve a rental development. He also said he does not believe the area will turn into a slum situation.

Jim Talbot said he has been involved with this project from the beginning, and he has supported it the entire time. He is involved in commercial development, and he looks at the issue from the standpoint of what will work in that area. This housing development made sense. But the rental

issue was always there, and it was made very clear by Garbett Homes that there would be no rentals. Rental units do not fit the intent of what the City wants in that location.

Sid Young said he has also been involved from the beginning, and he appreciates the views of both sides—he has read every email. He understands the real estate bundle of rights issue and stressed that promises made to existing homeowners are also important. When the project began, and Garbett requested a change of zoning from commercial to residential, several commitments were made—one of the commitments was that the townhomes would be owner occupied. He said he may not have approved the rezoning request if that had not been stipulated.

Cory Ritz said he has also been involved with this issue from the beginning—**Noel Ballsteadt** and Garbett Homes have been great to work with. As they tried to create a project that would benefit Farmington, GH. This was originally zoned to be a commercial project, and we put great credence on promises that were made. He said this issue has been a struggle for him because he values personal property rights; however, he also values commitment and integrity. The City gave great weight to the promises for an owner-occupied development. He suggested that Garbett Homes put the project on hold and wait a while before proceeding.

Noel Ballsteadt said **Bryson Garbett** is currently out of the country right now, but if this request is not approved, he believes the project will go into foreclosure.

John Bilton commented that he has been involved with this development for five years, and he referred to several actions from the past: On August 11, 2005 schematic plan approval was granted with Condition #2 stating that “all units shall be limited to for sale, or owner-occupied dwelling units. No rental units shall be permitted.” Similar wording was used in the City Council minutes in Nov. 2006. The City has records which strongly state what the intentions were at that time. He commended the residents for their passion on this issue, including those who passed on their comments because similar points were made by previous residents. He appreciates property rights and the comments presented by **Kevin Anderson** and said Farmington makes an effort to apply and use its ordinances to the best use and rights of property owners. This comes with consequences, of course—some which can be seen and others which are unintended.

Motion

Sid Young made a motion to reapprove the schematic plan of Farmington Crossing Phase 5 schematic plan, subject to all applicable Farmington City ordinances, development standards and the same conditions and findings established previously by the City and additional findings 1-9. The motion was seconded by **Jim Talbot** and approved by Council Members **Bilton, Ritz, Talbot and Young**.

Findings

1. The Developer has not provided substantial evidence of a change in conditions that would warrant re-approval with different conditions from those attached to earlier phases.
2. Existing property owners purchased homes in Farmington Crossing with the knowledge that they were buying into an owner-occupied community and not a rental project.
3. A lease-to-own option may negatively impact the investment of residents now owning homes in Farmington Crossing.

4. The requirement of separate covenants for an otherwise coordinated project will create an environment of administrative confusion in the context of covenant enforcement and application and will negatively impact the desired uniformity of the overall project.
5. A rental or lease-to-own alternative for Phase 5 may set a precedent where others in the existing 400+ units can also rent for similar reasons—that sales are slow.
6. Improvements to the project (i.e. US 89 access, the re-paving of Shepard Creek Parkway, and completion of the trail and parks) will likely eventually be finished albeit in an unknown manner and time frame.
7. The swimming pool may eventually be completed.
8. The 93 rental units may not be successful as they may compete with 324 apartments in the Farmington Village development now underway west of the freeway.
9. This project has repeatedly been reviewed by both the Planning Commission and the City Council, and the Council relied on the 5-2 vote for denial of the lease-to-own request which was made by the Commission.

Recess

The Council took a 10-minute recess at 9:40 p.m. The session began again at 9:50 p.m. at which time Council Member **Rick Dutson** rejoined the meeting.

Farmington Crossing North Final (PUD) Master Plan

There was no action taken on this item, and the existing PUD master plan will remain as is.

Rainey Homes (Public Hearing) – Miller Meadows Phase 3 Plat Amendment

David Petersen explained that the Planning Commission recommended approval of the request to vacate Lot 305 in Miller Meadows Phase 3. Following discussion regarding open space requirements, **Dave Millheim** advised the Council to table the request and allow additional time to evaluate the dollar amount proposed by Rainey Homes for the open space modification.

Public Hearing

Mayor Harbertson opened the public hearing at 9:55 p.m.

Ken Fultz, 457 W. Daniel Court, Lot 214, said his back yard borders Lot 305. He asked numerous questions such as whether or not the agreement between Rainey Homes and the land owner has expired, if the public should attend both the Planning Commission and Council meetings, who regulates the practices of the developer during the building process, how open space formulas work, how the amount of compensation is determined, and the lack of a trail between Lots 112 and 113.

David Petersen answered most of his questions, and **Dave Millheim** said he has a meeting with Rainey Homes on Thursday, July 21, and he will ask about the agreement between Rainey Homes and the land owner.

Darlene Fultz, 457 W. Daniel Court, Lot 214, said she is concerned about the reduction of open space. Lot 305 is currently full of noxious weeds does not work as open space. She agrees with vacating the fingers of open space and Lot 305, but the vacation of Lot 324 does not make sense. The general plan calls for agricultural preservation in this area, and she loves the horse pasture.

**FARMINGTON CITY
PLANNING COMMISSION MEETING
Thursday, August 11, 2011**

STUDY/WORK SESSION

Present: Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, Alternate Commission Member Brett Anderson, Associate City Planner Christy Alexander and Recording Secretary Cynthia DeCoursey. Commission Member Michael Wagstaff and Alternate Commission Member Kris Kaufman were excused.

Chairman Hillier began the meeting at 6:35 p.m., and the following items were discussed:

#3 – Richard Evans – (Public Hearing) – Applicant is requesting a recommendation for Preliminary/Final Plat approval for the Van Zweden Subdivision encompassing 3.17 acres and consisting of 2 lots and 1 parcel located at approximately 150 South 1525 West in an AE zone. (S-9-11)

Mr. Evans attended the work session and said he acquired this Subdivision in 2007. He has spoken with the adjacent property owners and has obtained the two required easements. The property is currently a horse pasture, and he would like to begin building a speculation home on Lot 2 in the fall of 2011. Each lot will be .99 acres. The Commission discussed the storm water drainage plan, the emergency turnaround and the cash bond the City will require which will be used to extend Bonanza Road at some time in the future.

#4 – Garbett Homes – (Public Hearing) – Applicant is requesting a recommendation for Preliminary/Final Plat approval for the Farmington Crossing North Phase 5 Subdivision encompassing 5.9 acres and consisting of 93 lots located at approximately Shepard Church Drive & Stillwater Drive in a C-PUD zone. (S-4-11)

Christy Alexander said Garbett Homes obtained approval for this Subdivision in 2006 but were unable to complete it, and the approvals expired after 12 months.

REGULAR SESSION

Present: Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, Alternate Commission Member Brett Anderson, Associate City Planner Christy Alexander and Recording Secretary Cynthia DeCoursey. Commission Member Michael Wagstaff and Alternate Commission Member Kris Kaufman were excused.

Chairman Hillier opened the meeting at 7:00 p.m. and offered the opening prayer.

#1 – Minutes

Motion:

Steven Andersen made a motion to approve the minutes of the June 30, 2011 Planning Commission Meeting. The motion was seconded by Rick Draper and approved by Commission Members Andersen, Draper, Hillier, Nilson, and Young. Commission Member Michaelson and Alternate Commission Member Brett Anderson did not attend the meeting and abstained.

Rick Draper made a motion to approve the minutes of the July 28, 2011 Planning Commission Meeting with one amendment as discussed during the work session. A second was made by Michael Nilson, and it was approved

Findings:

1. The proposed final plat is consistent with the previously approved preliminary and final plats.
2. The proposed subdivision meets all the requirements for approval of a final plat.

#4 – Garbett Homes – (Public Hearing) – Applicant is requesting a recommendation for Preliminary/Final Plat approval for the Farmington Crossing North Phase 5 Subdivision encompassing 5.9 acres and consisting of 93 lots located at approximately Shepard Church Drive & Stillwater Drive in a C-PUD zone. (S-4-11)

Christy Alexander explained that the City Council approved the schematic plan for this Subdivision at their July 14, 2011 meeting, and Garbett Homes is now requesting preliminary and final plat approval--nothing has changed since the previous approvals in 2006.

Richard Welch, 273 N. East Capitol Street, Salt Lake City, of Garbett Homes, explained that there is also a development agreement which was amended on September 10, 2007 which spells out the specific provisions regarding the paving of Shepard Creek Parkway. He said that Garbett Homes changed their elevations prior to Phase 3 (an amendment to Phase 1), and those same elevations will be used for Phase 5.

Resident Roger Wright, 905 Willow Bend, asked for a clarification of the proposed action, and Christy Alexander answered his questions.

The Commission discussed the elevations, the conditions and findings, and the timing of the previous approvals. They also answered additional questions from the public regarding these same issues.

Motion

Steven Andersen made a motion to approve the Preliminary Plat for the Farmington Crossing North Phase 5 Subdivision, and to reflect the existing Final (PUD) Master Plan, subject to all the same conditions and findings as previously approved by the Planning Commission on April 26, 2006, and schematic plan approval. The motion was seconded by Michael Nilson and approved by Commission Members Andersen, Draper, Hillier, Michaelson, Nilson, and Young and Alternate Commission Member Brett Anderson.

Motion

Michael Nilson made a motion to recommend that the City Council approve the final plat for the Farmington Crossing North Phase 5, and to reflect the existing Final (PUD) Master Plan, subject to the same conditions and findings established previously by the City Council on November 21, 2006, and schematic plan approval. Rick Draper seconded the motion which was approved by Commission Members Andersen, Draper, Hillier, Michaelson, Nilson, and Young and Alternate Commission Member Brett Anderson.

ADJOURNMENT

Motion

Nelsen Michaelson made a motion to adjourn the meeting which was approved by Commission Members Andersen, Draper, Hillier, Michaelson, Nilson, and Young and Alternate Commission Member Brett Anderson. The meeting ended at 7:35 p.m.

CITY COUNCIL AGENDA

For Council Meeting:
September 6, 2011

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

1. Approval of Disbursement Lists for July
2. Lot Line Adjustment (Jonathan and Natalie Shurtliff)
3. Ratification of Approvals of Construction & Storm Water Bond Logs

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
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

I hereby certify the disbursements listing claims against the City for the month of July, 2011.

1. Have been pre-audited and documented;
2. Have been approved in one of the following ways:
 - a. Purchase order directly approved by the City Manager who is the Budget Officer of the City, as delegated by the Mayor.
 - b. Are directly approved by the Governing Body; or
 - c. Are approved by the Finance Officer.
3. Are within the lawful debt limit of the City; and
4. Do not over-expend the appropriate departmental budget established by the Governing Body.

FARMINGTON CITY CORPORATION

By: 
KEITH S. JOHNSON, Finance Officer

By: _____
DAVE MILLHEIM, City Manager

.....
A minute motion was made by Council Member _____ to ratify payment of the list of claims for the month of July that were pre-audited, approved, and certified by the City Finance Officer and the City Manager. The motion was seconded by Council Member _____ and approved by _____ of _____ members present at the City Council meeting held this _____ day of _____, 2011.

SCOTT C. HARBERTSON, Mayor

Report Criteria

Transaction Journal Code = cd, cda, cdpi

Journal	Payee or Description	Date	Check No	Amount
CDPT	ICMA RETIREMENT TRUST-#801021	07/06/2011	74	1,564.22
CDPT	ICMA RETIREMENT TRUST-107328	07/06/2011	75	2,002.86
CDPT	ICMA RETIREMENT TRUST-301813	07/06/2011	76	2,311.20
CDPT	IRS TAX DEPOSIT	07/06/2011	77	28,749.72
CDPT	UTAH STATE RETIREMENT OFFICE	07/06/2011	78	17,617.51
CDPT	ICMA RETIREMENT TRUST-#801021	07/21/2011	79	1,621.16
CDPT	ICMA RETIREMENT TRUST-107328	07/21/2011	80	8,213.01
CDPT	ICMA RETIREMENT TRUST-301813	07/21/2011	81	2,530.51
CDPT	IRS TAX DEPOSIT	07/21/2011	82	32,647.11
CDPT	UTAH STATE RETIREMENT OFFICE	07/21/2011	83	20,972.59
CDPT	UTAH STATE TAX COMMISSION	07/21/2011	84	10,921.08
CDPT	CHILD SUPPORT SERVICES/ ORS	07/08/2011	30562	840.37
CDPT	FCF BENEFITS & ADMINISTRATION	07/08/2011	30563	1,254.92
CDPT	UTAH LOCAL GOVERNMENTS TRUST	07/08/2011	30564	839.21
CDPT	CIGNA	07/13/2011	30565	40,000.00
CDPT	AFLAC	07/29/2011	30566	605.13
CDPT	CIGNA	07/29/2011	30567	39,010.00
CDPT	CHILD SUPPORT SERVICES/ ORS	07/29/2011	30568	840.37
CDPT	CONSECO HEALTH INSURANCE CO.	07/29/2011	30569	123.15
CDPT	FCF BENEFITS & ADMINISTRATION	07/29/2011	30570	1,254.92
CDPT	FRATERNAL ORDER OF POLICE	07/29/2011	30571	275.00
CDPT	HARTFORD LIFE AND ANNUITY	07/29/2011	30572	60.58
CDPT	PEHP	07/29/2011	30573	3,381.50
CDPT	STANDARD INSURANCE CO.	07/29/2011	30574	4,253.95
CDPT	UTAH LOCAL GOVERNMENTS TRUST	07/29/2011	30575	816.86
CD	CUSTOM EVENTS - BALANCE OWED/MOVIE NIGHT	07/01/2011	85000	1,275.00
CD	MUSK MUSIC PRODUCTIONS - BAND/FESTIVAL D	07/01/2011	85001	1,500.00
CD	LANTIS FIREWORKS & LASERS - FIREWORKS/FE	07/01/2011	85002	5,000.00
CD	ROBINETTE SOUND - SOUND/FESTIVAL DAYS	07/01/2011	85003	750.00
CD	EDC UTAH - ANNUAL INVESTMENT	07/07/2011	85004	5,280.00
CD	PARISH SNYDER - TRAINING EXPENSES	07/07/2011	85005	16.00
CD	ERIC JOHNSON - TRAINING EXPENSES	07/07/2011	85006	16.00
CD	KELLIE BARTON - TRAINING EXPENSES	07/07/2011	85007	24.00
CD	DAVE QUINLEY - TRAINING EXPENSES	07/07/2011	85008	32.00
CD	BRANDON ERICKSON - TRAINING EXPENSES	07/07/2011	85009	32.00
CD	WAYNE HANSEN - TRAINING EXPENSES	07/07/2011	85010	16.00
CD	SOFTWARE ONE - CUST. #US-SCU-107526	07/07/2011	85011	1,353.72
CD	ACS FIREHOUSE SOFTWARE - SUPPORT CONTRAC	07/07/2011	85012	330.00
CD	BUILDERadius, INC. - SUPPORT AND MAINTEN	07/07/2011	85013	2,000.00
CD	ALISHA PETERS - COMM. CENTER DEPOSIT REF	07/07/2011	85014	300.00
CD	LANE LARSEN - TENNIS CLASS REFUND	07/07/2011	85015	35.00
CD	NATIONAL SAFETY COUNCIL - SUBSCRIPTION	07/07/2011	85016	31.50
CD	SAM'S CLUB - MEMBERSHIP RENEWAL	07/07/2011	85017	367.43
CD	SCOTT SORENSEN - COMM. CENTER DEPOSIT RE	07/07/2011	85018	300.00
CD	H. JAMES TALBOT - REIMB. FOR FESTIVAL DA	07/07/2011	85019	339.84
CD	ZIONS BANK - INTEREST	07/07/2011	85020	11,888.67
CD	XMISSION - E-MAIL	07/07/2011	85021	458.90
CD	SHANNA ALEXANDER - CANCELLATION- CITY PO	07/14/2011	85022	145.00
CD	ROBERT BLASER - CANCELLATION SWIM CLASS	07/14/2011	85023	20.00
CD	STEVEN BOUCK - PERMIT 10-9536 VENDOR 110	07/14/2011	85024	6,400.00
CD	DOCUMART - FARMINGTON CERT MANUALS	07/14/2011	85025	225.00
CD	MICHELLE FARNES - PARK RESERVATION CHANG	07/14/2011	85026	50.00
CD	ALECIA FINLINSON - CANCELLATION SWIM CLA	07/14/2011	85027	60.00
CD	GABBARD HOMES - PERMIT 11-9756 VENDOR 33	07/14/2011	85028	1,500.00
CD	ERIK GUNN - REIMBURSEMENT- FESTIVAL DAYS	07/14/2011	85029	48.33
CD	SARAH HALE - REIMBURSEMENT- FESTIVAL DAY	07/14/2011	85030	59.63

Journal	Payee or Description	Date	Check No	Amount
CD	KRISTEN HARBERTSON - REIMBURSEMENT- FYCC	07/14/2011	85031	295.74
CD	BECKY HAYWARD - PARK RESERVATION CHANGE	07/14/2011	85032	50.00
CD	BRIANNA HENDRIX - SWIM REGISTRATION REFUND	07/14/2011	85033	55.00
CD	LINDA HOFFMAN - PARK RESERVATION CHANGE	07/14/2011	85034	50.00
CD	KRISTI JARMAN - TENNIS INSTRUCTION	07/14/2011	85035	465.00
CD	STAN JONES - PARK RESERVATION CHANGE	07/14/2011	85036	50.00
CD	JACKIE KARTCHNER - PARK RESERVATION CHANGE	07/14/2011	85037	50.00
CD	KATHLEEN KING - PARK RESERVATION CHANGE	07/14/2011	85038	50.00
CD	KAREN LARSEN - PARK RESERVATION CHANGE	07/14/2011	85039	50.00
CD	LODDER HOMES - STORM WATER PERMIT 11-973	07/14/2011	85040	1,500.00
CD	GRANT MACKAY CO - FIRE HYDRANT METER REPAIR	07/14/2011	85041	54.06
CD	BLAKE MATTHEWS CONSTRUCTION - CONSTRUCTION	07/14/2011	85042	1,500.00
CD	BLAKE PALMER - SHIRT DESIGN	07/14/2011	85043	50.00
CD	SPENCER PETERSEN - CANCELLATION SWIM PASS	07/14/2011	85044	70.00
CD	SUEANN PHILLIPS - TIARAS FOR LITTLE MISS	07/14/2011	85045	39.94
CD	KAREN REDD - PARK RESERVATION CHANGE	07/14/2011	85046	50.00
CD	RICHMOND AMERICAN HOMES - STORM WATER PERMIT	07/14/2011	85047	6,450.00
CD	MATT SMITH - DEEJAY SERVICES	07/14/2011	85048	120.00
CD	CHELSEA SWAIN - CANCELLATION SWIM CLASS	07/14/2011	85049	30.00
CD	HEATHER SWAIN - CANCELLATION FOOTBALL	07/14/2011	85050	165.00
CD	RICH TAYLOR - REIMBURSEMENT- FESTIVAL DAYS	07/14/2011	85051	320.00
CD	LELA TINGEY - SWIM PUNCH PASS REFUND	07/14/2011	85052	55.00
CD	CHAR WEIGHT - PARK RESERVATION CHANGE	07/14/2011	85053	50.00
CD	BRYAN WHITESIDES - PARK RESERVATION CHANGE	07/14/2011	85054	50.00
CD	DEE WINEGAR - TAFFY FOR PARADE	07/14/2011	85055	103.27
CD	WOODSIDE HOMES - STORM WATER PERMIT 11-9	07/14/2011	85056	1,500.00
CD	MARGARET YANCEY - PARK RESERVATION CHANGE	07/14/2011	85057	50.00
CD	ERIN VOGELER - REIMB. FOR CC DINNER	07/21/2011	85058	177.19
CD	PAULA ALDER - PARK DEPOSIT REFUND	07/21/2011	85059	50.00
CD	JULIA ANDERSON - SWIM LESSON REFUND	07/21/2011	85060	25.00
CD	STACY ANDERSON - PARK DEPOSIT REFUND	07/21/2011	85061	50.00
CD	SUSAN BARBER - PARK DEPOSIT REFUND	07/21/2011	85062	50.00
CD	BOB BREDSGUARD - FOOTBALL REFUND	07/21/2011	85063	25.00
CD	JIM CHENEY - PARK DEPOSIT REFUND	07/21/2011	85064	195.00
CD	SYLVIA CLARK - SWIM LESSON TREATS	07/21/2011	85065	94.55
CD	LISA CLEGHORN - PARK DEPOSIT REFUND	07/21/2011	85066	50.00
CD	RICK CLINE - PARK DEPOSIT REFUND	07/21/2011	85067	50.00
CD	JULIE COBURN - PARK DEPOSIT REFUND	07/21/2011	85068	50.00
CD	JILL CORRY - PARK DEPOSIT REFUND	07/21/2011	85069	50.00
CD	BETSY CROWLEY - SWIM LESSON REFUND	07/21/2011	85070	30.00
CD	KAY CUMMINGS - PARK DEPOSIT REFUND	07/21/2011	85071	50.00
CD	STEVE DYER - PARTS & SUPPLIES, 6X6 ROVER	07/21/2011	85072	63.72
CD	JENNY GATRELL - FOOTBALL REFUND	07/21/2011	85073	160.00
CD	MEL GILBERT - FEST. DAYS BOOTH REFUND	07/21/2011	85074	35.00
CD	SCOTT HARBERTSON - REIMB. FESTIVAL DAYS	07/21/2011	85075	46.72
CD	MELISSA HARMON - SWIM LESSON CANCELLATION	07/21/2011	85076	25.00
CD	SUEANN HARRIS - FOOTBALL REFUND	07/21/2011	85077	165.00
CD	BECKY HAYWARD - PARK DEPOSIT REFUND	07/21/2011	85078	50.00
CD	PAUL HOLLINGWORTH - PARK DEPOSIT REFUND	07/21/2011	85079	50.00
CD	ERIC JOHNSEN - POOL DEPOSIT REFUND	07/21/2011	85080	295.00
CD	JUSTIN LECHERMINANT - PARK DEPOSIT REFUND	07/21/2011	85081	50.00
CD	PAUL LEIX - PARK DEPOSIT REFUND	07/21/2011	85082	50.00
CD	CHARLENE LANCASTER - PARK DEPOSIT REFUND	07/21/2011	85083	50.00
CD	JENNIFER LOWE - SWIM LESSON REFUND	07/21/2011	85084	45.00
CD	CHARLES MACQUEEN - DAVIS CAMP REFUND	07/21/2011	85085	35.00
CD	IVETTE MACQUEEN - DAVIS CAMP REFUND	07/21/2011	85086	35.00
CD	MARLEE MAGEE - PARK DEPOSIT REFUND	07/21/2011	85087	50.00
CD	REBECCA MANN - REIMB. HARDWARE/PAINTINGS	07/21/2011	85088	5.30
CD	SHARON MARCHANT - PARK DEPOSIT REFUND	07/21/2011	85089	50.00

Journal	Payee or Description	Date	Check No	Amount
CD	JEFF MEYER - SWIM LESSON REFUND	07/21/2011	85090	50.00
CD	JAY NEWBOLD - PARK DEPOSIT REFUND	07/21/2011	85091	50.00
CD	KAYCEE OTTESON - SWIM LESSON REFUND	07/21/2011	85092	17.50
CD	LICHELE PERRY - PARK DEPOSIT REFUND	07/21/2011	85093	50.00
CD	JANET PINSON - PARK DEPOSIT REFUND	07/21/2011	85094	50.00
CD	PAM PRICE - PARK DEPOSIT REFUND	07/21/2011	85095	50.00
CD	HOLLY PROCTOR - SOCCER REFUND	07/21/2011	85096	54.00
CD	HEIDI RITZ - PARK DEPOSIT REFUND	07/21/2011	85097	50.00
CD	DAVID ROBINSON - PARK DEPOSIT REFUND	07/21/2011	85098	50.00
CD	KEITH ROMNEY - PARK DEPOSIT REFUND	07/21/2011	85099	50.00
CD	STEVEN SCHNEITER - VOLLEYBALL REFUND	07/21/2011	85100	175.00
CD	KATE SHUMWAY - PARK DEPOSIT REFUND	07/21/2011	85101	50.00
CD	SHAD SIMPSON - VOLLEYBALL REFUND	07/21/2011	85102	50.00
CD	ERICA SMITH - PARK DEPOSIT REFUND	07/21/2011	85103	50.00
CD	RYAN STEED - SOCCER REFUND	07/21/2011	85104	59.00
CD	MICHELE STEPHENS - PARK DEPOSIT REFUND	07/21/2011	85105	50.00
CD	NORMA T. STURGEON - REIMB. SUMMER PLAY S	07/21/2011	85106	642.05
CD	COLBY THACKERAY - REIMB. SANDWICHES/LUNC	07/21/2011	85107	50.00
CD	JENNY TIBBITTS - PARK DEPOSIT REFUND	07/21/2011	85108	50.00
CD	DENISE TINER - PARK DEPOSIT REFUND	07/21/2011	85109	50.00
CD	BIANCA WEST - 5K REFUND	07/21/2011	85110	5.00
CD	DEBBIE WOOD - REIMB. FOR PLAY SUPPLIES	07/21/2011	85111	125.77
CD	CLASSY IMPRESSIONS, LLC - ATHLETIC SUPPL	07/21/2011	85112	6,880.00
CD	CROWN TROPHY - SUPPLIES	07/21/2011	85113	156.90
CD	FITNESS FOR \$10 - BASIC MEMBERSHIP/GUARD	07/21/2011	85114	3,200.00
CD	IMPACT CONTRACTORS, INC. - HYDRANT METER	07/21/2011	85115	147.50
CD	LABOR COMMISSION/SAFETY DIV. - BOILER IN	07/21/2011	85116	170.00
CD	NICHOLAS & CO. - SUPPLIES	07/21/2011	85117	1,743.77
CD	ROCKART, INC. - POSTS/DECALS	07/21/2011	85118	393.01
CD	SMASH ATHLETICS - SOCCER SUPPLIES	07/21/2011	85119	7,244.35
CD	STRIDE RACING - FEST. DAYS RACE	07/21/2011	85120	1,739.75
CD	SUNPLAY POOL & SPA - POOL SUPPLIES	07/21/2011	85121	81.20
CD	T3E COMPANY - BATTERIES	07/21/2011	85122	31.80
CD	UT. BUSINESS LICENSING ASSOC. - CONF. RE	07/21/2011	85123	115.00
CD	UT. LOCAL GOVERNMENTS TRUST - MEMBERSHIP	07/21/2011	85124	8,142.89
CD	ZIONS BANK - TRUST #2745989 MARKET FEE	07/21/2011	85125	2,000.00
CD	ZIONS BANK - TRUST #2745990 MARKET FEE	07/21/2011	85126	2,000.00
CD	UNIVERSITY OF UTAH - REGIST. FEE/HOLLY G	07/21/2011	85127	350.00
CD	UMCA - MEMBERSHIP/HOLLY GADD	07/21/2011	85128	100.00
CDA	ACADEMY SPORTS	07/22/2011	85129	961.00
CDA	ALLES ENTERPRISES, INC.	07/22/2011	85130	158.00
CDA	ALPHA GRAPHICS	07/22/2011	85131	42.32
CDA	BLACK & MCDONALD	07/22/2011	85132	1,454.16
CDA	BLUE PEBBLE PRESS	07/22/2011	85133	750.00
CDA	BLOMQUIST HALE CONSULTING	07/22/2011	85134	150.00
CDA	BOWMAN'S SUPERSTORE	07/22/2011	85135	210.99
CDA	BUREAU OF EMERGENCY MED SRV	07/22/2011	85136	140.00
CDA	CEM	07/22/2011	85137	593.00
CDA	CANYON OFFICE PRODUCTS	07/22/2011	85138	529.58
CDA	CARR PRINTING COMPANY	07/22/2011	85139	354.00
CDA	CASELLE	07/22/2011	85140	2,481.00
CDA	CHANSARE, INC.	07/22/2011	85141	66.00
CDA	CINTAS LOCBOX636525	07/22/2011	85142	161.97
CDA	CLIPPER PUBLISHING COMPANY	07/22/2011	85143	35.00
CDA	CROFT POWER EQUIPMENT	07/22/2011	85144	47.28
CDA	L. N. CURTIS & SONS	07/22/2011	85145	1,676.00
CDA	DAVIS COUNTY CORPORATION	07/22/2011	85146	22,039.00
CDA	DAVIS COUNTY	07/22/2011	85147	15.00
CDA	DURK'S PLUMBING SUPPLY	07/22/2011	85148	331.73

Journal	Payee or Description	Date	Check No	Amount
CDA	EMSAR INTERMOUNTAIN	07/22/2011	85149	190.00
CDA	ESRI	07/22/2011	85150	6,083.09
CDA	ESI ENGINEERING, INC	07/22/2011	85151	220.00
CDA	F A R M. Police Supply	07/22/2011	85152	129.65
CDA	FIRETROL PROTECTIONS SYSTEMS	07/22/2011	85153	170.70
CDA	GLOBAL SECURITY	07/22/2011	85154	21.95
CDA	GOODSON SIGNS	07/22/2011	85155	786.33
CDA	HOLT CLEANING SUPPLY	07/22/2011	85156	129.07
CDA	INFOBYTES, INC	07/22/2011	85157	226.89
CDA	INTEGRA TELECOM	07/22/2011	85158	2,280.60
CDA	INTERMOUNTAIN FARMERS ASSOC.	07/22/2011	85159	159.98
CDA	INTERSTATE BATTERIES	07/22/2011	85160	699.80
CDA	KAYSVILLE CITY	07/22/2011	85161	1,000.00
CDA	LAKE WELDING	07/22/2011	85162	395.00
CDA	LARSEN FIRE APPARATUS SERVICE	07/22/2011	85163	575.30
CDA	LES SCHWAB TIRE CENTER	07/22/2011	85164	8.26
CDA	MATRIX MEDICAL	07/22/2011	85165	905.87
CDA	LARRY H. MILLER CHRYSLER JEEP	07/22/2011	85166	139.94
CDA	FRED A. MORETON & CO.	07/22/2011	85167	44,520.00
CDA	MOUNTAIN STATES SUPPLY, INC.	07/22/2011	85168	80.00
CDA	NU-TREND ELECTRIC CORPORATION	07/22/2011	85169	75.52
CDA	OFFICE DEPOT	07/22/2011	85170	552.11
CDA	PAGE BRAKE WAREHOUSE	07/22/2011	85171	67.13
CDA	PJ CHEESE, INC.	07/22/2011	85172	124.80
CDA	PARK LANE CHEVRON	07/22/2011	85173	23.24
CDA	JACK B. PARSON COMPANY	07/22/2011	85174	412.50
CDA	PEPSI-COLA	07/22/2011	85175	620.88
CDA	PITNEY BOWES RESERVE ACCOUNT	07/22/2011	85176	12,000.00
CDA	PRO PIPE	07/22/2011	85177	1,755.00
CDA	PURCELL TIRE & RUBBER COMPANY	07/22/2011	85178	23.50
CDA	TOM RANDALL DISTRIBUTING	07/22/2011	85179	10,364.61
CDA	ROCKY MOUNTAIN POWER	07/22/2011	85180	7,775.64
CDA	RUSH TRUCK CENTERS	07/22/2011	85181	743.21
CDA	SAFETY-KLEEN CORP.	07/22/2011	85182	219.33
CDA	SAM'S CLUB	07/22/2011	85183	1,918.90
CDA	SHRED-IT	07/22/2011	85184	74.20
CDA	SKILL STAFF	07/22/2011	85185	126.80
CDA	DOUGLAS C. SMITH	07/22/2011	85186	210.00
CDA	SPEEDEZE PEST CONTROL	07/22/2011	85187	65.00
CDA	STANDARD-EXAMINER	07/22/2011	85188	181.62
CDA	STICK-IT	07/22/2011	85189	49.00
CDA	TEC SERV, INC.	07/22/2011	85190	750.00
CDA	U R.M.A.	07/22/2011	85191	104,252.74
CDA	US FOODSERVICE, INC	07/22/2011	85192	306.71
CDA	UNITED SITE SERVICE	07/22/2011	85193	127.22
CDA	VERMONT SYSTEMS	07/22/2011	85194	4,752.00
CDA	WARNER TRUCKLAND	07/22/2011	85195	1,233.32
CDA	WETCO, INC.	07/22/2011	85196	1,513.55
CDA	WILLEY FORD	07/22/2011	85197	254.39
CDA	WORKERS COMPENSATION FUND	07/22/2011	85198	3,024.21
CD	MARK MILLARD/CORNWELL TOOLS - SUPPLIES	07/28/2011	85199	2,036.80

Total: 560,728.32



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: David E. Petersen, Community Development Director
Date: August 19, 2011
SUBJECT: **LOT LINE ADJUSTMENT**

RECOMMENDATION

Approve the proposed lot line adjustment as requested and authorize the Mayor to sign the enclosed Notice of Approval of Boundary Adjustment form subject to both property owners verifying their commitment to the petition in writing and the City receiving a new 10 foot wide drainage easement as shown on the attached drawing.

BACKGROUND

Balling Engineering submitted a petition to adjust a common lot line on behalf of the property owners of Lots 332 (Michael King) and Lot 333 (Jonathan and Natalie Shurtliff) of the Farmington Creek Estates Phase III PUD. This action will benefit the property owners and the City. Lot 332 is irregular in shape (a "reverse pie") and located on the inside bend of a curved street, and the adjustment will provide more frontage to this lot. Both properties will meet minimum lot area standards as per the PUD if the proposed realignment occurs.

For some reason the water way that flows from north to south across the lots is not within the easement described on the existing plat for this purpose. As part of the lot line adjustment the owners are willing to convey an new easement to the City to accommodate the water way.

Respectively Submitted

David Petersen
Community Development Director

Concur

Dave Millheim
City Manager

**NOTICE OF APPROVAL OF
BOUNDARY ADJUSTMENT**

NOTICE is hereby given that the Farmington City Council has approved the following boundary adjustment pursuant to the request of the owners of record of the following described parcels:

1. Property being transferred to Jonathan C. and Natalie J. Shirtliff the owners of Lot 333 by Michael T. King, the owner of Lot 332.

Beginning at the Southeast Corner of Lot 333 of Farmington Creek Estates Phase III Planned Unit Development in Farmington City, Davis County, Utah and running thence N14°54'00"E 70.50 ft. along the East Boundary of said Lot 333; thence S0°56'54"W 68.14 ft.; thence West 17.00 ft. along the South Boundary of Lot 332 of said Planned Unit Development to the point of beginning. Containing 579 sq.ft.

2. Property being transferred to Michael T. King, the owner of Lot 332 by Jonathan C. and Natalie J. Shirtliff the owners of Lot 333.

Beginning at the Northeast Corner of Lot 333 of Farmington Creek Estates Phase III Planned Unit Development in Farmington City, Davis County, Utah and running thence S14°54'00"W 68.46 ft. along the East Boundary of said Lot 333; thence N0°56'54"E 69.88 ft.; thence Southeasterly 16.86 ft. along the arc of a 222.50 ft. radius curve to the right and the North Boundary of said Lot 333 through a central angle of 4°20'34" (chord bears S77°16'19"E 16.86 ft.) to the point of beginning. Containing 579 sq.ft.

The afore said boundary adjustment shall be deemed complete upon the recording of deeds by the Michael T. King-owner of Lot 332 and Jonathan C. and Natalie J. Shirtliff owners of Lot 333- respectively, effecting the above described boundary adjustment and exchange of property.

Dated the ____ day of _____, 20__.

FARMINGTON CITY

ATTEST:

Margy Lomax, City Recorder

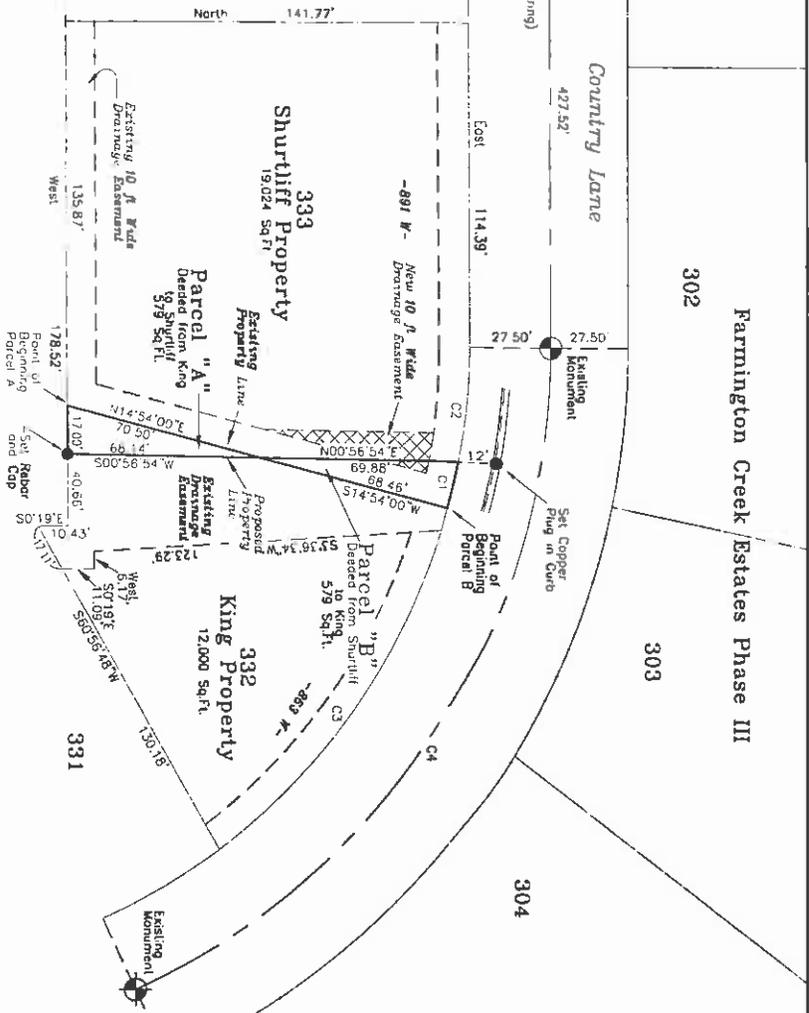
By: _____
Mayor Scott C. Harbertson

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the ____ day of _____, 20__, personally appeared before me Scott C. Harbertson, who being duly sworn, did say that he is the Mayor of Farmington City, and that the foregoing instrument was signed in behalf of the City and said Scott C. Harbertson acknowledged to me that Farmington City executed the same.

Curve	Radius	Angle	Length	Chord	Chd Bearing
C1	222.50'	04°20'34"	18.88'	18.86'	S77°46'10"E
C2	222.50'	10°33'24"	41.00'	40.94'	N87°43'18"W
C3	222.50'	88°13'26"	148.44'	145.70'	N55°52'38"W
C4	250.00'	69°30'00"	285.80'	270.49'	S57°15'00"E

Curve Information



Descriptions

Parcel "A" (to be Deeded from King to Shurtliff)
 Beginning at the Southeast Corner of Lot 333 of Farmington Creek Estate Phase III
 platted and Development in Farmington City, Davis County, Utah and running twice
 North 07°11'00" E 70.50 ft along the East Boundary of said Lot 333, thence S0°56'54" W 88.14 ft,
 thence West 17.00 ft along the South Boundary of Lot 332 of said Phase III
 Development containing 579 sq ft.

Parcel "B" (to be Deeded from Shurtliff to King)
 Beginning at the Northwest Corner of Lot 332 of Farmington Creek Estates Phase III
 platted and Development in Farmington City, Davis County, Utah and running thence
 S1°12'00" W 68.46 ft along the East Boundary of said Lot 333, thence N0°56'54" E 69.88 ft,
 thence Southwesterly 16.86 ft along the one of a 222.50 ft radius curve to the right and
 the North Boundary of said Lot 333 through a central angle of 4°20'34" (chord bears
 S27°18'19" E 16.86 ft) to the point of beginning
 Containing 579 sq ft.

Description of New 10 ft wide Damage Encroachment for Lot 333
 A 10 ft wide Damage Encroachment being entirely on the left side of the following
 cadastral Property Line
 Beginning at a point which is East 17.00 ft along the South Boundary of Lot 332 of
 Farmington Creek Estates Phase III platted and Development in Farmington City, Davis County,
 Utah from the Southeast Corner of Lot 333 of said Subdivision and running thence
 N0°56'54" E 138.02 ft along a new property line to a point on the North Boundary of said
 Lot 333.

Location

Being a part of the Northwest Quarter of Section 25, T34N, R17W, S16E, W. 4,
 Farmington City, Davis County, Utah

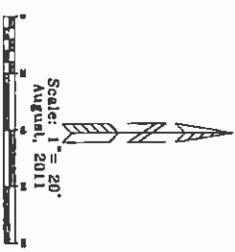
Narrative

The adjacent Owner of Lot 332 and 333 of Farmington Creek Estates Phase II desire
 to use the property line between their properties. This survey is an establishment
 of this new property line.
 Found Monument:
 These Existing Brass Monument in County line were found as shown on this survey.
 Also existing Rebar and Cup markers were found at all the back corners of these lots.
 Copper pins on a 12 ft offset were also found in the curb along the frontage of each lot.
 Brass Found Monument
 Found Monument
 Existing monument described above the new property markers shown were
 readily located.

Surveyor's Certificate

I, J. Scott Balling, a Registered Land Surveyor holding Certificate No. 162185 as
 provided under the laws of the State of Utah, do hereby certify that I have made a survey
 of the tract or land shown and described hereon and that this survey is on establishment
 of this new property line.
 Date August 31st, 2011

Jonathan Shurtliff
 Surveyor No. 162185



Legend

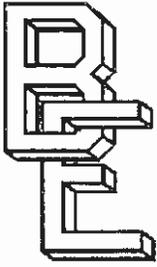
- New Boundary Line
- Existing Boundary Line
- Road Centerline
- Existing Brass Monument
- New Survey Marker

Revisions	Date	Description	By

Farmington Creek Phase 3
Shurtliff Lot Amendment
 For: Jonathan Shurtliff

Balling Engineering
 Civil Engineering • Surveying • Planning
 325 E. Pages Lane
 Centerville, Utah 84014
 Phone: (801) 295-7237
 Fax: (801) 299-0419





Ball Engineering

323 East Pages Lane
P.O. Box 805
Centerville, Utah 84014
Phone: (801) 295-7237
Fax: (801) 299-0419
Email: scott@ballinginc.com

J. Scott Balling, P.E, L.S.
David K. Balling, L.S.

August 18, 2011

Honorable Mayor and City Council
Farmington City
Care of Dave Petersen, City Planner
Email: dpetersen@farmington.utah.gov

Re: Property Line Adjustment between Lots 332 and 333, Farmington Creek Phase III

Dear Mayor and City Council:

The owners of Lots 332 (Michael King) and Lot 333 (Jonathan and Natalie Shurtliff) desire to make an adjustment in the property line between their lots. Attached is a plan showing this proposed lot line adjustment. There is also an existing drainage ditch and pipe along this property line. In order to ensure that these drainage improvements are within city governed easements an additional easement will need to be added to the west side of the newly proposed property line as shown on the attached drawing. Descriptions for this lot line adjustment as well and the new easement are shown on the drawing. We have also attached an easement dedication document for your review. Could you please consider these revisions at your next possible meeting?

Sincerely,

J. Scott Balling
cc: Jonathan Shurtliff
Attachments

STORM WATER & CONSTRUCTION BOND LOG

DATE	NAME	PERMIT	STORM WATER BOND	CONSTRUCTION BOND
8/9	Garbett Homes	9962	\$1,000.00	\$0.00
8/11	Destination Homes	9958	\$1,000.00	\$500.00
8/16	Full Circle Ecohomes	9972	\$1,000.00	\$500.00
8/17	Jerry Preston	9970	\$1,000.00	\$500.00
8/17	Jerry Preston	9971	\$1,000.00	\$500.00
8/19	Destination Homes	9968	\$1,000.00	\$500.00
8/30	Lodder Homes	9981	\$1,000.00	\$500.00
8/30	Lodder Homes	9980	\$1,000.00	\$500.00
8/31	J D Concrete	9976	\$1,000.00	\$0.00
8/31	Joel Hale Construction	9982	\$1,000.00	\$500.00

CITY COUNCIL AGENDA

For Council Meeting:
September 6, 2011

SUBJECT: City Manager Report

1. Upcoming Agenda Items
2. Economic Development Packet
3. Cemetery Expansion
4. Plan Check Review Fee Policy
5. Hampton Inn Conditional Use Approval Appeal (Fence Issue)
6. PBS Show Case Profile

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

Upcoming Agenda Items

September 20, 2011 - Staff Reports Due: September 9th

Action Items:

- Approval of Minutes of Previous Meetings

Summary Action Items:

- Ratification of Approvals of Construction & Storm Water Bond Logs
- Approval of Disbursement Lists

Discussion Items:

- Budget – Presentation by Keith
- Park Lane Trail Amended Development Agreement
- Planning Commission Report
- Mayor & City Council Reports

CITY COUNCIL AGENDA

For Council Meeting:
September 6, 2011

SUBJECT: Mayor Harbertson & City Council Reports

1. National Register of Historic Places

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



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of Community and Culture

MICHAEL HANSEN
Acting Executive Director

State History

WILSON G. MARTIN
Acting Director

August 11, 2011

MAYOR SCOTT HARBERTSON
FARMINGTON CITY
160 S. MAIN STREET
FARMINGTON, UT 84025

Dear Mayor Harbertson:

We are pleased to report that the following property has been reviewed and approved by both the State Historic Preservation Review Board and the State Historic Preservation Officer for nomination to the National Register of Historic Places:

FARMINGTON MAIN STREET HISTORIC DISTRICT, FARMINGTON

Within the next few weeks, we will submit the nomination and documentation to the National Register office in Washington, DC, for final approval. This review typically occurs within six to eight weeks.

If you have any questions or concerns about this National Register nomination, please contact Cory Jensen of the Historic Preservation Office at 801/533-3559 or at coryjensen@utah.gov. We appreciate your interest in and support of historic sites in Utah.

Sincerely,

Wilson G. Martin
State Historic Preservation Officer



UTAH STATE HISTORICAL SOCIETY
ANTIQUITIES
HISTORIC PRESERVATION
RESEARCH CENTER & COLLECTIONS