

FARMINGTON CITY COUNCIL MEETING

June 7, 2016

WORK SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, and Brett Anderson, City Manager Dave Millheim, Associate City Planner Eric Anderson, Assistant City Manager Keith Johnson, City Engineer Chad Boshell, Public Works Director Larry Famuliner, Police Chief Wayne Hansen, Fire Chief Guido Smith, City Attorney Todd Godfrey, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

Cory Ritz and Dave Petersen are excused from the meeting.

Future Office Park/Market Study

Dave Millheim made introductions. He said this discussion is about the ground west of the freeway, near Cabela's. There are over 29 property owners. He said this meeting will not decide everything relating to this property, however he wants to make sure all property owners are coordinating their developments so that it is thoughtfully put together. The City does not want to see piecemeal development, but wants it to make sense. There is little infrastructure out on this property. The packet includes a land use plan, which includes plans for a business park, etc. The Council's job is to make sure the uses make sense. The goals for this meeting are for Chartwell Capital Partners to make their presentation, to provide the results of their market study, and then Matt Godfrey will present information about the RDA potential for this area.

Chartwell Capital Partners introduced their team. **Jeff Hawkes**, the CEO of Chartwell, thanked the City for allowing them the opportunity to present tonight. He said they own 88 acres on the north end of the property. He said they want to look at the highest and best use of this land. He introduced Tom Stuart as the President of Chartwell. He detailed their backgrounds and success, and said they are in this for the long haul. **Dave Millheim** said he asked them to detail their business successes in order to give the Council an idea of their credibility. **Tom Stuart** said he loves construction and is passionate about what he does. He said they keep and maintain the properties they acquire. He wanted the City to know they have the capability and financial backing to keep and maintain the property. He said they self-perform as a contractor for excavation and concrete. He said they engaged a national firm, Kimley-Horn to perform a market study. The City paid for 20% of the study and Chartwell paid for 80%. **Jessica Rossey** from Kimley-Horn introduced her company and the purpose of their analysis. She said it is a blend of qualitative and quantitative data. She said they came up with a 10-Year Market Demand Forecast, and said they compared this property with three other developments in Utah, including Thanksgiving Point. They looked at the potential for office, multi-family, retail, and hospitality uses. They used the assumption that there will be an interchange at Shepard Lane in forming their high level bubble diagram. **Mayor Talbot** said his goal is that this property not compete with Station Park in terms of retail. He said the City has wanted to move into the business and office park development, and he was surprised that the retail and office square footage were the same. **Jessica Rossey** replied that with time the office uses would overtake the retail uses in this development. **Mayor Talbot** said he is hoping the City can overcome the trends and bring in a new mix of office uses that will be

more of what the City wants to see. **Matthew Godfrey** replied that retail spaces drive office uses. Station Park demonstrated that there is demand for retail uses that are combined with lifestyle amenities. As the City builds out with place making, office uses will come naturally. There needs to be a mixed community to drive the office uses. **Mayor Talbot** said they are not far from retail uses at Station Park, and he is amazed to see so many retail spaces included in this study. **Tom Stuart** said their goal is to build the best office park they can, and that is why they hired Kimley-Horn to conduct the study of what would be the best use for this area. **Dave Millheim** said the City tasked Chartwell with planning out the area, even the areas they do not own, in order to give a high level picture of recommended uses. They also created a topographical map showing natural street locations, regional storm drains, and helps define land uses.

Adam Hughes and **Matthew Godfrey** from Better Cities presented next. He said this project is about place making, and creating a place that is special and unique. He also referenced Thanksgiving Point, which took a long time to develop, but they are now reaping the rewards of their patience. He referenced the Class A office park in Cottonwood Heights, as well as the RiverPark Corporate Center. These projects take vision and time. He said the Real Estate Investment scale of this project is based on nearly 5 million square feet and about \$853 million. He talked about the importance of having multi-family development within a development of this kind with office and retail, in order to sustain the amenities that the office park tenants want. The infrastructure investment will be about \$32 million. **Adam Hughes** said one of the primary goals of this project will be to relieve traffic congestion by creating corridors. UDOT has expressed willingness to pay for some of the corridors. The total investment will be about \$885 million. They will be asking for public participation to fill the gap created by the \$32 million infrastructure cost. About \$5 million of infrastructure costs will need to be provided up front in order for the project to move forward. The property tax increment from this project will total about \$77 million. He said the City will get more out of this project per dollar spent, than even Station Park. **Dave Millheim** said the City needs to understand the underlying assumptions that were used in order to come up with their numbers. **Matthew Godfrey** said the data is prospective, and clearly will adjust due to the unpredictable nature of the market, etc. He said it still makes sense to take the risk. Congestion can be relieved immediately, and the additional investment in this project will only further benefit the community. In summary, he said the project can pay for itself with CRA, it is projected to create 10k jobs, and will generate \$4.3 million of annual City tax revenue at build out; it will require a \$5 million bond up front and then \$1.43 million annually for 20 years in order to fund/sustain the infrastructure. The next steps are to meet with the County, School District and other taxing entities, set up the CRA, finalize the market study, design, and phasing, and secure funding for the Shepard Lane interchange. **Mayor Talbot** said the City has struggled with the West Davis Corridor, and because we do not know what is going to happen yet, the Shepard Lane Interchange is critical. **John Bilton** said Farmington has been a fiscally conservative community, and one obstacle for a bond is public opinion. He said this project has the potential to make Farmington a regional center. He asked for their recommendations for overcoming the challenges of presenting this to the community. **Matthew Godfrey** said it is a relatively low bond, and he said the community knows a road needs to be built. He said by bonding for it ahead of time, the City can require the developers to agree to pay for it down the road. **Dave Millheim** said he appreciates the congestion conversation. Because Park Lane will eventually fail, an alternative needs to be built. The job of City staff is to look at what is coming in the future. UDOT has been supportive of the need for the Shepard Lane interchange, and the surrounding areas need to have the arterial linkage in place. He said the

City will validate and question the numbers and figures provided in the presentation. **Mayor Talbot** said Farmington will need to have the roads ready prior to WDC, because it will start in Farmington. **Dave Millheim** said the City has offered to give UDOT the necessary rights-of-way if they will build the roads. The City is in the process of drafting a resolution of common interest with the involved parties in order to get the necessary rights-of-way. **Mayor Talbot** thanked Chartwell, Kimley-Horn, and Better Cities for their presentation and all the work that went into it.

REGULAR SESSION

Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, and Brett Anderson, City Manager Dave Millheim, Associate City Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Melanie Monson.

CALL TO ORDER:

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

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

Mayor Talbot excused Cory Ritz from the meeting, and welcomed Josh Madsen and Devin Madsen from the Youth City Council.

PUBLIC HEARINGS:

Zoning Ordinance Amendment (Accessory Buildings in Side Yards)

Eric Anderson said staff received a request from a resident to build a detached garage in their side corner yard. Staff examined the zoning ordinance, which is currently silent on the allowability of an accessory building. This amendment would correct that and still allow the Planning Commission to grant special approval.

Mayor Jim Talbot opened the public hearing at 7:23 p.m.

Mayor Jim Talbot closed the public hearing at 7:23 p.m.

Motion:

John Bilton made a motion that the City Council approve the Zone Text Amendment of Sections 11-10-040(8)(c) and 11-060(c) of the Zoning Ordinance and the enabling Ordinance related thereto.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed zone text amendment is allowing residents to full use of their property in certain extenuating circumstances where a large side corner yard could reasonable accommodate an accessory building without adversely affecting their neighbors.
2. The ordinance still allows for Planning Commission oversight and discretion when either approving or denying the conditional use.
3. By requiring that a detached accessory building in the side corner yard meet all applicable yard setback requirements, any accessory building would have to be at least 20' from the nearest side corner lot line; this distance is ample as a buffer from the street, and will limit accessory buildings to homes with large side corner yards.
4. The proposed zone text amendment does not affect the prohibition from an accessory building encroaching in the front yard; this is still prohibited under the proposed change.

Eastridge Estates Phase II Rezone and Schematic Plan

Eric Anderson said this is a continuation of Eastridge Estates, with phases II and III. The developer wants approval of these phases to create a master plan. Before they can move forward with Phase III, they have to complete wetlands mitigation. There are two slivers of property that need to be rezoned to match the surrounding area. The applicant is requesting that the rezone be tied in with the schematic plan approval. Staff recommends approval.

Brett Anderson asked for background on condition 6 for the schematic plan. **Eric Anderson** said the homes will be pushed to the west for the possibility that homeowners want to subdivide their lots.

Russell Wilson, 526 North 100 West North Salt Lake, Utah. He said he has some proposed revisions to the conditions outlined. He said for condition 2, he proposes that it be revised to say “prior to consideration of final plat”, because the Army Corp requires significantly detailed drawings, and he does not want to get that far into the process unless they have been granted preliminary plat. He said for condition 7, the City had approved the storm drain to outfall into a wetland area, into the regional detention area. He said they got permission to clean out the ditch, but there is no storm drain connection there. **Eric Anderson** said staff would be amenable to the suggestion for condition 2; however condition 7 was a stipulation made by the Planning Commission. In some cases the Army Corp will not allow the City to pipe what they consider to be “navigable waters”. **Dave Millheim** said he does not like drafting and approving conditions on the fly. He recommended opening the public hearing and tabling it for action only at the next meeting. He also said there is a way to draft around condition 7. He said preliminary plat does give some vesting, and if the Army Corp comes back with some random requirements, the City is stuck with a partially vested project. He wants to discuss the request for condition 2 with the City Attorney.

Mayor Jim Talbot opened the public hearing at 7:41 p.m.

Bonnie Bond, 1470 South 73 West, Farmington Utah. She said this development is right behind her property, and the ditch is directly behind them. She is concerned that there is now murky standing water, whereas it used to be clear and flowing. She is concerned also about the possibility of piping it and having it not work. She thinks there are problems with the design of the ditch. There is a tree on their property that they had analyzed for removal, and were told that it would erode the area if removed. She is concerned that this has not been well thought through and that the design may not meet the needs of the development. She is not in favor of this action. She said she is from the Midwest, and there they do not develop the wetlands; they are protected. When properties approach the wetlands, there is a buffer. She said there is no buffer in this area. She is concerned about giving developers permission to impact natural resources. She said in Phase I, there was an artisan well, which they filled in with rocks, and which bubbled up into the street. She said this is a natural habitat with many species of animals, and she would like to see it protected. She suggested that the City Council take a look at how it is planned, and to find a way for the natural environment to be protected.

Julia Embrey, 1612 Tuscany Cove, Farmington, Utah. She said people in her neighborhood paid prime money (\$30k) for an unobstructed view. She wondered how many and what types of homes will be put in. She said a spring came up in front of her home, and the road is now compromised, which concerns her. She wondered if the existing homeowners have any say about the types of homes that go in, how many stories, and how far from their property lines they are built.

Jami Almeida, 1632 South Tuscany Cove, Farmington, Utah. She wondered if the properties directly west and south of her home have been purchased by Symphony Homes, and if they are planning to connect the road. She said when they purchased their home, they were told it would remain a view lot and that any homes built below them would have to be single story and not obstruct the view. She said they would be disappointed to see the wetlands and habitats disturbed. She said maintaining a sidewalk/parkstrip behind their homes is not feasible.

Emily Jensen, 1176 Hollow Lane, Farmington, Utah. She wondered where the trail is going to go, or if it is going anywhere.

Phil Hunter, 1605 South 200 East, Farmington, Utah. He said he purchased property to be able to build there. If the roads are cut off, they will not be able to do that. He said they have been patiently waiting for 8 years to be able to do that.

Mayor Jim Talbot closed the public hearing at 7:57 p.m.

Dave Millheim said the City cannot enforce promises/representations made by a developer. The only way to preserve a view is to purchase the property behind you. **Eric Anderson** said there is going to be a home built behind Ms. Almeida's home. He said he has applied for a TAP grant for improvements along the frontage road. He said the City has simply asked for the trail easement, and it would be great to eventually connect with the trail that leads to the elementary school in Centerville. As part of this development there will be appropriate setback requirements.

Brett Anderson said he has had reluctance to make zone changes before we vest in the project, and he would recommend tabling action. He asked if the surrounding properties were already zoned LR, which **Eric Anderson** confirmed.

Motion:

Brigham Mellor made a motion to table this item in order to have conditions 2 and 7 discussed and implemented.

Doug Anderson seconded the motion which was unanimously approved.

NEW BUSINESS:

Temporary Access Easement Request for Kaysville and/or Joint Resolution for both Cities

Dave Millheim said there is a storm drain line in the south west corner of Kaysville. Staff thinks preserving the right of way is important, and encourages adoption of the enclosed joint resolution, and to hold off on granting the easement until it is adopted by Kaysville. **Mayor Talbot** said he spoke with the Mayor of Kaysville, and he did not foresee it being a problem.

Motion:

Brigham Mellor made a motion directing staff to adopt the enclosed joint resolution whereby both Farmington and Kaysville agree to preserve right-of-way for the proposed collector street referenced therein.

John Bilton seconded the motion which was unanimously approved.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Repeal of Chapter 9 of the Subdivision Ordinance
2. Tank Site Property Conditions of Sale
3. Kestrel Bay Estates Phase 2 Subdivision Improvements Agreement
4. Surplus Property of Ambulance
5. Proclamation for Local First Utah's Independents Week
6. Taylor Subdivision Extension Agreement
7. Approval of Special City Council Minutes from April 8, 2016
8. Approval of Special Budget Minutes from May 17, 2016
9. Approval of City Council Minutes from May 17, 2016

Motion:

Brett Anderson made a motion to approve the items on the Summary Action List 1-3 and 5-9, pulling item 4 for further discussion.

Doug Anderson seconded the motion which was unanimously approved.

Dave Millheim said the City has an ambulance that can be surplused, and Kaysville is willing to purchase it. Staff recommends tabling this item for 2 weeks, in order to wait for Fruit Heights to decide what they want to do for their fire services. Because we do not know what their decision will be, and the City may possibly need it to service Fruit Heights in the future.

Motion:

Doug Anderson made a motion to table item 4 and table action for 2 weeks.

Brett Anderson seconded the motion which was unanimously approved.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

1. UDOT West Davis Corridor Update: he said they have been pushing to get the Shepard Lane interchange prioritized, and it is now number 3 on the State priority list. With effort, he believes the City can push for it to become number 2. He asked Doug Anderson and John Bilton to report on the meeting as well. **Doug Anderson** said UDOT committed to not take any homes as presently presented (with the Glover Lane alignment). He said the closest property is 181 feet from the proposed road. He said there was no interchange to support the North Station or the Station Park areas, to fuel our economic engines. **Brigham Mellor** said UDOT had their stakeholders meeting recently, and there was good representation from Farmington. If there are any questions, Randy Jeffries said he would be willing to address them. He will be meeting again with the Ranches HOA on the 27th. **John Bilton** said the entire discussion was about the Glover Lane option. He said they did want to discuss Farmington's needs. They said the record of decision would be coming in the spring of 2017. **Mayor Talbot** said the efforts the City has made to establish a friendly relationship have paid off, and the City has been able to talk with UDOT representatives openly and candidly. He said he is not getting any pushback on what the City wants.
2. Sidewalk Bid on Frontage Road: he included the bid for the sidewalk along the Frontage Road. It would come out of the General Fund. Staff does not recommend going with this bid because it is too expensive at this point in time. He said Chad Boshell will be giving an update on sidewalk priorities at the next meeting.
3. Executive Summary—Planning Commission held May 19, 2016
4. July 5th Meeting?: He said there is a public hearing that has been noticed for this meeting, and if Councilmembers will be gone, staff needs to notice cancellation of it. **Mayor Talbot** said there are 5 events for Festival Days that night.

Motion:

Brigham Mellor made a motion to notice cancellation of the July 5, 2016 meeting.

Doug Anderson seconded the motion which was unanimously approved.

5. Davis County Road Respect Events: he asked for one Councilmember to attend, to ride with them to receive an award for Farmington’s bike friendly streets. **Brigham Mellor** volunteered to attend.

City Council

Brett Anderson: he was told there is a stop sign off of Miller Way that is leaning over, and the residents are concerned about it. **Dave Millheim** said he would look into it.

Mayor Jim Talbot

1. He made assignments for Festival Days:
 - 3 on 3 basketball tournament: Doug Anderson
 - Little Miss Farmington: Mayor Talbot
 - Food Trucks: Brigham Mellor
 - Bike Parade: Brigham Mellor & Brett Anderson
 - Outdoor Movie: All Councilmembers
 - Tennis Tournament: Brigham Mellor & John Bilton
 - Pickle Ball Tournament: Doug Anderson
 - Bike Race: Brigham Mellor & Doug Anderson
 - Motorcycle Race: Mayor Talbot & Brett Anderson & Doug Anderson
 - Breakfast at City Hall, Parade, Festival, Ice Cream, Concert, Fireworks, Youth Dance: All Councilmembers
2. He was contacted by another Mayor who asked him if the Council could help pass out fliers for the Tour of Utah during Festival Days. He said he thinks it would be a good idea.

Council members **John Bilton** and **Doug Anderson** did not have anything to report at this time.

ADJOURNMENT

Motion:

At 8:59 p.m., **Brigham Mellor** made a motion to adjourn the meeting.

Doug Anderson seconded the motion which was unanimously approved.


Holly Gadd, City Recorder
Farmington City Corporation

