



CITY COUNCIL MINUTES

AUGUST 1, 2023

WORK SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember
Scott Isaacson,
Councilmember Roger Child,
Councilmember Amy Shumway,*

*City Recorder DeAnn Carlile,
Assistant Community Development
Director/City Planner Lyle Gibson,
Assistant City Manager/City Engineer
Chad Boshell, and
City Lobbyist Eric Isom.*

Mayor Brett Anderson called the work session to order at 6:08 p.m.

TOUR NEW ROADS

The work session was held to tour new roads in North Farmington Station.

Presentation by Farmington High School Student Body Officers to rename 650 West to Phoenix Way

Going into its sixth year, Farmington High School is building an identity and traditions, finding their place in the greater Farmington community. Farmington High is on 650 West and Glovers Lane, and the student body officers would like to rename 650 West after its mascot, the phoenix. The Youth City Council approves the idea. There is a precedence for this, as Layton High School has Lancer Lane and Clearfield has Falcon Way.

City Manager **Brigham Mellor** said the student body officers are going to canvass landowners on the road to see who approves or disapproves of the change. They will return with their results to the Sept. 5, 2023, City Council meeting. If the Council approves of the change, a new sign will be unveiled on Sept. 15, 2023, as part of their annual homecoming festivities. **Mayor Anderson** said the City made a lot of friends when they put in sidewalks on 650 West.

Mellor said if required, a public hearing would be noticed 10 days in advance. After that, a resolution would be prepared. The school's current address is on Glovers Lane, but since the school is on a corner, the address could be changed to Phoenix Way after an address change affidavit is prepared. The name "Glovers Lane" would remain unchanged. The name "Phoenix Way" would be added to 650 West, so pre-existing addresses on that route would not need to be changed.

REGULAR SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember
Scott Isaacson,
Councilmember Roger Child,
Councilmember Melissa Layton,*

*Councilmember Amy Shumway,
City Recorder DeAnn Carlile,
Assistant Community Development
Director/City Planner Lyle Gibson, and
Assistant City Manager/City Engineer
Chad Boshell.*

CALL TO ORDER:

Mayor Brett Anderson called the meeting to order at 7:05 p.m. Councilmember **Alex Leeman** was excused. Councilmember **Melissa Layton** participated electronically via Zoom.

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

Councilmember **Scott Isaacson** offered the invocation, and the Pledge of Allegiance was led by **Mayor Anderson**.

PUBLIC HEARINGS:

Consideration of approval for a Development Agreement and application for the Agriculture Planned (AP) District overlay zone for an additional building and site plan alterations for Ace Athletics at 874 S. Shirley Rae Drive

Assistant Community Development Director/City Planner **Lyle Gibson** presented this agenda item. This 2-acre piece of property is in the southwest part of town off Glovers Lane. They would like to expand their facility. They could have put in uncovered courts, but are more interested in covering them. They explored a bubble option. Changes to lot coverage that would have allowed this were also explored. The Agriculture Planned (AP) District was adopted to better handle Davis County's new Western Sports Park/Legacy Events Center proposal. Using the AP District, this applicant could create their own rules through a Development Agreement that could be accepted by the City Council. The lot coverage issue has been the biggest hiccup for several months. The Planning Commission has been working with the applicant for several months.

In a 6-1 vote, the Commission recommended approval. There is a 20,000 square foot building on site now, and they want to add an additional 20,000 square foot building on the south side. The Commission wanted it landscaped and screened appropriately, and for that to be included in the Development Agreement. They liked the wooden timberwork on the entrance of the existing building, and want elements to break up the long mundane look of the building.

Shirley Rae Drive is a north-south road that runs along the east side of the property. On the south side of the property is Glovers Lane running east-west. Glovers Lane is currently unimproved, and the applicant previously put in a deposit for their future

portion of curb, gutter and sidewalk improvements. Staff may need to ensure that the amount is sufficient in today's dollar amounts for those future improvements. The Commission also addressed parking.

Isaacson said this technically a rezone, which is surprising. **Gibson** said it was placed on the agenda tonight to allow for the Council's legislative discretion. This is analogous to a Planned Unit Development (PUD), which is an overlay zone that also requires legislative discretion. This application doesn't meet the lot coverage in an Agriculture zone.

Layton asked if the overlay is permanent on this land, or just for this applicant. **Gibson** said the Development Agreement and overlay both run with the land, and could transfer to a new landowner. Any changes would require City Council approval. Uses could not be changed without City Council approval. **Isaacson** said this field is sometimes under 2 to 3 feet of water, and he wants to know about water detention. In the past it has been a wet area. If the applicant gets initial approval, the Planning Commission would require fully engineered water detention plans in the future.

Applicant **Scott Adamson** (1498 W. Glovers Lane, Farmington, Utah) addressed the Council. He purchased the closest house to the west of this property. The current detention pond worked well this year and there was no flooding on his lot. He is willing to comply with the City's engineering requirements. The City did approve an amendment to the zoning language that would have allowed them to build the building, but then took it back out when he considered the AP District. This is a good opportunity to see how to operate this new overlay zone.

Mayor Anderson asked if this would bind all future land owners to a certain use. However, he didn't see some suggested offerings included in the Development Agreement. **Gibson** said the agreement says that in addition to the uses allowed in the underlying agriculture zone, only two additional uses would be allowed.

Mayor Anderson opened the Public Hearing at 7:28 p.m.

Scott Conlin, a Morgan County resident who also owns property in Davis County, addressed the Council. There is only one tennis court in Morgan, so he comes to Davis County a lot to play tennis. He plays at Lagoon and takes lessons and plays at Ace Athletics. Their business model is superb as it caters to all ages and abilities. The quality of tennis instruction is top notch.

Bryce Jex, a Layton resident, addressed the Council. His son attends Ace Athletics. They are great for the community and young children. This is the type of people small communities want, and this would help the entire county in general.

Shawn Kearns of Centerville addressed the Council. His wife took tennis lessons from Ace Athletics. There is a shortage of tennis courts in Davis County. There are some in North Salt Lake, but they are leaking and dangerous. This expansion is needed in the County. The community is starving for court space, and Lagoon is full, not offering court time.

Mary Kearns of Centerville addressed the Council. Tennis can be played for a lifetime. She has been playing for nine years now, and loves tennis. Recently a woman from South Jordan was using Ace's courts, commenting that there is a shortage of tennis courts along the Wasatch Front. Salt Lake courts are expensive compared to California.

Leslie Beynon (871 Shirley Rae Drive, Farmington, Utah) addressed the Council. She lives in front of the tennis courts and was initially concerned with parking. The applicant has been good to listen to residents' concerns. Expanding the courts will actually help resolve the parking issues. It is important to offer sports options to the community. Employees make the effort to keep things clean, and she has no complaints about this business owner. A peak traffic time is early in the mornings until 9 a.m. In the summer, they have been able to expand time frames, so there are less issues. Early evenings are the peak during the school year. They have made efforts to ensure that her property has not been blocked. Classes don't all come in at once. Patrons used to park on the street, but they don't any more.

Heidi Robinson (1462 Silverwood Drive, Farmington, Utah) is an educator in Davis County. She said what is taught at Ace Athletics is what is needed in classrooms including taking turns, being kind, etc. Participants are building life-long skills during these classes. The audience applauded each speaker during the public comment period.

Mayor Anderson closed the Public Hearing at 7:42 p.m.

Councilmember **Roger Child** recalled a concern about snow loads coming off the roof during approval of the first building. Snow loads and water coming off a metal roof may affect the neighbor on the north property line.

Adamson said the **Openshaws** live to the north. He is not aware of drainage or water seepage issues so far. The **Openshaws** have actually noticed an increase in solar collection from their solar panels after the building was built. **Child** said because there is no slope, adequate detention on site is needed. **Adamson** said drainage flows to the creek.

Assistant City Manager/City Engineer **Chad Boshell** said when they got their site plan for the first building, they piped the front of the building on Shirley Rae and on the west of the property. Everything drains to the west. It is low lying property. The same thing will have to be done with the new building. Standing water is backing up out of the creek when it flows high. They need a back flow preventer to prevent the flood water from coming in. Building officials and structural engineers will review the plans for this application.

Adamson said the building designer is aware of snow loads. There will be proper rain gutters and slopes.

Councilmember **Amy Shumway** said the original agreement called for landscaping, and she has noticed very little landscaping has been done to date. She wants the Development Agreement to address that since it hasn't been done from the previous agreement. Can the City hold a landscaping bond until it is completed?

Gibson said in a normal circumstance, the City would not require landscaping for private property, but it could be mentioned in the Development Agreement as a two-way agreement. A bond could be made necessary until the completion. City Manager **Brigham Mellor** said the Council could withhold the certificate of occupancy instead. The building official and Planning Department could help with that, depending on the time of year. The certificate of occupancy would be contingent on completed landscaping.

Adamson said the traffic study concluded there would be no impact to the area. The approach is off of Glovers. **Boshell** said the master plan doesn't show Glovers being widened in the future. It will be 37 feet of asphalt. There is a conservation area nearby.

Isaacson said he lives on 1100 down the road a little ways. When the first building was built, he was shocked it was allowed in a residential area because this is clearly a commercial use. This was long before he was a member of the Council. It is zoned agricultural. He loves the business and it is a thorough application. However, the location is still questionable to him. If it weren't for the freeway going in that will create a division between this building and residential neighborhoods, he would be more concerned. The freeway changes things a lot. He is confident the technical questions will be addressed as the project moves forward. He doesn't want this to set a precedence for what could be done with an agricultural zone. However, there is not a lot of agricultural land left in Farmington. He would not vote to approve this if it was starting from scratch.

Layton said Ace is a good neighbor and addition to the City.

Motion:

Child moved that the City Council approve the Development Agreement (included in the Staff Report) and request to rezone 2.17 acres of property at 874 S. Shirley Rae Drive to include the Agriculture Planned District overlay zone with condition that certificate of occupancy will be withheld until such time as the landscaping plan is completed with the exception of winter time with a possible bond. Also the Development Agreement must include that the City Council has the ability to review any change of use.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	_____	Nay
Councilmember Roger Child	X Aye	_____	Nay
Councilmember Melissa Layton	X Aye	_____	Nay
Councilmember Amy Shumway	X Aye	_____	Nay

The motion was met with applause from the audience. **Shumway** said she was impressed that the applicant had so many people come out to support this agenda item, and said it made a difference. **Adamson** said Gibson has done a great job and is an asset to the City.

Regulating Plan Amendment - Proposed City Park

Gibson presented this agenda item. Part of the zoning ordinances in the mixed use districts include a regulating plan, which establishes the street network in the Farmington Station area. What is in the plan does not match what is under construction and has been approved by the City Council. This will help clarify the situation.

Mayor Anderson opened and closed the Public Hearing at 8:14 p.m. as nobody signed up in person or electronically to address the Council on the issue.

Motion:

Child moved that the City Council approve the Regulating Plan amendment for the proposed City Park.

Isaacson seconded the motion.

All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	_____	Nay
Councilmember Roger Child	X Aye	_____	Nay
Councilmember Melissa Layton	X Aye	_____	Nay
Councilmember Amy Shumway	X Aye	_____	Nay

GOVERNING BODY REPORTS:

City Manager Report

Mellor said on Friday during the Congressional debate he will be out of town. Starting tomorrow until Friday, **Boshell** will be the acting City Manager. City Attorney **Paul Roberts** is out of town for 10 days while he is in Japan. The next Council meeting is the Truth in Taxation meeting. There will not be a work session. He expects many to show up in support of the tax increase. It will help address concerns in the police and fire departments. **Isaacson** said the media reports 85 cities are raising taxes, and Farmington is being used as an example on the low end. **Shumway** said she has gotten some pushback from those on fixed incomes.

Mayor Anderson and City Council Reports

Isaacson is concerned about the weeds in front of Cabela's. It is an entrance to Farmington and is now an eyesore. **Mellor** said it is City property, and it may have been overlooked during the initial development. There are different options that could help out such as low-maintenance buffalo grass. Years ago, the City has had a conversation with Cabela's about maintaining that property, but they were unreceptive. Redevelopment Agency funding would be available to take care of this. He said he wants to talk to the Post Office about the City maintaining landscaping there in exchange for the Post Office giving the City a cross parking easement on the corner near the City's property.

Mellor said a gentlemen who lives east of the roundabout near where the new Glovers Lane overpass that goes over West Davis Corridor sent an email complaining there is not an eastern guardrail at the top. He is afraid if a motorist goes more than 35 miles an hour around that roundabout, they will end up on his

property or in his house. The City shouldn't have to use betterment money to put in a guardrail for safety reasons.

Shumway said a guardrail was supposed to be installed on Flag Rock Drive, and it still hasn't been. She was driving by the Hampton and realized the house is gone. **Mellor** said the new landowner is working on designs. A lot of time was spent when she was working on a cross parking easement with the Hampton owner.

Isaacson asked about security at Lagoon. He is concerned with the amount of coolers being brought in. **Mellor** said the best time to discuss this with Lagoon is when they want their new billboard, which is right away. They want the new billboard on City property west of the golf course. **Mayor Anderson** said Lagoon is not worried about guns on their property. They tout that they are the only amusement park in the country that allows outside food in for picnics. Staff will even go to your car to help bring in coolers. **Isaacson** said bags coming into a football game even have to be checked. A metal detector or other nonintrusive options may need to be employed there.

Layton said she would like to add art to the new park, and she forwarded an email with Gateway examples to Councilmembers. **Mayor Anderson** noted a recent ribbon installation at the Gateway that is being used as a sun shade.

Child said he heard a suggestion that the City install a large slip and slide on Main Street by the Post Office next year for Festival Days.

Mayor Anderson spoke of a City fund that could be added to the utility bill to help those needing financial assistance for utilities. Residents could opt in on their bill to create a pool of money administered by the City. This will be presented on a future Council agenda. Farmington is a City that really takes care of its residents.

ADJOURNMENT

Motion:

Child made a motion to adjourn the meeting at 8:43 p.m. **Shumway** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Scott Isaacson	X Aye	_____	Nay
Councilmember Roger Child	X Aye	_____	Nay
Councilmember Melissa Layton	X Aye	_____	Nay
Councilmember Amy Shumway	X Aye	_____	Nay

____/s/ DeAnn Carlile_____

DeAnn Carlile, Recorder



Justin Whittaker
Principal

Tim Allen
Assistant Principal

Shon Feller
Assistant Principal

Mylei Zachman
Assistant Principal

Farmington City Residents,

Our school theme for the upcoming school year is “Building Our Legacy”. Over the past 5 years we have been building our legacy by curating academic excellence and achieving athletic dominance. We want to expand our legacy from within the walls of our school into the community.

Our first goal in “Building Our Legacy” this year is by adding “Phoenix Way” to 650 West. Farmington High students drive on 650 West to get to school every day. Adding the name “Phoenix Way” will create a deeper community foundation that our student body will build a strong foundation.

With your support, adding “Phoenix Way” to 650 West will firmly establish Farmington City as the home of the Phoenix. The Phoenix family does not only exist within the walls of the school; all of Farmington City will be Phoenix Territory. To accomplish this, we need your help. As a student government we are presenting this idea to the City Council on August 16, 2023. To show your support we are asking for you to sign this petition.

Thank you for your time and consideration! We know that adding the name Phoenix Way to 650 West will deepen our community roots and create a firm foundation for generations to continue to Build Our Legacy.

Thank you for your support,

FHS Student Body Officers

Cannon Hughes; President
Ella Johnston; Social Media
Lucy Larson; Designer
Kenslee McGuire; Service
Jasmine Malhi; Diversity and Inclusion
Ian Tarbox; Tech
Kaden West; Spirit



DeAnn Carlile <dcarlile@farmington.utah.gov>

08.01.23 Agenda

1 message

litefootsnowcats@aol.com <litefootsnowcats@aol.com>
To: "dcarlile@farmington.utah.gov" <dcarlile@farmington.utah.gov>
Cc: Marcia Smith <marciasmith52@aol.com>

Tue, Aug 1, 2023 at 2:07 PM

Dear City Council members,

My name is Kevin Smith, my wife Marcia and I live at [867 Shirley Rae Dr.](#), directly across from Ace Athletics. Scott and Patty Adamson are great neighbors and we are excited to see them grow their business. We also believe this business is a valuable asset to the community. We see people of all ages patronizing this business. We hope you will approve the additional building and site plan alterations for Ace Athletics.

Sincerely,

Kevin & Marcia Smith