



Planning Commission Work Session

MINUTES

MARCH 20, 2012

8:05 PM-9:37 PM

LARGE CONFERENCE ROOM

<b>FACILITATOR</b>	Chairman Gregory Day
<b>NOTE TAKER</b>	Judy Merrill
<b>ATTENDEES</b>	Kenneth Hellewell, Tyler Bodrero, Gary Pratt, T.J. Jensen, Dale Rackham, Braxton Schenk, Curt McCuistion, Michael Eggett, Kent Andersen, and Will Carlson

**ITEM 1: GENERAL PLAN AMENDMENTS TO DISTRICTS 1 AND 2**

Prior to discussing the first agenda item, TJ asked to make a comment on record regarding the proposed Light Industrial zone. He considered the 45-foot height requirement too high and recommended a change to 35 feet. Kenneth agreed.

Gregory explained that there were many conflicting requests for changes to the General Plan in Districts 1 and 2. He encouraged commissioners to be very deliberate in their analyses. The Commission heard from the 200 South Subcommittee, residents, and MGB<sup>+</sup>A, but he did not believe they had really heard from the proposed developer requesting this significant change to the General Plan. Therefore, he asked Randy Abood to discuss his intentions with them that evening. In order to promote a healthy dialogue with Randy, the public was welcome to email comments to the City, but he would not be accepting public input during this work session agenda item.

Prior to inviting Randy to speak, Gregory explained that City staff received a request just before 5 p.m. that evening from someone representing Bill Child to ask for a change in District 2 of the General Plan. Mr. Child authorized Mike Bastian to speak on his behalf, and he invited Mr. Bastian to stand and present that proposal.

Mike Bastian explained how the West-Davis Corridor could eliminate quite a few houses in the subject area if it came through the City near Mr. Child's property. They believed that an R-2 zone would provide a better buffer between that Corridor and the other R-1 zoning around it. The LDS Church bought a 5-acre parcel from it, so there were several things they needed to work around. He distributed a drawing of one possible proposal involving the approximate 13 acres remaining. Kenneth asked if Mr. Child would be open to allowing a school there, since he knew the School District was looking for land to build an elementary school in the northwest area of the City. Mr. Bastian said he would be willing to discuss it with the Childs, but he was simply there to get a feel for the City's preferences for that area. There were no intentions of turning dirt any time soon, but they wanted to project for future growth while the General Plan was open. Commissioners seemed amenable to considering an R-2 zoning designation.

Gregory then invited Randy Abood to begin his presentation. Randy first introduced his team: Corbin Bennion, Principal of Dominion Engineer; Eric Rice, with Ninigret Construction; Tom Freeman and Travis Healey, with Commerce Real Estate Solutions who did marketing; and Henry Schwendiman, Principal of Bonneville Mortgages who did their financing and was an expert in the field of industrial, multi-family, and residential throughout Utah. As he began to explain his desire for not wanting to discuss multi-family, Kenneth pointed out the importance of including it if they wanted it to remain as a component of their development.

Randy passed around a flyer residents had been distributing and said their claims about him were malicious. He wanted to discuss with commissioners what he wanted to do in that area rather than what people thought he wanted to do. There were two motivating factors that indicated a flex or light industrial park would work there: 1) A \$70 million investment in the road, because businesses wanted access to a highway. 2) The Freeport Center. There were companies in Freeport that wanted to modernize to flat floors and a clean environment. Companies did not use forklifts outside, these businesses would not have smoke stacks, and Freeport was not indicative of his proposed business park. His concept was to replicate his existing park. In the Utah market, these types of buildings ranged anywhere from 100,000 to 200,000 square feet. They used to be 18 feet high but eventually went up to 30 feet. In this area, he wanted the buildings running north to south, but the market would dictate their sizes. Manufacturers liked square buildings while distributors liked them more rectangular. They would build according to the market. This property worked well because it faced north-south. Docks froze if they faced north. If the building was too unique, they would have to buy the lot and finance it through other means. He had stringent CC&Rs, setbacks, and landscaping to prevent a business from impacting other businesses, which, in turn, protected his investments.

Gregory asked him for some acceptable ideas for transitional zoning, such as a business park. Randy advised him that professional office buildings would not want to be along 700 South, because it did not provide visibility. If commissioners could find a professional office willing to locate there, he would be more than happy to accommodate them. However, there would never be a market for those types of uses there, because they needed to face a main thoroughfare. Designating that land professional office in the General Plan would be unrealistic. He then pointed out on their concept plan that they eliminated the road connecting to 700 South. It

now connected only to SR193. Truckers were people who wanted to get in and out as fast as possible. When utilizing 1000 West, they would turn and head directly to SR193. The 700 South residents did not want the trucks and the truckers did not want 700 South. He then emphasized his opposition to the 150 yard buffer, claiming it would create more of a nuisance factor due to the high school. He asked how he would stop the high school students from loitering within that large buffer. Someone asked if he thought townhouses would be a good buffer on 700 South, and he expressed confidence in the market for that type of use.

Pat Zaugg, a 700 South resident, interjected with a question of whether Randy would consider selling a portion along 700 South to the City for a park as a buffer. Randy was willing to consider an offer from the City but believed they would be inviting trouble right next to the school. Kids liked to hang out in parks and vandalize them.

Tyler reminded everyone that there was probably a break-even point for the amount of acreage needed to create a viable development, and he wondered if there would be enough land for both to co-exist.

Although Randy said he had three fairly large users for his park, he needed an amendment to the Subdivision Ordinance to increase the allowable length of cul-de-sacs for smaller users. He did not intend to allow heavy industrial anywhere, because it would impact his entire business park. He always built to a higher standard in hopes of attracting users with higher standards.

Gary referred to a business park with professional offices in another city next to a high school that allowed students to apprentice with the various companies. The school allowed off-site time for those apprenticeships, and the businesses hired them. Consequently, the students tended to stay in the city, and the companies benefited from a trade talent. Randy assured him they already tried to do that with USU but found it had to be a community or state college rather than a high school. If that could be done, the value of this property would be ten times more. He even looked at the research park by the University of Utah. Gary disagreed, because Syracuse had Weber State nearby that said they would love to move next to a high school. Randy again assured Gary that, if Weber State came to him with that purpose, he would definitely say yes, because it would be less expensive. He then pointed out that it was one thing to tell him what he could do and quite another one to say what he had to do. A research park would not center around a high school. He knew that to be true, because he already tried to do it right by the airport, which was a much better location for a research park. However, those types of places preferred to be on a highway, not 700 South.

Gregory asked if Randy had been considering the idea of increasing the architectural standards for those areas adjacent to differing zones. Randy advised him that it would be difficult to change the architectural design of what they built, such as dropping buildings down to 18-20 feet with masonry. That would be a pretty antiquated building. Landscaping and windows would be the methods they used to dress up the buildings. They still preferred 28-30 feet of clear height and maybe even 32 feet. Plenty of businesses even wanted 40 feet. Gregory asked about transportation for the parcel to the west. Randy talked about a road coming off the interior street and connecting to that westerly parcel.

Gregory pointed out that it was 9 p.m. and asked if commissioners wanted to extend the meeting. Braxton expressed his desire to have enough time to discuss the sign standards. TJ moved to extend the meeting to 9:30 p.m., seconded by Gary; all voted in favor.

Tyler asked about City infrastructure for such a development. He was told that the City Engineer said it was sufficient. The 700 South line was the City's.

Kenneth again expressed the need for commissioners to have a general idea of what Randy wanted to build and where, in order for them to consider a General Plan change for that area of the City. The exterior elevations and landscaping plans would be better considered at the time of rezoning. For a General Plan amendment, they needed to know what Randy envisioned for the entire development rather than just one portion. Randy conceded to that point and told him he saw both parcels as Flex or Light Industrial with the westerly portion as multi-family or townhouses—maybe single-family, but that would be a tough market. He did not believe he was far enough along in the residential component to know what to present to the City. He asked Henry to speak to the subject.

Henry explained that 50% of every new dwelling unit along the Wasatch Front in the last couple of years had been multi-family. People could no longer buy homes, and the apartments being built now were very nice. If residents wanted their children to be able to afford to stay close to home and have jobs, Syracuse needed multi-family. The entire market was changing, and more and more people were renting either by choice or because they had no choice.

Gregory stated that he did send a letter to City Council saying that the Commission would not consider any new residential zones for another year. He then asked about the types of businesses Ninigret wanted in their flex buildings. Henry described some of the businesses typically found in these parks. One had huge

simulators for people to learn to drive different vehicles. Others were international candy companies, cheerleading gyms, and technical colleges. Randy referred to a tire company that located in one of his facilities. He worried about the odor, but it didn't create any. The only business he found that created odors were plastic manufacturing facilities making containers. They attracted carpet distributors, surge suppliers, Malto Meal, Scholastic Books, and just a broad range of users. He did not see them requesting any of the uses listed under conditional. Gregory asked him to submit suggestions on narrowing that list, since many were not uses they probably wanted to allow. He hoped the Commission could finish reviewing these proposed zones and make recommendations to City Council within 60-90 days. Tyler wanted to do it sooner because of the other districts they needed to open and close this year. He suggested 30 days.

Gary asked Kent to forward the General Plan document to Randy.

#### ITEM 2: SIGN REGULATIONS

Because of the time, Braxton kept it brief and said that all the proposed amendments to the sign regulations were ready for a final review and asked staff to place it on their next regular meeting agenda. Everyone agreed.

#### ITEM 3: DEPARTMENT BUSINESS AND DISCUSSION OF NEXT AGENDA

Kent referred to a request from Thaynes to be on the next work session agenda regarding a new project. He then asked if commissioners wanted him to include an agenda item for April 3rd to discuss the General Plan. Kenneth did not believe they were ready until after deciding on the new zones. Everyone agreed that they needed to finalize the zones before addressing Districts 1 and 2. Braxton did not see a need for both Light Industrial and Flex Development zones. Others agreed. Tyler encouraged everyone to come to the next meeting prepared to discuss size and controls for these new zones, just as they did with the amended PRD zone, and determine the mechanism they should use to control the final product.

Mike pointed out that the Commission was under no legal obligation to do anything with the General Plan other than what they determined was best for the City. They would not be held accountable for holding one district open longer than another.

Gregory directed staff to place the three proposed zones first on the next work session agenda.

Mike referred to commissioner's last meeting where they discussed having an application for General Plan requests for situations where it made sense to consider an area of the General Plan already closed. Commissioners would need to establish criteria to warrant such applications and develop that concept.

Gregory asked Will to come up and discuss communication among commissioners. Will referred to the Open and Public Meetings Act and how it applied to email communication and face to face conversations. Sending emails did not qualify as a meeting, but if it turned into a dialogue, it could be deemed as an electronic meeting. If litigation came up, any statements made could be brought into it, e.g. while walking out to the car after a meeting, emails, or internet posts. There were a lot of ways to interpret written statements, so he cautioned them to remember they were dealing with property rights, which was a popular area of litigation. Mike asked commissioners to remain objective and try not to formulate decisions until after receiving all the information. It would protect them from becoming emotionally attached to a decision.