

FARMINGTON CITY PLANNING COMMISSION

Thursday, August 7th, 2008

PLANNING COMMISSION SPECIAL SESSION

Present: Chairman Kevin Poff, Commission Members Randy Hillier, Craig Kartchner, John Bilton, Steven Andersen, Alternate Planning Commissioner Jim Young, Assistant City Planner Glenn Symes and City Planner David Petersen. Planning Commissioner's Paul Barker and Rick Wyss were not in attendance.

Chairman Poff called the meeting to order at 7:00 p.m. and **John Bilton** offered the invocation.

Chairman Poff welcomed everyone to the special session and said this session is devoted specifically and solely to the TOD zone. **Chairman Poff** then asked **David Petersen** to reach the Commission's consultants **Susie Petheram** and **Soren Simonsen** by phone.

ZONING TEXT CHANGE APPLICATION

Farmington City – (Public Hearing) – Consideration of a recommendation to amend Chapter 11 of the General Plan regarding the “Farmington Commercial Center” and other related general plan text and map changes, and to amend Chapter 18 of the Zoning Ordinance regarding the TOD (Transportation Oriented Development) zone including but not limited to residential density, non-residential building size, permitted and conditional uses, and Project Master Plan (PMP) criteria including, among other things, street type hierarchy and street network design, building form and site envelope standards, off-street parking, landscaping standards, and other various changes (MP-2-08) (ZT-3-08).

David Petersen reviewed the changes that didn't make sense on pages (1) and (2) in the marked-up copy of the draft. He discussed the changes to 11-18-101 (a), (c), (e) and (h). He also said that they added some new definitions on page (2) 11-18-103. On page (3) 11-18-104 they added the words “or dwelling” and they moved the “parking structures and accessories” down to the use table. The Allowable Use table pretty much mirrors what they had before but they improved some of the definitions.

David Petersen asked **Susie Petheram** why they made changes to the Street Network in paragraph (b) on page (6).

Ms. Petheram said that they crossed it out because they decided it would be more appropriate in the General Plan rather than in the ordinance text.

David Petersen also said that they crossed out some of the text on page (7) because they thought this language would be more appropriate in the General Plan. He also discussed Building Heights on page (8) and said they referenced the definition of building height in another chapter of the ordinance.

David Petersen said that the Commission really needs to decide how important bike lanes are to them because the bike lanes will really affect street widths.

Chairman Poff asked if these street widths include room for parking and two full lanes of travel.

David Petersen said that they do include room for parking and two full lanes of travel.

Chairman Poff asked if Farmington Crossing has a full 28 feet of asphalt in the interior. **David Petersen** said that he believes the streets in Farmington Crossing are 25 feet wide, but that they do not have bike lanes, so they are narrower than street standards. **David Petersen** then referenced Salt Lake City street widths.

Soren Simonsen made a comment to the Commission and referenced “Envision Utah”. He said that one of the chapters in Envision Utah recommends 28 feet from face of curb to face of curb which allows a little more room for parking. He then said that if the Planning Commission were open to it, that he would recommend dropping the width just a little bit because it is more conducive to safer streets to have them a little narrower, your less inclined to get people that are driving too fast which is often a problem on neighborhood streets when they’re designed wide enough that people feel comfortable driving faster, they will drive faster. **Mr. Simonsen** said that a little bit of research has been done in Salt Lake City on this issue in the Sugarhouse area where residential streets are a little bit narrower, about 24 to 26 feet from face to curb to face of curb, they tend to have fewer traffic and auto pedestrian accidents than on the streets that have wider widths, in the range of 30 to 34 feet. Streets tend to be less pedestrian friendly the wider that they are. He said that he would be happy to get a copy of Envision Utah for the Commission if that would be of any value to the Commission down the road.

Chairman Poff said that a copy of the study would be helpful.

David Petersen continues to review other changes made to the draft on pages (31), (32) and (33). This concluded his review.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing at 7:22 p.m. and invited public comments.

Dave Kershnik, 383 South 650 West, Farmington, said he was at the meeting to represent people from the west side who are overwhelmed. He said that as a citizen he does not understand some of the things that need to happen in the process and that to his understanding the purpose of the Commission is to clarify the zoning ordinances. This way when a developer comes in he can read the zoning ordinance and he won’t have to wonder if it will take several meetings to understand what has been said. He said on the

other hand he as a citizen also would like to know what could potentially happen to his neighborhood. He said that after last night's meeting he could understand the applicant's side of it and he was very pleased about the way the City Council asked for the Commission's recommendation. He said that the language does need to be corrected even if it does take two or three more weeks for the Commission to get it done correctly so everybody understands it and so that it is clear to keep interfaces, so there isn't a three story, 20 house condominiums out his back window or whoever lives there. This gives City Council or whoever interprets this some leeway to adjust those proximity things.

Mr. Kershisnik said that he hopes changes will be made in density where there are interfaces with residential neighborhoods. He also said that he feels that developers can draw a pretty picture of what they intend to build but that a few years down the road no one can guarantee what it will look like and who will own it.

Robert McConnell, 185 South State Street, Suite 1300, Salt Lake City, said that from their perspective the Regulating Plan and Proposed Street Network has functionally failed and it is not responsive to some of the information that had been proposed to the City by Tim Taylor. He wanted to know if the Horrocks report was done.

Susie Petheram said that the Horrock's report should be done by August 14th.

Mr. McConnell continued to say that they have some questions about its overall functionality of the Street Network and that they will have to wait to get the Horrocks report to see if it functions properly. He also said that even if the Street Network is functionally feasible, America West market experience indicates that the development pattern dictated by the regulating plan then the street network is not responsive to market for commercial uses. He wanted to know if the City has any informational studies that contravene that experience and if not, is the Commission willing to recommend the proposed ordinance without understanding the potential impact of it's proposed zone change on the economic viability on this area and in turn the long term economic viability of the city. **Mr. McConnell** continues with the following concerns of the developer, America West:

- They need a better definition of mixed use.
- Parcel ownership is not addressed and could hamper implementations.
- Blocks cannot be used because they are unworkable from a market standpoint.
- No correlation between use and parking; costs are not consistent with rents in the area.
- Provisions of the ordinance no longer have function given the Regulating Plan on the street network.
- Why eliminate big box options, anchors need tenants and tenants need anchors.

Paul Bringhurst, 3995 South 700 East, Suite 300, Salt Lake City talked about the following points:

- His role is to help developers interpret zoning and what can be developed in cities. He thinks changes need to occur in zone text.
- Looking at the Regulatory Plan, what can max block size be? This will affect parking.
- Addressed building frontage requirements.
- He addressed parking locations and open space requirements for blocks
- Pointed out that larger buildings and two story buildings need more parking, and then you lose open space.
- Structured parking concerns, feels forced to use structured parking and states that according to the ordinance structured parking cannot be visible from the street. This ordinance did not take into account insufficient block sizes for structured parking.

Jacob Jensen, 3995 south 700 East, Suite 300, Salt Lake City, stated that parking off-site may or may not be beneficial. He said that he thinks you wouldn't hit percentage use and parking ratios.

Ryan Hales, 179 North 1200 East, Suite 103, Lehi made the following remarks:

- Discussed the Regulating Plan and thinks that there have been great changes made by the Cooper, Roberts, Simonsen Associates group.
- Discussed the option of bending Park Lane and that this was a great option. He also talked about possible Park Lane accesses for this development and mentioned that UDOT will not allow any additional accesses onto Park Lane in this vicinity.
- Talked about a 5 leg intersection and the fact that it may be hard to signalize.
- Reviewed the ordinance and talked about the problem of off-site and on-site parking not being sufficient and could be a challenge. This is based on Chapter 32 of the City ordinance.
- Discussed roadway width and how it is very critical to successful developments. Refers to the International Fire Code and that if a road is 26 feet in width, there is no room for parking.
- He said that they want to work with the Planning Commission and work through this ordinance revision and try to understand it better so the developer can move forward.

Ron Martinez, 5019 South Skyline Drive, Ogden, discussed the following items:

- Said he wants to talk about the marketing aspect of this development. He displayed maps for the Commission to review. Talks about how making up a grid system for 240 acres does not work. He thinks a grid system makes this property hard to market to tenants and that a grid system may work for the

residential area of his development but it does not work for commercial portion.

- Talked about Rich Haws who annexed about 300 acres here in Farmington. They came in and identified this area as a TOD because of TRAX coming in and the plans for Legacy Highway were in place. The TOD was designed to create a walkable, livable environment. He believes that his design creates this environment. He said that he is not completely opposed to the new ordinance, but he said that the grid system is absolutely difficult for him to execute a marketing plan, be profitable and bring the right type of retailers that can make the bank money, that can stay here and create the jobs so that people can live here, work here, and make a decent living.

James Hobson, 1293 and 1267 West Park Lane, Farmington, added the following comments:

- He wanted to second everything that **Ron Martinez** had just said. **Mr. Hobson** feels that the original plan made a lot more sense than the new plan. He added that the new mapping and grid system have Park Lane running right through the middle of his second house. He felt that the old zoning made a lot more sense.
- He also said that he was irritated that the old zone was passed out only 45 minutes before the meeting last week

Cory Ritz, 903 West 500 South, Farmington, said the following:

- He said that he feels there are conflicts within the zone text and within the interpretation, as interpreted by the developers. He thinks it's critical that we come to a vision of where Farmington needs to go and a means of directing that vision.
- He said that the original vision for this zone was to revolve around the anticipated rail system.
- He feels that as you move towards the surrounding uses of this land that the intensity should become less.
- He said that he doesn't like the grid concept and he thinks that there are issues involved with that and that he is counting on the Commission to carefully review this.
- As a Planning Commission they need to remember the overall goals that 1) This was to be a top of the line regional draw for the county as a whole. 2) He reminded the Commission that what happens here not only impacts Farmington but it impacts the school district, the county, the economic development for the county and our infrastructure.
- In conclusion he said that we have an opportunity if we do it right, to not only do something that benefits Farmington but our county as a whole and all of our public infrastructure. He thinks it is better to go slower in this process and make sure it is done right.

Ryan Hales said that he would like an opportunity to review the study that Horrocks is going to be completing and submitting and Tim Taylor's comments if possible before the close of the public hearing.

Chairman Poff made note of this request.

Ron Martinez gave an explanation of density plans and he said that the density plans he has shown in his application fit the ordinance that was in place approximately three years before he got here and said there were declarations put in place before he got here. All he did was execute under the City's currency that was in place and he thinks that there is a discrepancy on the 12 acres on interpretation. He said that it does say that he is allowed up to 18 units to the acre, and he didn't go over 18 on the rest of his property. The TOD is designed to allow the developer flexibility because he is not building a subdivision; he said they are literally dropping a community into Farmington.

Heidi Ritz, 903 West 500 South, Farmington, added the following comments:

- The original intent of TOD was to benefit that whole area, but to keep the development closest to the rail station and phase out to the neighborhoods so the neighborhoods would not be affected. She would ask that as the Commission develops the text that they do so to protect the neighborhood.
- She would like this area to stay a mixed use.
- She said that she hopes that this development is walkable and that as the Commission looks at the text that it is something that benefits the community and not just the developer.

Chairman Poff temporarily closed the public hearing at 8:47 p.m. to hear a continuation of the Staff Report from earlier.

David Petersen then went over the following items:

- Talked about the changes to the General Plan in the packet.
- He said that the general plan right now calls for a tertiary area that prohibits residential; it's primarily for office use.
- RDA's were set up on the old law. Part of that RDA has a TEC (Taxing Entity Committee) and they are concerned about the dissolution of the tertiary area.
- He read letters from Davis County, Central Davis Sewer and the school district.
- The recommendation from these letters is to not touch the tertiary area, they want plenty of office.

Chairman Poff reopened the public hearing at 8:57 p.m. and invited public comments.

Jacob Jensen had the following comments to add:

- Talked about Central Davis Sewer basing sewer plans on Farmington City plans. He thinks there has been poor communication between Central Davis and Farmington City.
- He thinks that the current ordinance may create difficulty with the sewer.

Steven Andersen said that he see's no problem with higher density along the freeway and he thinks that the grid system seems to work in residential neighborhoods just fine. He wanted to know if all involved at this meeting are in agreement with these statements and said he thinks that they need to work through areas of disagreement.

Ron Martinez said that he thinks that they are more in agreement than disagreement.

Steven Andersen said that it seems like they have a broad area of agreement here and that he doesn't think that there is one member of the Commission that wants to pass an ordinance that is contradictory to the point where we can't build these things, parking issues and otherwise. He said that he would push for all of the areas of agreement and what are the areas where we don't agree and where are we going to push them. He thinks that the Commission needs to be internally consistent with this ordinance. He wants to get to the points where there is actually controversy and not waste energy on continually talking. He said that he thinks that they are all pushing for the wisest decision here.

Ron Martinez said that he needs more participation from stake holders. He feels that they need a global alliance.

- He thinks that a seven lane road is needed going North and South to facilitate this region and the way it operates.
- He said that a process needs to be executed fairly, equally and unbiased.
- He is concerned about the office use and wants to know what the City has done to enhance the office area. **Mr. Martinez** feels that nothing has been done to enhance this office area.

Chairman Poff said that this is what the City is trying to do, take a look at the zone and what can they do to facilitate the development that will benefit Farmington. He also said that some of these questions that **Mr. Martinez** has can be best answered by the Mayor and the City Manager.

David Petersen said that the Tax Entity Committee is the one who wants this office space in place. He thinks that is may be wise for **Mr. Martinez** to meet with the Tax Entity Committee.

Heidi Ritz said that she feels that the west side is rural and is a seven lane road something that the City wants. She said that as she sees this it is the Cities vision versus

Martinez's vision for the road. She also pointed out that in the text it says that the developer may have "up to" 18 units to the acre.

Robert McConnell added the following comments:

- He thinks that the General Plan is being changed to fit the zoning ordinance proposal.
- He also said that the developer's latest submittal shows office in the tertiary area.
- In a TOD zone you want higher levels of housing which is critical to a TOD.

Public Hearing Closed

Chairman Poff closed the public hearing at 9:22 p.m. and turned the time over to the Planning Commission for comment.

Chairman Poff reminded everyone that this is a draft and part of the reason that it is brought to this stage is to get feed back and input on some of the things that have been proposed.

David Petersen reviewed the ordinance and gave a history of the annexation of the area.

- He also talked about the UTA plan and that the TOD ordinance fell short with the Centercal project.
- He said that he had consultant Mark Johnson look over the ordinance and that Mark felt that the percentages wouldn't work in reference to CRSA.
- Mark Johnson also said that the blocks are great but more flexibility is needed in block size.
- **Mr. Petersen** recommended to the Commission that they allow Staff to re-look at block sizes and percentages.
- He said that the tertiary area has been difficult to deal with and that they wanted to do away with it because of a slow office market, but then he gets a letter from the Tax Entity Committee saying they want the office space there. He said that it may be wise for now to restrict the zone text change just to the secondary cores. He said he will be meeting with Mark Johnson again to go over the ordinance in detail.

Chairman Poff said that when the Commission was given the task to look at the TOD ordinance after it had been in place for a year or so, the items that the Commission was given specific task to look at were the following:

- Building sizes; that building sizes might not be what had been originally envisioned and land uses. They were quite concerned about buffer zones, what happens when you are next to residential areas.

- Another big concern was the fact that we have in the existing language some inconsistencies with building heights and in the definitions of secondary and tertiary zones. There were also some issues with the difference between permitted and conditional uses in the existing text that need to be cleaned up.
- Personally **Mr. Poff** would have liked to see a little more work with the subcommittee, but the Commission was told to move forward.
- He is concerned that David and Paula were not reporting back to the City Council and that if this is the case it changes some of the assumptions he had about the way the Mayor and the City Council were responding to some of the things that were being discussed.

Michelle Howie said she specifically asked the Mayor what he is aware of that has taken place in the subcommittee and the Mayor said not a thing. The Mayor said the first time he looked at what had gone on in the City Council was when he received it.

Chairman Poff continued to review some of the things he has concerns about:

- He is concerned about the Commission's consultants approach to Park Lane. He thinks that they have done some good work in Centerville and they have experience with things in Salt Lake. But he thinks that their view for the major arterial road, which is Park Lane, is way too urban. He said that the consultants can give their input and what works and what can work, but that it is the Commission's job to decide how much of that is applicable and appropriate for the City. He said that Farmington cherishes its rural feel and that the Commission needs to look at more rural treatments for Park Lane.
- He feels that protecting the residential areas is important.
- He said that over the years he has said that he feels we are neglecting our rail stop and allowing things to be moved too far away from the rail stop. Now we need to look at how do we still encourage enough density to make the rail stop work while still preserving the kind of things that we want to preserve in these areas.
- In regards to the street grid system, he wants to know how set in stone does that want to be and how flexible do they want to be. These are issues that he thinks need to be discussed in relation to the zone. Maybe the street grid system works in some areas and not in others.

Steven Andersen is concerned about the seven lane road.

Craig Kartchner said that the seven lane highway is not the answer. He said that it does not take a seven lane highway to accommodate traffic. The grid system advantage is that, allowing to accommodate traffic because you have many options to get from point A to point B.

Steven Andersen feels that UDOT will not be that flexible for pouring a bunch of roads. He thinks that a super meeting needs to take place that all of the interested parties attend.

David Petersen said that the sewer needs to be upgraded.

Craig Kartchner agrees with what was said earlier, that all parties involved have a lot in common and what we need to do now is focus on the things that are in conflict or up in the air, maybe even hold a super meeting and get to work to satisfy the things that are unclear and come to some resolution.

Steven Andersen is concerned that the Horrocks and Tim Taylor's reports will be given to the Commission minutes before they go into a meeting and he thinks that there should be time to review the report and absorb it.

Chairman Poff said that perhaps he needs to visit with the Mayor and see how he wants to proceed. Would he like a large study session with the City Council or would he like the Commission to just continue working on it. **Mr. Poff's** concern is that he felt like we had some understandings about what the City Council and the Mayor were thinking that it sounds like maybe were not accurate.

Steven Andersen recommends a super meeting.

Chairman Poff suggests possibly tabling this issue until the Commission gets some more clarification and information or we could take some time tonight and hammer through the details.

David Petersen suggests letting staff work on the percentages and block sizes first.

Steven Andersen wants the best input he can get. He also wants clarification on what the consultants have said. He thinks that there have been recommendations tonight that the Commission should challenge. If the parking doesn't work, there needs to be an ordinance that works and attracts business.

Craig Kartchner recommends that the subcommittee should meet one more time with staff, CRSA and the consultants. He said that he agrees with a lot of what **Mr. Martinez** and his staff said tonight and that some changes need to be made.

Jim Young said that we know the percentages don't work and that we need some flexibility in block sizes and this is where the question of the grids come in; he wants to know if changing the block sizes will diminish somewhat the complexity of the grid system.

David Petersen doesn't think so.

Randy Hillier agrees with what **Steven Andersen** and **Craig Kartchner** have said tonight and that the Commission needs to take into consideration some of the failings and make the most of it in as an expedient of a way as they can do.

John Bilton said that he thinks there are six issues to talk about and resolve as follows:

- 1) Taking into account the existing neighborhoods with the key issues being transition and density.
- 2) He thinks it would be beneficial for him to see more of the economic aspects of the office areas.
- 3) UDOT is another element to discuss and the issue with Park Lane.
- 4) What does Farmington want to be as a community? Farmington tends to be single family, but are there other options?
- 5) Mixed use is not defined well, it could mean many things.
- 6) He said that we need to remember our larger goals but be able to implement ground level goals. He likes the idea of a super meeting that Steven suggested.

Motion

Steven Andersen motioned to table and **Craig Kartchner** seconded the motion which was approved unanimously.

Chairman Poff said that this item will be tabled until such time that he clarifies some things with the Mayor and he will report back next week what that result is.

MISCELLANEOUS ITEMS

David Petersen discussed the woman who came to the last Planning Commission meeting and wanted the area zoned from R2 to R. He thinks that the City should do the application again and do it all at once for all of the neighborhoods requesting this zone change.

David Petersen reviewed some issues with Village at Old Farm. The developer wants to make some changes in the dwellings and take out some duplexes and instead put single family dwellings in their place. They started with 71 units and they end with 71 units. The Commission decided to let the developer go ahead with these plans.

David Petersen then discussed sidewalk issues with these three options:

- 1) No sidewalk at all
- 2) Sidewalk against the curb
- 3) Sidewalk, park strip, no change

The Commission voted for option number three.

David Petersen discussed the option of going to Denver to look at various neighborhoods.

ADJOURMENT

Motion

Steven Andersen moved to adjourn and **Craig Kartchner** seconded the motion which was approved unanimously.

*Kevin Poff, Chairman
Farmington City Planning Commission*