

Minutes of the Work Session meeting of the Syracuse City Council held on March 11, 2014, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Clint Drake
Parks and Recreation Director Kresta Robinson
Utilities Manager Holly Craythorn

The purpose of the Work Session was to review the agenda for the business meeting to begin at 7:00 p.m.; review the following agenda items forwarded by the Planning Commission: Item 6: Proposed Ordinance rezoning property located at 3231 S. 1000 W. from R-1 Residential to R-2 Residential; Item 7: Proposed Ordinance rezoning property located at 750 S. 2000 W. from Agriculture, Residential R-1, and Residential R-2 to Residential R-3; Item 8: Final Plat Approval, Monterey Estates Subdivision Phases 1 through 5, located at approximately 1500 West 700 South; Item 9: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, for Wright Development Group; Item 10: Proposed Ordinance amending Title X relative to duplexes, basement apartments and accessory dwelling units; Item 11: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, relative to the C-2 zone; and Review agenda item 13: Smedley Acres water line project agreement; and discuss Council business.

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Agenda review

Mayor Palmer briefly reviewed the agenda for the business meeting to begin at 7:00 p.m.

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Review Item 6: Proposed Ordinance rezoning property located at 3231 S. 1000 W. from R-1 Residential to R-2 Residential.

A memo from the Community Development Department explained this property consists of 3.5 acres and is currently zoned R-1 Residential. The applicant has requested to rezone the property to R-2 Residential as designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on February 18, 2014 for rezone request on the above noted property. The property is 3.5 acres in size and is currently zoned R-1 Residential with a General Plan designation of R-2. The proposed zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 3231 S 1000 W, change from R-1 Residential to R-2 Residential.

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Ms. Christensen reviewed the staff memo. There Council communicated that they are comfortable proceeding with approval of the application during the business meeting.

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Review Item 7: Proposed Ordinance rezoning

property located at 750 S. 2000 W. from Agriculture, Residential R-1, and Residential R-2 to Residential R-3.

A memo from the Community Development Department explained this property consists of 11.63 acres and is currently zoned Agriculture, R-1 & R-2 Residential. The applicant has requested to rezone the property to R-3 Residential as designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on March 4, 2014 for rezone request on the above noted property. The property is 11.63 acres in size and is currently zoned Agriculture, R-1 & R-2 Residential with a General Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 750 S 2000 W, change from R-1 Residential to R-3 Residential.

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Ms. Christensen reviewed the staff memo. She also reviewed the tentative sketch plan for the development, which will be considered by the Planning Commission at their next meeting if the Council votes to approve the rezone request. She noted the Planning Commission has approved an exception to the City Code relative to the length of a dead-end road, or cul-de-sac, in the subdivision. Councilmember Johnson stated there is an alternative to approving the exception and he highlighted the manner in which the subdivision could be altered to meet the requirements of the City Code. Councilmember Duncan acknowledged that the alternative would eliminate a few building lots in the subdivision. Councilmember Johnson stated that is correct, but reiterated the alternative would meet the requirements of the ordinance. Councilmembers Duncan and Lisonbee stated they would support the alternative street layout suggested by Councilmember Johnson.

Councilmember Peterson inquired as to the reasoning behind the Planning Commission's recommendation for an exception to the Code. Ms. Christensen stated the Planning Commission felt there is a geographical constraint placed on the subdivision by the existing development across the street; they did not want to approve an application that would require residential driveways to front 700 South. Councilmember Peterson concurred with that recommendation, but asked if the Planning Commission had considered Councilmember Johnson's suggested alternative. Ms. Christensen answered no. Mayor Palmer stated he would like the Planning Commission to consider the alternative recommended by Councilmember Johnson.

Councilmember Gailey inquired as to the opinion of the Fire Chief relative to the length of the dead-end street in the development. Fire Chief Froerer stated that the alternative recommended by Councilmember Johnson would provide better fire access and protection to the homes on the subdivision; however, as it is currently designed it is also protectable.

City Attorney Drake noted that if the City Council reaches a consensus to direct the Planning Commission to consider the alternative design as recommended by Councilmember Johnson, the motion to approve the rezone request during the business meeting should include a finding referencing that direction. Ms. Christensen stated that finding may be more appropriate at the time that the final plat for the subdivision is approved.

Councilmember Peterson stated he is comfortable proceeding with either recommendation. Councilmember Johnson suggested amending the City's land use ordinance to require sketch plans to receive Council approval before applying to the Planning Commission for preliminary plan approval. Mayor Palmer stated he has had conversations with City Manager Bovero about amending the land use title of the City Code to amend the subdivision approval process. Mr. Bovero stated he and Ms. Christensen will address that recommendation.

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Review Item 8: Final Plat Approval, Monterey Estates Subdivision Phases 1 through 5, located at approximately 1500 West 700 South.

A memo from the Community Development Department explained the Planning Commission held a public meeting on March 4, 2014 for Final Plan approval of Monterey Estates Subdivision, Phase 1 to 5. All items noted in staff report have been addressed by the Planning Commission. All requirements of sketch, preliminary and final have been met. The Syracuse City Planning Commission hereby recommends that the City Council approve the final plat for the Monterey Estates Subdivision, Phase 1 to 5, located at approximately 1500 W. 700 S., subject to meeting all requirements of the City's

Municipal Codes and City staff reviews.

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Ms. Christensen reviewed her staff memo and the plat map for the proposed subdivision. There was a brief discussion regarding the street layout within the proposed subdivision. She added she has received an email from a resident regarding their concerns about the impact the subdivision may have on water pressure in the area and she noted that the developer will be required to transfer the appropriate number of water shares to the City before receiving final plat approval. She noted Public Works Director Whiteley can provide the Council with additional information regarding water pressure issues. Mr. Whiteley explained water pressure is directly related to elevation and he provided the Council with information, including financial implications, of making adjustments to the City's secondary water system by raising the level of the City's water tank. He added that landscapers have the ability to design a sprinkling system that is suited to the water pressure levels within the City. He noted the water pressure for existing homes in the area is approximately 40 PSI; the low water pressures experienced last year were directly related to the fluctuation in the tank levels throughout the watering season.

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Review Item 9: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, for Wright Development Group.

A memo from the Community Development Department explained the Planning Commission held a public hearing on March 4, 2014 on the proposed General Plan Amendment for Gary Wright, Wright Development requested change from General Commercial to R-3 Residential. Mr. Wright has indicated his intent to develop single family housing that is consistent with the residential zoning and character of the surrounding developments to the west and the south. The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-04, Amending the Syracuse City General Plan.

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Ms. Christensen reviewed her staff memo. Mayor Palmer noted the City Council received a letter from Planning Commissioner TJ Jensen, who voted in opposition of approving this application, expressing his concerns about the proposed development. Councilmember Johnson stated he shares some of the same concerns and wondered if more analysis of the proposal is needed given that the project could impact the area surrounding the subject property. There was a brief discussion regarding a potential general plan change for the adjoining parcels of property to match the general plan land use designation of the subject property with a focus on the parcel of property located immediately to the south. Mayor Palmer stated he did not think it would be harmful to the applicant to delay consideration of the application for an additional two weeks in order to contact the property owner to the south, but noted discussion of this agenda item can continue during the business meeting.

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Review Item 10: Proposed Ordinance amending Title X relative to duplexes, basement apartments and accessory dwelling units.

A memo from the Community Development Department explained the Planning Commission has been reviewing Title X for the past few months regarding Duplexes, Basement Apartments and Accessory Apartments. The proposed amendments provide limits and regulations for duplexes that have previously been allowed in all residential zones. These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City. The proposed ordinance reflects the recommended changes from the Planning Commission. The Planning Commission held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments. The memo provided the following summary of the amendments included in the Proposed Ordinance:

- Section 10-02-040 Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling and dwelling.
- Section 10-11-030 Adds accessory dwelling as a conditional use in the A-1 zone
- Section 10-12-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-1 zone.

- Section 10-13-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone.
- Section 10-14-030 Add accessory dwelling as a conditional use in the R-3 zone and changes Two-Family Dwellings to a minor conditional use in the R-3 zone.
- Section 10-6-020(D) Provides regulations for two-family dwellings in the R-3 zone with the following requirements:
 - Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot width/frontage from 80 feet to 100 feet.
 - Restricts rental of dwelling to long term rental, not nightly or weekly rentals.
 - Provides design guidelines that restrict the look and feel of the structure, so that that the structure appears similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- Section 10-06-020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in residential zones with the following requirements:
 - Requires one unit to be owner occupied.
 - Limits 1 accessory unit per lot
 - Provides for increased setback requirement for new accessory unit construction, which is detached from the main dwelling.
 - Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and prohibits them in Cluster Subdivisions.
 - Restricts nightly rentals.
 - Restricts home occupations in accessory unit
 - Requires increased setback if windows are placed on walls adjacent to abutting properties.
 - Provides size restrictions for minor CUP:
 - Basement or attic 50% gross sq. ft.
 - Attached 650 sq. ft.
 - Detached 650 sq. ft.
 - Provides major Cup process for units greater than 650 sq. ft. up to 50% of gross floor area of main dwelling.
 - Requires parking based upon the number of bedrooms in the accessory unit.
 - Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
 - Requires detached structure to be compatible architecture and materials of main dwelling.

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-01, Amending Title X.

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Ms. Christensen reviewed her staff memo.

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Discussion regarding the proposed ordinance ensued and Mayor Palmer stated he feels any new construction should be classified as a major conditional use. Councilmember Johnson agreed and stated the conversion of an existing area of a home or accessory building to a living space could be classified as a minor conditional use. He stated the construction of a detached accessory building for use as an accessory dwelling unit should be classified as a major conditional use. Ms. Christensen stated she feels the conversion of an accessory building to a living unit should also be a major conditional use.

Councilmember Lisonbee asked how to address the instance where a residential R-2 zone may be bordering a residential R-3 zone and someone is seeking to build duplexes on that border, which would ultimately impact the R-2 neighborhood. Ms. Christensen stated larger lot sizes are required for duplexes to lessen their impact. She added there are architectural standards in place to ensure that a duplex will look more like a single family home.

Councilmember Duncan stated he feels duplexes should not be allowed in the residential zones of the City and should only be allowed in planned residential developments (PRD) in the City. He stated he feels that allowing a duplex in a single family development is the same thing as allowing a PRD development within neighborhoods. Ms. Christensen stated duplexes are currently permitted within residential zones of the City and the intent of the proposed ordinance is to tighten restrictions. Councilmember Duncan reiterated his recommendation is to prohibit duplexes in any residential zone of the City. Ms. Christensen stated allowing duplexes is a way of meeting moderate income housing standards. Councilmember Duncan stated there are other ways to meet those standards besides allowing duplexes in single family home neighborhoods.

Councilmember Lisonbee agreed. There was a brief discussion comparing the proposed ordinance to the current reading of the City Code, with Councilmember Peterson stating he would prefer a development that included a large number of duplexes rather than single duplexes scattered throughout single family residential neighborhoods. Councilmember Duncan stated the PRD zone addresses that idea. Mayor Palmer noted the Council can continue to discuss this agenda item during the business meeting.

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Review Item 11: Proposed Ordinance amending the Syracuse City General Plan adopted in 1976, as amended, relative to the C-2 zone.

A memo from the Community Development Department explained last July the Planning Commission and City Council met for a joint work session to discuss recommended General Plan amendments regarding the C-2 zone. At the conclusion of that meeting staff was directed to bring forward General Plan amendments related to the Ninigret property to be changed to the R-3 zone and a text amendment to the C-2 zone, limiting the maximum density in that zone. Along with those changes the Planning Commission would begin work to do a comprehensive General Plan update. The recommended changes from the Planning Commission for the C-2 zone were not placed back on a Council agenda. Mayor Palmer has requested these items to be placed back on the agenda for final action by the Council. The memo provided the following summary of amendments:

- District 1-recommended change of the Ninigret and PRI property from C-2 zoning to General Commercial and Industrial.
- District 1-recommended change of the IHC/Lindquist Mortuary properties from C-2 zoning to Professional Office.
- District 2-Town Center area from 2000 West to 2500 West (North side of 1700 South) from C-2 zoning to General Commercial.
- District 9-recommended change of the property located at Bluff and Gentile from C-2 zoning to General Commercial.

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-03, Amending the Syracuse City General Plan.

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Ms. Christensen reviewed her staff memo. She noted Mayor Palmer directed her to make a few changes to the proposal after the Council discussed the issue during their last work session meeting; he directed her to change the zoning of a portion of the property from business park to general commercial. Councilmember Johnson stated he is inclined to hold to the decision that was made during the last City Council meeting relative to business park zoning for a portion of the property. He noted a commercial land use designation may not be as viable for the property. Councilmember Duncan agreed and stated that all studies conducted to date regarding the property have called for a business park designation as the most viable use. Councilmember Gailey stated business park uses are also permitted in the general commercial zone of the City. Councilmember Johnson stated that is not correct. Mayor Palmer provided his explanation for changing the zoning of the property from business park to general commercial; he noted businesses are interested in developing the parcel of property on the corner of 2000 West and State Road 193 for a general commercial use. He added he feels a general commercial development on that corner would look much cleaner than a business park. He referenced the retail sales tax benefits the City would receive from such a development. Councilmember Johnson noted the purpose of a General Plan is to express to developers and property owners the vision for the City. He stated the vision he has for the property when it is developed as a business park is for two story buildings that could house business headquarters and other types of uses that offer high paying jobs. He stated that is the type of development he would prefer for the property; if a developer has a better idea it is their responsibility to sell it to the City and provide factual information proving that it is supported by the General Plan before requesting a change in land use designation. Councilmember Lisonbee stated that she agrees with the concerns that have been expressed. She then noted that she thought the Planning Commission's recommendation differed from the current recommendation and she asked staff to identify the differences between the two recommendations. Councilmember Johnson stated that the Planning Commission's recommendation was to assign the business park land use designation to the entire property in the General Plan. He then asked if the power corridor should be removed from consideration for zoning purposes. Ms. Christensen stated that portion of property is currently zoned industrial. She stated that if the zoning of the power corridor is changed to an agricultural land use, the developer of the adjoining property would be required to provide a

lesser buffer between the two land uses. Mayor Palmer stated discussion regarding this item can continue during the business meeting.

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Review agenda item 13: Smedley Acres water line project agreement.

A memo from the Public Works Director included the bid tabulation for the bids opened March 4, 2014 for the Smedley Acres Waterline Project. This project will replace the old undersized culinary water main in 2400 South, 1950 West, 2350 South, 1800 West and 2175 South. Full width asphalt replacement will be performed on these streets. This project will abandon old asbestos cement culinary mains. Ferguson Waterworks was the low bidder on Schedule B, but withdrew their bid. Mountain States Supply was second lowest but their bid was rejected by the City as being incomplete. The lowest responsible bidder for Schedule B is HD Supply Waterworks. The recommended low bidders and bid amount are as follows:

- SCHEDULE A
 - Low Bidder: Leon Poulsen Construction Company, Inc. – Bid Amount: \$399,987.34
- SCHEDULE B
 - Low Bidder: HD Supply Waterworks – Bid Amount: \$80,812.65
- Total Project Amount: \$480,799.99
- Engineer’s Probable Cost Opinion For Total Project: \$600,000.00

City staff has reviewed the submitted bid from all bidders and recommend awarding schedule A to Leon Poulsen Construction Company, Inc. and schedule B to HD Supply Waterworks. The memo further explained this culinary waterline project is one that was identified on our list presented to city council as a high priority due to the age, pipe material and restrictions the existing 6” lines place on the system. This project will involve the replacement of an existing 6” culinary main with an 8” main along with full width asphalt repaving at the following locations:

- 2400 South from 2000 West to 1950 West
- 1950 West from 2428 South to 2250 South
- 1800 West from 2350 South to 2194 South
- 2350 South
- 2175 South from 2000 West to 2043 West

In an effort to reduce costs, this project was bid out with a Schedule A which includes furnishing some materials and installation and a Schedule B which includes furnishing materials. Public Works is pleased with the bid results and recommends approval of this project. The construction will begin as soon as contract documents are in place and will be completed by summer of 2014. The bid amount for the total project is \$480,799.99.

Staff recommends that bid Schedule A be awarded to Leon Poulsen Construction, Inc. and that bid Schedule B bid be awarded to HD Supply Waterworks.

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Mr. Whiteley reviewed his staff memo.

Councilmember Duncan stated that it looks somewhat bad that only one bid survived the review process performed by staff. Mr. Whiteley stated it would look much worse to rebid the project because all bidders know the prices that were offered by the successful bidder.

Council business

There was no Council business

The meeting adjourned at 6:55 p.m.

City Council Work Session
March 11, 2014

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: April 8, 2014