

Minutes of the Work Session meeting of the Syracuse City Council held on May 13, 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  
Police Chief Garret Atkin  
Fire Chief Eric Froerer  
Parks and Recreation Director Kresta Robinson  
Contract City Attorney Steve Garside

The purpose of the Work Session was to review the agenda for the business meeting to begin at 7:00 p.m.; review agenda item 12 – 2000 West Street Improvement project contract; review the following agenda items forwarded by the Planning Commission: General Plan Amendment request from Mark Sandberg for property located at approximately 3200 West 700 South, change from R-1 and PRD Residential to R-3 Residential and General Commercial; General Plan Amendment, request from Castle Creek Homes, property located at approximately 1183 South 3000 West, change from R-1 Residential to R-2 Residential; General Plan Amendment, request from Lakeview Farm LLC, property located at approximately 700 South 3000 West, change from R-1 Residential to R-2 and R-3 Residential; Final Plan Approval, request from Compass Group LLC, property located at approximately 3231 South 1000 West, R-2 Residential Zone; Final Plan Approval, request from Irben Development LLC, Still Water Lake Estates, property located at approximately 1500 W. Gentile; have a budget discussion; and discuss Council business.

[5:49:49 AM](#)

**Public Comment**

[5:50:06 AM](#)

Gary Pratt, stated he wants to discuss Irben Development’s Stillwater Estates development; he was on the Planning Commission when the development was first proposed in 2012 and he feels he is qualified to discuss some of the points that have led the City to this situation where a conclusion needs to be made. He stated the issue has been appealed to the State ombudsman and he wanted to discuss a couple of points regarding his concerns. He stated one thing that is a primary issue to the citizens in Syracuse is in section 8.00.20, which talks about the fact that the subdivider should present evidence to the effect that the best interest of the property is being served and the public welfare and neighborhood development of the area is justified. In the meetings he has attended he does not feel that has been presented on behalf of the citizens of Syracuse; some of the things that have been brought up by citizens in public comment surrounding that particular code is noise levels produced by the ski lakes. In reviewing the minutes there was testimony from the developer that 3.5 horse power lawn mower puts out the same sound level as a power boat, but no evidence has been produced by the developer to substantiate that claim. He noted another claim was made about mosquitos and the developer’s testimony was that there are more mosquitos present now than there will be after a ski lake has been put in place and he has been told mosquitos only breed if there is living matter around the water, like weeds and grasses. He used google to search mosquito breeding and he went through three pages worth of results and nowhere did it say that mosquito breeding needs anything more than standing water; one example was an article listing 80 places in a residential area where mosquitos can breed. He added that the developer in the same breath was asked if he would treat the water for mosquitos, which he said he would, then he went to the county mosquito abatement and asked that they take care of any abatement on the ski lakes after he said there would not be a mosquito issue.

[5:54:35 AM](#)

Dale Rackham, Planning Commission Member, read the following written statement to express his reasons for his dissenting vote on the proposed Stillwater development:

1. Still Water did not provide the following information in the drawing package:
  - a. Grading & Drainage plan
  - b. Utility Plan
  - c. Erosion & Sediment Control Plan
  - d. Street Plan & profile (except for Gentile)

*Because of the uniqueness of this project these become extremely important and should have been included for review by the Planning Commission.*

2. According to 10-16-020 (G); "A clear area, thirty (30) feet wide, shall be maintained along both sides of all streets in a Cluster Subdivision for the location of utilities."

*The plans do not specify the park strip and sidewalk width as being in excess of the standard 8' (4' each). The information provided in the brochure shows the house setback as 15' and the garage setback 20' from the inside edge of the sidewalk.*

3. As stated in 10-16-020 (K): "Due to the nature of Cluster Subdivisions and the fact that most of the usual dwellings have site restrictions and because the placement of dwellings and other structures on the site may produce a negative impact to surrounding land uses, **the location, size, and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.**"

*The Still Water drawings did not include on the drawing the footprint of the dwellings on the plans submitted for review. It should be noted that some information about the dwellings was provided in a brochure, but was not included on the drawing as required.*

4. According to paragraph 10-16-050: "The design shall show detail in the unification of exterior architectural style, color, and size of each unit"

*The Still Water home design does not have unification of size between the two areas of the development.*

5. According to 10-16-070 (E): "A Cluster Subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit."

*The drawings clearly shown that the arrangement of the property does not enable the Cluster Subdivision to be developed as a "Complete Unit".*

*Based on the above item, I would recommend City Council disapprove the development, or at the very least send it back to the Planning Commission so the Final Drawings can be complete and correct before coming to City Council.*

#### 5:57:38 AM

TJ Jensen, Planning Commission Member, referenced item 11 on the business meeting agenda dealing with a rezone request for the Lakeview Farms development and he noted he opposed the R-3 zoning for this development because he would like to see more open space at the development and this is the main reason the Planning Commission ultimately recommended R-2 zoning. He then stated he wanted to address the City Council as a property owner and noted he has been specifically recusing himself from participating in discussions regarding the Stillwater development because he personally owns property near the development. He stated he has a couple of problems with the development: first is that there is a cul-de-sac on the western part of the development where there really should be a thru street; this will force all traffic from his property and all properties north of him to go through subdivisions just to get to Gentile Street. He stated second is the physical separation between the western and eastern portions of the property which go against the definition of a subdivision, which deals with one parcel of property. He stated the developer is essentially proposing two separate subdivisions and different rates will be charged to residents living in the two sections. He added that initially Commissioner Vaughn voted against the development, but he changed his vote to an aye vote at the last minutes. He stated he feels the issue should be referred back to the Planning Commission for additional consideration.

#### 6:13:42 PM

#### Agenda review

Mayor Pro-Tem Lisonbee briefly reviewed the agenda for the business meeting to begin at 7:00 p.m.

#### 6:14:03 PM

#### Review agenda item 15 – 2000 West Street Improvement Project Contract

A memo from the Public Works Director explained this road project is one that was identified on the list presented to city council as a high priority due development creating the need to widen the existing roadway facilities and the poor quality of the

existing asphalt. This project will involve the replacement of an existing 4” secondary main with 12” and 18” mains. This secondary upgrade will help alleviate low pressure issues in the area. In addition, a collapsing storm drain main will be replaced in the 6-way roundabout and upon completion of the utility upgrades, the entire roundabout will be repaved. 2000 West will receive a widening on the west from 2700 South 2852 South to 3000 South with new curb and gutter and a widening on the east from 2904 South to 3112 South with new curb, gutter and sidewalk. Bluff Road will receive a 2” asphalt overlay from 2700 South to 2900 South. 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 the fall of 2014.

[6:14:16 PM](#)

Mr. Whiteley reviewed the staff memo.

[6:04:37 AM](#)

The Council briefly discussed the project with a focus on road closures associated with the work. Councilmember Duncan asked if the City has worked with the contractor in the past and if staff is comfortable with their bid and the project scope. Mr. Whiteley answered yes and briefly reviewed a few projects that have been completed by the contractor in the City.

Councilmember Gailey asked if staff used the practice of obtaining separate bids for different components of the project as has been done in the past. Mr Whiteley answered yes and stated it has saved the City a substantial amount of money in the past.

[6:07:40 AM](#)

**Discuss the use of Town Center RDA funds for the purpose of participation in sign construction for a new business to be located in the former Starbucks Building.**

A memo from the Community Development Department explained the building at 1642 S 2000 W, in the Syracuse Town Center was formerly occupied by Starbucks Coffee. The business was closed and the building went “black” approximately three to four years ago. The owner had a lease with Starbucks and they were required to continue to pay despite not operating a business at that location. Syracuse City had been unable to convince the owner to lease the building to another business. Recently the owner sold the building and Starbucks was able to buy the remaining portion of their lease out. The new owner has entered into negotiations with a local (Davis County) business to open a third location of his operation in Syracuse. At this time the identity of the proposed new tenant is not public. The Community and Economic Development Department is excited to see this business come to the Town Center. The new tenant will be making improvements to the building of approximately \$200,000, including \$20,000 for new signage. A request has been made to the RDA participate in the construction of the sign in the amount of \$5,000. The building generates about \$3,400/year in increment. The RDA has participated in the past in the Town Center properties to improve the Wendy’s and Clock Tower signs as well as the Fun Center. Staff supports the one time expenditure and believes that the opening of this dark store will bring much needed traffic to the Town Center and benefit not only this business but the others within the complex. Staff has reviewed the RDA budget with the Finance Director and sufficient funds exist for various infrastructure projects, without identifying specific individual projects. Staff is requesting guidance from the Council/RDA if this is a project that would be appropriate for that RDA line item expenditure.

[6:07:48 AM](#)

Ms. Christensen reviewed her staff memo.

[6:09:41 AM](#)

Councilmember Duncan stated the reason he was supportive of providing RDA funding to the Fun Center project was because so many other business owners in the RDA supported the project; he wondered if the same is true in this case. Ms. Christensen stated she believes the other business owners would be supportive of the project and noted she would be willing to gather letters of support to prove that fact. Councilmember Johnson stated he is supportive of the recommendation because the same thing was done for Wendy’s and the sign they installed using RDA funds has greatly helped the business. Councilmember Peterson agreed and stated the payback term based on increment funding is just a little over a year. Councilmember Lisonbee asked if the sign could be used by a future business or if it is proprietary to the business that plans to locate in the subject building. Ms. Christensen stated that the sign will need to comply with the City’s town center sign ordinance, but the businesses sign is iconic and unique and she is not sure it could be easily used by another business.

[6:12:16 AM](#)

**General Plan Amendment, request from Mark Sandberg for property located at approximately 3200 W. 700 S., change from R-1 and PRD Residential to R-3 Residential and General Commercial.**

A memo from the Community Development Department explained the current General Plan designation for this area is R-1 Residential & PRD Planned Residential Development. The applicant has requested a change to General Commercial & R-3 Residential and has indicated his intent to proceed to develop single family housing that is consistent with the residential character of the surrounding development, but not seek development of the Commercial Area. See the attached letter from the developer stating his justification for the General Plan Amendment. The developer proposed to have General Commercial along the future alignment of SR-193 when it connects to the West Davis Corridor, with the remainder of the property being R-3. No property located within the WDC is being considered for General Plan amendment. Staff received a letter from UDOT indicating that they are not opposed to the amendment and that the proposed SR193 alignment shown on the map submittal would be the most likely alignment. The Planning Commission held a public hearing on April 15, 2014 and made a favorable recommendation for the General Plan Amendment with a modification. The motion was as follows:

MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE GENERAL PLAN AMMENDMENT FROM MARK SANDBERG, PROPERTY LOCATED AT APPROXIMATELY 3200 WEST 700 SOUTH, CHANGE FROM R-1 AND PRD RESIDENTIAL TO R-3 RESIDENTIAL AND GENERAL COMMERCIAL, SUBJECT TO ALL APPLICABLE REQUIREMENTS BY COMMISSIONER JENSEN. MOTION SECONDED BY COMMISSIONER GREESON. MOTION OPPOSED BY COMMISSIONER VAUGHAN AND COMMISSIONER RACKHAM. MOTION CARRIED.

The Planning Commission recommends approval to the City Council for the General Plan Amendment, request from Mark Sandberg, property located at approximately 700 S. 3200 W., change from R-1 Residential & PRD to General Commercial and R-3 Residential Zone, subject to all applicable requirements of the City's municipal codes.

[6:12:28 AM](#)

Ms. Christensen reviewed her staff memo.

[6:14:29 AM](#)

Councilmember Duncan expressed his concern regarding his feeling that the Planning Commission and City Council are losing the ability to control the City's General Plan because of the number of recent and current applications to amend the General Plan. He wondered what good the long term planning of the City does when those long term plans are ignored whenever an application to amend the General Plan is received by the City. Ms. Christensen stated the proposed General Plan amendments on tonight's agenda were already in the application process before recent changes to the General Plan, but she could not agree more that the City needs to work on a comprehensive General Plan update.

Mayor Palmer stated there is a property zoned Planned Residential Development (PRD) near the subject property and he asked why the General Plan designation for that property is not also being changed to commercial to be in line with this change. Ms. Christensen stated the land owner of the PRD parcel did not apply for a General Plan amendment and he noted that it is actually not located entirely in Syracuse. There was then a general discussion regarding the proximity of the property to the future potential West Davis Corridor and Councilmember Johnson stated he would like to encourage the Planning Commission to consider the future planning of that area. Councilmember Duncan agreed and noted he wondered if the General Plan changes will compound the problems already associated with the future potential West Davis Corridor. Councilmember Gailey stated it is sensible to consider the future land use of property that will be located near the West Davis Corridor or at an intersection with the highway and he pointed out that commercial properties generate ten times the property tax revenue as residential properties. Councilmember Duncan stated he is somewhat concerned that a general commercial zone near the West Davis Corridor will create a situation where there will be three different commercial hubs in the City. Councilmember Lisonbee stated she shares some of the concerns that this action may be premature, but the current General Plan takes into account a corridor that will follow Bluff Road. Mayor Palmer suggested that the Planning Commission be tasked with taking a closer look at the area.

[6:24:43 AM](#)

**General Plan Amendment, request from Castle Creek Homes, property located at approximately 1183 S. 3000 W., change from R-1 Residential to R-2**

**Residential.**

A memo from the Community Development Department explained the current General Plan designation for this area is R-1 Residential. The applicant has requested a change to R-2 Residential and has indicated his intent to develop single family housing that is consistent with the residential character of the surrounding development. A portion of this request is located in the Country Fields Subdivision and will be amended out as part of this new subdivision. Please see the attached letter from the developer for his justification for the General Plan Amendment. The Planning Commission held a public hearing on May 6, 2014 and made a favorable recommendation for the General Plan Amendment. The Planning Commission recommends approval to the City Council for the General Plan Amendment, request from Castle Creek Homes, property located at approximately 1183 S. 3000 W., change from R-1 Residential

[6:24:51 AM](#)

Ms. Christensen reviewed her staff memo.

[6:25:50 AM](#)

**General Plan Amendment, request from Lakeview Farm LLC, property located at approximately 700 S. 3000 W., change from R-1 Residential to R-2 and R-3 Residential.**

A memo from the Community Development Department explained the current General Plan designation for this area is R-1 Residential. The applicant has requested a change to R-2 & R-3 Residential and has indicated his intent to develop single family housing that is consistent with the residential character of the surrounding development. See the attached letter from the developer stating his justification for the General Plan Amendment. The developer proposed to have R-3 along the proposed West Davis Corridor, with the remainder of the property being R-2. No property located within the corridor is being considered for General Plan amendment. Staff received a letter from UDOT indicating that they are in negotiations with the developer for the purchase of the area within the preservation corridor. The Planning Commission held a public hearing on May 6, 2014 and made a favorable recommendation for the General Plan Amendment with a modification. The Planning Commission did not feel comfortable with the R-3 zoning along the corridor and recommended that the entire request be amended to R-2 only. The Planning Commission recommends approval to the City Council for the General Plan Amendment, request from Castle Creek Homes, property located at approximately 700 S.3000 W., change from R-1 Residential to R-2 Residential Zone, subject to all applicable requirements of the City's municipal codes.

[6:25:32 AM](#)

Ms. Christensen reviewed her staff memo.

[6:26:19 AM](#)

Councilmember Johnson asked if staff heard feedback from the applicant regarding the Planning Commission's recommendation to approve R-2 zoning, but not R-3 zoning. Ms. Christensen stated that he would still prefer R-3 zoning, but he has not withdrawn his application.

[6:25:37 AM](#)

**Final Plan Approval, request form Compass Group LLC, property located at approximately 3231 S. 1000 W., R-2 Residential Zone**

A staff memo from the Community and Economic Development Department explained Piper Glen is a 9 lot subdivision located at 3231 S. 1000 W. It consists of one existing home that will remain on lot 9 and a single knuckle/cul-de-sac street. All requirements and standards of Subdivision have been met. The project outline is as follows:

Rezone Approval

Planning Commission February 18, 2014

City Council March 11, 2014

Sketch Plan Approval

Planning Commission March 18, 2014

Preliminary Plan Approval

Planning Commission April 1, 2014

Final Plan Recommendation

Planning Commission May 6, 2014

The Planning Commission recommends approval to the City Council for the Final Plat of Piper Glen Subdivision, request from Matt Yeates, property located at approximately 3231 S. 1000 W., subject to all applicable requirements of the City's municipal codes and city staff reviews.

[6:25:57 AM](#)

**Final Plan Approval, request from Irben Development LLC, Still Water Lake Estates, property located at approximately 1500 W. Gentile**

A memo from the Community Development Department explained the City has been working with the developer on this project for approximately two and one-half years. The project outline is as follows:

- Sales Contract of City Property  
City Council January 31, 2012
- Annexation of Irben Property  
City Council May 8, 2012
- General Plan/Rezone Approval  
City Council June 26, 2014
- Sketch Plan Reviews-(30 ski lots, 288 Town Homes)  
Planning Commission July 17, 2012-Tabled  
August 7, 2012-Tabled (dead end street length, county canal crossing)
- Annexation of Weaver Property  
City Council March 12, 2013
- Sketch Plan Amendment-(30 ski lots, 202 cottage lots, 168 Town Homes=400 units)  
Planning Commission June 4, 2013- Tabled to modify lots to minimum 5,000 sq. ft., 55 feet frontage, side setbacks of 8 feet, reduce number of entrances on Gentile, and replace flag lot with cul-de-sac.  
August 6, 2013- Approved Sketch, conditioned upon removing Phase 8 if purchased by UDOT.
- Sketch Plan Amendment-(30 ski lots, 134 cottage lots, 54 courtyard lots, 56 town homes)  
Planning Commission October 16, 2013-Denied for deviating from previous approval which required 5,000 sq. ft., 55 feet of frontage, and 8 foot side setbacks.
- Preliminary Plan-(30 ski lots, 165 cottage lots)  
Planning Commission February 18, 2014- Tabled to review previous approvals/requirements  
March 4, 2014-Approved
- Final Plan Recommendation & CUP  
Planning Commission May 6, 2014-Approved

The memo stated that attached to with the review is the draft Development Agreement, including all exhibits and the Development Plan. The proposal consists of 2 neighborhoods, the Ski Lake Estates which has 2 ski lakes, 30 homes a walking trail and two private parks and one private park with a public easement. The second neighborhood is the Cottages, consists of 165 single family lots, a walking trail and two private parks with a public easement. The development proposed is 86.55 with a net density of 2.78 DU/AC.

The Planning Commission recommends approval to the City Council for the Final Plan for Still Water Cluster Subdivision, request from Irben Development, property located at approximately 1500 W Gentile Street, subject to all applicable requirements of the City's municipal codes and City staff reviews.

There was not sufficient time to review this item.

**Budget discussion**

There was not sufficient time for a budget discussion during this meeting.

**Council business**

There was no Council business discussed.

The meeting adjourned at 6:39 p.m.

City Council Work Session  
May 13, 2014

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Terry Palmer  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: June 10, 2014