



SYRACUSE CITY

Syracuse City Council Work Session Notice

August 21, 2012 – 6:00 p.m.

Large Conference Room

Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will meet in a work session on Tuesday, August 21, 2012, at 6:00 p.m. in the large conference room of the Municipal Building, 1979 W. 1900 S., Syracuse City, Davis County, Utah. The purpose of the work session is to discuss/review the following items:

- a. Discussion regarding draft Syracuse State Road 193 Economic Development Project Area Plan.
- b. Council business.

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### **CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 17<sup>th</sup> day of August, 2012 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on August 17, 2012.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



**Mayor**  
Jamie Nagle

**City Council**  
Brian Duncan  
Craig Johnson  
Karianne Lisonbee  
Douglas Peterson  
Larry D. Shingleton

## MEMORANDUM

**To:** Mayor and City Council  
**From:** City Attorney, William J. Carlson  
**Date:** August 21, 2012  
**Subject:** SR- 193 Economic Development Project Area Plan

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On August 14, 2012 the RDA for Syracuse considered the Economic Development Project Area Plan for the SR-193 area. After concerns were raised during the Work Session and Public Hearing, the motion to approve the plan failed to receive a second.

In response to the concerns raised, the city staff has worked with consultants from Zions Bank and Ballard Spahr to prepare some clarifications and revisions to the plan. It is our belief that these revisions more closely match the expressed desires of the Council and citizens. Accordingly, the City Attorney recommends that the RDA and then City Council approve the Project Area Plan.

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## 1. INTRODUCTION

The Syracuse City Redevelopment Agency (the "Agency"), following thorough consideration of the needs and desires of Syracuse City (the "City") and its residents, regarding need of and capacity for new development, has prepared this Economic Development Project Area Plan (the "Plan") for the Syracuse SR-193 Economic Development Project Area (the "Project Area") described in more detail below. The Study Area covered 246.6 acres, of which it is recommended that ~~480.32~~187.66 acres (the easternmost portion of the Study Area) be included in the Project Area. Within the Project Area, it is recommended that, at this time, only the easternmost portion (79.44 acres) be included in the tax increment collection area.

In accordance with the terms of this Plan, the Agency will encourage, promote and provide for the development of a new business park within the Project Area. The Syracuse SR-193 Economic Development Project Area will include nearly two million square feet of building space at buildout, located on ~~480.32~~187.66 acres, for an average floor area ratio of 0.25.<sup>1</sup> The Tax Increment Collection Area will include approximately 865,000 square feet of building space at buildout.

It is anticipated that the project will generate significant economic activity in the City through the creation of both temporary construction and permanent employment, the generation of additional property tax revenue, and the creation of new business opportunities. Within the Tax Increment Collection Area, an estimated 350 to 1,100 good-paying jobs will be created at this site. Additional jobs will be created within the rest of the Project Area, depending on the type of development that takes place in the remainder of the Project Area. Construction jobs will also be generated as part of this project, with construction wages approximating \$13.8 million over the six-year absorption timeframe estimated for the projects currently identified in the Tax Increment Collection Area.<sup>2</sup>

This Plan will govern the development within the Project Area, including the capture and use of tax increment to promote and incentivize development. The purpose of this Plan clearly sets forth the aims and objectives of this development, its scope, available incentives and the mechanism for funding such incentives, and the value of the Plan to the residents, businesses and property owners of the City.

## 2. DEFINITIONS

As used in this Economic Development Project Area Plan:

1. The term "**Act**" shall mean and include the Limited Purpose Local Government Entities – Community Development and Renewal Agencies Act Title 17C, Chapters 1 through 4, Utah Code Annotated , , including such amendments or successor statutes as shall from time to time be enacted.
2. The term "**Agency**" shall mean the Syracuse City Redevelopment Agency, a separate body corporate and politic.
3. The term "**base taxable value**" shall mean the base taxable value of the property within the Project Area, as shown upon the assessment roll last equalized, before: the date the taxing entity committee adopts the first project area budget.
4. The term "**City**" shall mean Syracuse City, Utah.

<sup>1</sup> The floor area ratio is the ratio of total building square feet to total land square feet.

<sup>2</sup> Based on anticipated construction jobs and average construction wages as discussed in detail in this report.

5. The term "**community**" shall mean the community of Syracuse City, Utah.
6. The term "**Developer**" shall mean any person or entity undertaking development activities in the Project Area including, initially, Ninigret Construction Company North, L.C. (sometimes also referred to as the "Ninigret Group").
7. The term "**economic development**" shall mean to promote the creation or retention of public or private jobs within the State through planning, design, development, construction, rehabilitation, business relocation, or any combination of these within a community; and the provision of office, industrial, manufacturing, warehousing, distribution, parking, public, or other facilities, or other improvements that benefit the state or a community.
8. The term "**Plan Hearing**" means the public hearing on the draft Project Area Plan required under Subsection 17C-3-102 of the Act.
9. The term "**planning commission**" shall mean the planning commission of the City.
10. The term "**Project**" means the activities associated with this Project Area Plan.
11. The term "**Project Area**" or "**SR-193 Economic Development Project Area**" shall mean the geographic area described in this Project Area Plan or Draft Project Area Plan where the economic development set forth in this Project Area Plan or Draft Project Area Plan takes place or is proposed to take place.
12. The term "**Project Area Plan**" or "**Plan**" shall mean the SR-103 Economic Development Area Project Area Plan that was adopted pursuant to the Act to guide and control economic development activities within the project area.
13. The term "**Project Area Budget**" shall mean a multiyear projection of annual or cumulative revenues and expenses and other fiscal matters pertaining to the project area that includes:
  - (a) the base taxable value of property in the project area;
  - (b) the projected tax increment expected to be generated within the project area;
  - (c) the amount of tax increment expected to be shared with other taxing entities;
  - (d) the amount of tax increment expected to be used to implement the project area plan, including the estimated amount of tax increment to be used for land acquisition, public improvements, infrastructure improvements, and loans, grants, or other incentives to private and public entities;
  - (e) the tax increment expected to be used to cover the cost of administering the project area plan;
  - (f) if the area from which tax increment is to be collected is less than the entire project area:
    - (i) the tax identification numbers of the parcels from which tax increment will be collected; or
    - (ii) a legal description of the portion of the project area from which tax increment will be collected;
  - (g) for an economic development project area, the information required under Subsection 17C-3-201(1)(b).
14. The terms "**tax,**" "**taxes,**" "**property tax**" or "**property taxes**" includes privilege tax and each levy on an ad valorem basis on tangible or intangible personal or real property.
15. The term "**taxing entity**" shall mean each public entity that levies a property tax on property situated within the Project Area.

16. The term "**tax increment**" shall mean the difference between (i) the amount of property tax revenues generated each tax year by all taxing entities from the area designated in the Project Area Plan as the area from which tax increment is to be collected, using the current assessed value of the property, and (ii) the amount of property tax revenues that would be generated from that same area using the base taxable value of the property. Tax increment does not include taxes levied and collected under Section 59-6-1602 Utah Code Annotated, on or after January 1, 1994.
17. The term "**Tax Increment Collection Area**" shall mean the area from which tax increment is collected for the timeframe of this Plan.
18. All other terms shall have the same meaning set forth in the Act unless the context clearly indicates otherwise.

### 3. PRECONDITIONS FOR DESIGNATING AN ECONOMIC DEVELOPMENT PROJECT AREA

- a) Pursuant to the provisions of the Act, the Agency Board (the "Board"), on November 15, 2011, adopted a resolution designating an economic development survey area ("Survey Area") and containing a map of the boundaries of the Survey Area; and
- b) Pursuant to the provisions of §17C-3-102(2)(a) and (b) of the Act, the City has a planning commission and general plan as required by law; and
- c) Pursuant to the provisions of §17C-3-102(1)(b) and (c) of the Act, the Agency made a draft Project Area Plan available to the public at the Agency's offices during normal business hours, provided notice of the plan hearing and held a public hearing on the draft plan on \_\_\_\_\_ August 14, 2012;<sup>3</sup> and
- d) Pursuant to the provisions of §17C-3-102(1)(d) of the Act, the Agency has conducted one or more public hearings for the purpose of informing the public about the proposed Project Area, allowing public comment on the draft Project Area Plan and whether the plan should be revised, approved or rejected. The purpose of the hearing(s) was to inform the public about the Plan, to allow public comment on the draft Plan and to solicit input on whether the Plan should be revised, approved or rejected.

### 4. PROJECT AREA BOUNDARIES [17C-3-103(1)(a)]

The area identified for study (see map in Appendix A) consists of approximately 246.6 acres. Based on a study of the entire Survey Area, it was determined by the Board that a project area for the ~~480.32187.66~~ acres (easternmost portion) is the most viable and beneficial at this point in time for a project area, and that the easternmost portion of the project area (79.44 acres) is most viable for a tax increment collection area. It was determined that the westernmost portion of the study area has significant uncertainty as to the type of development and zoning that will take place in the area. Until these issues are resolved, a project area is best suited for the eastern portion of the study area. The proposed project area of ~~480.32187.66~~ acres will be located west of 1000 West, north of 700 South, south of 200 South and east of approximately 18700 West. This area is identified on the map shown in Appendix A. The tax increment collection area will consist of 79.44 acres, located at the easternmost portion of the project area. [A legal description is included in Appendix B.](#)

<sup>3</sup>-The Public Hearing is currently scheduled for August 14, 2012.

## 5. GENERAL STATEMENT OF LAND USES, LAYOUT OF PRINCIPAL STREETS, POPULATION DENSITIES, BUILDING INTENSITIES AND HOW THEY WILL BE AFFECTED BY THE ECONOMIC DEVELOPMENT [17C-3-103(1)(b)]

### A. LAND USES IN THE PROJECT AREA

The permitted land uses within the Project Area shall be those uses permitted by the officially adopted zoning ordinances of the City, as those ordinances may be amended from time to time, subject to limitations imposed by "overlay" restrictions and the controls and guidelines of this Plan.

- | At present, all of the real property in the Project Area is unimproved, is in agricultural use and is partially zoned industrial. With this Plan in place, it is expected that land will be developed as a business park – mainly office, warehousing, commercial and manufacturing which are all permitted uses under the current zoning designations.

### B. LAYOUT OF PRINCIPAL STREETS IN THE PROJECT AREA

- | The Project Area is currently bordered on the north by 200 South Street, on the east by 1000 West Street, on the south by a private unimproved road, and on the west by roughly 18700 West. There are currently no improved interior streets within the Project Area. Appendix A shows the new streets planned as part of this Project Area. In addition, 1000 West Street will be widened as part of this project. It is anticipated that the east-west street extending west from 1000 West Street may initially terminate in a cul-de-sac somewhat east of the power corridor during the first phase of the project. The cul-de-sac would be removed and the street extended to connect to a second new street that would be built in connection with later phases.

### C. POPULATION DENSITIES IN THE PROJECT AREA

- | Currently, no one lives within the Project Area. The Plan does not currently propose any residential development. Existing and proposed residential densities within the Project Area will therefore remain at zero persons per square mile.

### D. BUILDING INTENSITIES IN THE PROJECT AREA

Currently there are no buildings within the Project Area. The Plan proposes an estimated 865,000 square feet of office/business park space on 79.44 acres within the Tax Increment Collection Area. This results in a floor area ratio of 0.25, calculated as follows:

$$865,000 \div (79.44 \text{ acres} \times 43,560^4) = 0.25$$

While there are no specific plans for the remainder of the Project Area, it is anticipated that it will develop with similar densities, resulting in a total of approximately two million square feet in the entire Project Area.

## 6. STANDARDS THAT WILL GUIDE THE ECONOMIC DEVELOPMENT [17C-3-103(1)(c)]

The general standards that will guide the economic development are as follows:

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<sup>4</sup> Number of square feet per acre

## A. GENERAL DESIGN OBJECTIVES

Development within the Project Area will be held to quality design and construction standards, suitable for a business park and will be subject to: (1) appropriate elements of the City's General Plan; (2) applicable City building codes and ordinances; (3) planning commission review and recommendation; and (4) the City's land use code.

Developers will be allowed flexibility of design in developing land located within the Project Area. The development shall be of a design and shall use materials that are subject to design review and approval by the City pursuant to a development agreement with the Developer specifically addressing design issues.

Coordinated and attractive landscaping shall also be provided as appropriate for the character of the Project Area. Materials and design paving, retaining walls, fences, curbs, benches, and other items shall have an attractive appearance and be easily maintained.

All development will be based on site plans, development data, and other appropriate submittals and materials clearly describing the development, including land coverage, setbacks, heights, and any other data dictated by the City's land use code, and applicable City practice or procedure.

The general principles guiding development within the Project Area are as follows:

1. Encourage and assist economic development with the creation of a well-planned business park that will attract top-quality companies and job opportunities to the area.
2. Provide for the strengthening of the tax base and economic health of the entire community and the State of Utah.
3. Implement the tax increment financing provisions of the Act which are incorporated herein by reference and made a part of this Plan.
4. Encourage economic use of and new construction upon the real property located within the Project Area.
5. Promote and market the Project Area for economic development that would enhance the economic base of the City through diversification.
6. Provide for compatible relationships among land uses and quality standards for development, such that the area functions as a unified and viable center of economic activity for the City.
7. Remove any impediments to land disposition and development through assembly of land into reasonably sized and shaped parcels served by adequate public utilities, streets and other infrastructure improvements.
8. Achieve an environment that reflects an appropriate level of concern for architectural, landscape and design principles, developed through encouragement, guidance, appropriate controls, and financial and professional assistance to the Developers.
9. Provide for construction of public streets, utilities, curbs and sidewalks, other public rights-of-way, street lights, landscaped areas, parking, water utilities, sewer utilities, storm drainage, recreational trails and other public improvements.

10. Facilitate better traffic circulation and reduce traffic hazards through improved public street access and design.

## **B. SPECIFIC DESIGN OBJECTIVES AND CONTROLS**

In addition to the general City design objectives and standards described above, the developer has adopted specific design guidelines that will govern the development of the Project Area. These guidelines focus on the development of a business park atmosphere that will benefit the community.

### **1. BUILDING DESIGN OBJECTIVES**

All new buildings shall be of design and materials that will be in harmony with adjoining areas and other new development and shall be subject to design review and approval by the City.

The design of buildings shall take advantage of available views and topography and shall provide, where appropriate, separate levels of access.

### **2. OPEN SPACE PEDESTRIAN WALKS AND INTERIOR DRIVE DESIGN OBJECTIVES**

All open spaces, pedestrian walks and interior drives shall be designed as an integral part of an overall site design, properly related to existing and proposed buildings.

Comfortably graded pedestrian walks should be provided in areas of the most intense use, particularly from building entrances to parking areas, and adjacent buildings on the same site.

The location and design of pedestrian walks should afford adequate safety and separation from vehicular traffic.

Materials and design of paving, retaining walls, fences, curbs, and other accouterments, shall be of good appearance and easily maintained.

### **3. PARKING DESIGN OBJECTIVES**

Parking areas shall be designed with regard to orderly arrangement, topography and ease of use and access.

### **4. PROJECT IMPROVEMENT DESIGN OBJECTIVES**

Public Rights-of-Way. All streets and walkways within public rights-of-way will be designed or approved by the City and will be consistent with all design objectives.

Street Lighting and Signs. Lighting standards and signs of pleasant appearance and modern illumination standards shall be provided as necessary as approved by the City.

Grading. The applicable portions of the Project Area will be graded in conformance with the final project design as approved by the City for each specific project in accordance with City Code.

## **C. TECHNIQUES TO ACHIEVE THE ECONOMIC DEVELOPMENT PLAN OBJECTIVES**

Activities contemplated in carrying out the Plan in the Project Area may include the acquisition and development of properties in the Project Area.

### 1. ACQUISITION AND CLEARANCE

Parcels of real property located in the Project Area may be acquired by the Agency by purchase, but may not be acquired by condemnation unless from an Agency board member or officer with their consent [§17C-1-206 (1) and (2)(b)].

### 2. IMPLEMENTATION OF ECONOMIC DEVELOPMENT PROJECTS

The Agency shall have the right to approve the design and construction documents of all economic development within the Project Area to ensure that all economic development within the Project Area is consistent with this Plan. The City shall notify the Agency of all requests for: (1) zoning changes; (2) conditional use permits; (3) site plan approval; and (4) building permits within the Project Area, and all proposed amendments thereof. Economic development projects within the Project Area shall be implemented as approved by the Agency and the City.

### D. APPROVALS

Development within the Project Area shall be implemented by the Agency in accordance with this Plan, and as approved by the City in accordance with applicable land use and building code provisions. The City shall notify the Agency of all requests for (1) zoning changes; (2) design approval; (3) site plan approval; and (4) building permits within the Project Area.

## 7. HOW THE PURPOSES OF THE ACT WILL BE ATTAINED BY THE ECONOMIC DEVELOPMENT [17C-3-103(1)(d)]

It is the intent of the Agency, with the assistance and participation of the Developer, to facilitate and promote the development of office, industrial, light manufacturing, commercial and other business park related activities that will result in the creation of jobs in the Project Area. Further, the project will strengthen the tax base of the community, which will also serve to accomplish economic development objectives and create a well-planned business center.

The purposes of the Act will be achieved by the following:

### A. ESTABLISHMENT OF NEW BUSINESS AND INCREASED TAX BASE

The proposed Project envisions business park development that will benefit the State and the City through increased job creation, increased property tax base, increased income taxes paid (both corporate and individual) and increased energy usage (and the accompanying municipal energy "franchise" tax). Multiplier (indirect and induced) impacts will result from the initial job creation and expenditures for construction and supplies.

### B. PUBLIC INFRASTRUCTURE IMPROVEMENTS

The construction of the public infrastructure improvements as provided by this Plan will support the development contemplated herein and provide for future development in surrounding areas. The associated public infrastructure improvements will make the land within the Project Area more accessible to and from other parts of the City. Thus, the components of the Project provided in this Plan will encourage, promote and provide for economic development within the Project Area and the City generally for years to come.

## 8. THE PLAN IS CONSISTENT WITH AND WILL CONFORM TO THE COMMUNITY'S GENERAL PLAN [17C-3-103(1)(e)]

This Plan is consistent with the City's General Plan that was updated and approved May 26, 2009. Specifically, the City's mission statement states a desire to "provide quality, affordable services for its citizens, while promoting community pride, fostering economic development and managing growth." This Project Area Plan will help accomplish all of these purposes.

The General Plan (pp. 13-14) also specifically refers to development along 200 South and 1000 West as follows:

*The corridor along 200 South in Syracuse between 1000 West and the future North Legacy Parkway (approximately Bluff Road) represents an area with the highest future potential for commercial development within the City. In a first phase, UDOT plans to widen (to 100') 200 South between I-15 and 2000 West sometime around 2011. As the time of completion of this roadway project draws near, the land along the south side of 200 South between 1000 West and 2000 West will become increasingly attractive to commercial developers. The City should maintain its current plan for a C-2 Commercial land use along most of this corridor. This land use will allow the greatest flexibility of development. A key focal point for retail locations along this corridor should be the corner of 2000 West and 200 south. UDOT is also planning for the widening of 2000 West from 1700 South all the way to Weber County, thus making this intersection a highly attractive location for future commercial activity.*

*Commercial development is also proposed along the city's shared boundary with Clearfield City along 1000 West between 200 South and 700 South. This location represents yet another commercial opportunity to Syracuse as this area is located adjacent to the Freeport Center. The opportunities in this area are commercial developments that are compatible or would support the large industrial enterprises that are typical of the Freeport Center.*

The development proposed in this Project Area Plan is consistent with what is specified in the General Plan and is compatible with that Plan.

## 9. DESCRIBE HOW THE ECONOMIC DEVELOPMENT WILL CREATE ADDITIONAL JOBS [17C-3-103(1)(f)]

Located proximate to the North Legacy Parkway, the Project Area is one of the premiere business park sites in Davis County. This means that the site will be attractive to major tenants – tenants that could invest significant amounts in both real and personal property and that would be likely to offer skilled jobs and above average wages. The number of jobs created at the site will vary depending on the type of business park development that takes place. Generally speaking, the average number of square feet per worker in commercial buildings is 766.<sup>5</sup> The ratio in industrial buildings varies widely depending on the type of usage but could be as high as 2,500 square feet per employee. Assuming there will be over 865,000 square feet of building space at buildout in the Tax Increment Collection Area alone, there would be a range of roughly 350 to 1,100 employees (FTE's). The remaining Project Area would include additional employees, the number of which would depend on the type of development that takes place in that area.

<sup>5</sup> Source: [http://www.eia.gov/emeu/consumptionbriefs/cbecs/pbawebiste/retailserv/retserv\\_howmanyempl.htm](http://www.eia.gov/emeu/consumptionbriefs/cbecs/pbawebiste/retailserv/retserv_howmanyempl.htm) and <http://www.cyburbia.org/forums/showthread.php?25827-Square-feet-per-employee>.

## 10. DESCRIPTION OF ANY SPECIFIC PROJECT OR PROJECTS THAT ARE THE OBJECT OF THE PROPOSED ECONOMIC DEVELOPMENT [17C-3-103(1)(g)]

The Plan specifically proposes over 865,000 square feet of business park related building space located on 79.44 acres in the Tax Increment Collection Area and potentially two million square feet of building space in the Project Area (~~187.66+80.32~~ acres). . However, there will need to be some flexibility in the type and amount of square footage developed in order for the Developer to respond to changing market conditions in the future. There may also be a minimal amount of support retail located within the Project Area.

## 11. HOW PRIVATE DEVELOPERS WILL BE SELECTED AND IDENTIFICATION OF CURRENT DEVELOPERS IN THE PROJECT AREA [17C-3-103(1)(h)]

### A. SELECTION OF PRIVATE DEVELOPERS

The Agency contemplates that owners of real property within the Project Area will take advantage of the opportunity to develop their property, or sell their property to developers for the development of facilities within the Project Area. In the event that owners do not wish to participate in the economic development in compliance with the Plan, or in a manner acceptable to the Agency, or are unable or unwilling to appropriately participate, the Agency may, consistent with the Act, encourage other owners to acquire property within the Project Area, or to select non-owner developers by private negotiation, public advertisement, bidding or the solicitation of written proposals, or a combination of one or more of the above methods.

### B. IDENTIFICATION OF DEVELOPERS WHO ARE CURRENTLY INVOLVED IN THE PROPOSED ECONOMIC DEVELOPMENT

The Ninigret Group currently has the 79.44 acres of property in the Tax Increment Collection Area under contract. Upon Concurrent with the approval of this Plan, the Agency and the City ~~intend to have entered~~ into a Development Agreement with the Ninigret Group. The Agency and the City will work with the Ninigret Group to implement this Project Area Plan as provided in the Development Agreement.

## 12. REASONS FOR THE SELECTION OF THE PROJECT AREA [17C-3-103(1)(i)]

The Project Area was selected by the Agency as that area within the City having an immediate opportunity to strengthen the community through a major developer who is willing to invest private capital into a business park that will allow for significant job creation, bring new businesses and services into the community, and provide for public infrastructure which will support the development and provide for future development in surrounding areas.

The Project Area contains a portion of the City that is desirable for business park development because of: (1) its accessible location to the North Legacy Parkway; (2) the opportunity to commence a public-private partnership to develop this area of the City; and (3) the current proposal of the Ninigret Group to construct a large master planned development within the Project Area.

Specific boundaries of the Project Area were arrived at by the Agency after a review of the area by members of the Agency, City staff, economic development consultants, and other technical and legal consultants. Planned treatment of this area is intended to stimulate development to the degree necessary for sound long-term growth in the Project

Area and to encourage the development of real property located within the Project Area. Finally, development of the Project Area as a business center is an important element in the City's General Plan.

### 13. DESCRIPTION OF THE PHYSICAL, SOCIAL AND ECONOMIC CONDITIONS EXISTING IN THE AREA [17C-3-103(1)(j)]

#### A. PHYSICAL CONDITIONS

The proposed Project Area consists of approximately ~~480.32~~187.66 acres of privately owned land as shown on the Project Area map in Appendix A, located south of 200 South, west of 1000 West, north of 700 South and east of approximately 18700 West that is currently dedicated to agricultural use. The Tax Increment Collection Area consists of approximately 79.44 acres. The site contains a 22-foot drop with steep grades which will contribute to significant site grading challenges and development costs.

#### B. SOCIAL CONDITIONS

There are currently no buildings and no residents within the Project Area. No unusual social conditions were found to exist. Because of the shifting of land uses from agricultural land to active business park or commercial in the Project Area, consistent with the General Plan of the City, this area will take on a new social character that will enhance existing development in the City. The Project Area Plan will bring workers from the surrounding region to the Project Area for employment purposes. It is anticipated, therefore, that the proposed Project Area will add to the community's economy, quality of life, and reputation.

#### C. ECONOMIC CONDITIONS

There is currently no development in the Project Area. All of the land is currently publicly owned by a charitable 501(c)(3) organization and is therefore exempt from property taxation. The current taxable value of the area is \$0.00; therefore, no property tax revenues are currently generated from this area.

### 14. TAX INCENTIVES OFFERED TO PRIVATE ENTITIES FOR FACILITIES LOCATED WITHIN THE PROJECT AREA [17C-3-103(1)(k)]

The Agency intends to use 80 percent of the property tax increment generated within the Tax Increment Collection Area over a period of 15 years to pay part of the costs associated with development of the Project Area. The Agency intends to negotiate and enter into one or more inter-local agreements with the Davis County School District (the "School District"), Davis County (the "County"), the City, water districts, sewer district, and possibly other smaller taxing entities to secure receipt of a portion of the property tax increment generated within the Project Area that would otherwise be paid to those taxing entities.

The Project Area Budget (attached as Appendix C) shows anticipated tax increment receipts, and the estimated eligible development costs to be reimbursed. Detailed expenditures are shown in the table below.

| DETAILED EXPENDITURES                   |           |
|-----------------------------------------|-----------|
| <b>Syracuse City</b>                    |           |
| 3 water vaults at \$60,000 each         | \$180,000 |
| Water lines                             | \$125,000 |
| Secondary water - booster pump and line | \$150,000 |

| DETAILED EXPENDITURES                                      |                    |
|------------------------------------------------------------|--------------------|
| <b>Weber Basin Water Conservancy</b>                       |                    |
| Pipeline portion and portion of meter vault                | \$173,000          |
| <b>Developer</b>                                           |                    |
| Roads Construction                                         | \$681,131          |
| Culinary Water                                             | \$394,220          |
| Storm Drain                                                | \$386,918          |
| Sewer                                                      | \$207,558          |
| Secondary Water                                            | \$145,475          |
| Electrical                                                 | \$62,178           |
| RMP                                                        | \$94,973           |
| Landscaping (along roadways)                               | \$672,249          |
| Value of Land Required for Roads & Easements               | \$565,336          |
| Admin, Engineering, Survey and Testing                     | \$229,974          |
| Bonding                                                    | \$63,744           |
| City Engineering & Review Fee                              | \$25,497           |
| Soil Imbalance Cut/Fill                                    | \$1,065,800        |
| Transmission Line Relocation                               | \$190,000          |
| Rail                                                       | \$350,000          |
| <b>Tenant Outreach</b>                                     |                    |
| Tenant Outreach at 30%                                     | \$3,289,891        |
| <b>TOTAL EXPENDITURES (not incl. administrative costs)</b> | <b>\$9,052,944</b> |

## 15. ANALYSIS OF WHETHER THE ADOPTION OF THE PROJECT AREA PLAN IS BENEFICIAL UNDER A BENEFIT ANALYSIS [17C-3-103(1)(I)]

The public will realize significant benefits from the development of the Economic Development Project Area as proposed by this Plan. The Agency's long-term objective in developing the Project Area is to create a high quality, business center that will diversify the City's economic and tax base, and offer good-paying employment opportunities. The Agency adopted a resolution for the preparation of this Plan because of the opportunity to "jump start" the proposed business park development.

### A. EVALUATION OF THE REASONABLENESS OF THE COSTS OF ECONOMIC DEVELOPMENT [17C-3-103(2)(a)(i)]

The Project Area has higher than normal development costs for several reasons: 1) the lack of any utilities currently serving the Project Area which is an agricultural field; 2) the steep grade and 22-foot drop of the property; and 3) the addition of a rail spur that will attract a wider variety of businesses who can make significant investment in the area and establish a good taxable base. The proposed costs of development for site preparation, railroad, infrastructure, economic incentives, or any assistance with building construction, are nearly \$9.1 million. The purpose of the tenant outreach is to attract top-quality businesses through assistance with fees, training, relocation costs, and other activities for businesses that will significantly improve the property tax base and provide higher-than-average paying jobs.

| SUMMARY OF EXPENDITURES  |                    |
|--------------------------|--------------------|
| Syracuse City            | \$455,000          |
| Weber Basin Water        | \$173,000          |
| Developer Infrastructure | \$4,785,053        |
| Rail Spur                | \$350,000          |
| Tenant Outreach          | \$3,289,891        |
| <b>TOTAL</b>             | <b>\$9,052,944</b> |

Total costs necessary to facilitate the development of this Project Area, including tenant outreach, are therefore estimated at \$9,052,944. This is a cost of \$113,960 per acre in the Tax Increment Collection Area (where all of the improvements are currently planned). In comparison, the value per acre in the Tax Increment Collection Area at buildout is estimated to be nearly \$892,980.<sup>6</sup> The ratio of value to public investment is roughly 7.8 to 1.0.

The issuance of bonds to the full extent now or hereafter permitted by law is authorized as part of this Plan.

**B. EFFORTS THE AGENCY OR DEVELOPER HAS MADE OR WILL MAKE TO MAXIMIZE PRIVATE INVESTMENT [17C-3-103(2)(a)(ii)]**

The public investment of approximately \$9.1 million represents only 12.8 percent of the estimated private investment of \$70.1 million in the Tax Increment Collection Area for land, buildings and personal property (equipment).

**C. RATIONALE FOR USE OF TAX INCREMENT, INCLUDING AN ANALYSIS OF WHETHER THE PROPOSED DEVELOPMENT MIGHT REASONABLY BE EXPECTED TO OCCUR IN THE FORESEEABLE FUTURE SOLELY THROUGH PRIVATE INVESTMENT [17C-3-103(2)(a)(iii)]**

This development is unlikely to happen solely through private investment for several reasons. First, the addition of a rail spur to the site adds an extra cost of development that cannot be recovered through rents that can be achieved in the area. However, the rail spur will greatly expand opportunities to attract a wider range of end users with good-paying jobs and significant investment in equipment (and therefore taxable value) at the site.

Second, many of the business opportunities that can be pursued for this site will be highly sought after by other communities. Therefore, in order to be on a level playing field with surrounding areas, tax increment must be available to offset incentives provided in other areas. Also, several of the opportunities that the Developer is pursuing are businesses that are also looking at sites located outside of the State of Utah. In order to be eligible for EDTIF funds provided by the State (that will attract these businesses to Utah), the Governor’s Office of Economic Development (GOED) requires local areas to come up with local funds to show their commitment and partnership in the Project.

<sup>6</sup> The value at buildout is based on an average value per building square foot as follows: building (\$50); and personal property (\$32). Total taxable value at buildout in the tax increment collection area is projected to be \$70,938,331. The total number of acres in the Tax Increment Collection Area is 79.44. Therefore, the value per acre is \$892,980.



Third, this site has higher than normal development costs because of the steep grade and 22-foot elevation change on the site. These costs, if added to tenant costs, would make the site less competitive with other areas. And, there are currently no utilities at this site, which must be extended to this agricultural field.

The rationale for the use of tax increment is twofold: 1) tax increment funds must be available from local sources if the statewide EDTIF funds are to be available for the site; and 2) tax increment funds are necessary to offset the extraordinary costs of development associated with the site.

**D. ESTIMATE OF THE TOTAL AMOUNT OF TAX INCREMENT THAT WILL BE EXPENDED IN UNDERTAKING ECONOMIC DEVELOPMENT AND THE LENGTH OF TIME FOR WHICH IT WILL BE EXPENDED [17C-3-103(2)(a)(iv)]**

The total amount of tax increment necessary for this project is nearly \$9.1 million (\$2012). The Project Area Budget suggests a 15-year timeframe in order to account for the variability in development and economic conditions that will occur over the 15-year period.

**E. BENEFICIAL INFLUENCES UPON THE TAX BASE OF THE COMMUNITY [17C-3-103(2)(b)(i)]**

The City and taxing entities will see an increase in taxable value of an estimated \$70,938,331 when the Tax Increment Collection Area is fully built out. If construction begins in 2013 and the Project Area commences in 2014 and runs for a period of 15 years, each of the taxing entities will receive increased taxes over the next 15 years from the increased investment in the area. If the taxing entities receive 20 percent of the increment, with the remaining 80 percent of the increment flowing to the Agency, the taxing entities will receive over \$2.7 million more over the 15-year period than they are currently receiving.

| TAX BENEFIT TO TAXING ENTITIES<br>2014-2028 |                 |                    |                             |
|---------------------------------------------|-----------------|--------------------|-----------------------------|
| Taxing Entities                             | Tax Rate        | % to Entity/Agency | Total Tax Benefit 2014-2025 |
| Davis County                                | 0.002383        | 20%                | \$444,252                   |
| Davis County School District                | 0.008861        | 20%                | \$1,651,918                 |
| Syracuse City                               | 0.001821        | 20%                | \$339,481                   |
| Weber Basin Water Conservancy District      | 0.000217        | 20%                | \$40,454                    |
| Davis County Mosquito Abatement District    | 0.000104        | 20%                | \$19,388                    |
| County Library                              | 0.000392        | 20%                | \$73,079                    |
| North Davis Sewer District                  | 0.000928        | 20%                | \$173,003                   |
| <b>TOTAL</b>                                | <b>0.014706</b> |                    | <b>\$2,741,576</b>          |

At the end of the 15-year period, the taxing entities will receive the entire (100%) tax increment which would amount to an estimated \$1 million per year more than what they are currently receiving.

| ANNUAL TAX BENEFIT TO TAXING ENTITIES<br>End of Project Area Plan |          |                    |                      |
|-------------------------------------------------------------------|----------|--------------------|----------------------|
| Taxing Entities                                                   | Tax Rate | % to Entity/Agency | Annual Tax Increment |
|                                                                   |          |                    |                      |

| ANNUAL TAX BENEFIT TO TAXING ENTITIES    |                 |      |                    |
|------------------------------------------|-----------------|------|--------------------|
| End of Project Area Plan                 |                 |      |                    |
| Davis County                             | 0.002383        | 100% | \$169,046          |
| Davis County School District             | 0.008861        | 100% | \$628,585          |
| Syracuse City                            | 0.001821        | 100% | \$129,179          |
| Weber Basin Water Conservancy District   | 0.000217        | 100% | \$15,394           |
| Davis County Mosquito Abatement District | 0.000104        | 100% | \$7,378            |
| County Library                           | 0.000392        | 100% | \$27,808           |
| North Davis Sewer District               | 0.000928        | 100% | \$65,831           |
| <b>TOTAL</b>                             | <b>0.014706</b> |      | <b>\$1,043,219</b> |

**F. ASSOCIATED BUSINESS AND ECONOMIC ACTIVITY LIKELY TO BE STIMULATED [17C-3-103(2)(b)(ii)]**

Other business and economic activity likely to be stimulated includes business, employee and construction expenditures.

**1. BUSINESS AND EMPLOYEE EXPENDITURES**

Between 350 and 1,100 jobs will be created and located within the Tax Increment Collection Area. If these jobs pay, on average, 120 percent of the average wage in Davis County, this will result in approximately \$15 million to \$50 million annually in increased wages.<sup>7</sup> The increased buying power will result in increased sales tax revenues to the State, the County and the City and increased economic activity generally. Additional jobs and wages will be created in the remainder of the Project Area.

It is anticipated that the business owners and employees of the Project Area facilities will directly or indirectly purchase local goods and services related to their operations from local or regional suppliers. These purchases will likely increase employment opportunities in the related businesses of office equipment, furniture and furnishings, office supplies, computer equipment, communication, security, transportation and delivery services, maintenance, repair and janitorial services, packaging supplies, office and printing services, transportation and delivery services.

Employees will make many of their purchases near their workplace, assuming that goods and services are available. These will most likely include purchases for: lunchtime eating, gasoline and convenience store, personal services such as dry cleaning and haircuts, and auto repair. In addition, there may be limited purchases for gifts, hobbies, etc., if such goods are available.

The following summarizes the benefits to the community:

- Provide an increase in direct purchases in the community.
- Provide economic diversification within the City and the County.

<sup>7</sup> Source: Workforce Services. <http://www.bls.gov/ro7/qcewut.htm>. The average weekly wage in Davis County is \$704, or \$36,308 annually. A job that pays 120 percent of the average wage would reach \$43,930 yearly.



- Complement existing businesses and industries located within the City by adding new employees who may live and shop and pay taxes in the City and the region.
- Provide an increase in indirect and induced (“multiplier”) impacts for business purchases, as well as purchases by employees and their households.
  - The types of expenditures by employees in the area will likely include convenience shopping for personal and household goods, lunches at area restaurants, convenience purchases and personal services (haircuts, banking, dry cleaning, etc.). The employees will not make all of their convenience or personal services purchases near their workplace, and each employee’s purchasing patterns will be different. However, it is reasonable to assume that a percentage of these annual purchases will occur within close proximity to the workplace (assuming the services are available).

## 2. CONSTRUCTION EXPENDITURES

Economic activity associated with the development will include construction activity. Construction costs for projects within the Tax Increment Collection Area are expected to reach approximately \$34.6 million, of which 40 percent (\$13.8 million) approximates labor costs, another 40 percent (nearly \$14 million) represents materials and supplies and the remaining 20 percent represents overhead and profit. A portion of the labor costs will be re-spent in the community – to the extent that convenience goods and services, such as fast food for lunch, personal services, etc., are available. A large portion of the costs for construction supplies will likely be spent in the community as the County has several large-scale construction suppliers.

## G. NUMBER OF JOBS OR EMPLOYMENT ANTICIPATED TO BE GENERATED OR PRESERVED [17C-3-103(2)(b)(iii)]

Business Center Jobs. The number of jobs created within the Tax Increment Collection Area will vary depending on the type of business park development that takes place. Generally speaking, the average number of square feet per worker in commercial buildings is 766.<sup>8</sup> The ratio in industrial buildings varies widely depending on the type of usage, but could be as high as 2,500 square feet per employee. Assuming that there will be roughly 865,000 square feet of building space developed at buildout within the Tax Increment Collection Area, there will be between 350 and 1,100 (FTE’s). Additional jobs will be created in the remainder of the Project Area.

Construction Jobs. Construction costs are expected to reach approximately \$34.6 million within the Tax Increment Collection Area, of which 40 percent (\$13.8 million) approximates labor costs. Assuming an average construction wage of \$27,070,<sup>9</sup> results in the creation of approximately 500 one-year job equivalents in the construction industry.

To summarize, the creation of the Project Area and adoption of the Project Area Plan is beneficial to the community for the following reasons:

- Increased tax base that will provide additional tax revenues to the various taxing entities;
- Creation of between 350 and 1,100 full-time jobs in the Tax Increment Collection Area;

<sup>8</sup> Source: [http://www.eia.gov/emeu/consumptionbriefs/cbecs/pbawebbsite/retailserv/retserv\\_howmanyempl.htm](http://www.eia.gov/emeu/consumptionbriefs/cbecs/pbawebbsite/retailserv/retserv_howmanyempl.htm)

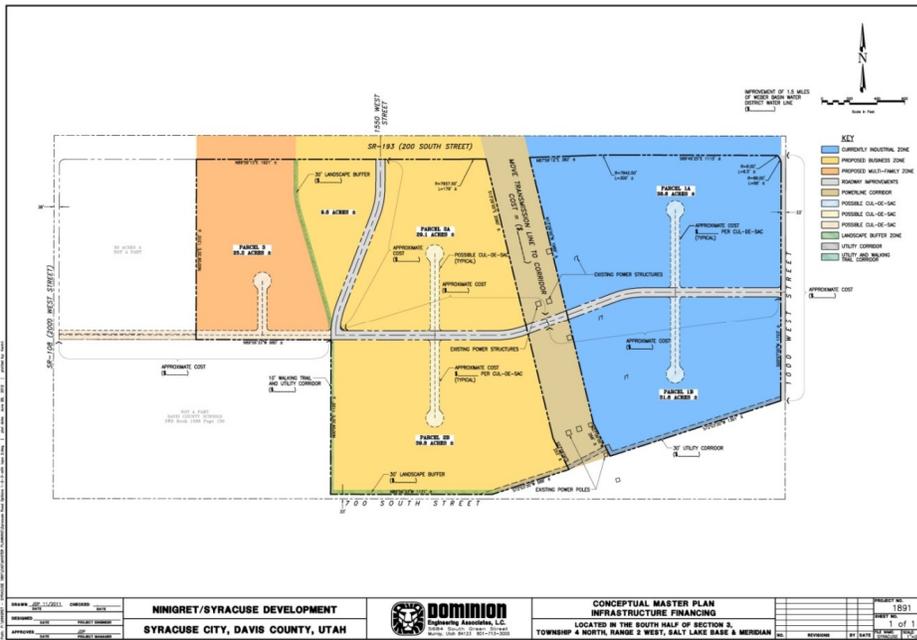
<sup>9</sup> <http://jobs.utah.gov/jsp/wi/utalmis/oidoreport.do#wage>

- Creation of approximately 500 construction jobs (one-year job equivalents) in the Tax Increment Collection Area;
- Increased spending in the local area for construction supplies and for convenience purchases by full-time employees at the business park; and
- Added economic diversification to the community.

### APPENDIX A: PROJECT AREA MAP

The entire Study Area is represented on the map below. The westernmost area, shaded in salmon color, is not included in the Project Area. The rest of the map is included in the Project Area. Only the easternmost portion of the map, shaded in blue, represents the Tax Increment Collection Area.

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**APPENDIX B: LEGAL DESCRIPTION**

A parcel of land located in the South Half of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:

BEGINNING at the East Quarter Corner of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and thence along the east line of said Section and the easterly line of the Syracuse City boundary South 00°06'46" West 1,921.36 feet to the northeast corner of property described in that certain Correction Quit Claim Deed recorded October 29, 2001 as Entry No. 1699015 in Book 2914 at Page 910 of the Davis County records; thence along the north line of said property and the southerly line of the Syracuse City boundary the following two courses: 1) South 72°12'57" West 2,191.75 feet and 2) South 72°12'01" West 45.02 feet to the north line of the 700 South Street right-of-way; thence South 00°03'43" West 66.00 feet to the south line of said right-of-way; thence along said south line the following two courses: 1) North 89°56'17" West 526.87 feet and 2) North 89°56'56" West 642.32 feet to the southerly extension of the east line of property described in that certain Special Warranty Deed recorded March 9, 1993 as Entry No. 1021678 in Book 1588 at Page 130 of said records; thence along said line and the northerly extension thereof North 00°09'58" East 1,236.48 feet to a point of tangency of a 567.00 feet radius curve to the left; thence Northerly 159.68 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 159.16 feet; thence North 15°58'12" West 760.62 feet to a point of tangency of a 633.00 feet radius curve to the right; thence Northerly 178.27 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 177.68 feet; thence North 00°09'58" East 371.18 feet to the north line of the South Half of said Section 3; thence along said line South 89°56'57" East 3,553.84 feet to the POINT OF BEGINNING. Said parcel contains 8,174,635 square feet or 187.66 acres, more or less.

The parcels to be included in the Tax Increment Collection Area are as follows:

| <u>Parcel</u>    | <u>Owner</u>                                      | <u>Acres</u> | <u>Taxable Value</u> |
|------------------|---------------------------------------------------|--------------|----------------------|
| <u>120260017</u> | <u>CORP OF THE PRESIDING BISHOP OF THE CHURCH</u> | <u>73.23</u> | <u>\$0.00</u>        |
| <u>120260018</u> | <u>UTAH DEPARTMENT OF TRANSPORTATION</u>          | <u>6.21</u>  | <u>\$0.00</u>        |



## APPENDIX C: PROJECT AREA BUDGET

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SR 193 Project Area Budget

Zions Bank Public Finance - Municipal Consulting Group

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|------------------------------------------------------------|--|--------------------|
| <b>Detailed Expenditures:</b>                              |  |                    |
| <b>Syracuse City</b>                                       |  |                    |
| 3 water vaults at \$60,000 each                            |  | \$180,000          |
| Water lines                                                |  | \$125,000          |
| Secondary water - booster pump and line                    |  | \$150,000          |
| <b>Weber Basin Water Conservancy</b>                       |  |                    |
| Pipeline portion and portion of meter vault                |  | \$173,000          |
| <b>Developer</b>                                           |  |                    |
| Roads Construction                                         |  | \$681,131          |
| Culinary Water                                             |  | \$394,220          |
| Storm Drain                                                |  | \$386,918          |
| Sewer                                                      |  | \$207,558          |
| Secondary Water                                            |  | \$145,475          |
| Electrical                                                 |  | \$62,178           |
| RMP                                                        |  | \$94,973           |
| Landscaping (along roadways)                               |  | \$672,249          |
| Value of Land Required for Roads & Easements               |  | \$565,336          |
| Admin, Engineering , Survey and Testing                    |  | \$229,974          |
| Bonding                                                    |  | \$63,744           |
| City Engineering & Review Fee                              |  | \$25,497           |
| Soil Imbalance Cut/Fill                                    |  | \$1,065,800        |
| Transmission Line Relocation                               |  | \$190,000          |
| Rail                                                       |  | \$350,000          |
| <b>Tenant Outreach</b>                                     |  |                    |
| Tenant Outreach at 30%                                     |  | \$3,289,891        |
| <b>TOTAL EXPENDITURES (not incl. administrative costs)</b> |  | <b>\$9,052,944</b> |



# SYRACUSE CITY

## Syracuse City Special RDA Agenda

**August 21, 2012 – immediately following the Council Work Session meeting, which begins at 6:00 p.m.**

Large Conference Room

Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
2. Consideration of Proposed Resolution RDA12-04 approving the draft Syracuse State Road 193 Economic Development Project Area Plan, and related matters.
3. Adjourn

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 17th day of August, 2012 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on August 17, 2012.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER

**Members of the public who desire to offer a thought or invocation at Syracuse City Council Meetings shall contact the City Administrator at least two (2) weeks in advance of the meeting. Request will be honored on a first come, first serve basis. In the event there are no requests to offer a comment or prayer, the Mayor may seek opening comment or prayer from those members of the public attending the meeting or from City Staff or City Council.



RDA AGENDA

August 21, 2012

Agenda Item #2

Proposed Resolution RDA12-04 approving the draft Syracuse State Road 193 Economic Development Project Area Plan, and related matters.

Factual Summation

- Any question regarding this agenda item may be directed at Mike Eggett, Community & Economic Dev. Director or Finance Director Stephen Marshall.

Recommendation:

Approve the proposed resolution RDA12-04 establishing the SR-193 EDA project area.

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF DIRECTORS OF THE SYRACUSE CITY REDEVELOPMENT AGENCY:

NOTICE IS HEREBY GIVEN that a special meeting of the Board of Directors of the Syracuse City Redevelopment Agency (the "Agency"), will be held at the Board's regular meeting place at 7:00 p.m. on Tuesday, August 21, 2012, for the purpose of approving the draft Syracuse SR-193 Economic Development Project Area Plan, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Secretary

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the Chair and members of the Board of Directors of the Agency, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair

Member

Member

Member

Member

Member

Syracuse, Utah

August 21, 2012

The Board of Directors (the “Board”) of the Syracuse City Redevelopment Agency (the “Agency”) met in special public session at its regular meeting place in Syracuse, Utah, on Tuesday, August 21, 2012, at 7:00 p.m. The meeting was called to order by the Chair of the Board with the following being present, and constituting a quorum:

Jamie Nagle	Chair
Brian Duncan	Member
Craig Johnson	Member
Karianne Lisonbee	Member
Doug Peterson	Member
Larry Shingleton	Member

Also present:

Robert Rice	City Manager
Cassie Brown	Secretary

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this August 21, 2012, meeting was presented to the Board, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was approved and adopted on the following recorded vote:

AYE:

NAY:

The Resolution is as follows:

RESOLUTION NO. RD12-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SYRACUSE CITY REDEVELOPMENT AGENCY APPROVING THE DRAFT SYRACUSE SR-193 ECONOMIC DEVELOPMENT PROJECT AREA PLAN AND RELATED MATTERS.

WHEREAS, the Syracuse City Redevelopment Agency (the “Agency”) is a community development and renewal agency (a public body, corporate and politic) duly created, established, and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, the Board of Directors (the “Board”) of the Agency has authorized the preparation of the Syracuse SR-193 Economic Development Project Area Plan (the “Plan”), hereby incorporated by reference, for an Economic Development Project Area (the “Project Area”) located west of 1000 West, north of 700 South, south of 200 South and east of approximately 1800 West in Syracuse City, Utah, the legal description of which is attached hereto as Exhibit B; and

WHEREAS, the Agency has prepared the Plan in order to promote economic development and job creation within the Project Area and to increase the property tax base within the Project Area through the development of a new business park within the Project Area; and

WHEREAS, pursuant to the Act, the Agency held a public hearing to receive comment regarding the Plan on August 21, 2012, and provided notice of such hearing in accordance with the Act; and

WHEREAS, the Board now desires to approve the draft Plan without revisions and submit the Plan to the City Council of Syracuse City, Utah (the “City Council”) for adoption;

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SYRACUSE CITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the Agency directed toward the preparation of the draft Plan are hereby ratified, approved, and confirmed.

Section 2. The Board hereby finds and determines that (a) there is a need to effectuate a public purpose; (b) there is a public benefit under the analysis shown by the Plan; (c) it is economically sound and feasible to adopt and carry out the Plan; (d) the Plan conforms to the general plan of Syracuse City, Utah; and (e) carrying out the Plan will promote the public peace, health, safety, and welfare of the community in which the Project Area is located.

Section 3. The Board hereby approves the Plan, without revision, as the economic development project area plan for the Project Area, the legal description of which is attached hereto as Exhibit B, and submits the Plan for adoption by the City Council.

Section 4. The appropriate officers of the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. If any one or more sections, sentences, clauses, or parts of this Resolution shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.

Section 6. All resolutions of the Agency in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE BOARD OF DIRECTORS OF THE SYRACUSE CITY
REDEVELOPMENT AGENCY THIS AUGUST 21, 2012.

By: _____
Chair

ATTEST:

By: _____
Secretary

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board adjourned.

By: _____
Chair

ATTEST:

By: _____
Secretary

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

I, Cassie Brown, the duly qualified and acting Secretary of the Syracuse City Redevelopment Agency (the “Agency”), do hereby certify according to the records of the Agency in my possession that the foregoing constitutes a true, correct, and complete copy of the minutes of the special meeting of the Agency’s Board of Directors (the “Board”) held on August 21, 2012, as it pertains to a resolution (the “Resolution”) adopted by the Board at said meeting, including the Resolution, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature this August 21, 2012.

By: _____
Secretary

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Cassie Brown, the duly qualified and acting Secretary of the Syracuse City Redevelopment Agency (the "Agency") do hereby certify, according to the records of the Agency in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the August 21, 2012, public meeting held by the Board of Directors of the Agency (the "Board") as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the Agency on August _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Standard-Examiner, on August _____, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

I further certify that the Agency does not hold regular meetings that are scheduled in advance over the course of a year, but meets on an unscheduled basis from time to time, as needed.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this August 21, 2012.

By: _____
Secretary

[To be attached:]
SCHEDULE 1–NOTICE OF MEETING

EXHIBIT B

LEGAL DESCRIPTION OF PROJECT AREA

A parcel of land located in the South Half of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:
BEGINNING at the East Quarter Corner of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and thence along the east line of said Section and the easterly line of the Syracuse City boundary South 00°06'46" West 1,921.36 feet to the northeast corner of property described in that certain Correction Quit Claim Deed recorded October 29, 2001 as Entry No. 1699015 in Book 2914 at Page 910 of the Davis County records; thence along the north line of said property and the southerly line of the Syracuse City boundary the following two courses: 1) South 72°12'57" West 2,191.75 feet and 2) South 72°12'01" West 45.02 feet to the north line of the 700 South Street right-of-way; thence South 00°03'43" West 66.00 feet to the south line of said right-of-way; thence along said south line the following two courses: 1) North 89°56'17" West 526.87 feet and 2) North 89°56'56" West 642.32 feet to the southerly extension of the east line of property described in that certain Special Warranty Deed recorded March 9, 1993 as Entry No. 1021678 in Book 1588 at Page 130 of said records; thence along said line and the northerly extension thereof North 00°09'58" East 1,236.48 feet to a point of tangency of a 567.00 feet radius curve to the left; thence Northerly 159.68 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 159.16 feet; thence North 15°58'12" West 760.62 feet to a point of tangency of a 633.00 feet radius curve to the right; thence Northerly 178.27 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 177.68 feet; thence North 00°09'58" East 371.18 feet to the north line of the South Half of said Section 3; thence along said line South 89°56'57" East 3,553.84 feet to the POINT OF BEGINNING. Said parcel contains 8,174,635 square feet or 187.66 acres, more or less.



SYRACUSE CITY

Syracuse City Council Agenda

August 21, 2012 – Immediately following the RDA Meeting

Large Conference Room

Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
2. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
3. Consideration of Proposed Ordinance 12-21 adopting the Syracuse State Road 193 Economic Development Project Area Plan, and related matters.
4. Adjourn

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

### CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 17<sup>th</sup> day of August, 2012 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on August 17, 2012.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

August 21, 2012

## Agenda Item #3

Consideration of Proposed Ordinance 12-21 adopting the Syracuse State Road 193 Economic Development Project Area Plan, and related matters.

### *Factual Summation*

- Any question regarding this agenda item may be directed at Mike Eggett, Community & Economic Dev. Director or Finance Director Stephen Marshall.
- See the previous factual summation discussing the RDA board proposed resolution to establish and create the SR-193 Economic Development project area.
- The RDA board has adopted a resolution on August 21<sup>st</sup> approving and creating the SR-193 Project Area. It is also required, by ordinance, that the City Council of Syracuse City adopts the plan as approved by the RDA.

### **Recommendation:**

Approve ordinance 12-21 adopting the Syracuse State Road 193 Economic Development Project Area Plan.

Syracuse, Utah

August 21, 2012

The City Council (the “City Council”) of Syracuse City, Utah (the “City”) met in regular public session at its regular meeting place in Syracuse, Utah, on Tuesday, August 21, 2012, at 7:00 p.m. The meeting was called to order by the Mayor of the City Council with the following being present, and constituting a quorum:

|                   |               |
|-------------------|---------------|
| Jamie Nagle       | Mayor         |
| Brian Duncan      | Councilmember |
| Craig Johnson     | Councilmember |
| Karianne Lisonbee | Councilmember |
| Doug Peterson     | Councilmember |
| Larry Shingleton  | Councilmember |

Also present:

|              |               |
|--------------|---------------|
| Robert Rice  | City Manager  |
| Cassie Brown | City Recorder |

After the meeting had been duly called to order and after other matters not pertinent to this Ordinance had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this August 21, 2012, meeting was presented to the City Council, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Ordinance was approved and adopted on the following recorded vote:

AYE:

NAY:

The Ordinance is as follows:

ORDINANCE NO. 12-21

AN ORDINANCE OF THE CITY COUNCIL OF SYRACUSE CITY, UTAH ADOPTING THE SYRACUSE SR-193 ECONOMIC DEVELOPMENT PROJECT AREA PLAN, AND RELATED MATTERS.

WHEREAS, the Syracuse City Redevelopment Agency (the “Agency”) is a community development and renewal agency (a public body, corporate and politic) duly created, established, and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, the Agency has authorized the preparation of a draft Syracuse SR-193 Economic Development Project Area Plan (the “Plan”), hereby incorporated by reference, for an Economic Development Project Area (the “Project Area”) located west of 1000 West, north of 700 South, south of 200 South and east of approximately 1800 West in Syracuse City, Utah, the legal description of which is attached hereto as Exhibit B; and

WHEREAS, the Agency has prepared the Plan in order to promote economic development and job creation within the Project Area and to increase the property tax base within the Project Area through the development of a new business park within the Project Area; and

WHEREAS, pursuant to the Act, the Agency held a public hearing to receive comment regarding the Plan on August 21, 2012, and provided notice of such hearing in accordance with the Act;

WHEREAS, the Agency has found and determined that (a) there is a need to effectuate a public purpose; (b) there is a public benefit under the analysis shown by the Plan; (c) it is economically sound and feasible to adopt and carry out the Plan; (d) the Plan conforms to the general plan of Syracuse City, Utah; and (e) carrying out the Plan will promote the public peace, health, safety, and welfare of the community in which the Project Area is located; and

WHEREAS, by resolution adopted August 21, 2012, the Agency has approved the Plan, without revision, as the economic development project area plan for the Project Area; and

WHEREAS, pursuant to the Act, the City Council of Syracuse City, Utah (the “City Council”) now desires to adopt the Plan as approved by the Agency;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and City officers and by the Board of Directors and Agency officers directed toward the preparation of the draft Plan are hereby ratified, approved, and confirmed.

Section 2. The City Council hereby adopts the Plan for the Project Area, the legal description of which is attached hereto as Exhibit B, and designates the Plan as the official economic development plan of the Project Area.

Section 3. Immediately after its adoption, this Ordinance shall be signed by the Mayor and attested by the City Recorder and shall be recorded in the ordinance book kept for that purpose. A summary of this Ordinance, in substantially the form attached hereto as Exhibit C, shall be published (A) one time in the Standard-Examiner, a newspaper of general circulation within the Agency's and City's boundaries, (B) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with such publication to take place as soon as possible after the adoption of this Ordinance; and shall cause a copy of this Ordinance (together with all exhibits hereto) and the Plan to be kept on file in the office of the City Recorder for public examination during the regular business hours of the City Recorder for a period of at least thirty (30) days from and after the last date of publication thereof. This Ordinance shall take effect immediately upon its passage and approval and publication as required by law.

Section 4. The appropriate officers of the City and the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 5. If any one or more sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.

Section 6. All resolutions or ordinances of the City in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, by-law or regulation, or part thereof, heretofore repealed.

ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH THIS  
AUGUST 21, 2012.

(SEAL)

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Recorder

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the City Council adjourned.

(SEAL)

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Recorder



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Cassie Brown, the undersigned City Recorder of Syracuse City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the August 21, 2012, public meeting held by the City Council of the City (the "City Council") as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City on August \_\_\_\_, 2012, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Standard-Examiner, on August \_\_\_\_, 2012, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

In addition, the Notice of 2012 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (i) posted on \_\_\_\_\_ at the principal office of the City Council, (ii) provided to at least one newspaper of general circulation within the City on \_\_\_\_\_, and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this August 21, 2012.

(SEAL)

By: \_\_\_\_\_  
City Recorder

[To be attached: ]

SCHEDULE 1–NOTICE OF MEETING

SCHEDULE 2–NOTICE OF ANNUAL MEETING SCHEDULE

## EXHIBIT B

### LEGAL DESCRIPTION OF PROJECT AREA

A parcel of land located in the South Half of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:  
BEGINNING at the East Quarter Corner of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and thence along the east line of said Section and the easterly line of the Syracuse City boundary South 00°06'46" West 1,921.36 feet to the northeast corner of property described in that certain Correction Quit Claim Deed recorded October 29, 2001 as Entry No. 1699015 in Book 2914 at Page 910 of the Davis County records; thence along the north line of said property and the southerly line of the Syracuse City boundary the following two courses: 1) South 72°12'57" West 2,191.75 feet and 2) South 72°12'01" West 45.02 feet to the north line of the 700 South Street right-of-way; thence South 00°03'43" West 66.00 feet to the south line of said right-of-way; thence along said south line the following two courses: 1) North 89°56'17" West 526.87 feet and 2) North 89°56'56" West 642.32 feet to the southerly extension of the east line of property described in that certain Special Warranty Deed recorded March 9, 1993 as Entry No. 1021678 in Book 1588 at Page 130 of said records; thence along said line and the northerly extension thereof North 00°09'58" East 1,236.48 feet to a point of tangency of a 567.00 feet radius curve to the left; thence Northerly 159.68 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 159.16 feet; thence North 15°58'12" West 760.62 feet to a point of tangency of a 633.00 feet radius curve to the right; thence Northerly 178.27 feet along said curve through a central angle of 16°08'10" and a long chord of North 07°54'07" West 177.68 feet; thence North 00°09'58" East 371.18 feet to the north line of the South Half of said Section 3; thence along said line South 89°56'57" East 3,553.84 feet to the POINT OF BEGINNING. Said parcel contains 8,174,635 square feet or 187.66 acres, more or less.

EXHIBIT C

SUMMARY OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, August 21, 2012, the City Council of Syracuse City, Utah (the "City Council"), adopted an ordinance (the "Ordinance") adopting the Syracuse SR-193 Economic Development Project Area Plan (the "Plan") for an Economic Development Project Area (the "Project Area") located west of 1000 West, north of 700 South, south of 200 South and east of approximately 1800 West in Syracuse City, Utah and designating the Plan as the official economic development plan of the Project Area. The Syracuse City Redevelopment Agency has found and determined that (a) there is a need to effectuate a public purpose; (b) there is a public benefit under the analysis shown by the Plan; (c) it is economically sound and feasible to adopt and carry out the Plan; (d) the Plan conforms to the general plan of Syracuse City, Utah; and (e) carrying out the Plan will promote the public peace, health, safety, and welfare of the community in which the Project Area is located.

Complete copies of the Ordinance and the Plan are available for public inspection in the office of the Syracuse City Recorder at the City offices at 1979 West 1900 South, Syracuse City, Utah, where they may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m., Monday through Friday for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the Plan or the procedure used to adopt the Plan, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

DATED this 14th day of August, 2012.

\_\_\_\_\_  
/s/ Cassie Brown  
City Recorder