

Syracuse City Planning Commission Meeting September 20, 2011

1. Meeting called to Order and Adoption of Agenda

Planning Commission Chair Gregory Day called the meeting to order at 6:03 p.m., indicating that City staff posted the agenda 24 hours prior to the meeting and delivered copies to all Commission members. Curt McCuistion offered the prayer, and Kenneth Hellewell led the pledge of allegiance.

Members Present: Chairman Gregory Day, Vice Chairman Gary Pratt, Kenneth Hellewell, Braxton Schenk, Tyler Bodrero, T.J. Jensen, and Curt McCuistion as well as Community Development Director Michael Eggett, City Planner Kent Andersen, and Administrative Secretary Judy Merrill

Excused: Dale Rackham

Visitors: Craig Johnson

Commissioners reviewed the September 20, 2011, Planning Commission meeting agenda.

T.J. JENSEN MADE A MOTION TO ADOPT THE SEPTEMBER 20, 2011, AGENDA AS OUTLINED, SECONDED BY BRAXTON SCHENK; ALL VOTED IN FAVOR.

2. Approval of Minutes

Commissioners reviewed the minutes of the September 6, 2011, meeting and work session.

BRAXTON SCHENK MOVED TO APPROVE THE SEPTEMBER 6, 2011, MEETING AND WORK SESSION MINUTES AS WRITTEN, SECONDED BY GARY PRATT; ALL VOTED IN FAVOR.

3. Utah Open and Public Meetings Act Training

Todd Godfrey, Syracuse City Attorney, explained Utah's Open and Public Meetings Act procedures. He answered questions and then referenced conflicts of interests as it related to State law. He directed commissioners to fill out the City's Conflict of Interest form at least once a year and then again prior to any meeting addressing items that involved applicable conflicts. State law did not require commissioners to recuse themselves from items, but he encouraged them to disclose the conflicts and then step down for those agenda items.

4. Major Conditional Use Permit – Angie's Kiddie Campus Preschool

Angie Johnson, 1033 South 2200 West, appeared before the Planning Commission requesting approval for a major Conditional Use Permit to teach preschool in her home. Planner Andersen summarized this request by stating that the applicant would only be conducting five sessions at this time, from 9:00-11:30 a.m. Mondays thru Fridays, and hoped to eventually increase it to eight sessions a week by adding afternoon classes, from 12:30-3:00 p.m., on Mondays, Wednesdays, and Thursdays. She would be the only employee. The applicant planned to have the parents drive north on 2200 West and line up alongside that road from her driveway southward. Each driver would get out of their car, upon reaching the front of the line, help their child out of the vehicle, and watch or walk them through the open gate, past the side of the applicant's house, to the entrance of the preschool room, located behind the third-car garage at floor level, so the children did not need to manipulate any stairs. She would never accept more than 10 students per session, although the Ordinance allowed up to 16 students, and many of the children would be within walking distance. The applicant would handle pick up the same way, only the parents would walk into the preschool room and escort their children back to their cars. If the wait became too long, the applicant's garage provided space for three vehicles in the driveway as well. The home had a back yard fully enclosed with a fence, and Ms. Johnson added that she had been living and providing daycare in Syracuse for the last 22 years. This current address would be her second relocation in Syracuse.

Vice Chair Pratt asked if the City received any feedback from adjacent property owners. Secretary Merrill advised him of one neighbor who asked for more information regarding potential traffic. After summarizing the applicant's request, the neighbor had no concerns. Ms. Johnson explained that her lot abutted Utah Onion and SCI's properties, which provided a big cinderblock wall from her driveway, southward,

down 2200 West. Therefore, the parents of her students would not be parking in front of any homes or blocking any driveways.

T.J. JENSEN MADE A MOTION TO GRANT A MAJOR CONDITIONAL USE PERMIT TO ANGIE JOHNSON FOR THE TEACHING OF UP TO EIGHT SESSIONS OF PRESCHOOL CLASSES PER WEEK, UNDER THE BUSINESS NAME ANGIE'S KIDDIE CAMPUS PRESCHOOL, IN HER HOME, LOCATED AT 1033 SOUTH 2200 WEST, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE LAND USE ORDINANCE SPECIFIC TO THIS USE. GARY PRATT SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Public Hearing of Proposed Amendments to Titles 8 and 10

Chairman Day opened up the meeting to public hearing. No one came forward, so he closed the public hearing.

Vice Chair Pratt referred to Chapter 6 of Title 10, under animal provisions, where commissioners previously recommended new language specific to small animals that included fowl. The proposed language now simply stated that all animals within that category had to be kept within the subject property or under direct supervision of the property owner or designee. He asked if staff crafted that language or if it came from other cities' ordinances. Planner Anderson explained that it came from staff after much discussion and a desire to simplify the Ordinance rather than creating an entirely-new section. Staff did not want to restrict owners from taking their animals off their properties but recognized the importance of requiring supervision of their animals. Vice Chair Pratt suggested adding the word pigeons to the specific category of fowl in Section 10-6-040(2)(c)(iv) for the point system so that it read, "Small animals and fowl, such as rabbits, chickens, or pigeons."

Commissioner Jensen asked why the Ordinance allowed an exception for certified breeds of potbellied pigs. Vice Chair Pratt advised him that owners kept such pigs as pets, like dogs or cats. They were smaller than medium-sized dogs, docile, and compatible with children.

Director Eggett asked commissioners to discuss the proposal from City Council to amend Section 10-9-040(D) to allow signs in park strips. Vice Chair Pratt preferred to leave the Ordinance as written. Commissioner Jensen agreed, stating that he preferred keeping park strips free of signage and that allowing such an exception would be opening a can of worms. Commissioner Bodrero did not like the idea of signs in park strips giving the appearances of preferences adjacent property owners did not possess.

T.J. JENSEN MOVED TO RECOMMEND LEAVING THE LAND USE ORDINANCE AS WRITTEN REGARDING SIGN REGULATIONS IN SECTION 10-9-040(D), AND FORWARD IT TO CITY COUNCIL. GARY PRATT SECONDED THE MOTION; ALL VOTED IN FAVOR.

Commissioners discussed the proposed amendments to intermittent commercial uses. Commissioner Jensen and Chairman Day worried about the ramifications of the amended language, while Commissioner Bodrero expressed appreciation for the improved clarity it provided. Vice Chair Pratt believed it empowered City staff to facilitate such uses in Syracuse, harbored the reasoning behind some of the abuses related to temporary uses, allowed enforcement, and provided direction for applicants without appearing as conjecture on the part of the Commission.

Commissioner Bodrero suggested that, unless there were further questions or direction to be given, the Commission approve it as proposed. Vice Chair Pratt agreed, stating that commissioners should make a recommendation rather than tabling it. Commissioner Bodrero asked staff if any of them believed they needed to research the issue more and refine the proposed language. Planner Andersen stated that staff was comfortable with all the amendments as presented, based on previous discussions.

T.J. JENSEN RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENTS TO TITLE 8, THE SUBDIVISION ORDINANCE, REGARDING SUBDIVISION ENTRANCES, AND TO TITLE 10, THE LAND USE ORDINANCE, REGARDING INTERMITTENT COMMERCIAL USES, GENERAL LAND USE REGULATIONS, MINOR AND MAJOR CONDITIONAL USES, DEFINITIONS, AND ANIMALS, WITH A CHANGE TO SECTION 10-6-040(2)(c)(iv) BY ADDING THE WORD PIGEONS TO THE LIST OF SMALL ANIMALS AND FOWLS, AND TO FORWARD IT TO CITY COUNCIL. GARY PRATT SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Adjournment

T.J. JENSEN MOVED TO ADJOURN AT 7:40 P.M.; ALL VOTED IN FAVOR.

Gregory Day
Planning Commission Chair