

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on May 15, 2012, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members: Gregory Day, Chairman
Gary Pratt, Vice-Chair
TJ Jensen
Tyler Bodrero
Dale Rackham
Curt McCuiston

City Employees: Will Carlson, City Attorney
Michael Eggett, Community & Economic Development Director
Kent Andersen, Planner
Judy Merrill, Commission Secretary
Brian Bloemen, City Engineer
Eric Froerer, Fire Chief
Robert Whitely, Public Works Director

Excused: Kenneth Hellewell
Braxton Schenk

Visitors: Brandyn Bodily Terry Palmer
Ray Zaugg Craig Johnson

1. Meeting Called to Order

Planning Commission Chairman Day called the meeting to order at 6:02 p.m., indicating that City staff posted the agenda 24 hours prior to the meeting and delivered copies to all Commission members.

- a. **Invocation or Thought**- Commissioner Day
- b. **Pledge of Allegiance**-Commissioner Pratt
- c. **Adoption of Meeting Agenda**

Commissioners reviewed the May 15, 2012, Planning Commission meeting agenda. Chairman Day pointed out that City staff emailed them the May 1, 2012, minutes earlier that day in case any of them wanted to include those in their considerations for approval. If so, they would need to amend the agenda. Vice Chair Pratt asked about the timing of considering those minutes as they pertained to the issue he pointed out with the motions made regarding cul-de-sac lengths. Chairman Day asked Attorney Carlson to explain. Attorney Carlson advised them that the appropriate time to reconsider a motion would be during the meeting at the time of addressing the issue or when approving the minutes for that meeting. So if they wanted to reconsider the motion regarding cul-de-sac lengths made during the May 1, 2012, meeting, then they would want to add those minutes to this meeting agenda. Chairman Day also asked about needing to do that prior to any action by City Council. Attorney Carlson explained that, if commissioners waited and City Council addressed cul-de-sacs at their next meeting, commissioners could still reconsider their motion, but it would be moot after City Council already made a decision on the matter.

TYLER BODRERO MOVED TO AMEND THE MAY 15, 2012, PLANNING COMMISSION AGENDA BY ADDING THE MAY 1, 2012, REGULAR MEETING MINUTES UNDER AGENDA ITEM 2 AND TO ADOPT THE MAY 15, 2012, PLANNING COMMISSION AGENDA AS AMENDED. GARY PRATT SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Approval of April 3, 2012, Work Session Minutes

T.J. JENSEN MADE A MOTION TO APPROVE THE APRIL 3, 2012, PLANNING COMMISSION WORK SESSION MINUTES AS WRITTEN, SECONDED BY GARY PRATT; ALL VOTED IN FAVOR.

T.J. JENSEN MOVED TO APPROVE THE APRIL 17, 2012, PLANNING COMMISSION WORK SESSION AND REGULAR MEETING MINUTES AS WRITTEN, SECONDED BY DALE RACKHAM; ALL VOTED IN FAVOR.

Chairman Day pointed out that, if commissioners wanted to reconsider the motion regarding cul-de-sac lengths prior to approving the next set of minutes, commissioners Bodrero or McCuiston would need to make that motion. He then asked Attorney Carlson if commissioners needed to second such a motion. Attorney Carlson advised him it would not need a second. Commissioner Jensen asked about the ramifications of Vice Chair Pratt not accepting the amendment to his applicable motion during that meeting. Attorney Carlson explained to him that the vote on the motion was simply a procedural error. When Chairman Day recognized it, called for a vote, and recognized the results of that vote, the Commission was able to proceed. However, because of that error, commissioners could choose to reconsider it.

Commissioner Rackham asked about voting on minutes for a meeting they did not attend. Attorney Carlson advised him that commissioners in those instances could not make a motion to approve, but they could vote on the motion.

Commissioner Bodrero asked for clarification on what exactly they were to reconsider. Vice Chair Pratt explained that he made a motion to approve the proposed changes to the Subdivision Ordinance specific to cul-de-sac lengths as discussed but with an increase to the minimum standard to 500 feet and allowing exceptions of up to 650 feet, etc., Commissioner Jensen seconded. When Commissioner Bodrero amended the motion to remove a maximum length for exceptions, the Bylaws require the commissioner who made the motion to accept any amendments to it. Although Commissioner Schenk seconded the amendment, he never accepted it prior to the vote. In his discussions with other commissioners, he knew of at least two

who also preferred having a maximum length to cul-de-sacs. He, therefore, went before the City Council the following week and voiced his concerns. They, in turn, remanded the item back to Planning Commission to give them an opportunity to correct the mistake.

Chairman Day told commissioners that they needed to decide if that procedural error was worth reconsidering. Vice Chair Pratt clarified his intention of writing a letter to City Council on behalf of the minority voters if commissioners that evening chose not to reconsider the forwarded motion. Commissioner Bodrero conceded, for the sake of unifying the Commission and forwarding a solid recommendation to City Council, he would be willing to reconsider that agenda item to prevent any confusion.

TYLER BODRERO MADE A MOTION TO RECONSIDER AGENDA ITEM 4 OF THE MAY 1, 2012, REGULAR MEETING MINUTES FOR PROPOSED AMENDMENTS TO THE SUBDIVISION ORDINANCE SPECIFIC TO CUL-DE-SAC LENGTHS.

When asked if there was any discussion on the motion, Commissioner McCuistion pointed out that two of the commissioners who voted for the amended motion were not present that evening.

ALL VOTED IN FAVOR.

GARY PRATT MOVED TO TABLE THE MAY 1, 2012, PLANNING COMMISSION REGULAR MEETING MINUTES UNTIL THE OTHER TWO COMMISSIONERS WHO VOTED FOR THE AMENDED MOTION WERE PRESENT TO DISCUSS IT. DALE RACKHAM SECONDED THE MOTION;

When asked if there was any discussion, Commissioner Jensen expressed concern with the language of the motion. He believed it to be too restrictive by basically requiring those two specific commissioners to be present, which had the potential of taking months if their schedules did not allow both of them to attend the next meeting or more.

GARY PRATT CORRECTED HIS MOTION TO TABLE THE MAY 1, 2012, PLANNING COMMISSION REGULAR MEETING MINUTES UNTIL THE NEXT MEETING. ALL VOTED IN FAVOR.

3. Amendment to Land Use Ordinance to add language for a Neighborhood Services Zone

Planner Andersen went over the most recent changes requested by commissioners since the last revision.

Vice Chair Pratt preferred to table this item until their next meeting since the two commissioners not present were very involved in the revisions.

GARY PRATT MADE A MOTION TO TABLE CONSIDERATION OF THE PROPOSED LANGUAGE FOR A NEIGHBORHOOD SERVICES ZONE UNTIL THE NEXT MEETING.

No one offered to second, so the motion failed.

Commissioner Rackham recommended the removal of the Automotive Body Repair based on the limited lot size. He did not feel that 5 acres would be adequate to keep this use from being too impactful on surrounding residential areas. Commissioner Jensen pointed out that it would be a major conditional use so that commissioners would review it. Vice Chair Pratt added that, while some auto body shops kept everything inside, some minimized their building sizes and conducted a lot of it outside, depending on the types of cars they repaired. Most cities required some type of fenced enclosure, though. Chairman Day asked in which zones this type of business would typically be allowed. Director Eggett stated that he would view it as an industrial development type use with the current zoning for Syracuse. He would expect it in light industrial, low-impact manufacturing, or maybe transitional zones, depending on acreage. Five acres would be much more impactful than a ten-acre parcel. Vice Chair Pratt referred to various government controls specific to paint, paint thinners, exotic solvents, and vapors, especially in how they contained and filtered them. Director Eggett said that, if this were an allowed use, it would be subject to fire inspections for exactly those concerns. If inspectors identified an issue, it would allow the City to compel the business owner to provide further documentation and assurances. Vice Chair Pratt referred to the tendency of these types of businesses to accumulate a lot of old cars. Planner Andersen reminded commissioners of the standards that allowed the City to revoke conditional use permits when the permittees began to violate those standards. Vice Chair Pratt agreed with keeping it as long as it remained a conditional use, but Commissioner Rackham still had concerns with these smaller parcels. There were better zones for it. Commissioner Bodrero pointed out that businesses, such as MAACO, were on lots of around 2 acres. Commissioner Rackham agreed but reminded him that those were not next to residential zones. Commissioner Jensen suggested adding language at the end of the use requiring business owners to contain all operations inside. Commissioner Bodrero referred to the need for a new zone that bridged the gap between a neighborhood services and industrial zone. Vice Chair Pratt believed it made more sense to put this use in General Commercial. Director Eggett suggested putting Auto Services in General Commercial, excluding Auto Body Repair, and making Auto Body Repair a conditional use. Vice Chair Pratt and commissioners Jensen and Bodrero agreed with striking it from the Neighborhood Services zone and keeping it in Industrial until they had a more suitable zone.

Ray Zaugg, 1593 West 700 South, asked if he could comment on the Neighborhood Zone. Chairman Day invited him to the microphone. Mr. Zaugg asked if commissioners were considering this zone as a result of an applicant. Commissioners told him yes and that it was due to a request from Rentmeisters who wanted to make improvements to their storage facilities after relocating their plumbing business to Antelope Drive. Mr. Zaugg cautioned against creating a zone for a specific applicant. Commissioner Bodrero explained that they were not crafting a specific zone for a specific applicant. Rentmeisters were just the motivating factor that spurred these conversations that could lead to the adoption of a zone that might be applicable for Syracuse in various areas and might or might not facilitate the Rentmeisters once the City made a final decision. It would need to be applicable and workable in various locations of the City, just as they discussed when considering the light industrial zone that they eventually modified down to this proposed zone. Commissioner Jensen added that commissioners wanted a smaller footprint that allowed a few more users with extra controls, such as building sizes. Mr. Zaugg again cautioned them about the perceptions they were creating.

Vice Chair Pratt still thought it best to table this item, since two commissioners were absent, so that everyone had an opportunity to review it one more time prior to forwarding a recommendation.

GARY PRATT MOVED TO TABLE CONSIDERATION OF THE PROPOSED LANGUAGE FOR A NEIGHBORHOOD SERVICES ZONE UNTIL THEIR NEXT MEETING.

No one offered a second, so the motion failed.

TYLER BODRERO MADE A MOTION TO RECOMMEND ADOPTION OF LANGUAGE FOR A NEIGHBORHOOD SERVICES ZONE AS PROPOSED BUT WITH THE ELIMINATION OF AUTO BODY REPAIR UNDER THE LIST OF CONDITIONAL USES. T.J. JENSEN SECONDED THE MOTION; ALL VOTING IN FAVOR WERE TYLER BODRERO, T.J. JENSEN, GREGORY DAY, DALE RACKHAM, AND CURT McCUISTION; GARY PRATT VOTED AGAINST.

4. Adjournment

T.J. JENSEN MOVED TO ADJOURN AT 6:55 P.M.; ALL VOTED IN FAVOR.

Gregory Day
Planning Commission Chair