

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on July 3, 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
TJ Jensen
Dale Rackham
Tyler Bodrero
Curt McCuistion
Kenneth Hellewell

City Employees: Will Carlson, City Attorney
Michael Eggett, Community & Economic Development Director
Noah Steele, Planner
Judy Merrill, Administrative Professional
Brian Bloemen, City Engineer
Tracy Jensen, Police Lieutenant
Eric Froerer, Fire Chief

Excused: Braxton Schenk
Gary Pratt

Visitors: Tom Freeman
Bruce Baird
Ryan Hales

Corbit Bennion
Eric Rice
Paige Terry

1. Meeting Called to Order

[6:03:05 PM](#)

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

Commissioner Day stated that the Public Noticing was done incorrectly for Item 3-Ninigret North 1 Subdivision. A public hearing will be held tonight, however another public hearing has been scheduled for the July 17, 2012, Planning Commission regular meeting.

COMMISSIONER HELLEWELL MADE A MOTION TO ADOPT THE MEETING AGENDA FOR JULY 3, 2012. COMMISSIONER RACKHAM SECONDED THE MOTION; SIX VOTED IN FAVOR, COMMISSIONER JENSEN VOTED NO, THE MOTION PASSED.

2. Elections for Planning Commission Chair and Vice Chair positions

[6:05:50 PM](#)

Commissioner Jensen requested clarification on the Planning Commission voting procedures. Attorney Carlson stated the total voting body of the Planning Commission qualifies at 7, with one alternate.

[6:07:37 PM](#)

COMMISSIONER HELLEWELL MADE A MOTION TO TABLE THE ELECTION FOR A PLANNING COMMISSIONER CHAIR AND VICE CHAIR POSITIONS UNTIL ALL PLANNING COMMISSIONERS ARE PRESENT. COMMISSIONER JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

Attorney Carlson stated the bylaws require the Planning Commission to elect the Chair and Vice chair at the first July meeting each year, restricting the ability to table the elections.

[6:08:43 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ELECT COMMISSIONER DAY AS CHAIR AND GARY PRATT AS VICE CHAIR, TO SERVE FOR A TWO WEEK PERIOD. COMMISSIONER JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

Attorney Carlson stated the Planning Commission does not have the option to change the election term. If the item is tabled, the Planning Commission would violate the bylaws.

[6:11:53 PM](#)

COMMISSIONER HELLEWELL WITHDREW HIS MOTION

[6:16:57 PM](#)

COMMISSIONER RACKHAM MADE A MOTION TO ELECT COMMISSIONER KENNETH HELLEWELL TO SERVE AS CHAIRMAN AND COMMISSIONER TJ JENSEN TO SERVE AS VICE CHAIRMAN TO THE PLANNING COMMISSION. COMMISSIONER HELLEWELL SECONDED THE MOTION; ROLL CALL VOTE, COMMISSIONER JENSEN VOTED NO, COMMISSIONER BODRERO VOTED YES, COMMISSIONER DAY VOTED NO, COMMISSIONER RACKHAM VOTED YES, COMMISSIONER MCCUITION VOTED YES, COMMISSIONER HELLEWELL VOTED YES, THE MOTION PASSED.

3. Public Hearing: Ninigret North I Subdivision, located at approximately 1100 West 450 South, Sketch Plan

[6:17:15 PM](#)

Director Eggett reviewed the items in the Planning Commission packets. The sketch plan for Ninigret North I Subdivision meets the requirements per City staff review.

Tom Freeman, representative for Ninigret, introduced the present Ninigret Group. Mr. Freeman stated the difficulties created by the public notification setbacks. He requested permission to proceed with applications for sketch plan and preliminary site plan. Commissioner Day suggested the Planning Commission schedule a third meeting in July to accommodate for the public noticing delays. Commissioner Jensen confirmed that a third meeting would be beneficial. Mr. Bennion also requested permission to submit for preliminary and final plan approval.

Public Hearing Open

[6:22:21 PM](#)

Paige Terry, 1283 West 150 South, Clearfield, stated she is concerned with the decline in property values. She said that an industrial complex should not be located next to the adjacent single family residential area. She is also concerned with noise, pollutants and potential release of chemicals.

Public Hearing Closed

[6:24:31 PM](#)

Commissioner Day requested Ninigret to explain why the proposed development is unique and should be granted a cul-de-sac longer than 500 feet as allowed by City ordinances. Mr. Freeman stated that access is possible only off 1000 West. State Road 193 blocks the north property line, the power corridor blocks the west property line, and the south property line is landlocked. Mr. Freeman stated that the cul-de-sac length request is 800 feet. Commissioner Hellewell suggested a "U" shape road. Mr. Freeman stated a "U" shape road could be done, however they are concerned with the increased cost. Mr. Baird stated that the new code allows up to 800 feet. Commissioner Day discussed why the changes were made in the City Code 8-3-1-L for cul-de-sac length. Mr. Baird further discussed the language of the code and allowances created by the term 'may'. Attorney Carlson stated that the list of terms in the City code is nonexclusive and the Planning Commission can request additional terms to justify the increased length of a cul-de-sac. Commissioner Day stated that the Code also includes the language, "included, but not limiting to." Mr. Baird stated that the City can't specify post hoc, answers like that. He stated that you can't manufacture standards after they are in the code. Mr. Baird stated that there is no possible way that 300 feet can rationally, i.e. non-arbitrarily and capriciously, be a grievance for denial.

Commissioner Jensen stated that the packet did not contain a letter from UDOT granting secondary emergency access onto State Road 193. Mr. Rice stated he has made contact with UDOT. Mr. Rice said he spoke with Randy Jefferies, UDOT Area 1 Director, who informed him that curb cuts would be adverse; otherwise there would be no issue with a secondary emergency access onto Stated Road 193. Mr. Rice questioned if they could do road base to top back of curb, requiring the City fire truck to hop the curb. Commissioner Jensen stated they need to have permission in writing from UDOT. Director Eggett clarified the potential for the subdivision road to extend west, when the property to the west is developed. Commissioner Day questioned why the City would not require Ninigret to develop the road to the west now. Director Eggett stated the potential configuration of any future development is unknown; however it would be beneficial for the City to anticipate the road continuing west.

Commissioner Hellewell discussed a traffic study and the potential need for a traffic light. Mr. Rice stated that the traffic study has been commissioned. The data should be available in one week. The traffic counts were done between 3 pm and 6 pm. Commissioner Hellewell was concerned with the study taking place while local schools were out for summer and recommended taking into consideration additional traffic from the local schools. Mr. Hales stated that Clearfield City is adding a turning lane to 1000 west to improve traffic flow. He stated that 1000 west is also receiving additional lanes. Commissioner Jensen discussed the right-of-way width on 1000 west to ensure proper room for a turning lane. City Engineer Bloemen stated the right of way is 72 feet wide and sufficient for a turning lane. Commissioner Rackham discussed whether the plan for State Road 193 includes a signalized intersection at 1000 west. Director Eggett confirmed the plan does include a signalized intersection.

Commissioner Bodrero asked if the applicant has explored other options for the road. The applicant stated yes, but the benefits did not outweigh those for the cul-de-sac road design.

[6:51:48 PM](#)

Commissioner Bodrero asked the Fire Chief if he is comfortable with the City apparatus jumping the curb for secondary fire access. Fire Chief Froerer stated it is not ideal, but as a secondary access it is acceptable. Mr. Froerer stated his concern with the road base. He would like to make sure it meets City Engineering Standards and extends to the curb and does not end at the sidewalk.

Commissioner Jensen discussed the location of a sound wall on State Road 193. Director Eggett stated a wall will only be constructed on the Clearfield side of the road.

Commissioner McCuiston asked how a crash gate will impact the buffering requirements on the property. Director Eggett stated the impacts will be reviewed during the site plan analysis

[6:55:46 PM](#)

COMMISSIONER HELLEWELL MADE A MOTION TO TABLE NINIGRET NORTH I SUBDIVISION, LOCATED AT APPROXIMATELY 1100 WEST 450 SOUTH, SKETCH PLAN, UNTIL THE NEXT SCHEDULED PLANNING COMMISSION MEETING, WITH PROPER PUBLIC NOTICING.

COMMISSIONER JENSEN MADE AN AMENDMENT TO DIRECT THE PLANNING COMMISSION CHAIR TO FOLLOW UP WITH STAFF AND ENSURE PROPER PUBLIC NOTICING OCCURS. COMMISSIONER HELLEWELL ACCEPTED THE AMENDMENT. COMMISSIONER JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

4. Preliminary Plan for Ninigret North I Subdivision, located at approximately 1100 West 450 South

[6:57:08 PM](#)

Mr. Freeman, Ninigret, asked if the cul-de-sac length issue has been tabled for two more weeks. Commissioner Day stated yes. Commissioner Hellewell stated the Planning Commission will approve/disapprove the preliminary plan at the next meeting thereby determining the acceptance of the proposed cul-de-sac. Commissioner Day stated that the preliminary plan approval should occur separately from the final site plan approval to allow proper review time. Commissioner Bodrero stated that the project has proceeded to final site plan with City staff reviews, despite the noticing complications, and the project may actually be ready for Planning Commission final review at the next meeting. Mr. Baird discussed the legal ramifications to allow preliminary plan and final plan to proceed forward.

Commissioner Hellewell discussed the public safety issues with corner lot number three not having access onto the cul-de-sac; it is accessed from 1000 west. Lieutenant Tracy Jensen said the impacts will not be a concern when the road is widened.

[7:07:51 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO SCHEDULE A PLANNING COMMISSION REGULAR MEETING ON JULY 31, 2012, AND ADJUST THE PLANNING COMMISSION SCHEDULE AROUND THE CITY COUNCIL. COMMISSIONER BODRERO SECONDED THE MOTION; ROLL CALL VOTE, COMMISSIONER JENSEN VOTED YES, COMMISSIONER BODRERO VOTED YES, COMMISSIONER DAY VOTED YES, COMMISSIONER RACKHAM VOTED YES, COMMISSIONER MCCUISTION YES, COMMISSIONER HELLEWELL REQUESTED TO BE EXCUSED FOR THE VOTE. COMMISSIONER DAY CALLED FOR A REVOTE. COMMISSIONER JENSEN VOTED YES, COMMISSIONER BODRERO VOTED YES, COMMISSIONER DAY VOTED YES, COMMISSIONER RACKHAM VOTED YES, COMMISSIONER MCCUISTION VOTED YES, THE MOTION PASSED.

[7:12:15 PM](#)

COMMISSIONER HELLEWELL MADE A MOTION TO TABLE THE PRELIMINARY PLAN FOR NINIGRET NORTH I SUBDIVISION LOCATED AT APPROXIMATELY 1100 WEST 450 SOUTH FOR THE NEXT MEETING. COMMISSIONER JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

5. Wasatch Villas Subdivision Phases 7 and 8, located at approximately 500 West 3150 South, Final Plan

[7:14:39 PM](#)

Public Hearing Open

No public comment

Public Hearing Closed

[7:16:26 PM](#)

Commissioner Jensen confirmed that Mr. Hamblin is able to meet all the concerns from the City Staff report. Director Eggett stated the access issues are being worked out and will be addressed by the Planning Commission at final review.

Commissioner Jensen thanked Commissioner Day for serving as Planning Commission Chairman and congratulated him. Commissioner Hellewell also extended his gratitude.

6. Adjournment-COMMISSIONER JENSEN MOTIONED TO ADJOURN

Gregory Day, Chairman

Date Approved