

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on October 15, 2013, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members: Curt McCuiston, Chairman
Tyler Bodrero, Vice-Chairman
Wayne Kinsey
TJ Jensen
Dale Rackham
Anne Greeson
Ralph Vaughan
Sean Dixon

City Employees: Director Christensen, Community & Economic Development Director
Jenny Schow, Planner
Noah Steele, Planner
Brian Bloemen, City Engineer
Jo Hamblin – Deputy Fire Marshall
Clint Drake, City Attorney

Excused: Kelly A. Janis, Planning Administrator

City Council: Craig Johnson

Visitors: Gary Pratt
Mike Thayne
Robert Redford
Chad Scholer

Tawnya Sheikh
Matt Gertge
Terry Palmer
Katie Scholer

Maddy Masters
Taylor Spendlove
Sundi Warden

1. Meeting Called to Order

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- a. **Invocation or Thought** – Commissioner Kinsey
- b. **Pledge of Allegiance** – Commissioner Greeson
- c. **Adoption of Meeting Agenda**

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE SYRACUSE CITY PLANNING AGENDA AS AMENDED WITH THE FOLLOWING CHANGES FROM THE WORK SESSION AGENDA DISCUSSION ITEMS: THE HEARING OFFICER MOVED TO THE FIRST ITEM AND TWO-FAMILY DWELLING ITEM MOVED TO THE SECOND ITEM, FOR OCTOBER 15, 2013. COMMISSIONER GREESON SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

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2. Public Hearing, Conditional Use Permit, Tawnya Sheikh Daycare and Preschool, located at 2018 South 1840 West, R-2 Residential Zone.

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Planner Schow - This application is for a home occupation daycare for up to 16 children. The applicant will be providing a preschool educational curriculum for the daycare participants. The back yard is fully enclosed with a secure fence. The applicant has applied for both a state license and city business license. The applicant is able to meet all requirements of the City Ordinances.

Commissioner Jensen noted that **Commissioner Bodrero** is in attendance.

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Planner Schow noted that the City did not receive any comments from the public about this home daycare.

Public Hearing Open

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Gary Pratt – We have discussed previously about the number of daycares in a specific area. Legally we are not able to limit the number of daycares by code. The Planning Commission should consider allowing a daycare on a dead-end street because if the street was ever to be blocked off, the parents would have a hard time picking up their children. If the state approves a daycare, its approved.

Public Hearing Closed

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Commissioner Vaughan – Applicants should come to the meeting prepared with all of their licensing approvals, especially their state license approval. I believe this should come first before we issue a conditional use permit.

Director Christensen – In order to get a business license, she's required to have a conditional use permit first. We cannot issue a business license until she has a conditional use permit. That is the order we do that in. The same with the state; they want local consent first before the state issues their license; once the local license has been approved, then the state will issue theirs.

Planner Schow – We will not give out the business license; we will let them apply and they take the proof of application and payment to the state. We do not actually give them their business license until they come back with their state license. The state licensing requirements are far more stringent than our zoning code requirements.

COMMISSIONER JENSEN MADE A MOTION TO GRANT A MAJOR HOME OCCUPATION CONDITIONAL USE PERMIT FOR TAWNIA SHEIKH DAYCARE AND PRESCHOOL, LOCATED AT 2018 SOUTH 1840 WEST, FOR A DAYCARE ALLOWING UP TO 16 CHILDREN SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODES. COMMISSIONER RACKHAM SECONDED THE MOTION. ALL VOTED IN FAVOR.

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Commissioner Jensen stated that he owns property to the east, north, and west of the Stillwater Lake Estates development; therefore, I will be recusing myself.

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3. **Public Hearing, Sketch Plan Amendment, Stillwater Lakes Estates, Irben Development, located at approximately 1500 West and Gentile, R-1 Residential Cluster Zone.**

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Director Christensen - This application was granted Sketch Plat approval on August 6, 2013. Since that approval the Developer has reached an agreement on purchase of 21 acres of the project to UDOT for the future construction of West Davis Corridor. The developer has submitted a revised sketch plat, excluding that property. The sketch plat introduces a new type of single family unit where only two of six units have frontage and share driveways for access to the remainder. Photos of this type of construction are included with this report. The amended sketch has a different road layout and much smaller lots than previously approved.

Director Christensen – This is an amendment to the previous amended submittal. Back in August, we gave sketch plat approval for the Stillwater Estates Subdivision. Since that time, Irben Development has been negotiating with UDOT for purchase of this land. They have reached that agreement and because of that, they needed to amend their sketch plan. One of the changes is the relocation of the townhomes from the original sketch plan. These are very small lots with 2700 sq ft with 6 homes sharing one driveway so the only homes that front the street are the two on the end (example provided); the smallest lot size is 2730 sq. ft. In order to achieve maximum density the code provides for the use of Town Homes up to 4 units attached. Total Density: 3.95 lots per net acre (has been reduced from previous submittal). The previous approval gave the minimum lot size of 5,000 sq. ft. A total of 132 lots do not meet the previous requirement. The other major change from the previous sketch plat approval, the Planning Commission granted them 5,000 sq ft lots with 55 ft of frontage. Many of these lots are much smaller than that. Two-thirds of these do not have any frontage on the road and many of these are decreased down to frontages of 42-45 ft. They do not meet that previous standard that you had granted on the previous sketch plat approval. The development is now 86.71 acres and they are proposing 274 dwelling units from the previous 366. The park area has been divided; the idea is that these will be privately held parks but owned by the HOA but we will have a public easement over them. The phasing is now in 9 phases from the previous 8. I do not like the lots with double frontage; I suggest reconfiguring those so the front faces the street and have a rear access. Their total open space is approximately 41%, so they meet the 25% ordinance requirement. There are some changes along the frontage where certain lots were elongated. I cannot quite tell what the distance is for this open space along the backside, so we will want to look at that very carefully when we get to Preliminary so we make sure we have a nice buffer along Gentile St. In addition, we want to make sure we have standards in place for what kind of structures can be allowed in the back yard so that it keeps a nice street scape down Gentile.

Mike Thayne – We are back and we have to revise again being as we know specifically where the UDOT line will go so we can design around that. UDOT did take more property than we had anticipated. The density in our approved sketch plan in August was 4.23 units per acre and now is 3.95 units per acre. He overall density has come down. Nothing has changed on the ski lakes area from the Sketch Plan approval we had in August.

Taylor Spendlove – I am with Brighton Homes. We had invited you to go on a tour, but because of other issues, we were not able to do that. I wanted to explain a little about the new product we are showing you. The images Sherrie put in your packet is the wrong development. The development we wanted to show you was a little to the southwest of this project. The homes are much smaller now which creates a much different feel. The idea of the proposal is that there will be no garages that front the main road. The two front lots that face the main road would be just a nice front elevation. The other homes would be behind those. 22.7% open space that anyone in the entire community can access. 55' wide buffer from the portion that UDOT is taking and we are hoping to incorporate that into the trail system. Because this is different from what we showed you before, we would like to get your feedback.

Commissioner McCuiston – Questioned the one driveway servicing 6 homes, snow removal, and garbage pick-up. Who will be in charge of the maintenance and what happens with drainage?

Taylor Spendlove stated the HOA would be in charge of the maintenance, that there would be sufficient room for the plowed snow, and the garbage can would be accessed from the main road. Communal mailboxes will be in the subdivision. In reference to drainage, we will need to work with for preliminary to make sure all of the drainage works.

Commissioner Greeson – There are only 18 supplemental parking places.

Taylor Spendlove – 54 homes will use those spaces. We are trying to think of new ways for this development.

Commissioner McCuiston – We were comfortable with 5,000 sq ft homes with 55 ft of frontage. This is not represented in the current design.

Commissioner Bodrero – Is there a status or update regarding open space in the proposed changes we made?

Director Christensen – That was tabled at the last City Council meeting. We did want to clarify some of the information you received at the Planning conference. Whether or not the new ordinance applies, the current code gives you all of the discretion to determine lot sizes and setbacks. You will need to apply the current code for this.

Commissioner Bodrero – This looks and feels like an R-3 or R-4 project. My concern is the spacing requirements and the lot size.

Commissioner McCuiston questioned the trail system and the Army Corp letter. **Director Christensen** stated that there needs to be a 5 ft park strip between the trail and the back of curb. I would prefer asphalt for the trail and not concrete. Mike Thayne stated that they are still waiting on the Army Corp letter.

Commissioner Vaughan – Have you spoken with our fire marshal about the 63 lots that are now high density in regards to fire service?

Taylor Spendlove – No, the ski lakes take a lot of space obviously, and even those that road will be accessed, we felt like those lots, for the purpose behind the ski lakes needed to be a little bit larger.

Mike Thayne – On ski lakes like that, the homes on one lake use that lake and same with the other lake. There are a certain number of homes you can put on a lake without the lake becoming crowded. We put as many as we thought we could get away with.

Commissioner Vaughan – In addition to that massive open space, they also get two parks.

Mike Thayne – Yes.

Commissioner Vaughan – I am looking at the percentage of open space between these two sides and it appears as though the people at the ski lakes are getting 90% of the open space and the people on the other side are getting less than 5% open space.

Mike Thayne – Well it is more than that.

Commissioner Vaughan – What, 6%?

Mike Thayne – Yes, the lakes have to be a certain size to make them work and it is open.

Commissioner Vaughan – I am having trouble with the density that has come in all of a sudden with this new portion and the disparity between the two sides of the project. You were approved for a certain size lot, certain distance for setback, and now you have decided to throw that away and come back and try to throw this in. This is almost a totally different project rather than an amendment.

Mike Thayne – Well that is why it is amended rather than just a revision and moving on. There is not much we can do on the ski lakes side of it in terms of putting more density.

Commissioner Vaughan – I remember asking a question when this came up before in August and it had to do with the amount of property that may have been taken away by UDOT at the time as to how much this would affect the footprint of your project and how it would affect the number of lots on there. You indicated at that time that it wouldn't have that much of an effect, it would be just taking away lots; it wouldn't be adding to all of a sudden having a 40% density of housing units. It is as though because UDOT took 25% of your property and now you are adding 50% of the housing units to what is left.

Mike Thayne – Well, that's not totally true. We are allowed probably another 50 or so, but even with the design we have now, we are not utilizing all of the density that is available as an R-1 Cluster subdivision. I really do not know how else to, and I am really speaking for Brighton Homes, but I wish I could show you the product and the homes that they build and the lots and sizes. I know it looks like a lot because it is big; this is a big development, a large project, and lots of acreage, but our intent is that it be nice and obviously we have to sell it. If we were just trying to pack everything we could in there, we would put more in because we are allowed that.

Commissioner McCuiston – The minimum lot size would dictate more of what you're allowed than the density or your location calculations based on the amount of open space that is allotted to the private places or the main spaces where the public cannot go.

Director Christensen – The bonus density is something that has to be awarded by the Planning Commission when you make the findings on each one of those issues, which he is assuming he is being given every bonus density to get to the 4.25. I will reiterate this again that a lot of properties, especially one where you are doing more than 25% open space; it is extremely difficult to get to maximize your full bonus density potential without using almost all townhomes or multi-family units. There has to be a tradeoff there. If he wants to do single family dwellings, there is a different tradeoff for what maximum density he can reach.

Commissioner Vaughan – Would you have any objection by reducing the number of lots by one-third on the units that come off of K Street so that there would only be 4 units, for the idea of removing that center lot so that it is not landlocked for open space or emergency access. That is what I am thinking. If those homes are going to be fenced by 6' vinyl and there is a problem in the house and they have to get out; there would be a problem there. Also, the second part to that, would you have any objection initially to reconfiguring Street E, as was mentioned by Director Christensen to allow better access from Street F because we do not have back door houses on that?

Taylor Spendlove – Yes, we had talked with her about that. That option of doing rear garages is something we definitely could consider.

Commissioner Vaughan – Do you an estimate what the traffic count would be?

Taylor Spendlove – No, we have not done any traffic calculations.

Commissioner Vaughan – How are you going to secure the outside of the ski lakes? A 6 ft vinyl fence is not going to do it. That is an attractive nuisance.

Mike Thayne – Relative to fencing, we will need to work it out in the development agreement of what kind of fences will be required.

Commissioner Vaughan – That particular stretch of road has been traditionally open for a very long time; there is a tremendous amount of pedestrian traffic and a lot of kids and teenagers use that route and have used it for years, and now all of a sudden, you are throwing a lake in there. That is why I called it an attractive nuisance. That is the legal term for something that is a problem, but you did not intentionally try to create it.

Mike Thayne – Are you talking about along Gentile?

Commissioner Vaughan – Yes, the ski lakes. The south ski lake has a considerable amount of frontage on the road and that is right by the trail.

Mike Thayne – That will actually be a berm that will be built up quite high depending on whether you are on the west end or the east end. The plan is that the trail will be on top of that berm.

Commissioner Vaughan – So there is going to be a 6' fence on top of the berm or an 8' fence?

Mike Thayne – I didn't plan on putting in a fence. It is a visual amenity to those using the trail. We have park benches along there so that they can sit down and watch.

Commissioner Vaughan – So there is going no barrier from Gentile to that lake other than a berm?

Mike Thayne – That is correct.

Public Hearing Open

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Gary Pratt – Sitting on the Planning Commission for the last three years, this has been presented a number of times. As a Planning Commissioner, you have touched on a lot of points that were a concern to the previous Planning Commission as well. This looks nothing like a Cluster subdivision. 5,000 sq ft is still a small lot, especially when you put a home on it. Traffic is another issue. He does not have a road improvement agreement with the County in reference to Bluff Road is not in hand, he doesn't have his Army Corp of Engineers letter which he is in excess of a year now acquiring which usually only takes about 90 days. We tabled this project because he didn't have the letter from the County for road expansion and improvement, or the letter from the Army Corp, and he doesn't have a clue what impact the traffic will be on the other 2 exits out of that property and the impact it would have on Gentile. By code, you have to give him a reason to table a project and we gave him 3. The previous commitments by this developer to develop it a certain way are not being met. The open space around the ski lake does not have a public overlay, its private – you cannot walk over there. So cannot consider that in your density calculations. So if you take the 22% that they are going to put a public overlay on, that is one benchmark. The other benchmark is the size of the lots. You cannot take density and make that a priority over the project; you need to look at both.

Chad Scholer – This is the Master Plan of the City.

Attorney Drake – This appears to be an old plan that describes a park, a historical plan, some highlighted meeting minutes from possibly Planning Commission and/or City Council meetings, a print out of Chapter 23 Sensitive Area Overlay Zone, and something from Planning Implementation Tools Overlay Zoning from the Center for Land Use Education. This is a public hearing, and we will not be able to have this on the agenda for tonight, but this is something that we can make available to the public on the City website.

Chad Scholer – This is the plan and blueprint for the pond area which was finalized in 2007. The City had no right to sell the land around the pond and the residents in that area are against the new project.

John Clark – All of the material you have in front of you can be found on the internet. In reference to the selling of the property, I hope that there is a second looking at the original project. Just in our area alone, we are straight across from Jensen Park, we have about 30 kids in the area and they go to the park. The land that was sold or potentially sold was land that was going to be used for the children of Syracuse. That was the children's future.

Gary Pratt – One of the processes that goes with any type of land transaction that occurs in the City starts at the administration level. However there is a code that states the Planning Commission regarding land exchange or land sale of City property should be presented to the Planning Commission. Neither one of these parcels was done that way. Legally, the City cannot go back and undo a technicality. Much of the legal discussion occurs in a secret meeting with the developer and City Council; then that information is made public after the transaction. We are dealing with this after the fact, and this is what we are confronted with now. The Planning Commission has tabled this project.

Director Christensen – The Planning Commission gave this approval after you were off the Planning Commission.

Gary Pratt – Yes, which they should not have done because the criteria for tabling were not met. When you undid that tabling, then you were out of order. It should have remained a tabled item until the criteria were met legally. This is a complicated project and I just wanted to give you some more information. I am not against the project; it is a unique project, but it does need further discussion.

Chad Scholer - The thing that bothers me the most with this whole deal is years ago someone took it upon themselves to get a government grant to put this in down there. From what I understand, that government grant protects that pond from being mowed right over with North Davis Corridor. This was part of that project; the money was designated for urban development or green space. That is why the grant was given to them for the development of Jensen Pond. That land should be protected from UDOT.

Terry Palmer – I look at our city as more of a rural atmosphere. We were rated in the top 10 for child rearing. I think this is a project that we screwed up on really bad, and not having those baseball fields. I would like Mike to recognize the importance of this area for the City and possibly look at what his costs have been and to see if there is any possibility of bringing this back into the City. I would love to see this happen.

Katie Scholer – I had major water restrictions on my lawn this summer and I am wondering where the water is going to come from for these ski lakes?

Mike Thayne – It is not irrigation water; it is a water right that we've owned for many years that runs down alongside that property.

Commissioner McCuiston asked if the water will come out of the canal and Mike Thayne confirmed that is correct.

Chad Scholer – I am wondering if any of you have seen what I have just showed you?

Commissioner McCuiston stated he was made aware of it personally.

Public Hearing Closed

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Commissioner Vaughan – We have had some of our speakers raise some legal issues and I would like to hear from Attorney Drake to respond on our ability to move forward based upon what we have heard.

Attorney Drake – Were there any questions in particular that you had?

Commissioner Vaughan – Yes, the former City property and the funds that were used to purchase the area? I realize that the lake up there is not part of the development. The decisions alluded to by a prior Planning Commission; I would have liked to have had the historical information in my packet so that I can make a decision accordingly. I am new on the Planning Commission and I should have been made privy to some of the history of the decisions that have been made.

Attorney Drake – I would need to research the information regarding federal funding. This is new to me as well.

Commissioner Vaughan – What about past decisions of the Planning Commission?

Attorney Drake – I would need to research past decisions as well in order to give an informed opinion.

Commissioner Vaughan – Unless our Economic Director has some comment, I would make a motion right now to table this until we have very specific answers because I do not think we can proceed.

Director Christensen - Former Commissioner Pratt made a comment about the previous application being tabled; that was back in May. The developer came back several times, we talked about lot sizes and he went and made those changes. Back in August, they stated that they could not get the Army Corp of Engineers letter. We made it a standard that they have it before Preliminary Plat. I do not believe there was any improper action because they are here for an amendment for their Sketch Plat. We gave you information from the last approval with the lot sizes of 5,000 sq ft and 55 ft of frontage, 8 ft side setbacks, and so forth. All that is in your packet, and that is what is pertinent. It is not what was decided before; you made proper motions when you approved the Sketch plan. I was not here when Jensen Pond was done; my understanding is that some federal funds were used, but not the entire park was funded from federal funding. This was explained to me from the City Council and from the previous Director. Basically the park changed when they found out that West Davis Corridor would be coming through and would bisect the property. At that time, they did not feel it would be appropriate to have a park separated on two sides by a highway. So the money that they received from the sale of this property goes back into the park fund and will go to purchase more park area in another location.

Commissioner Bodrero – I first wanted to address those who came tonight, thank you for being here and sharing your comments and thoughts. That land transaction is between the City and the developer. This body, as alluded to earlier, was not privy to any decisions made. This body has an application before us to consider land use of what has been represented by an affidavit from the developer of his ability and his right to represent the land use proposal. Tonight is the first amendment to that sketch. In considering this body's preview of that amended application, I do have a few thoughts and to suggest tabling the amendment at this time. In August, there was a minimum lot size and setback established by this body and feel that no change has been made to that, and that is not what is represented on this sketch plan tonight. The October 9, 2013 fire marshal Hamblin's comment, Item 4 addresses dead end streets and the turnaround radius. As I look at the specific chapter of sensitive overlay area, wherein we gave that approval of the sketch in August 2013, addressing that the Army Corp letter be received prior to submittal of preliminary. In 10-25-020 – Preliminary Requirements states that:

Any proposed development within this Zone as identified shall include the following items with a completed application and plans for sketch or site plan approval:

(A) Wetland delineation approved by the Army Corps of Engineers of all the property within the ownership or control of the developer within the proposed development area.

On those three items, I feel that it would be appropriate to table and give the applicant time to address those items.

Commissioner McCuiston asked staff how do we make the decision if this is an amended site plan or a newly submitted site plan because enough has changed to call this a new site plan? The old ski lakes site plan contained a bridge; there was a possibility of a connection on the other end. It seems like a substantial amount of this plan has changed. I am not sure what direction of staff or legal might be as to what point we call it an amended site plan or have they crossed over that line and this is a newly submitted site plan for our consideration?

Attorney Drake – This refers to what Director Christensen was talking about earlier. It is a question of how the city wants to treat it; to be honest; there are arguments on both sides. Whether it is treated as an amended or new application is up to the City. At this point it doesn't matter because it has been tabled by the City Council. As Director Christensen mentioned, it does provide the Planning Commission plenty of discretion to make sure that whatever conditions or restrictions are imposed are reasonable and are consistent with the General Plan and the City. There are arguments on both sides whether this is amended or new. As Director Christensen stated, it is safer to treat this as an amended application, which means that this would fall under the old provisions. But as we've said, you still have all of the discretion to make the determinations as you did in the prior meetings. I think we are confident as a staff and if we treat it as an amended application that the Planning Commission has all of the ability to make the determination that is in the best

interest of all that are involved. At this point, we've all talked about it and I feel it would be a better course of action for the City to treat this as an amended application.

Commissioner McCuiston – In looking at density relocation in the R-1 subdivision is not a right, it is something that is granted by the Commission. The majority of the open space provided for in a gated community while the majority of the density is allocated on the other side with no access to the open space, which was supposed to be the benefit of density relocation. I do not believe it meets the intent of density relocation and I would like to discuss this with the Planning Commission.

Commissioner Bodrero – Not knowing any of the previous background, I would say this is two separate subdivisions; completely different and physically delineated by an existing canal. Logically, I think one would reason these are two separate subdivisions.

Commissioner Vaughan – I would move that we deny the amendment based upon findings that the applicant has departed from a required previous approval of a minimum lot size of 5,000 sq ft, indicating that one-third of the lots in this proposed project do not meet that standard. We also required 55 ft, and we do not have 55 ft for frontage and we do not have 30 ft for a side and 8 ft for side setbacks. Those are my reasons and that is my motion.

COMMISSIONER VAUGHAN MADE A MOTION TO DENY THE SKETCH PLAN FOR STILL WATER LAKES ESTATES, IRBEN DEVELOPMENT, LLC LOCATED AT APPROXIMATELY 1500 WEST GENTILE, BASED ON FINDINGS THAT THE APPLICANT HAS DEPARTED FROM A REQUIRED PREVIOUS APPROVAL OF A MINIMUM LOT SIZE OF 5,000 SQ FT, INDICATING THAT ONE-THIRD OF THE LOTS IN THIS PROPOSED PROJECT DO NOT MEET THAT STANDARD. WE ALSO REQUIRED 55 FT, AND WE DO NOT HAVE 55 FT FOR FRONTAGE, WE DO NOT HAVE 30 FT FOR A SIDE AND 8 FT FOR SIDE SETBACKS, SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODES. COMMISSIONER GREESON SECONDED THE MOTION. ALL VOTED IN FAVOR OF DENIAL FOR THIS AMENDMENT.

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4. **Public Hearing, Site Plan, Syracuse Assisted Living, Matt Gertge, located at 2063 West 1990 South, PO Professional Office Zone.**

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Commissioner Jensen has returned.

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The applicant is requesting approval of a site plan for an approximately 30,000 square feet assisted living facility with 59 resident bedrooms at full build-out. The first phase consists of 18,182 square feet with 28 beds and the second phase includes an additional 11,698 square feet with an added 31 beds. Applicant has previously received approval from this body in 2011 for a similar plan but had to restart the process because his entitlement period lapsed.

Planner Steele – From the Planning side, they have met all of the City's requirements and have included a landscaped buffer and have met the minimum number of parking spaces. The applicant presented an updated floor plan that included the location of the riser room.

Commissioner Vaughan expressed concern about the location of the mechanical room and what risks it would create for fire prevention.

Matt Gertge – We are open to any ideas you may have regarding the turnaround. We would like to keep the turnaround because we feel it serves a dual purpose as an unloading area. The trash receptacle may need to be at the end of the hammerhead.

Commissioner Rackham questioned the number of parking spaces. **Planner Steele** noted that they do meet the minimum parking requirements with 12 spaces; the most they could have had was 18 for a 59 room facility. **Director Christensen** stated that before we will issue a building permit, he will need to grant a permanent cross easement access for both lots reciprocal to each other. In the event that they sell one to someone else, it is in place before we issue the building permit.

Matt Gertge – Addressing the concern of the ambulance, my understanding is the hammerhead access the concerns of the fire department and an ambulance access. There is no code requirement for me to have a hammerhead.

Planner Steele added that in the fire marshal's review it mentions providing just one approved turnaround per the International Building Code.

Public Hearing Open

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No Comments

Public Hearing Closed

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Commissioner Jensen asked when the construction would be completed. **Matt Gertge** stated that it could be a few months and will be doing construction during the winter. **Planner Steele** stated that if we do lose some of those parking spaces, it is important that we meet that minimum of 12 parking spaces. If you do have to do that hammerhead, that means that we will have to make up those parking spaces somewhere else.

Jo Hamblin – The big concern that I have is if they are going to use that door as delivery and not just specifically for a fire lane. What if someone else comes around and not knowing what that indicates when someone is coming out of that door.

Commissioner Jensen noted the conditions of approval - Hammerhead with easements, sidewalk along the east side, paved walking path from the patio to the east, cross-access easements, have appropriate location for screening and dumpster, and the option of increasing the size of the dining area if it is required.

Commissioner Kinsey – The turnaround and the uncovered drop off zone concern me and the lack of parking. I think that you will have more of a problem with traffic control and maintaining the fire turnaround, especially when individuals or family members leaving their cars parked in the drop off zone.

Matt Gertge – We did think about that too. We thought we would post a “no parking” a “5 minute” parking sign there to deter any long term parking issues.

COMMISSIONER JENSEN MOVED TO APPROVE THE SITE PLAN FOR SYRACUSE ASSISTED LIVING, LOCATED AT 2063 W 1900 S, SUBJECT TO ALL REQUIREMENTS OF THE CITY’S MUNICIPAL CODES, AND CITY STAFF REVIEWS WITH THE CONDITIONS THAT A HAMMERHEAD TURNAROUND BE PLACED IN THE SOUTHWEST CORNER OF THE PROPERTY WITH A CROSS-ACCESS EASEMENT ON LOT 3, A SIDEWALK BEING INSTALLED ALONG THE EAST SIDE OF THE BUILDING FROM THE FUTURE DOORWAY FOR PHASE 2, AND A PAVED WALKWAY BE INCLUDED FROM THE PATIO AREA TO THE SIDEWALK ALONG THE EAST SIDE, THAT ALL CROSS-ACCESS EASEMENTS WITH LOT 3 ARE RECORDED, THE APPLICANT HAS AN APPROPRIATE LOCATION AND SCREENING FOR THE DUMPSTER, AND THAT WE GIVE THE APPLICANT THE OPTION TO INCREASE THE SIZE OF THE DINING ROOM IF THAT IS REQUIRED. COMMISSIONER GREESON SECONDED THE MOTION. ALL VOTED IN FAVOR.

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5. **Preliminary Plan, Country Fields Estates, Castle Creek Homes, located at approximately 1200 South 2750 West, R-1 Residential Zone.**

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COMMISSIONER JENSEN MADE A MOTION TO EXTEND THE PLANNING COMMISSION MEETING. COMMISSIONER VAUGHAN. ALL VOTED IN FAVOR.

[8:48:10 PM](#)

Planner Schow – We have been working with the applicant on a few items which included an easement for the utilities and for looping the water main. The applicant has resolved the two main issues and we have been working with them. The water line will be looped through the church property. There were only a few minor issues that need to be corrected prior to moving on to Final. There isn’t anything that we would feel that would prevent this application from being approved. Moving the name on the plat, updating the preparation date, change the lot numbering to coordinate with the phasing and adding that information to the data table, there were 3 additional items – the public utility easement that does exist will need to be transferred to the City after final approval, to show the curve length of the setback on Lot 21, and the city engineer has already addressed this with the applicant that there are two separate street sections in this project and they both need to be shown.

Mike Bastian – There will not be a problem in meeting staff’s conditions.

COMMISSIONER GREESON MADE A MOTION TO GRANT APPROVAL OF THE REQUESTED PRELIMINARY PLAN FOR COUNTRY FIELDS SUBDIVISION, LOCATED AT APPROXIMATELY 1200 S 2750 W, SUBJECT TO ALL REQUIREMENTS OF THE CITY’S MUNICIPAL CODES AND TO THE CITY STAFF REVIEWS. COMMISSIONER JENSEN SECONDED THE MOTION. AMENDED MOTION ACCEPTED. ALL VOTED IN FAVOR.

[9:00:07 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN AND TO EXTEND THE MEETING BY 15 MINUTES AND HOLD THE WORK SESSION IN COUNCIL CHAMBERS. COMMISSIONER DIXON SECONDED THE MOTION. ALL VOTED IN FAVOR.

[9:00:42 PM](#)

6. **Motion to adjourn**

Adjourn

Curt McCuiston, Chairman

Kelly A. Janis, Planning Administrator

Date Approved: **November 5, 2013**