

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on August 20, 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
TJ Jensen
Wayne Kinsey
Dale Rackham
Ralph Vaughan

City Employees: Sherrie Christensen, Community and Economic Development Director
Steve Marshall, Interim City Manager
Jenny Schow, Planner
Noah Steele, Planner
Kelly A. Janis, Planning Administrator
Jo Hamblin – Deputy Fire Marshall
Clint Drake – City Attorney

Excused: Tyler Bodrero
Anne Greeson
Sean Dixon

City Council: Craig Johnson

Visitors: Troy Christopulos
Sara Huntsman
Hugh Parke

1. Meeting Called to Order

[6:08:58 PM](#)

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

2. Approval of Agenda

[6:09:58 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO APPROVE THE SYRACUSE CITY AGENDA, AS AMENDED: TO HOLD WORK SESSION IN COUNCIL CHAMBERS FOR AUGUST 20, 2013. COMMISSIONER KINSEY SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

3. Approval of Minutes – Regular and Work Session Minutes for May 21, 2013.

[6:10:22 PM](#)

Commissioner Jensen – We had an error in the minutes, lines 306, 307, & 309 – stricken from minutes. Commissioner Vaughan will be abstaining from this motion; was not a member of the Planning Commission at that time. Commissioner Bodrero's email included the following changes:

May 21, 2013 Regular Meeting Minutes:

- o Line 192 should read: R-3 and PRD is not high density, it is medium density development.
- o Line 193 and 194 should read: The few people out of 25,000 residents that have come to make comments does not change his opinion. The current Light Industrial and residential proposal makes the most sense.

COMMISSIONER JENSEN MADE A MOTION TO APPROVE THE PLANNING COMMISSION REGULAR AND WORK SESSION MINUTES FOR MAY 21, 2013 AS AMENDED. COMMISSIONER KINSEY SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

[6:11:56 PM](#)

4. Site Plan Approval, Letrono Cross Fit Site Plan, Troy Christopulos, located at 1754 S 750 W, Industrial Zone.

[6:12:11 PM](#)

Planner Steele – Last meeting, Letrono was tabled, and I believe was tabled for further review and edits so that the parking and landscaping can be adjusted. The original site plan showed parking in the front and the drive aisle widths were not adequate and that the parking in front is not allowed in our ordinance. Letrono has submitted some changes and adjustments to their site plan. There are two site plans, one showing the handicap parking to the east and one to the north. The reason why they did that this was per the Planning Commission suggestions last meeting. The new revision meets the ordinance. They have reduced the building by 2' off the north edge and they have 14 spaces, which is the minimum parking required. The main thing that needs to be reviewed by the Planning Commission is on its west boundary, per the Industrial setback ordinance, when it is adjacent to an agricultural area or a different land use, there is supposed to be a 20' buffer where here is only 10'. That exception has to be granted by the Planning Commission. They are also moving the detention.

Commissioner Rackham – Will the detention pond be the same in both configurations? It is not identified in the other one.

Planner Steele – Yes, I believe so. Another thing to consider is that they've changed the lane width to be 26' which will meet what the fire department needs.

Commissioner Jensen – What does the General Plan call for to the west there?

Planner Steele – The General Plan says General Commercial.

Director Christensen – The reason why there are two site plans is because the first one reflects the instructions that were given to the applicant last time where the two parking spaces were in the front. This comes into play and that section of the code where it states that no parking in the front yard setback in Commercial, Industrial, and Residential zones. The idea about this was if they submitted two site plans and if the Planning Commission was inclined to approve one tonight that we would approve the second one with a condition that they could use the first one if we amended the code. We could talk about that in work session tonight. It would give them two additional parking spaces, which I think benefits the community and the zoning, but we could look at how we want to massage that code so that we have more flexibility with some of the parking in the front areas. The way it is written right now, if you were to build a Smiths, you couldn't have any parking from the street to the front door, because the way our code defines the front yard, it is not just the front setback, it is from the front width of the property all the way to the building. We really do need to look at that amendment and how that was put in there.

Commissioner Jensen – I personally would like to see the applicant get as much parking as possible, because the more parking we can give them, the more business they can potentially generate. I would like to see that discussion in our next work session, if not regular meeting. This specifically was not called out on our agenda this time; the sooner we can get an answer to the applicant, the better.

Director Sherrie – The idea was if that they could move ahead with the building permit with this site plan, then if in the near future we change that code, it would be well before that parking lot.

Commissioner Jensen – That is what I was thinking as well. Go ahead and keep one that in reserve and they can always add those parking spaces in later.

Director Christensen – One issue that was brought up by our new Commissioner was that he had checked with Rocky Mountain Power (RMP) about the 10' corridor and this parking space needs to just have a letter from RMP. We need to make that a condition of the building permit the RMP allows them to put the parking structure in their easement.

Commissioner Jensen – Are there any other issues that staff had?

Director Christensen – We have all of those worked out. I have also spoken with Robert Whitely and he is satisfied that they have met all the requirements, subject to the conditions in his recommendations that we can deal with the storm drainage at the time of building permit.

Commissioner Vaughan – I thought my motion included, in addition to those things that were mentioned, that any other deficiencies that were lacking in the application, for example, the trash enclosure, lighting, signage, whether or not the additional curb cuts would be removed, because there are 3 curb cuts in front of this particular property; we had two and I was expecting one to be filled in or to be altered. Now we are going to one curb cut, I want to know if that would be the request that we would only have one curb cut in front of the property, and whether or not the site plan did show in the RMP easement and/or any other easements that we may not be aware of, as was mentioned by our Planning Director, whether or not we have received any formal notification from RMP that they have seen the plans and they agree to this construction. I am kind of doubting this, based upon what I am seeing. Based upon what I know in an electrical easement, there is nothing permitted to be above ground level. Here we have what appears to be a 4' concrete walkway on the west side that is going to be above grade, even if it is only going to be 3 or 4", it is above and that is an encroachment. Also because we have power lines at a height of 35'; any vegetation that is going to go in there also has to be approved by RMP because what is showing on the plan right now is Rocky Mountain Maples. They have a pretty good size canopy, but they grow to 50' and the wires are 35'. With trees and an electrical easement, it is a 12,000 volt line that is going through there and I think the fire department will probably have some concerns about bringing an apparatus within that area, and sending fireman down that side of the building where they do not have full access into that area. That is one of the reasons why I was asking if we have received anything from RMP. Have we received anything in regard to trash or signage?

Planner Steele – As far as trash receptacles there is nowhere in the ordinance that would require them to have a bin, but if they do have one, we require that it is properly screened. Our discussion with the applicant, he has talked about doing a regular roll bin and storing that whether inside the building or around

the back where the sidewalk is. As far as RMP, I think you bring up some good points and I appreciate your research. Letrono will have a letter from RMP before they start any part of their project and make that a condition of our approval. As far as the curb cuts go, I think the intent is that there will be one curb cut at the entry of the parking lot and this other paved area will be a loading for heavy equipment and it is not a parking spot – it is just an access to the building.

Commissioner Vaughan – I did not see anything in the submission that indicated that he wanted to have a driveway access to the building from a secondary location. I was wondering if this was something that going to be requested and drawn in. This should be a question for staff.

Director Christensen – I do not believe they are requesting a secondary access; that is just a preliminary for when equipment is delivered. I believe the requirement would be to approve the sidewalk to 6" for occasional delivery of product. They are only requesting the one driveway access and that will change because they are installing the sidewalk which is not adjacent to the curb. They will be replacing that and putting in a park strip and then the sidewalk.

Commissioner McCuiston – This has come before us for Site Plan approval and is that in conformance with our 10-4-90 or is this a Preliminary site plan approval?

Director Christensen – This is a full site plan.

Commissioner Jensen – Where you are encroaching on that 10' power easement, are you going to take your building to the 10' mark?

Troy Christopulous – Yes.

Hugh Parke – In regard to that power easement, there are no other easement from any other utility companies. The second issue, Utah Power has an easement across the property that is owned by the applicant. So if we do not encroach on their 10' easement, we would not need a letter from Utah Power to construct that building. I believe that staff would like one for the parking structure, because we are parking on the other side. But if the building does not go into there, I have dealt with Ed Zebra with Utah Power quite a bit, and he is in agreement that we are outside of their easement; therefore, the easement was granted to them and anything outside of that easement, they have no say so on.

Planner Steele – We would also like to see that the landscaping is not into the power lines.

Hugh Parke – Sure, and we would like to work it out with you which trees you would like.

Commissioner Jensen – Sherrie, we should have the easements shown on the drawings.

Director Christensen – Yes, we can have them add that for the submittal of the building permit.

Troy Christopulous – I think the easement is shown on the civil engineer's drawings.

Planner Steele – Yes, they do.

Commissioner Jensen – Are there some shorter trees that they can put underneath those power lines?

Troy Christopulous – The trees that you specified were not Rocky Mountain Maples, they are Norway Maples.

Commissioner Vaughan – You still plan on planting trees?

Troy Christopulous – We can take the trees out, the only reason we like trees there is to help with the aesthetics and with the building for shading. If Utah Power requires us to take the trees out, then we will.

Planner Steele – From buffering and screening view, we would like to see the trees there. We do not want to create a fire hazard or have them grow into the power lines. We should try to select trees that will not grow into the power lines.

Commissioner Vaughan – There are no trees that are permitted in an electrical easement.

Planner Steele – Maybe in their agreement they can have appropriate shrubs; the applicant seems pretty flexible and willing to do whatever Rocky Mountain Power requires.

Commissioner McCuiston – We have a data table which shows what is required.

Planner Steele – Yes, they submitted sheets that have been stamped and we went through all of the site plan requirements with them.

Commissioner Vaughan – Where is the bike rack going to be?

Troy Christopulous – We discussed the bike rack and the thought is in front of the building. We can add one.

Commissioner Vaughan – If the two parking spaces in front are not approved and we go with the handicap space, what provisions are there in the plan to protect people in wheelchairs crossing the parking lot.

Troy Christopulous – I think the provision would be striping across the parking lot to the front entry. Is that correct Noah?

Planner Steele – Yes, I think the Commissioner does have a point because the second site plan does not show any striping. In previous versions, there has been striping shown.

Commissioner Vaughan – For the parking lot, what kind of material would you be using there?

Troy Christopulous – Asphalt.

Commissioner Vaughan – Do you have a rough idea on the thickness and the tolerance levels?

Troy Christopulous – I believe the City requires 3".

Commissioner Vaughan – The International Fire Code (IFC) has a standard for paved structures to require a capacity of 75,000 lbs on the asphaltic formula. That is what the standard is with Syracuse using the IFC. That is what would be required there.

Hugh Parke – Is that required only on public streets; this is private property.

Commissioner Vaughan – Is that a fire lane?

Jo Hamblin – Yes, you are correct that is a fire lane. We are going to need to be able to get our fire apparatus on that lane.

Commissioner Vaughan – Do we need any signage or markings or red curbing because that is a fire lane?

Jo Hamblin – Correct. Yes, they will need markings on the front of the sidewalk stating that is a fire lane.

Commissioner Vaughan – There is not landscaping on the north edge of this property and if there were, that would move the parking spaces down approximately 4'. Would you be able to put a fire apparatus in under your current standard if there is a 4' landscaped barrier as required by the code?

Jo Hamblin – A 4' landscaped barrier meaning a sidewalk?

Commissioner Vaughan – A landscaped strip on the north end. If we require a 4' landscaped strip in there, and that moves the parking spaces down 4' into the driveway, will that still give your apparatus enough room?

Jo Hamblin – No, I need that 22'.

Director Christensen – In our discussion with the applicant, we toyed around with the idea because it does state in the code that the Planning Commission may require that landscaped buffer. It is not a flat requirement. If he is willing to put in the wheel stops on each of the spaces for the overhang so that the cars are not overhanging onto the property to the north, that would be more ideal than the landscaped buffer and afford room for the sidewalk. We felt the sidewalk was more important. When the property to the north is developed, with the configuration of it being on the corner, it will be very difficult for them to get an access because they have to be 100' from this access but then they will be too close to the corner. We would foresee that they would come in and negotiate with this property owner to combine their accesses and possibly reconfigure and do a shared parking lot so that the spaces will be facing each other on that side.

Commissioner Vaughan – In an Industrial area, do you have any standards or requirements for enclosing a dumpster. Because at this use, I cannot see much trash generation, but if this building meets capacity and they do have trash going out and you required a dumpster, where would that have to be?

Jo Hamblin – The code requires it to be a minimum of 5' from the building depending on the size of the dumpster. No trash shall be stored in the building unless it has a sprinkler system. The requirement would have to be a minimum of 5' away from the building for a dumpster.

Commissioner Vaughan – And if that was located immediately north of the building and not in the parking spaces, would that pose a hazard to your apparatus or would you prefer the trash enclosure be located at a different location on site? If we could get it to the north end out by the parking area, which would be a little bit better. That would also give the garbage truck easier access. I think we would be fine either way.

Commissioner Vaughan – Would a fair approximation of the area required for a dumpster to be that equal to a parking space?

Jo Hamblin – That would be a fair approximation.

Commissioner Jensen – Is there an issue putting a rolling dumpster in a power easement?

Director Christensen – I do not believe so. I know they are not intending to use a dumpster because of the use in the building will not generate enough garbage. The thing that would have to happen for this use to be converted into another industrial use is there would have to be an amendment to the site plan and there would have to be change of occupancy so a building permit would have to be required. Then it would have to meet the standards for whichever use they were converting to. Then at that time, perhaps the parking situation would be different for the use. We could address that at the time of an occupancy change.

Commissioner Jensen – The current zoning to the north is Industrial.

Director Christensen – It is zoned Industrial and it General Planned for General Commercial so it could be changed for a general commercial use.

[6:43:15 PM](#)

Commissioner Vaughan – If we could have some discussion before we jump into a motion. My concerns for the property are: the building was reduced by 400 sq ft and we understand that you are trying to help in that regard. And this is an industrial building and for this industrial building to have a non-conforming use.

Director Christensen – I want to correct that – it is not a non-conforming use, it is listed as other used as determined by the Land Use Administrator. They have been in existence for several years and have had a consistent business license for each year and have a current business at this time. They are just rebuilding from their previous structure. I believe they have a right to continue under that previous approvals and business licenses.

Commissioner Vaughan – The side yard on the south has a zero lot line. In an industrial area looking at the maximum possible use that could be an industrial building in an industrial zone, I do not agree with having a zero lot line setback. I think we should require some setback for a building on that side. Also on the rear yard, I think we should hold firm on the 20' because we do have an electrical easement in there and we do want some type of landscaping and for the safety of the fire department to have access in there, particularly with those electric lines that are going through there. I am not too thrilled about eliminating the additional 10'. If it went to a 20' setback in that area, yes I could agree with trees. I would be willing to go along with having the two parking spaces in front, especially with the handicap space because of the accessibility that would grant someone in a wheelchair. I think we should have a trash bin on there, granted the use over the last few years has not generated that much trash, but it is an industrial building in an industrial zone and I think we have to treat the site as such. I think we have parking spaces there that would allow a trash bin to take the place of one of those parking spaces.

Director Christensen – Could they use that space as a parking space but identify it as a future trash enclosure?

Commissioner Vaughan – Yes, I think that is an excellent idea. Then the sight frontage has the three driveways, and I would recommend that the plans have one driveway. In addition, we do not have any buffer landscaping and I think we should.

Director Christensen – On which side?

Commissioner Vaughan – The north side in the parking lot against the spaces. I think should require that this be put in there. I think we still need a bike rack; we can find a suitable place for it. We should have had a lighting plan come in at this time. We should have also had a sign plan; I just do not like the idea of incomplete site development plans come in where all of the major issues are not addressed.

Director Christensen – There is no lighting plan and they are not doing any parking lot lighting, just the building is being lit. As far as signage, they have not proposed any signage, but they would still be required to get a conditional use permit for any signs. This site plan approval would not approve any signs.

Troy Christopulous – The lighting was detailed on the first submission of the site plan.

Planner Steele – That is correct; they submitted the locations of the exterior lighting would be located.

Commissioner Jensen – If the lot to the north, develops as commercial, what would the buffering requirement be?

Director Christensen – They would have to come to the site plan review.

Commissioner Jensen – I am curious about buffering.

Director Christensen – There is no buffering from industrial to industrial. In addition, a buffer is not required from industrial to commercial. The buffers are usually required between the commercial and residential uses or the agricultural uses.

Commissioner McCuiston – That could become a flag lot or a lot without access if we didn't allow a cross access easement between this property and the one to the north.

Director Christensen – The way that works, they are going to come and ask them for a cross easement access.

Commissioner Jensen – Would you be willing to work with the property owner to the north for a cross access easement?

Troy Christopulous – Yes.

Commissioner Jensen – I do not have any issues with not having a buffer to the north. The west is a different discussion.

Commissioner McCuiston – I think that makes good sense.

Commissioner Vaughan – Jenny, the location of buffer yards ~ the location of buffer yards shall be located on the outer perimeter of a lot or parcel adjacent to a different use. If we are talking about the corner being a commercial or a different use, rather than this industrial space, I read that as saying that it is required.

Director Christensen – That is referring to the Buffer table and you have to go through the Buffer table to match up the existing uses and the proposed and existing use. Although it could be converted to a commercial use, it is currently zoned industrial. It may or may not be converted to a commercial use.

Director Christensen – On the Buffer Table, in Table 2, between Commercial and Industrial Uses, there is no buffer required.

Planner Schow – I just pulled up the tree species list from Rocky Mountain Power and they do have 100 tree species to choose from and they also have charts and distances that are required. We will make sure the applicant make a selection from that list.

Commissioner Jensen – I agree with putting trees in and it will help to beautify it.

Director Christensen – Given that the power lines are overhead, I do not think that RMP would have a problem giving us a letter stating that a sidewalk and a parking space can be located under their easement. It is very common; if you look at right across the street, there's a much more major power line corridor that goes right through the center of The Pizza Factory parking lot and their parking lot is leased area from RMP.

Commissioner Jensen – I was addressing underground utilities.

Troy Christopulous – We also did talk to Utah Power about that because we looked at the option of going underground; the reason of the setback is because of the power pole that exists there on the NW corner of the building. Their comment to us was if they ever did go underground, that it would be brought to the east side of the building to help access the lot to the north.

Commissioner McCuiston – How are we feeling on the 20' or 10' when we know that in the future it will likely be (Commissioner McCuiston did not finish this question).

Commissioner Jensen – If it is commercial against commercial, do we have a requirement for a minimum? Industrial to Commercial?

Commissioner McCuiston – No. In reference to the parking in the front and the handicap parking spaces ~ when looking at business like Smith's and having all of their parking in front which is very common for larger stores, I do not think the intent of the ordinance was to do that. I think that they have proposed a good plan and that it makes sense.

Commissioner Jensen – If we were to allow encroachment on their front yard, the reason we have the requirement in the ordinance is so that in the industrial zone, we can have a little beautification there. What would I consider an adequate encroachment, what would be too much? I personally do not have a problem with this.

Director Christensen – I would suggest the bike rack go into the grass area, make a little concrete area away from the vehicular traffic.

Commissioner Vaughan – I think that if we allow staff to reserve a spot to be used for a dumpster and as far as designating that last spot, we have not heard from RMP yet. The trash company would probably appreciate it being close to the street.

Commissioner Jensen – They are not asking for a dumpster right now and where Sherrie says that if someone wants to take this building over, they are going to have to come in for a building permit anyway.

Commissioner Vaughan – The last concern is the 20' on the west side against the agricultural zone. Is the Commission willing to drop it to 10' as requested or to stand firm with the requirement at 20'?

Commissioner McCuiston – The location of it is on a major road, Antelope Drive, it is zoned Commercial in our General Plan, it is developed on both sides as Commercial and will most likely be developed as Commercial sometime in the future, I am not opposed to reducing that.

Commissioner Jensen – I would like to see 10', but nothing less than 10'.

Troy Christopolous – We had a meeting with the city attorney and we talked specifically about setbacks and although we had the understanding that it is up to the Planning Commission to determine and grant us that variance on that 20' setback. The city attorney was in agreement and was acceptable to the 10' setback.

Commissioner Rackham – What was the setback on the original building?

Director Christensen – The original building was the full width of the lot and all the way up the street. The way the code reads on that 20' setback is that it is the Planning Commission's deference on reducing that 20' to whatever you feel is appropriate.

Commissioner Jensen – Read City Code 10-24-040 F:

When an industrial lot is adjacent to or faces upon another non-industrial zone, the yards in the industrial zone that are adjacent to or face upon the other non-industrial zone shall be a minimum of twenty (20) feet on all sides. Exceptions to this requirement may be granted by the Land Use Authority for industrial zones that are adjacent to other industrial zones or agricultural zones if all proposed structures on the industrial property meet minimum fire requirements. Plans showing these fire protection requirements are to be subject to review and approval by both the Syracuse City Building Official and Syracuse City Fire Chief.

Director Christensen – I would like to suggest that whatever motion you do make that you specifically enumerate the conditions of approval so that it is clearly in the record and for future Planning Department employees know what happened.

Commissioner Kinsey – We have the 10' easement as well as the letter that needs to be in the motion.

COMMISSIONER KINSEY MADE A MOTION TO APPROVE THE REQUESTED SITE PLAN APPLICATION FOR LETRONO CROSSFIT LOCATED AT 1754 SOUTH 750 WEST SUBJECT TO ALL REQUIREMENTS OF THE CITY AND MUNICIPAL CODES AND TO THE CITY STAFF REVIEWS INCLUDING THE LETTER OF APPROVAL FROM ROCKY MOUNTAIN POWER AND ALSO ADJUSTING THE EASEMENT ON THE WEST SIDE TO A 10' SETBACK, WITH APPROVAL ALSO OF THE TWO PARKING SPACES IN THE NORTH, THE HANDICAP AND THE SINGLE SPACE TO THE SOUTH SIDE OF THE PARKING AREA.

COMMISSIONER RACKHAM SECONDED THE MOTION, AS LONG AS THE LETTER FROM THE POWER COMPANY INCLUDES THE TREES AND THE SETBACKS.

Director Christensen – Did you want to address reserving a parking space for a future trash receptacle and the bike rack in the front yard area.

THE MOTION INCLUDES RESERVING A PARKING SPACE FOR A FUTURE TRASH RECEPTACLE AND THE PLACEMENT OF THE BIKE RACK UPON CITY STAFF RECOMMENDATION.

Commissioner Rackham – Having seconded the motion, I do not want to impose the requirement of a dumpster when he does not intend to use it and you are imposing requirements for a future use that may not be on that building. I like the bike rack; I do not like the dumpster.

Commissioner Jensen – Can I make a suggestion that we identify the future location of a dumpster if a dumpster is required in the future?

Commissioner McCuiston – That would be part of the site plan approval process for a new use.

Commissioner Kinsey – I would like to change my motion to not include the designation site for a future dumpster.

Commissioner Jensen – We are granting approval with the 10' setback, a letter from Rocky Mountain Power that states approval of the paved area and to specify landscaping and tree approval, the additional two parking spaces to the south of the parking lot, and the bike rack.

Director Christensen – And approving the 10' setback on the rear property line from 20' to 10'.

Commissioner McCuiston – Do you still honor your second?

Commissioner Rackham – Yes.

COMMISSIONER RACKHAM SECONDED THE MOTION. ALL IN FAVOR. MOTION PASSES.

[7:21:05 PM](#)

5. Adjourn

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN INTO WORK SESSION. ALL VOTED IN FAVOR.

[7:21:23 PM](#)

Curt McCuiston, Chairman

Kelly A. Janis, Planning Administrator

Date Approved: September 17, 2013