

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on March 4, 2014, 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
Anne Greeson
Dale Rackham
Ralph Vaughan
TJ Jensen
Wayne Kinsey

City Employees: Sherrie Christensen, Director of Community & Economic Development
Jenny Schow, Planner
Clint Drake, City Attorney
Terry Palmer, Mayor
Brian Bloemen, City Engineer
Jo Hamblin, Deputy Fire Chief

Excused:

City Council: Craig Johnson

Visitors:

Gary Pratt	Becky Sloan	Jim Sloan
Craig Wilson	Troop 339	Ken Pierce
Janice Pierce	Williams E. West	Karen West
Dave Crawford	Brooke Crawford	Chuck Raymond
Chuck Raymond	Stan Yamore	Alex Blade
Travis Hills	Jacob Briggs	Neal Briggs
Nick Mingo	Stephen Rackizza	Ray Zaugg
Pat Zaugg	Colby Bond	Patrick Scott
Jason Nelsen		

1. Meeting Called to Order

6:03:34 PM

- a. **Invocation or Thought** – Commissioner Bodrero
- b. **Pledge of Allegiance** – Troop 339 (Andrew Peterson, Brice Erickson, Jake Mannen, Bryce & Speth Candenloyd, Ian Fisher, Christian Martin, Isaac Standford)
- c. **Adoption of Meeting Agenda** – Commissioner McCuiston

Commissioner Jensen stated the city council formally asked the planning commission committee to review alternatives for the West Davis Corridor. Councilman Duncan wanted to see some discussion about the shared solution. He stated they would like to change the PRD ordinance, strike all references to anything above title 8, and see a recommendation from the planning commission for that as well.

MOTION TO ADOPT THE AGENDA WITH TWO CHANGES, ONE TO HAVE WORK SESSION HELD IN THE SAME ROOM AS THE REGULAR MEETING, AND TWO, THAT PUBLIC COMMENT BE ADDED IMMEDIATELY AFTER ITEM 2, WITH A LIMIT OF 3 MINUTES BY COMMISSIONER JENSEN. MOTION SECONDED BY COMMISSIONER VAUGHAN. ALL IN FAVOR WITH NO OPPOSED. MOTION CARRIED.

2. Meeting Minute

February 18, 2014 Regular Meeting

6:09:40 PM

Commissioner Jensen requested a correction be made to include he recused himself for item 4 and item 5.

MOTION TO APPROVE REGULAR MEETING MINUTES FOR FEBRUARY 18, 2014, AS AMENDED BY COMMISSIONER JENSEN. SECONDED BY COMMISSIONER GREESON. ALL IN FAVOR, WITH NO OPPOSED. MOTION PASSED.

Chairman McCuiston invited the public to speak, but to limit their comments to 3 minutes. No comments were made by the public. Chairman McCuiston closed public comments.

3. Public Hearing, Home Occupation request from Becky Sloan for a tumbling studio located at 1476 S. Evalin Cir, R-3 Residential Zone.

6:11:00PM

Planner Schow stated the applicant previously operated a tumbling studio from this residence for 9 years. When her clientele increased she moved her business to a commercial location where she has been operating for the last 8 years. The applicant would like to downsize and has requested a permit to move the studio back into her home. She stated the code does

not have specific regulations for tumbling studio and due to the number of classes within the week; it appeared to be a major conditional use permit. The applicant will be able to provide parking for at least 6 vehicles, and the basement has a separate entrance to the studio. She stated the area is in a cul-de-sac and is fenced with proper pavement.

Commissioner Vaughan asked if there would be more people, other than those bringing their children for tumbling, at the site. Becky Sloan, Syracuse, Utah, stated she has requested to have one employee, as an assistant, so there would be an extra car for her assistant. Commissioner Vaughan asked where the assistant would park. Ms. Sloan stated she would be happy to have the assistant park wherever the planning commission recommends. She stated there was a 6-1 ratio for the classes taught by her assistant, so she did not foresee parking being an issue. Commissioner Vaughan asked if Ms. Sloan will be bringing her home up to code with American Disabilities Act (ADA) and other requirements for compliance standards. Ms. Sloan stated she had final inspection last week, and she will have a fire inspection as soon as the chief is available. Commissioner Vaughan suggested Ms. Sloan get an attorney to make sure she is in compliance with ADA. Commissioner Jensen asked staff if they received any letters from neighbors regarding the application. Planner Schow confirmed they had not.

Gary Pratt, Syracuse, Utah, stated that ADA was never a requirement, and is for new construction. He stated because it is a private residence and not a public access that it did not apply. City Attorney Drake advised to the planning commission that they make a condition to the applicants to comply with all state and federal laws, so it would encompass all the information that may or may not apply. He advised not to get specific with any one particular federal or state law unless it had a direct bearing on the use itself. He said a property owner may find themselves in trouble if they were not in compliance with a specific state or federal requirement and if someone filed a civil action against the applicant, then there would be potential damages that could happen, which is why Commissioner Vaughan recommended the applicant speak to an attorney. Mr. Pratt stated that there was a trailer taking up parking space, and would impact parking cars on the street. Mr. Pratt reminded the planning commission that blocking sidewalks are against the code in Syracuse.

Commissioner Vaughan stated under home occupation 10-7-B-8 it states "a home occupation shall not allow employees, other than those living in the dwelling... the only exception is for 1 employee if it is a daycare facility." He stated that may be an issue. He stated this will generate greater vehicular traffic as referenced in section 9 and he is concerned about children being dropped off on the street, without being required to sign in. He supported the project, but he felt there should be some conditions placed for safety. Commissioner Jensen stated there was an exception listed in 10-7-B-8 "one additional person may be employed as a second adult for a daycare, secretary, apprentice, or assistant..." so he felt that could fall under assistant. Planner Schow stated she would consider the employee as a necessary assistant.

Chairman McCuistion stated this business had been run in this location before, although it had been a few years. Planner Schow confirmed. Chairman McCuistion asked if there were any complaints regarding parking. Planner Schow stated she was not aware of any parking complaints. Ms. Sloan stated both cars will be parked in the garage, and the trailer will be moved to another location. Ms. Sloan received a text from Paula Everett, a neighbor on the left, during the meeting stating she is in support of the applicant. Ms. Sloan showed the text to City Attorney Drake. Charlene Cardell, Syracuse, Utah, a neighbor, she stated parking has never been an issue and she was never bothered by it. Ms. Sloan stated there would be no signs on the property.

MOTION TO APPROVE MAJOR HOME OCCUPATION CONDITIONAL USE PERMIT FOR BECKY SLOAN, OVER THE TOP TUMBLING STUDIO, BY COMMISSIONER BODRERO, LOCATED AT 1476 S. EVALIN CIRCLE, SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY MUNICIPAL CODE, AND ALL STATE AND FEDERAL LAWS AND REQUIREMENTS THAT APPLY. SECONDED BY COMMISSIONER JENSEN. ALL IN FAVOR, NO OPPOSED. MOTION CARRIED.

4. Public Hearing, Rezone request from Colby Bond, KW Advisory Group, property located at approx. 750 S 2000 W. Change from A-1 Agriculture, R-1 Residential and R-2 Residential to R-3 Residential.

6:33:05PM

Planner Schow stated they were before the planning commission the previous month for general plan amendment which has been approved by the city council, so they have now returned for the rezone application. She stated they received a letter of concern regarding congestion, due to the proximity of the High School. She stated the other concern was the lot size. She stated the applicant's intent is to do single family residential with a varying lot size of 8,000 square feet to 16,680 square feet. She stated more than half of the proposed lots exceed the R-1 Residential zoning requirements. Colby Bond, Syracuse, Utah, stated the property was oddly shaped and so he asked for the R-3 zoning as a buffer zone to transition from the commercial to the R-2 Residential. Chairman McCuistion stated R-3 Residential allows for multi-family and duplexes. Commissioner Jensen asked if they could put a moratorium on duplexes until the city council acts upon the ordinance. Director Christensen stated that it was on the city council agenda March 11, 2014.

Commissioner Bodrero stated the R-3 Residential buffer made sense, but he was concerned with opening the configuration to having the option for duplexes etc. Commissioner Jensen asked if it would be possible to approve the R-3 with a condition that they meet the R-2 requirements for duplexes. City Attorney Drake stated they would not be able to do that. He reminded the planning commission that the applicant is submitting their sketch plan at this meeting as well, and there were not any duplexes on the application. Director Christensen stated you would be able to see the lot sizes with a sketch plan and once the new ordinance is drafted the minimum is 8,000 square feet for a single family dwelling that would be required to have 3,000 square feet more plus additional 20 feet of frontage on the lot to qualify for the duplex. Commissioner Bodrero asked with the application being placed tonight, would there be a timing issue of the ordinance change. Director

Christensen stated it wouldn't be an issue unless the applicant applied for a duplex and they were able to get the subdivisions developed in one week.

MOTION TO APPROVE THE REZONE REQUEST FROM COLBY BOND, KW ADVISORY GROUP, BY COMMISSIONER JENSEN, PROPERTY LOCATED AT APPROXIMATELY 750 SOUTH 2000 WEST, CHANGE FROM A-1 AGRICULTURAL, R-1 RESIDENTIAL AND R-2 RESIDENTIAL, TO R-3 RESIDENTIAL, AND FOR RECOMMENDATION TO THE CITY COUNCIL. SECONDED BY COMMISSIONER VAUGHAN. ALL IN FAVOR, NO OPPOSED, MOTION CARRIED.

5. Public Hearing, Sketch plan request from Colby Bond, KW Advisory Group, property located at approx. 750 S 2000 W. Change from A-1 Agriculture, R-1 Residential and R-2 Residential to R-3 Residential.

6:46:07PM

Planner Schow stated the property is 11.63 acres and the proposed sketch plan consists of 39 lots, meeting an overall density of 3.27 lots per acre; which is well below the R-3 zoning request. She stated the staff recommended minimizing traffic conflicts on 1000 West to move the cul-de-sac, which increased the cul-de-sac length from 500 feet to 589 feet. The increase put the cul-de-sac above the maximum, but the staff felt it would be better to go longer. Director Christensen stated there was an exception in the code for the 500 foot length and in order to recommend to the city council for the exception, the planning commission would need to conclude that the exception is necessary to maximize the approved uses for the property, allowed by zoning and general plan; the second is existing geographic barriers, or existing developments preventing a sub divider from creating a street with more than one outlet; and third is failure to create a cul-de-sac longer than 500 feet will result in islands of undeveloped property surrounded by developed property. She stated because the development of the high school, this project would qualify and the planning commission could recommend to the council to give the exception to go over 89 feet over the maximum. She stated the ordinance is in Title 8, 8.03.010 item number 12.

Colby Bond, Syracuse, Utah, stated when they went through the general plan; they followed staff recommendation to ensure better flow of traffic and safety. Commissioner Vaughan stated the fire hydrants requirement was 500 feet apart, and he wanted to ensure the applicant made provisions for including a second fire hydrant on the particular cul-de-sac. Steve Fackrell, stated as they laid out the locations of the fire hydrants in the development they reviewed the distances to ensure they met the 500 foot limitation. Mr. Fackrell stated the locations of the fire hydrants; lot line of 26 and 27, between lot 11 and 12. He stated those 2 fire hydrants would cover the cul-de-sac for the western portion of the development. He stated there is another hydrant between lots 33 and 34, as well as on 700 South on the North-East corner of the development. Commissioner Vaughan asked the developer if he would object to having another fire hydrant on Street B, closer to the end of the cul-de-sac to allow for better access for firefighters. Mr. Fackrell stated he would be happy to accommodate the Fire Marshall in terms of his preferred locations of the fire hydrants.

Commissioner Vaughan referenced a letter from a residence that commented on the amount of homes on this project then what currently exists, and asked if this drawing was essentially what they were going to move forward with. Mr. Fackrell stated it was their intention, and he stated the overall density of the project is lower than what is required in an R-2 Residential zone, so he felt they have buffered the R-2 adjacent zoning with the development as they transition into the commercial development. He felt it was a lesser per unit acre development, then what could be developed in that area. Commissioner Vaughan stated there are 17 existing lots on the south side of the project, and his project would only have 15 lots, so it would be less density to the existing property owners.

Commissioner Vaughan inquired about potential sidewalks on 700 South, with access into the school parking lot. Mr. Fackrell stated they were required to put curb, gutter, and sidewalk along the entirety of the frontage as part of the development. Commissioner Vaughan asked about a crosswalk to the high school. Mr. Fackrell stated crosswalks were a city issue. City Engineer Bloemen stated they will require the applicants to install ADA ramps, but they won't support the crosswalk there because there is one on Banbury, and they like to limit cross-walks as much as possible. Commissioner Vaughan asked how close the warrants being met for a signal device for traffic control. City Engineer Bloemen stated it was not warranted on 700 South and 1000 West, so none of the intersections in between will be warranted either. He stated with the Monterey Estates development they plan on doing road widening and having a center turn lane, which will alleviate the issues along the street. Commissioner Vaughan asked if there would be a stop sign north bound on Street A. City Engineer Bloemen confirmed there would. He clarified there will not be a stop sign on 700 South, but there will be one north-south. Commissioner Bodrero stated along the property line the buffering is less dense, and he felt the sketch transferred the density towards the commercial, which is the intent for such a zone.

Gary Pratt, Syracuse, Utah, stated in the past planning commissions discussed the length of cul-de-sacs, there would be no self-imposed exception. He stated the fact that the city flip-flopped that in asking the developer to do that becomes a self-imposed restriction on the length of the cul-de-sac, and he didn't feel that the extra length met any of the requirements that were stated. He recommended the developer change back to his original sketch. He stated there was not that much traffic, because it was not the only entrance and exit to the subdivision.

Pat Zaug, Syracuse, Utah, stated she was concerned and the road being relocated [as suggested by Gary Pratt], because it would be putting two major roads separated by a lane closely together. She felt the fire hydrants were adequately placed.

Ray Zaug, Syracuse, Utah, stated the area of the city, included this development and Monterey Estates was adding about 215 single family residential to that area of the city. He expressed concern for secondary water. He lives on 700 South, east of the high school, and he felt there is an existing problem with secondary water pressure. He stated as far as he was aware there is nothing to address increasing the height of the tank to accommodate more pressure for that area of the city.

Kent Pearce, Syracuse, Utah, stated they lived on Heritage Parkway that adjoins the development and the main entrance comes off of 700 South, and 700 South is a narrow road in bad condition. He stated when school gets out, there are children that don't pay attention to traffic and he wants to make sure the entryway is safe.

Commissioner Jensen stated a possible solution might be shortening the cul-de-sac on Street B by a lot or two and set some lots facing 700 South. He stated as far as handling traffic, however, he would like to grant the plan as presented by the developer to avoid residents backing into on-coming traffic on 700 South. He stated the cul-de-sac did not meet the radius requirements.

City Engineer Bloemen stated there is a budget opening going to council the following Tuesday, for the purpose of widening the road on the south side of 700 South between Banbury and 1525 West. He stated it will match the existing curb and gutter lines on the south side and Monterey Estates will improve the north side all the way to the city boundary. He stated it will be wider than the city standards, which will allow them to put bike lanes and a center turn lane. He stated the development will be required to match the same curb and gutter line on the south side, so they can carry the cross-section to 2000.

City Engineer Bloemen stated regarding secondary water concerns, as far as flow it will not be affected. They don't have any plans to upgrade the secondary water at this time. He stated the new development wouldn't change the flow enough to impact the current residents. He stated there is a 20 inch transmission main that runs straight through the area that comes from the Freeport Reservoir, so they won't have any flow issues. Commissioner Jensen stated the main reason they are having pressure problems is because the city was shutting off pumps, to avoid running out of water, which would drop the water pressure. He suggested having the city take a second look at the water pressure to ensure they are covered.

Commissioner Rackham stated on November 5, 2013, city staff stated Clearfield city was looking to put a light at 700 South and asked if they were still looking at doing that. Director Christensen stated Clearfield is looking at putting the light in and they have had preliminary discussions with her; they have the light and are working with the city to help with the financial support to get the light in.

Commissioner Bodrero stated the layout is optimal because Street A lines up with a cross street almost exactly with the high school, and would allow a better traffic flow. He stated he had a similar thought to Commissioner Jensen that the only other way, if they didn't make a recommendation for the exception to the cul-de-sac length, would force those 2 or 3 lots to front 700 South. This is not optimal for the lots, traffic, or pedestrian traffic. He proposed they table this item until the city council has had the opportunity to act upon the rezone; however he is not in opposition of the sketch plan, so if it is the consensus of the body to act upon tonight he would vote in favor. Mr. Bond stated they want to move as quickly as possible.

Commissioner Vaughan stated if the city council decided not to approve the zone change; it would not make a difference if they approved the sketch plan, so he didn't feel it would delay the applicant. He stated should a motion be made to approve this development there needs to be a finding that the conditions are met to qualify for allowing the additional 89 feet for the cul-de-sac extension based upon the points made by development director. He felt the conditions qualified and they would be asking for a one lot width exception to the rule. He felt there should be an additional fire hydrant for the residents in the area. He stated he would support a motion to approve this sketch plan.

Commissioner Jensen stated the fire marshal mentioned in his letter that he wanted to see a hundred foot turn off in the cul-de-sac and asked the staff if that was a requirement. Planner Schow stated the cul-de-sac needed to be wider and was in the staff report from the city engineer. City Engineer Bloemen stated it was a new standard that was adopted on February 11, 2014. Mr. Bond stated once they received the comments they updated the sketch plan. Commissioner Rackham, Commissioner Jensen, Chairman McCuiston, Commissioner Bodrero, Commissioner Kinsey, Commissioner Greeson, all agreed the sketch plan with the 89 foot exception was the safest option, and made the most sense.

MOTION TO APPROVE THE SKETCH PLAN REQUEST FROM COLBY BOND, KW ADVISORY GROUP, BY COMMISSIONER VAUGHAN, PROPERTY APPROXIMATELY LOCATED AT 750 SOUTH 2000 WEST, WITH THE CONDITION THAT THE REZONE IS APPROVED BY THE CITY COUNCIL, SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY MUNICIPAL CODE, AND WITH THE SPECIFIC FINDING THAT THE CONDITIONS THAT WERE NUMERATED BY COMMUNITY DEVELOPMENT DIRECTOR DO QUALIFY THIS CUL-DE-SAC FOR AN EXCEPTION TO THE 500 FOOT RULE.

City Attorney Drake clarified the ordinance requires a positive or negative recommendation. He stated it sounded as though Commissioner Vaughan was making a positive recommendation. Commissioner Vaughan stated it was a positive finding.

SECONDED BY COMMISSIONER JENSEN. ALL IN FAVOR, NO OPPOSED. MOTION PASSED.

6. Public Hearing, General Plan Amendment request from Gary Wright, Wright Development Group, property located at 1900 S 1000 W. Change from GC General Commercial to R-3 Residential Zone.
7:27:28PM

Planner Schow stated the general plan is currently commercial, and the applicant wishes to amend the plan for R-3 Residential Zone. The applicant indicated their intent was single family residential. She stated she hadn't received any complaints from the residents. Commissioner Jensen stated the property immediate to the south is master planned as general commercial, and asked if Planner Schow had heard anything from them. Planner Schow stated she had not.

7:31:09PM Commissioner Rackham recused himself from this item.

Gary Wright, Layton, Utah, stated they have been working with the Briggs family and they feel the highest and best use is single family residential consistent with the subdivision to the west, Antelope Run. Antelope Run is both R-3 and R-2 zone. He stated in the general plan amendment that they want to develop single family residential and in a letter addressed to the city February 18, 2014 they also stated they want the property single family residential. He stated there will not be any duplexes or twin homes, or any multiple unit, only single family residential. He felt it would be the best use to connect to the commercial area, with the nice subdivision of Antelope Run, an extension to 1000 West would be the best use. He stated as a commercial developer, respectfully they didn't feel it had any commercial potential, so they wanted the entire property as residential with a landscape buffer on 1000 West with trees and shrubs. He stated they will put a 6 foot vinyl fence on the north boundary of the property bordering the landscape and the commercial project to the north.

Commissioner Jensen asked Mr. Wright if he had spoken to the commercial property owner immediately to the south. Mr. Wright stated he had not. He stated south of the commercial property was town houses and with limited frontage on 1000 West, with 2 or 3 homes, he didn't feel it had any commercial potential even with the current zoning. Chairman McCuiston opened public hearing.

William West, Syracuse, Utah, stated he lived in the Antelope Run Subdivision and he had concerns. He stated his main concern is the traffic situation. If the project extended straight out to 1000 West, the traffic would be unsatisfactory situation. He stated 1475 is the only access that is currently in the subdivision and the traffic calming measures have been semi affective, if not ineffective. He felt speed humps were more effective than the current traffic calming measures used on 1475.

Gary Pratt, Syracuse, Utah, stated this property is next to Stoker Gardens which would make it a nonconforming approved property because it was at the time a buffer. He stated one of the reasons for the density, was it was a buffer to general commercial and had access to 1000 West. He stated that Antelope Drive only has limited numbers of access, and this would allow more traffic to flow north out of the property as a general commercial property and would be less of a traffic issue then a residential area, which would dump all the traffic out on 1000 West. He felt the traffic issue should be considered and the fact that they would lose a large portion of the general commercial in a prime area is also a concern. He agreed that when you put a nice residential area, and do it the way the applicant proposes, is diamonds for Syracuse. He would like the planning commissioners at least consider if a magnificent piece of property is turned into residential they lose it for general commercial forever. He stated the strips that are agriculture and stub roads into the other subdivisions, and he felt that it hasn't been addressed how the city would propose that on a larger scope.

Dave Crawford, Syracuse, Utah, did not want a through street to 1000 West. He wanted to make sure they reviewed the drainage issues, and not have it dumped onto a subdivision. He stated he would like to see some decent houses in the proposed subdivision, because there are some high quality houses in the area and he didn't want the values dragged down.

Britt Crawford, Syracuse, Utah, stated if that street goes straight through, there will be little kids that get killed. She stated drivers on 1475 go 40 to 45 miles per hour and if they make the street straight through, it will be horrible for the residents. She stated it will make it so residents can't go in their front yards. She suggested a park, open area, walking trail, to allow for kids to play to avoid crossing Antelope to get to a park, or go so far to the city building to get to a park. She stated there are already a lot of homes and she would like to see more open areas. She stated there were a lot of little kids in that neighborhood and she fears for their safety.

Chuck Raymond, Syracuse, Utah, stated he understands where the developer is coming from, but he is with Sister Crawford. The street was the only place for kids to play unless they had a big 4 car garage. He has traveled world-wide and other cities had many parks. He is new to the area and doesn't know where the nearest park is. He stated the land owner should explore other options, and a through street would be a mad house. He went to 1475 West the day prior and he counted 75 cars that didn't stop for the stop sign. He noticed there was a cop sitting there that finally started stopping cars. He stated the general public did not stop for stop signs, and a through street would be a safety hazard for children.

Karen West, Syracuse, Utah, stated she lives on 1950 South and the 3 way stop located at 1475 West and 1950 South, the calming measure is ineffective, because people are constantly running the stop signs. She stated if the street goes through to 1000, as said before, she felt there would be problems unless there were traffic calming measures, such as speed humps, or something to slow people down. She stated where the street ends there are a lot of kids playing in the street, and they are used to playing in the street. She suggested they turn the street. She stated 1475 West is impossible to exit west or east in the mornings and the afternoons when the school gets out. Before they put the cross-walk where it is now, they had it on the other side of 1475 West, which made it possible for cars to at least turn right. She suggested a stop light, but if the street goes straight through there will be trouble.

Commissioner Jensen commented on the cross-walk placement. He stated Utah Department of Transportation (UDOT) was the entity that decided the placement. Commissioner Bodrero stated it is a state road, so UDOT is involved in working with the school district to install, maintain, and/or modify cross-walks. On an annual basis a public school is required to submit a snap plan for a safe neighborhood access program that identifies to students and parents where the safest walking route is (every year prior to school starting). Any modifications or change in cross-walk location would be between the school and UDOT.

Commissioner Bodrero stated when new developments come in it is important to have connectivity. He stated the fire department and police department like to see as many connectivity points to access the neighborhood for emergency vehicle response time. The connectivity to 1000 West would alleviate all of that traffic going out and trying to make right or left turns. City Engineer Bloemen stated it is near impossible to head west on 1000 West because the only east-west road is on 2500 South. He stated once Harvest Point punches through Stoker Gardens there will be another east-west connection in that area, so it should alleviate some of the traffic. Commissioner Jensen stated looking at other developments along 1000 West, there are 6 or 7 locations where a road could punch through to 1000 West. He stated, when discussing Stoker Gardens, some people were driving half a mile just to exit the developments in that area, so having connectivity would help shorten those trips. He stated there are ways to slow traffic such as, winding roads, speed humps, etc. Director Christensen stated in looking at the street view for 1475 West, she believes the crosswalk is located where the sidewalk is (there is not sidewalks on both sides of the street). Commissioner Jensen asked the city what would be the feasibility of putting a sidewalk on the other side. City Engineer Bloemen stated he believed there is a sidewalk on the other side, but any concerns with the intersection with Antelope really need to be addressed with UDOT. He suggested the residents put in a request because it is better received. He stated UDOT will follow up and do a traffic study on the intersection to determine if it warrants a signal. Chairman McCuiston reiterated anyone can contact UDOT or Davis School District and file a complaint and have something done.

Commissioner Vaughan asked the city engineer next time he has a staff meeting or multi jurisdiction meeting, to pass on the comments and concerns of the citizens to the police chief, so he can determine the amount of violations, and determine a time pattern. He stated they are obviously concerned with the children and the safety of the streets. Director Christensen stated she will bring it in department meeting as well. Commissioner Jensen asked Director Christensen if it was within the planning commissioner to encourage a road design that would discourage straight through traffic. Director Christensen stated when it comes to subdivision review there are some definite things they can review in street design. She stated the street will not go directly straight across because it would be too close to the intersection with Sunset Park Villas.

Commissioner Jensen stated the bigger question is whether or not the general commercial next to the PRD will develop, because if it is then maybe it would lend the argument of not allowing the entire parcel R-3, maybe leave a strip general commercial. He stated the comments made by Gary Pratt are absolutely correct and he didn't feel there were many larger lots left. He stated the flip side is with it being as far from Antelope Drive as it is can they realistically see a big box going in there. He stated if they are going to make the area R-3 he wouldn't want to do it until they had a letter from the property owner to the south, stating they are good going residential.

Commissioner Bodrero had a similar thought of how this development would unfold with the master plan. He didn't know if it would all go commercial, but to be able to rezone it residential splits what is master planned as commercial. This would affect another property owner and their property value. He stated changing this piece would inevitably change the piece to the south, but he didn't feel the area would support a big commercial and continuation of the existing residential into additional residential would be fitting. He stated the concerns can be addressed if it goes forward, but he is concerned with what it will leave on the general plan and how it would fit for future developments.

Commissioner Vaughan agreed with the basic assessment if the general commercial lot was rotated 90 degrees and had the long-side frontage on 1000 it would be much more usable as a shopping center site, but with the current configuration it would be difficult to develop a general commercial. He stated with the traffic issues on 1475 West, they can't saddle with the solution to all of the issues. HE stated they can mitigate the developer's contribution to the area, but the solution to the problem cannot be dumped solely on top of the applicant. He stated Stoker Gardens would pose a different situation and would be a game changer regarding that property. He stated the way the city is evolving he could support the change for the general plan application amendment.

Commissioner Jensen suggested tabling the project, because he would like to hear from the property owner to the south, with a 30 day limit for them to respond. He also wants to see an evaluation to see the viability of the commercial along 1000 West. He stated he didn't like cutting off the west side of the commercial. Commissioner Vaughan argued against granting a delay on this issue. He stated all the neighbors have been noticed and they had the opportunity to respond and this will not be the last opportunity that the neighbors will be noticed in regards to the property in the future. There will be at least 2 other opportunities before the planning commission and they will also have the opportunity to speak before the city council for the zoning change and for the final on any proposed on the residential property. Commissioner Bodrero and Chairman McCuiston agreed tabling would be an undue burden on the applicant.

Mr. Wright stated in talking with staff and concerns for traffic control, he understands it is a big issue and he promises there will not be a straight street from 1950 South to 1000 West. He stated he will develop a pattern that the residents feel good about, because he agrees that a straight shot of road from Antelope Run to 1000 West, they will have a fast road. He committed that won't be an issue. He stated in regards to the commercial along 1000 West, as a commercial developer, who has done 5 major shopping centers in Davis

County, he felt that commercial along 1000 West at that location is not viable. He stated it is not viable for retail, and as a developer there is over 200 acres zoned commercial on each side of Antelope Drive on 1700 South which has a high traffic count and viability as commercial. He stated that the 200 acres must be developed before anything is even attractive.

Chairman McCuiston restated traffic calming suggestions such as, speed humps, chicanes, and low impact development methods. He stated the development of the property would impose that the property create detention basins mimicking historical flows off the property, so storm drainage should be mitigated by the development of the property. Director Christensen stated the developer has indicated in some of the detention areas he may want to improve the areas as a park, so there may be a little park included in the development.

MOVE TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE GENERAL PLAN AMENDMENT FROM, GARY WRIGHT, WRIGHT DEVELOPMENT GROUP, BY COMMISSIONER VAUGHAN, FOR PROPERTY LOCATED APPROXIMATELY 1900 SOUTH 2000 WEST FOR THE REQUESTED CHANGE FROM GENERAL COMMERCIAL TO R-3 RESIDENTIAL, SUBJECT TO ALL APPLICABLE REQUIREMENTS IN THE CITY MUNICIPAL CODES. SECONDED BY COMMISSIONER BODRERO. COMMISSIONER JENSEN VOTED NAY. COMMISSIONER VAUGHAN, COMMISSIONER BODRERO, COMMISSIONER GREESON, COMMISSIONER KINSEY, AND CHAIRMAN MCCUISTION VOTED YAY. MOTION PASSED.

Commissioner Jensen stated the reason he voted nay was to allow for more time to study the issue before forwarding to the city council to approve the project.

7.Final Plan Approval, Monterey Estates, Nick Mingo, Ivory Homes, property located at approximately 1500 W 700 S, R-3 Residential Zone. Commissioner Rackham returned.

8:19:41PM

Planner Schow stated there are 140 single family residential lots, for a total of 39.8 acres. The sketch plan was approved on November 5, 2013 by the planning commission and preliminary plan was approved on December 3, 2013. She stated staff did not see any issues.

Nick Mingo, Salt Lake City, Utah, welcomed questions. Commissioner Vaughan asked if Mr. Mingo had made any provisions for the baseball diamond in protection of the houses as far as balls flying over the fences. Commissioner Vaughan stated the High School Baseball Coach indicated that balls would fly into that area. Mr. Mingo stated he would treat the situation similar to living adjacent to a golf course. They will add a term to their purchase contract that discusses the unique circumstances. He stated the buyers didn't want to take the risk of the occasional baseball they shouldn't be purchasing one of those lots located next to the diamond. City Attorney Drake stated it was typical for builders to include an initial disclosure, and sellers will include information to buyers.

MOTION TO APPROVE THE FINAL SUBDIVISION APPLICATION FOR MONTEREY ESTATES, IVORY DEVELOPMENT, BY COMMISSIONER KINSEY, LOCATED AT APPROXIMATELY 1500 W. 700 SOUTH SUBJECT TO ALL REQUIREMENTS OF THE SYRACUSE CITY ORDINANCES AND CITY STAFF REPORTS. SECONDED BY COMMISSIONER JENSEN. ALL IN FAVOR, NO OPPOSED. MOTION PASSED.

8. Preliminary Plan Review, Irben Development, Still Water Lakes Estates, located at approximately 1500 W Gentile, R-1 Cluster Residential Zone. Commissioner Jensen recused himself from this item.

8:33:15PM

Director Christensen pulled the approved sketch plat from June 4, 2013. She identified the items that were required to be taken care of prior to the sketch plat being approved. She stated they were the resolution of the lot sizes, the set-backs, reduction of the entrances on Gentile from 3 to 2, on the eastside of the property (cottages area), and to include working with the corridor to make sure the changes were made and the West Davis Corridor was going to be located. The developer returned on August 6, 2013 with an amended sketch plat to include the minimum lot sizes.

Director Christensen stated in regards to the side-yard set-backs, the applicant was asking for smaller set-backs, and her argument was the smaller the lots get, the bigger the side set-backs should be, because it prevents them from over building the lots and gives the feeling of more space. She stated the 8 foot side set-backs were approved by the planning commission. In regards to front set-backs, they were to be reduced 15 feet to the front porch, and 20 feet to the garage door, so they not have a forward garage door and have enough room to have one car parked in the driveway on the smaller lots. She stated they had 3 entrances on Gentile and they reduced it to 2 and they worked with West Davis Corridor to identify the boundary of where the purchase property would be from UDOT (Utah Department of Transportation). She stated they had not made the deal yet, but they worked with engineering; when they returned on August 6, 2013 they had phase 8 within the boundary of the property that they would eventually sell to the West Davis Corridor and the caveat at that meeting, by Commissioner Bodrero, but Commissioner Vaughan stated it would be a condition that phase 8 may be removed from the approval, pending the sale of that property to the developer.

Director Christensen stated they received the Army Corp of Engineers letter. The phasing plan was an issue staff had because they wanted to ensure they were not driving heavy equipment through phases that were already completed. Staff worked with the applicant on a phasing plan to provide access and an easement through the UDOT property they purchased to correct that issue. Construction will now go through Gentile Street.

Director Christensen stated the roads are not owned in fee title by the county. She stated many property owners still go to the center line of the property; some of the area of the road doesn't show any ownership on the plat. She stated the applicant themselves do not own any portion of the county roads. They can't deed them to the city, or dedicate them to the city, or initiate annexation, because they are not a property owner. She has been working with the county trying to find a resolution. She stated the city would like to take ownership of those roads, because then they can dictate the improvements. She stated the county would like to give those roads, but they are unsure of the method they will use to convey the roads to the city. In the event that the road is not transferred to the city, it is a public road owned by the county. She stated they are required to give them access to that road. She stated the road will either be installed and improved to the county standard, or it will be installed and improved to the city standard. She stated she would like it improved to the city standard, because that requires curb and gutter; which is the city's purpose in wanting control of that road. Either way the applicant will have access and that will need to be done prior to final plat because they need to know how it is going to be improved, so it can be properly bonded and assure they have the funds set aside to improve.

Director Christensen addressed the list Chairman McCuiston had alluded to in the previous meetings motion. She went through the list:

- Was the Sketch Plan acted upon appropriately and approved. Yes it was. She stated some confusion came on that approval and whether or not the new code was in place. She stated if you recall they received their approval for Sketch Plan on August 6, 2013, and they subsequently applied for an amendment to their Sketch Plan. There was some debate whether the amendment made it a new application, or whether it was a continuation of the original application. The brought forth the question of whether the applicant was subject to the new code or subject to the old code. On the advice of the city attorney they determined that they were still subject to the previous code, before the changes were made. She stated the planning commission took action to deny the amendment, reverting back to the already approval that the applicant had on August 6, 2013.
- Have the conditions from Sketch Plan been met for preliminary? She stated she addressed those concerns in her staff report.
- Mosquitoes Abatement. She stated staff has requested the developer submit a plan to address how abatement will be handled for inclusion in the development agreement, and said plan should be in accord with any recommendations and requirements of the county Mosquito Abatement district. She plead present a reasonable plan pertaining to mosquitoes.
- Treatment of the water. She stated the engineering staff has determined that the water is not jurisdictional waters of the state under the state code and the previous request has been removed from his staff report.
- Additional trees being required because of the reduced lot size. She stated the amended landscape plan was submitted and it included the extra trees that Planner Schow requested and they have been drawn into scale and they are all in accordance with an improved street list. The trees will be planted at 50 feet on center, per cluster subdivision requirement. There will be 2 species of ever green trees added to the plans.
- Non climbable fence along the north side of the north lake. She stated this is something that needs to be determined and decided; and can only be decided by the planning commission. The applicant is asserting that a chain link fence is a non-climbable fence and meets the requirements. She stated the city would like to see something nicer and felt that chain link is climbable.
- The stubbing of Street B to the north property line. She stated the developer is asserting they have met the requirement of stubbing to the property of the north with the stub in the cottages area. The developers concern is in the future the property may not be developed residential, but commercial and a connection would not be necessary or desired. He further does not want cross traffic through the ski lakes area. The staff suggested a provision in the development agreement when the phase with the stub street to the county canal property line is recorded, the developer be required to place an escrow funds equivalent to 50 percent of the cost of the road and utility improvements be made on that extension. She stated at the end of the recommended period, 5 years, if that road has not been constructed or deemed necessary the funds will be released to the developer as well as any interest that accrued on the escrow during that time period. The bond would be to cross the canal (a hundred foot span).
- Letter from Davis County. She has the email from the county stating they can cross the canal with the road in the future.
- Roads of Gentile and 2000 West. She stated from the engineering report basements will not be permitted on any lots that are not connected to a land drain. The culinary and secondary mains in 2000 West have a minimum separation of 3 feet and not be under any future curb and gutter.

They need to show greater detail on the county drain crossing at Gentile Street and Davis County will then comment on improvements of Gentile Street and 2000 West.

Commissioner Brodreo asked what the requirement/probability of having both streets be stubbed. It is his opinion that the applicant only need one stub street. City Engineer Bloemen stated they were only requiring the applicant to have one stub street.

MOTION TO EXTEND THE MEETING TO 9:15PM, OR UNTIL SUCH TIME PRIOR TO THAT THIS ITEM IS HEARD AND ACTED ON, BY COMMISSISONER BODRERO. SECONDED BY COMMISSIONER VAUGHAN. COMMISSISONER RACKHAM VOTED NAY. COMMISSIONERS MCCUISTION, BODRERO, VAUGHAN, KINSEY, AND GREESON VOTED YAY. MAJORITY ACHIEVED MOTION PASSED.

Mike Thayne, Plain City, Utah, agreed with the overview provided by Director Christensen except pertaining to the bond for the crossing. He stated they will meet any required city ordinance, but he didn't feel they needed to pay for the crossing.

Commissioner Greeson stated she lives in an area where there are chain link fences, and she states they are ugly regardless of how nice you attempt to make them. She suggested inch and a quarter vinyl coded chain link, which isn't climbable and asked the applicant if he would consider something like that. Mr. Thayne stated the ordinance shows the four types of fences required: chain link, wood stock, wood rail, and vinyl. He stated the ordinance states "any residential use abutting agriculture must have a fence." Between lot 101 on the left and lot 404 on the right they put a solid vinyl fence to meet the ordinance, but the area with the chain-link fence does not apply because it is not a residential use.

Chairman McCuiston asked how the HOA (Homeowners Association) fees would be dispersed to have equitable pave for access to these agricultural and recreational areas. Mr. Thayne stated there will be two separate HOA's; one for the residential side on the right and one for the ski lakes on the left.

Mr. Thayne stated yes. He stated the entire shoreline of the south lake including the parcel on the left, is a public park; he stated while they can't get in the lake and ski they are going to enjoy the entire lake with the walking path to sit, watch, and observe. Mr. Thayne stated they would be willing to do asphalt trails.

Chairman McCuiston asked about the Mosquito Abatement and who would be responsible for the cost. Mr. Thayne stated they have done their research and met with the Mosquitoes Abatement group at Davis County. Mosquitoes require calm water and protection, so usually that protection comes from vegetation along the shorelines. They have wave action from the boats and they aren't going to have any vegetation along the shorelines, so that should not be an issue. Mr. Thayne stated they will put in their CC&R's (Covenants, Conditions, and Restrictions) and the HOA agreement that lot owners understand and accept the Mosquitoes Abatement truck would go up and down Gentile Street to spray.

Commissioner Vaughan asked if the lakes would have a rubber lined bottom on the lake. Mr. Thayne stated no, they will be sealed with a layer of clay compacted with a product called ESS13; which is a sealant. Commissioner Vaughan asked how far up above water level would the treatment go. Mr. Thayne stated it would go up the shoreline, depending on which side because of the slope, about 4 to 6 feet above the water level. Commissioner Vaughan asked how far the applicant would allow public park access to go.

Commissioner Bodrero suggested placing a rail to separate the private areas from the public walk-way. Mr. Thayne stated he would be open to that. Commissioner Bodrero didn't feel Street B should be required to extend to the property because the stubbing Street G was sufficient. He felt the cost should be the future developer, so the bonding to extend the road should not be required by the applicant.

MOTION TO EXTEND THE MEETING TO 9:30PM OR UNTIL THE ITEM IS HEARD AND VOTED ON, BY COMMISSIONER BODRERO. SECONDED BY COMMISSISONER VAUGHAN. COMMISSIONER RACKHAM VOTED NAY. COMMISSIONER MCCUISTION, BODRERO, VAUGHAN, KINSEY, AND GREESON VOTED YAY. MAJORITY ACHIEVED. MOTION PASSED.

Commissioner Rackham asked about the fire department for water rescue. Mr. Thayne stated he spoke to the Deputy Fire Chief Hamblin and he was comfortable with the 8 foot wide common area on the beach and it would be accessible anywhere from the road.

Director Christensen showed the items from the development plan with the house styles and how the homes will fit on the lots. Commissioner Rackham asked about 10.16.020 paragraph G required a clear area of 30 feet wide and shall be maintained along both sides of all streets, in a cluster subdivision for the location of utilities. He asked about the length as it appeared to be 20 feet. Director Christensen stated the code was referencing the property line. She stated it includes the 15 feet from the back of curb, so it was the 15 feet from the back of curb to back of sidewalk and then the 15 feet on the property line, and that is how the 30 feet is obtained. Commissioner Rackham asked about the 20 feet to the garage and where it would start. Director Christensen stated it would start from the property line at the back of sidewalk.

MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE PRELIMINARY SUBDIVISION APPLICATION FOR IRBEN DEVELOPMENT, STILL WATER LAKE ESTATES, BY COMMISSIONER BRODRERO, LOCATED APPROXIMATELY 1500 WEST GENTILE STREET, R-1 CLUSTER RESIDENTIAL ZONE, SUBJECT TO ALL REQUIREMENTS OF THE SYRACUSE CITY ORDINANCE, STAFF REPORTS AND THE RECOMMENDATION BY THIS BODY TO NOT REQUIRE THE BONDING OR STREET B TO EXTEND, BUT AS THE PLANS CURRENTLY SHOW WITH STREET G EXTENDED TO THE PROPERTY LINE.

Director Christensen clarified if the motion included bonding for Street G. Commissioner Bodrero stated the motion did not include any bonding. He clarified his motion, Street B does not extend through the lot, and Street G does as shown on the plans to the property line, however, no bond required. He stated if there is a future connection the cost of spanning and crossing the canal would be the requirement of the future developer. Commissioner Vaughan asked if they needed to verbalize the fence requirement in the motion. Director Christensen stated she would appreciate that and to make it clear.

MOTION AMENDED TO INCLUDE THE SPAN OF CHAIN LINK FENCE ON THE NORTH PROPERTY LINE TO BE PBC CODED, INCH AND A QUARTER MAIN MESH CHAIN LINK FENCE.

Mr. Thayne asked for clarification if he was requiring the entire fence line be non-climbable. Commissioner Vaughan confirmed. Mr. Thayne requested that rather than specifying the specific type of chain link fence, that they amend the motion to include.

MOTION AMENDED TO INCLUDE THAT THE FENCE ACROSS THE NORTHERN PROPERTY LINE BE NON CLIMABLE AS PER THE CITY ORDINANCE, AS A SUGGESTION THAT IT BE VINYL CODED OR PBC CODED FOR APPEARANCE AND DURABILITY.

MOTION AMENDED TO MOVE TO APPROVE THE PRELIMINARY SUBDIVISION WITH THE CONDITIONS AS STATED. SECONDED BY COMMISSIONER VAUGHAN. COMMISSIONER KINSEY AND COMMISSIONER RACKHAM VOTED NAY. COMMISSIONER BRODRERO, VAUGHAN, MCCUITION, AND GREESON VOTED YAY. MAJORITY ACHIEVED. MOTION PASSED.

Commissioner Jensen returned.

MOTION TO ADJOURN THE MEETING WITHOUT A WORK SESSION, BY COMMISSIONER JENSEN. ALL IN FAVOR. NO OPPOSED. MOTION PASSED.

Adjourn

Curt McCuiston

Jackie Manning, Admin Professional

Date Approved: _____