

## Minutes of the Syracuse Planning Commission Regular Meeting, June 16, 2015

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Minutes of the Regular Meeting of the Syracuse City Planning Commission held on June 16, 2015, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

**Present:**

Commission Members: TJ Jensen, Chairman  
Dale Rackham  
Curt McCuiston  
Greg Day

City Employees: Jenny Schow, Planner  
Jackie Manning, Admin Professional- arrived 7:30 PM  
Brian Bloemen, City Engineer  
Jo Hamblin, Deputy Fire Chief

City Council: Karianne Lisonbee

Excused: Noah Steele, Interim Director of Community Development  
Ralph Vaughan, Vice-Chair  
Troy Moultrie, Commissioner

Visitors:

Gary Pratt	Adam Bernard	Darcie Koski
Sharie Howes	Chris Frazier	Laura Jo Jackson
Christy Frazier	Mary Carver	Mark Carver
Robin Gumbrecht	Raymond Gumbrecht	Larry T Petersen
Gary Thompson	Diane Thompson	Jeff Bradford
Shauna Bradford	Darin Izatt	P. Jones
C. Clemmer	D. Clemmer	Charles Jefferson
Bryan Stone	Jason Steed	Jake Raymond
Jason Spafford	Wendy Spafford	Kyle Arigot
Kimberlee Arigot	Dennis Jackson	

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1. **Meeting Called to Order:**

Commissioner Rackham gave an invocation. The Pledge of Allegiance was led by Troop 61, Sheldon Mangriam. Chairman Jensen announced he will open a public hearing for item 4, and asked that any comments regarding that item be held until that item.

MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JUNE 16, 2015 MEETING, AS AMENDED BY COMMISSIONER DAY. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR; THE MOTION CARRIED.

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2. **Meeting Minutes:**

June 2, 2015 Regular Meeting

Chairman Jensen requested changes: Line 58, "private hearing" to "separate hearing".  
Line 211 "stated" to "noted"

June 2, 2015 Work Session

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COMMISSIONER MCCUITION MADE A MOTION TO TABLE REGULAR AND WORK SESSION MEETING MINUTES FOR THE JUNE 2, 2015 PLANNING COMMISSION MEETING, UNTIL NEXT REGULAR SCHEDULED MEETING [JULY 7, 2015]. COMMISSIONER DAY SECONDED THE MOTION. ALL WERE IN FAVOR; THE MOTION CARRIED.

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3. **Public Comment:** This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

Gary Pratt, Syracuse, Utah stated he was a past Planning Commissioner. He felt there was a misunderstanding of the roles of the City Council and Planning Commissioners in regards to the term conditional use. He stated conditional use is a broad spectrum term that all cities use. Some cities are more specific than others with their conditions. He stated if a property owner receives approval from the city for a building then applies for a conditional use permit, it's under certain conditions. The conditions are under the perusal of the Planning Commission, which is only a recommending body. He stated the City Council can override and change the outcome of the decision of the Planning Commission, which in the past has happened. He asked the Planning Commissioners to use their good judgment in making the decisions based on

information presented to them.

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**4. Major Conditional Use Permit: Elite Skills, Duane Koski, property located at 3242 S 750 W, R-2 Residential Zone.**

Planner Schow summarized a staff memo that explained:

Factual Summation:

Zone: R-2 Residential  
Applicant: Duane & Darcie Koski

Proposed Hours of Operation: Monday-Friday 4:00 pm-8:00 pm  
Saturday 9:00 am-6:00 pm  
Sunday 11:00 am-4:00 pm

Background:

The request for a home occupation within an existing private gym was reviewed by the Planning Commission on June 2, 2015 and tabled until June 16th, 2015 to address the following items:

1. Propose a noise reduction plan
2. Address the parking
3. Ensure proper ventilation in order to keep gym doors closed during business hours
4. Resolve the music issues
5. Address one instructor and one student at a time
6. Make corrections to their website to reflect these conditions.

Resolution:

1. The Koskis purchased a decibel meter and measured various sound levels in their gym, home and neighborhood. They submitted pictures of the meter readings and the location where the reading was measured. In addition, City staff researched standard decibel levels and found various charts that all coincided very closely. Comparative examples of noise levels can be found in the packet along with a reference to the website that it was taken from. Staff has found that the current accessory structure sufficiently reduces the basketball noise level and that it actually measured lower than typical noises found in a residential neighborhood.
2. The Koskis have started notifying their clients and trainer to use the off-street parking. In addition, they have posted a parking sign on the entrance to the gym. A photo has been included in the packet.
3. The building permit plans on file called out double bubble insulation for the sides, ends and gables of the structure. The Koskis are obtaining quotes for additional insulation. City staff included one in the packet and will put further bids in the drop box when received. City staff feels this is an unreasonable mitigation request. The Koski's have heating and cooling. There is a photo included in the packet.
4. The Koskis have agreed to turn down the music and would be happy to accommodate the neighbors as needed if a problem arises.
5. Darcie Koski already addressed this in the previous meeting. City staff feels it is not unreasonable to have 1-3 students in the gym during the proposed business hours. Swimming lessons, daycare, preschool, gymnastics studios etc. all provided in residential neighborhoods are not restricted to 1 at a time. The Koskis primary focus is one-on-one training, but as Darcie Koski mentioned in the previous meeting, they do have an occasional instance where two siblings will come for training together.
6. The Koskis have submitted a change request to their website editor and are just waiting for the work to be complete. They will notify city staff upon completion.

Additional Research

City Staff has also done some research regarding existing home occupations that have obtained a business license within an approximate two block area of the Koskis. Information regarding these businesses can be obtained through the Cities Business License Technician, Debbie Rainford. We are also working to identify whether the businesses mentioned in the resident letter are all legally permitted. We have found that at least one is not, and will reach out to the citizens to help bring them into compliance. The list is provided in the packet.

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Planner Schow invited questions from the Planning Commission. Chairman Jensen invited the applicant to comment.

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Darcie Koski, Syracuse, Utah, had nothing to add. Commissioner Rackham asked the applicant to address the changes made to the website. Mrs. Koski stated the changes relate to the trainers. She stated there are two trainers that live with the Koski's that are not listed on the website, and two trainers on the website no longer working with the Koski's. She stated the website will reflect all the trainers affiliated with the business, but only one trainer will be working at a time. She stated the training for the high school students are all off site only.

Commissioner Rackham inquired about the group sessions. Mrs. Koski stated they have had two group sessions before. One of the sessions is twins, which her son attends the training occasionally. The other group session involves neighborhood friends, usually no more than one car. These are the only group trainings for the business.

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Chairman Jensen inquired about the trainers that live with the Koski's. He asked if they paid room and board. Mrs. Koski stated they are friends and are not charged room and board fees. She stated the trainers are compensated when they train students, but they receive free room and board. Chairman Jensen inquired about the late night early morning basketball playing. Mrs. Koski stated she was told it happened one time, and she felt 2 AM was not acceptable; they have addressed it with their children and the trainers living at their home. She stated 9:30 PM is the latest acceptable time for basketball playing. Chairman Jensen asked if she would have any issues with the Planning Commissioners imposing a time restriction for the business. Mrs. Koski stated that would be acceptable.

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Chairman Jensen opened a public hearing.

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Shauna Bradford, Syracuse, Utah stated she lives west of the Koski's. She stated she appreciated the fact that someone from the Planning Commission took the time to come out to the neighborhood and see the situation. That meant a lot to her. She noted comments from the last planning commission meeting such as, one trainee and one trainer. She stated even in the ordinance it states 2 customers may come at a time. She encouraged the Planning Commissioners only allow 2 people to play at a time. She stated the decibel readings are good. She stated it's nice to compare the sounds in the neighborhood. One thing they haven't discussed is when it is the basketball, if they have both the business and the residence playing basketball, it becomes constant. She stated it is one thing to talk about a decibel for children that are playing on the trampoline, or dogs barking; both being loud. She stated it is a matter of constant playing which makes it difficult. She stated in regards to hours of operation, when there are breaks in the basketball playing it is "shear heaven." She has noted the Koski's have made a great effort in the recent weeks to turn music down. She stated that has been great. She isn't sure why it has changed so much, but she would like to think it's the Koski's being thoughtful and courteous. She expressed appreciation. She questioned whether or not Planner Schow should express her opinion and asked if that was part of her role or responsibilities for the City. She asked if any hours of operation changes had been made to the website. She assumed Darcie Koski had access to notes from the last meeting as she was required to return with certain things accomplished in a 2 week period of time. She stated the minutes are not posted until they are approved until after voted on the meeting. She mentioned this, because she feels like this would be a great business and she would really like to see the business work. She felt noise reduction is key and the Koski's are much more aware of the impact their facility and business has on neighbors and the community.

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Chairman Jensen stated as the chair it is his option to allow people to address the commission and express their opinions and in this instance he encouraged staff to express their opinion as long as they state where the opinion came from. He stated in regards to this application she [Planner Schow] is in order on that.

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Gary Pratt, Syracuse, Utah, stated he did not live in this neighborhood, but wanted to address the conditional use. He stated being on and off the Planning Commission he has addressed sound ordinances with a few developers. He stated a lawn mower is 90 decibels constant. He stated a basketball up and down a court is different, because there would be decibel spikes. He stated the sound meter would average the noise, and not account for the spike. He stated sounds that bounce off of buildings create an echo effect. He stated when this building was originally built it was for the purpose of the Koski's children and now it is a business. He noted the applicant requested a conditional use permit after already conducting business. He said the Planning Commission and City Council should take these items into consideration. He stated there is currently no penalty for an applicant to conduct business without a conditional use permit. He asked if there were conditions that needed to be met outside the scope of zoning. He invited the Planning Commissioners to consider the effect the property use has on the neighborhood. He discussed conditions and how the Planning Commission could impose them. He suggested they define the use of the building. He discussed the children that play afterhours with personal use in the gym and commented the Planning Commission would have no control over. He stated these statements were made not for or against this applicant.

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Darin Izatt, Syracuse, Utah, lives in the neighborhood of this application. He knows everyone involved in this application from both sides. He stated he was too frustrated to comment at the last meeting, but wrote a letter instead. He stated Duane Koski has worked his entire career in sales and marketing. One of his neighbors built a pool right behind him. His neighbor is a great guy. He stated last week was graduation week and people were outside until after 2 AM, with a lot of cars parked in the street. When that pool was built, he didn't think his neighbor had intentions of teaching swimming lessons. He didn't feel Duane Koski built this accessory structure with the intent of conducting a business. Duane Koski does not work in the sales world anymore, due to some unforeseen events. The accessory structure allowed Duane to create some income. He stated his son plays basketball at a very high level and has never trained there, but has played with Duane's son. He commented on the sound proofing the building provides for the accessory structure. He stated if the pool had been in doors, he would not have heard those children the week prior. The Planning Commission challenged Darci Koski the prior week to speak on her husband's behalf. He stated she was fully capable to speak on her husband's behalf. She is highly intelligent and works for one of the largest law firms in Utah, and is an athlete herself. He felt these are things that have nothing to do with the business. He felt Duane was willing to assist in the sound and follow the ordinances. He stated knows the people staying with the Koski's and they are friends. He stated the practicing will

happen in the gym whether it is a business or not. The group training stopped a couple years ago, due to the lack of parking. The group training is at Murray High School or Syracuse Recreational Center, and sometimes Layton High School. He noted that some of the pictures in the packet are church related events.

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Charles Jefferson, Syracuse, Utah stated he lives northwest of the Koski's. He believed one of the biggest issues here was the building itself, has had some effect on the neighborhood. If he were to build a building the same size it would have a negative effect with his neighbors surrounding him. When he moved into the neighborhood he didn't think he would be moving into an area with such a large recreational building. He stated over the last month the noise has been a lot quieter. He is disabled and home most of the time. He asked the Planning Commissioners to consider their thoughts if one of their neighbors built a building of this size in their neighborhood.

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Larry Peterson, Syracuse, Utah asked what recourse did other homeowners in the area have after the permit is granted. He asked what would happen if issues revert back to the way they were in regards to the noise levels and hours of operation. He stated there is nothing to stop the Koski's from doing that. He asked about enforcement of Planning Commission.

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Commissioner Day stated if the residents did not feel the conditions were being met they would be able to contact code enforcement within the city. He stated code enforcement would investigate and enforce that. Planner Schow stated the police department would help out in the situation after normal business hours.

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Chairman Jensen invited Planner Schow to discuss enforcement of conditions placed on the permit. Planner Schow stated first they would notify the applicant through ordinance enforcement and if the situation was not remedied the city has the ability to revoke the conditional use permit.

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Public hearing closed. Chairman Jensen inquired about the hours of operation. Commissioner Rackham stated the hours of operation were 9 AM to 8 PM seven days a week. Planner Schow referred to the staff report and noted the hours the applicant applied for are Monday through Friday 4 PM to 8 PM and Saturday from 9 AM to 6 PM and Sunday from 11 AM to 4 PM. Chairman Jensen noted the website indicates different hours of operations. Chairman Jensen asked if the commission felt these hours were reasonable.

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Commissioner McCuiston stated he didn't see them as being completely unreasonable. He felt he could see both sides, but trying to step outside of personal feelings and apply strictly the ordinance; he saw other businesses operating within those hours. Commissioner Rackham asked if the hours would be changed on the website. Mrs. Koski stated there were some things that needed to be changed on the website. She reminded the Planning Commission that her customer base is on average 3 customers per day, which is has been the average for approximately 2 years. She stated even if the hours are larger on Saturday and Sunday, those are just for availability for customers; they don't have people coming every hour. Chairman Jensen inquired about off-site training and asked if the hours applied to those as well. Mrs. Koski confirmed they did. Chairman Jensen stated he would like to see a difference between the onsite and offsite hours of operation. He felt the hours appeared to be reasonable.

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Chairman Jensen stated he didn't have a problem with the training of the two brothers. He welcomed questions from the commissioners. Commissioner Rackham asked if the radio was on at the normal level when Mrs. Koski did her decibel reading. Mrs. Koski stated the radio was on at a reasonable level. She stated the trainers generally don't have the radio on during instruction. With one-on-one training it would be too difficult to yell over the music. She stated if the radio is on it's due to personal use.

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Mrs. Koski stated the 4 PM to 8 PM hours of operation are generally because of the school year. With it being the summer time she stated there may be children with parent schedules that may come at 10 AM or 1 PM. She asked if it was possible to have summer hours and winter hours. Planner Schow stated if the Planning Commissioners are willing they will add it to the permit itself. Mrs. Koski stated the summer hours would be 10 AM with the last training being at 8 PM. There was a general consensus to allow the summer and winter hours.

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Chairman Jensen invited discussion regarding the insulation bids, and whether or not the hours of operation were enough to help limit the noise. Commissioner Day stated if the applicant can meet the noise requirement and monitor the noise with the decibel he didn't feel comfortable requiring the insulation.

Commissioner McCuiston agreed. He felt it would be a burden to the applicant. Commissioner Rackham asked Mrs. Koski operated the sound meter. Mrs. Koski stated it was her husband. Chairman Jensen stated as long as training goes with the proposed hours he felt it was a fair remedy.

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Commissioner Day stated he has driven by the neighborhood and he has read the minutes and he felt a lot of the issues could be rectified with a little communication. He felt a lot of the issues are outside the Planning Commissions purview. He expressed empathy with the residents, but as a Planning Commission their role isn't to fulfill peacemaker within the neighborhood; but rather to evaluate the application and compare it to the ordinances. Chairman Jensen stated he would like the motion to include hours of operation and that off street parking be provided.

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COMMISSIONER RACKHAM MADE A MOTION TO APPROVE THE MAJOR CONDITIONAL USE PERMIT, REQUESTED BY DUANE KOSKI, FOR THE HOME BUSINESS, ELITE SKILLS, LOCATED AT 3242 S 750 W, R-2 ZONE, SUBJECT TO SYRACUSE MUNICIPAL CODE, WITH THE CONDITIONS THAT THE DOORS REMAIN CLOSED DURING BUSINESS HOURS, THE HOURS AS PROPOSED, AND OFF STREET PARKING BE PROVIDED. THE MOTION WAS SECONDED BY COMMISSIONER MCCUITION. ALL WERE IN FAVOR, SO THE MOTION CARRIED.

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5. **Rezoning: A-1 Agriculture to PRD (Planned Residential Development) Q-2 LLC, property located at approximately 1600 W 1700 S.**

Planner Schow summarized a staff memo from the Community Development that explained:

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed at Jenny Schow, City Planner.

Subdivision Name:	To be determined
Location:	1600 W 1700 S
Current Zoning:	A-1 Agricultural
General Plan:	PRD Planned Residential Development
Requested Zoning:	PRD Planned Residential Development
Total Area:	6.71 Acres
Density Allowed:	40 lots

Summary:

This application is for Planned Residential Development. The adjacent property to the north is zoned R-3, the property to the south is zoned General Commercial and A-1 Agriculture. The applicant has indicated his interest in developing a retirement community. The City Council approved the General Plan Amendment and they approved the property east of Banbury Drive and gave the applicant the allowance to do another General Plan request for the west property portion. The applicant is now requesting the zone to match the General Plan. They are working with UDOT (Utah Department of Transportation) to get access onto 1700 South to allow 2 accesses into the property. There are no outstanding issues at this time.

Chairman Jensen stated he commented at the City Council meeting regarding the west property, that when the applicant would submit a plan they could review it as part of their General Plan changes. Chairman Jensen asked the applicant if they had a plan yet. The applicant was not present for this meeting.

Commissioner Rackham asked if the applicant was proposing based on the updated PRD (Planned Residential Development) standard. Planner Schow confirmed.

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Public Hearing Open.

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Gary Pratt, Syracuse, Utah stated he followed this project since the beginning. He expressed concern regarding this proposal because he felt it was excluded primarily because it didn't feel it meet PRD ordinance. He felt they should be individual building lots, because of set-backs, width of property, and Banbury Drive access. He stated the applicant owns homes along 1700 South, not including the two corner homes near Banbury Drive which gives the applicant some room for a buffer. He stated the decision to take the homes down and incorporate them in the PRD, should be part of the Planning Commission discussion for amenity sakes. He stated the other issue is Pearson Auto who has asked to expand his business and this development would block Pearson Auto from expanding. He stated it is the applicant's property, but from a long term perspective the Planning Commissioners should consider this. He stated the General Plan Subcommittee has had discussions regarding fourplexes versus duplexes. He stated Sunset Villas fourplexes were accomplished quite nicely because of their configuration, but they could also be configured differently that wouldn't be an amenity to the city. He suggested, in regards to conditional use, to require the applicant to acquire a second access to Antelope Drive, if UDOT (Utah Department of Transportation) will allow such an access. He stated in the past UDOT has not allowed accesses. He stated if the property was approved with a single access it would only be on Banbury Drive and would be very close to the intersection. He stated this property is near Banbury Subdivision and currently there is only a chain-link fence along the property line. He asked the Planning Commissioners to consider the amenities to help protect the residents of the subdivision and the view points in their back yard. He stated these points are brought up for

discussion when the site plan arrives.

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Chris Frazier, Syracuse, Utah stated he is within 300 feet of this property. He stated he served as a Planning Commissioner several years back. Based on the map he received it appears they are talking about the 10 to 12 acres just off of Banbury Drive. He stated with a PRD the applicant could put 80 plus homes in that area. He stated due to limited access that would become a safety issue. The intersection of 1700 South and Banbury Drive is notoriously bad. He stated if you sit at the intersection and look west, due to the curve in Antelope and telephone poles it makes the clear vision very difficult. He stated if they are going to entertain adding 80 to 160 cars a day onto Banbury Drive there will be a safety issue. He stated the intersection at Banbury Drive and 1500 South is another hazard area, as people run the stop signs. He stated he was nearly hit tonight on the way to the meeting. He stated he would support this project if the applicant can get a cut onto Antelope Drive. He stated the information he received today was that UDOT has not been notified at all about this property or this plan. The information came from the division manager for this area. He stated there needs to be some amenities done. The chain link fence on the back of Banbury Drive needs to be changed. He asked for landscaping and buffering as was done for the residents next to Wal Mart so they can mitigate the light and the noise for this project.

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Christy Frazier, Syracuse, Utah stated this map scares her. She stated the traffic through Banbury Drive between 6 AM and 9 AM Monday through Friday has approximately 300 cars that exit. She has 4 vehicles at her residence alone. She stated between 8:15 AM to 9:00 AM they have parents dropping off their kids at the nearby elementary school. She stated she lives on Banbury Drive, so she is intimately familiar with the traffic. At 3:15 PM and 4:00 PM Monday through Friday children are picked up from school. She stated some kindergarten pick-ups are scheduled in between. She stated this does not include the game events that start in March and end in November; football, soccer, tea-ball, baseball. She stated they almost got hit on their way to this meeting. She stated anyone who builds on the west side is crazy unless they only travel from 9:00 AM to 2:00 PM. She stated in regards to UDOT, she spoke to Keith Blader at 4:00 PM and his exact comment to her was permit application for this proposal did not sound familiar. She asked Keith if that meant he had not had a conversation with this builder, and he said not to his recollection. She stated she could not get a hold of the meeting minutes, because they are not posted. She didn't feel she had been informed. She stated as a citizen of Syracuse that was a disservice to her. She stated when she has minutes at her meeting they are required within 24 hours to have them out for the teachers to read as well as parents. She suggested it should be the same for Syracuse. She stated this is a huge safety issue, not just for the kids and the Jr. High students, but as a citizen and a parent who lives in the neighborhood and sees the reality of the neighborhood. She asked the Planning Commissioners to take all these into account when making their decision. She invited the Planning Commissioners to come between the times she related to see for themselves.

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Mary Carver, Syracuse, Utah, stated the traffic is her primary concern. She mentioned the ball games throughout the weekends as well as the skateboard park that is active with teenagers. She stated Heritage Days are coming up with most of the activities being at Founders Park, which adds additional traffic. She stated one access onto Banbury is not enough. She invited the Planning Commissioners to rethink the accesses.

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Ray Gumbrecht, Syracuse, Utah stated his concerns relate to fire response. Currently the subdivision does not have enough exits as it stands. He stated there is an exit west of the church house and one on Banbury Drive. He stated it did not support the surrounding subdivisions. He stated if there is another egress that is put on to Banbury it would still be illegal as it sits.

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Dave Clemmer, Syracuse, Utah stated his understanding is the proposal is for up to 8 units per acre. Chairman Jensen informed Mr. Clemmer the PRD ordinance recently changed allowing only 6 units per gross acre. Mr. Clemmer stated that made him feel a little better. He expressed concern regarding the potential of fourplexes. He stated if this is for 55 and older retired community, he wasn't sure if they would get older folks to live on an upper floor. He asked if the use was reasonable. He stated in the northwest corner of the property they are around the corner from the grade school, playground, skate park, and the younger playground. He stated there is an awful lot of traffic and foot traffic from children. As citizens they requested stop signs in at the first road on Banbury Drive and also cross walks to help with safety for the children. He stated more buildings would increase traffic. He stated it is unfortunate that the picture in the packet is so focused in; as it does not show the subdivision that extends from Antelope all the way to 700 South and hundreds of homes use Antelope to get access to Interstate 15. He stated SR-193 is about 2 miles from the subdivision, so people won't use that road unless they are heading north. He asked how are moving vans, fire trucks, RC Willey trucks, tow trucks going to get in and out. He asked what will happen to the water pressure and drainage when they bring in 80 more units. He stated this is the entrance to Syracuse. He stated when people come into Syracuse, is that really what they want along that main road? He asked the Planning Commissioners to consider quality of life. He stated the subdivision did not have multiple units like duplexes and fourplexes. He stated they are relatively decent lot sizes. The hundreds of families purchased their home because they thought they were purchasing a family subdivision. He stated the developer will make money and will leave and whatever remains and problems the development causes will no longer be their concern. He stated just because they can cram a bunch of properties onto land does not mean it should be done.

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Phillip Jones, Syracuse, Utah lives on Antelope. He stated he has been here 17 years hoping the developer, Mr. Craythorne, would do something with the property, because he purchased his home as an investment. He stated he would much rather see a PRD go into that area versus a strip mall, which 10 years down the road the economy fails and is empty like half of the commercial developments now. He felt this was the best use for what they have long term, which will keep it looking better than an empty field full of mice and snakes. He stated this would help Syracuse. He stated it is a good thing.

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A female did not state her name for the record. She stated she lived in Ruby Way in Syracuse, Utah. She stated her neighborhood is congested enough and they did not need any additional congestion. She stated she walks her dog at night and even at night people think Banbury Drive is a through way. She stated there are high schoolers flying through there. She stated 2 of her own children have received tickets for blowing past the stop signs in that area. She stated there is way too much traffic and everyone goes above 25 miles per hour. She expressed concern for safety for everyone.

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Charmaine Clemmer, Syracuse, Utah stated when they moved into the area 18 years prior there wasn't a Smith's or Wal Mart. There was a tiny general store. She stated they have had Smith's, Wal Mart, and their subdivision is sandwiched in between these two grocery stores. She has noticed a huge change and added congestion with those developments going in the area. She stated people will go to Antelope to Smith's continually and also with Wal Mart, because the access is easier from Antelope. She stated they are close to 2000 West. She stated all the businesses and strip malls that have been built in the area of the subdivision have added congestion. She stated she has heard that UDOT will not put a traffic light there. She stated she knows from experience, people will not use the access road for this development, but rather continue to use Antelope Drive. She stated it is a busy street. She is against this development because of the traffic issues and safety issues.

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Shane Howes, Syracuse, Utah lives in the Banbury Subdivision. He asked if the developer was willing to build fewer homes. He asked about alternative options they may be considering. Chairman Jensen invited Planner Schow to comment. Planner Schow stated they don't have an official concept plan proposal, but she knows their intent is for a retirement community. She stated generally those are patio homes, single level; and the applicant is looking at duplex style homes.

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Karianne Lisonbee, member of the City Council for Syracuse City, asked the maximum amount of units for this lot. Planner Schow stated the acreage is 6.7 acres with a maximum density allowed of 40 lots. She stated that would take creative planning to get to that amount.

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Public hearing closed.

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Chairman Jensen invited City Engineer Bloemen to speak. He asked the feasibility of getting an access onto Antelope Drive. City Engineer Bloemen stated that would be up to UDOT in regards to any accesses along Antelope Drive. He stated with the 500 foot maximum cul-de-sac length he didn't see how they could develop the property without the second access onto Antelope Drive. Chairman Jensen asked if they could do two accesses onto Banbury Drive. City Engineer Bloemen was unsure; without a concept plan it was difficult to speculate. There was a discussion regarding signals indicating Banbury was too close to allow for a signal.

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Commissioner Rackham stated when they first presented this application, there was a discussion to provide an access to Antelope Drive. He asked if the developer has mentioned any additional access roads. Planner Schow stated the applicant is working with UDOT currently to get access granted from 1700 South. He stated he is attempting to go close to Pearson Auto, but that will be dictated by UDOT. Chairman Jensen inquired as to whom the applicant was working with as a few of the residents commented they were in discussion with UDOT and no access had been discussed as of yet. Planner Schow stated she trusts Mr. Craythorne is working with UDOT. She stated the city will require something in writing from UDOT following a concept plan review. It will have to be addressed before the applicant can turn in their preliminary application.

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Commissioner McCuiston asked for the zoning on the general plan for the area. Planner Schow stated the General Plan was changed to PRD for this property. She stated south of the property is general commercial zone. Chairman Jensen inquired about the property to the west. Planner Schow stated she did not recall. Commissioner McCuiston asked the maximum allowed density for R-3 Residential zone. Planner Schow stated it is 5.44 units for R-3 zone. Commissioner McCuiston stated for R-3 zone 35 houses could be built on this property and 40 homes are being requested for PRD. Planner Schow confirmed that 40 units is the maximum allowance, but not necessarily what the applicant is requesting. Commissioner McCuiston commented on the open space requirements and noted that the R-3 zone would be very similar to this PRD zone in regards to density. Planner Schow confirmed.

Chairman Jensen clarified the new PRD zoning is 6 units per gross acre and the R-3 is 5.44 net, which works out to

4.356 gross per net acre. Commissioner McCuiston stated in regards to congestion and safety, if there were not enough accesses previously he didn't know how the developer could fix that at this point other than get the access onto Antelope Drive. He stated the property will not stay agricultural forever, as empty lots will develop. He stated at least with PRD they have a lot of resources and restrictions on the look and feel of the property, the uses, and a lot of the amenities. He felt it was a better deal to have a PRD, in some cases, than an R-3 zone.

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Commissioner Day stated he felt this property was an excellent candidate for PRD. He felt it is what the down town Syracuse area needs. He recommended noting the concerns of the citizens made regarding traffic and worth a traffic study. He stated people running stop signs is more of a code enforcement issue. He stated throughout this process they need to pay special attention to the traffic issues. They can only allow so many homes on a single access anyway, so it will be a self-correcting issue. He stated this property is not a good candidate for commercial. He felt this would help some of the enterprises in the down town area.

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Chairman Jensen invited City Engineer Bloemen to comment regarding the city's plan for congestion for this area. City Engineer Bloemen stated the city currently do not have any plans to widen Banbury or to add lanes. He stated Banbury Drive is meant to be a subdivision collector, built to the minor collector cross sections; meant to carry the high traffic volumes and funnel people out of the subdivision. He stated UDOT will require the developer to do a traffic study when they tie into Antelope Drive and he will ensure they include Banbury Drive in their study, which will allow evaluation for traffic to improve flow. Chairman Jensen inquired about future roads within that area. City Engineer Bloemen stated the only road he can think of is Laurelwood. He stated that would only improve connectivity east to west.

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Chairman Jensen stated there were a few reasons they recommended the zone change from commercial to PRD. He stated the first being they were advised by multiple people in real estate that it is not an ideal place for commercial. He stated if someone had put a box store there it would have generated more traffic versus the PRD that is proposed. He stated people in a retirement community are a little less active with the transportation than a typical family. He felt this would be more conducive than having an R-3 residential. He discussed the impact of the potential for 40 homes and stated he was unsure if they could put a condition on the approval that would require an access on Antelope Drive.

Chairman Jensen stated they do require 2 egresses per ordinance, so ideally is the developer acquires the egress from Antelope Drive.

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COMMISSIONER MCCUISTION MADE A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE REZONE, A-1 AGRICULTURE TO PRD (PLANNED RESIDENTIAL DEVELOPMENT), REQUESTED BY Q-2 LLC, PROPERTY LOCATED AT APPROXIMATELY 1600 W 1700 S; SUBJECT TO ALL THE CITIES MUNICIPAL CODES. THE MOTION WAS SECONDED BY COMMISSIONER DAY. COMMISSIONERS JENSEN, MCCUISTION, AND DAY VOTED IN FAVOR. COMMISSIONER RACKHAM VOTED IN OPPOSITION. THE MOTION CARRIED WITH A MAJORITY VOTE.

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6. **Code Amendment:** Title 10 pertaining to accessory structures.

Planner Schow summarized a staff memo from the Community Development Department that explained:

Public Meeting Outline

Planning Commission Discussions

February 17, 2015

March 17, 2015

April 7, 2015

April 21, 2015 - made motion to forward to City Council

City Council

May 12 - tabled for additional discussion

May 26, 2015 - additional discussion during work session.

Summary

The Planning Commission has conducted a review of the accessory structure ordinance in Title X of the City Code.

The following is a summary of the changes:

Clarify confusing language throughout

Remove the fencing requirement

Change the setback requirements

Change the allowed height requirements

Change the pool/hot tub requirements

Chairman Jensen inquired why the accessory structure discussion returned to the Planning Commission. Planner Schow stated the noticing did not get placed in the newspaper which is the standard for Syracuse City. She stated it went in the following week due to an issue with the newspaper. She stated normally if there are no protests regarding the topic

it is OK, but city staff felt it was prudent to re-advertise and ensure all their bases are covered. She stated the City Council has reviewed the accessory structures in their work session and they are ready to act upon this.

There was a discussion regarding corner lots and accessory structures, and the proposed changes as seen in the packet. Planner Schow discussed the change of the fencing for pools. The building code requires a 4 foot fence, so the City Council changed the requirement to match building code. Chairman Jensen referred to the change for temporary pools. He stated small temporary pools in the front yard must be attended; otherwise they must be located behind a fence.

Commissioner Rackham referred to paragraph G.i.2 which calls out for "a fence less than 4 feet." He asked if they could change it to 48 inches to mirror the rest of the ordinance.

Chairman Jensen stated there were a few neighbors at the previous planning commission meeting [referring to the Duane Koski Conditional Use Permit application in the Accessory Structure] that mentioned the structures their neighbor built were close to the property line. Chairman Jensen noted under the new standards the accessory structure [belonging to the Koski's] could put the basketball court closer to the property line.

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Public Hearing Open.

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Gary Pratt, Syracuse, Utah asked about the set-back change in garages. He inquired as to which code the duplex, putting a 3 car garage behind the duplex, would apply. Planner Schow stated she is not aware and would need some time to research the structure. Mr. Pratt stated he submitted the question to Interim Director Steele who was going to forward the information to Planner Schow. Planner Schow stated the information was forwarded, but there was not contact information for Mr. Pratt. She invited Mr. Pratt to contact her regarding the building in question. He stated the code amendment is to fix set-back issues that were occurring in the city. He felt this document fixes this issue. He stated this code opens the door for sensibility. He stated the approval process is warranted.

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Public Hearing Closed.

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COMMISSIONER MCCUISTION MADE A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR TITLE 10 CODE AMENDMENTS PERTAINING TO ACCESSORY STRUCTURES, AS PROPOSED AND TO THE CONDITION THAT PARAGRAPH G.I.2 WILL REPLACE 4 FEET WITH 48 INCHES. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL VOTED IN FAVOR; THE MOTION CARRIED.

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7. **Adjourn.**

COMMISSIONER MCCUISTION MADE A MOTION TO ADJOURN INTO WORK SESSION. COMMISSIONER DAY SECONDED THE MOTION. ALL VOTED IN FAVOR; THE MOTION CARRIED.

\_\_\_\_\_  
TJ Jensen, Chairman

\_\_\_\_\_  
Jackie Manning, Admin Professional

Date Approved: \_\_\_\_\_