

Minutes of the Syracuse Planning Commission Regular Meeting, January 19, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on January 19, 2016, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Greg Day
Grant Thorson

City Employees: Noah Steele, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary

City Council: Councilman Mike Gailey
Councilman Andrea Anderson

Excused:

Visitors: Adam Bernard Paul Toniolli Frank Weiler
Gary Swartz Brianna McDaniel Leslie Morton

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1. **Meeting Called to Order:**

Commissioner Rackham provided an invocation. The Pledge of Allegiance was led Commissioner Thorson.

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Commissioner Vaughan stated items 4 & 5 will not be discussed as an official agenda item tonight there will not be a formal public hearing because unfortunately publication advance notice of this was not done in a proper fashion so they are not permitted by law to go ahead with those but because they do have people in the audience and are wanting to hear from people in case they cannot attend the next meeting when they come to those items, they will not discuss any business but are welcome to come forward and put your name and information on the record. Commissioner Jensen stated they are required to have a public hearing but does not think that necessarily precludes discussion, do not need to discuss it fully this time but if there is an applicant that is here this time that may not be able to be there next time would certainly like to hear from the applicant on those items they just can't act until they do the next public hearing. Commissioner Vaughan stated unfortunately doesn't believe they can open it as a public hearing. Commissioner Jensen stated they wouldn't open a public hearing but the applicant can still present to the Commission if they are here or have any questions or whatever. City Attorney Roberts stated it sounds like Commissioner Vaughan and Commissioner Jensen are in agreement that they would allow people to comment and doesn't think there is a disagreement between them.

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COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JANUARY 19, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER DAY. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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2. **Meeting Minutes:**

January 5, 2016 Regular Meeting & Work Session

COMMISSIONER JENSEN MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR JANUARY 5, 2016. THE MOTION WAS SECONDED BY COMMISSIONER MCCUITION. COMMISSIONER RACKHAM ABSTAINED. REMAINING COMMISSIONERS WERE IN FAVOR, 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.

None

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4. **Public Hearing – Rezone R-3 to Neighborhood Services, Paul Toniolli, property located at 1679 Marilyn Drive**

Commissioner Vaughan stated because this was not noticed correctly they will not be able to conduct business on this item but if there is anyone that would like to come forward and speak on this they would welcome the opportunity, any comments made will be attached to the minutes for this and also included in the packet for the next public hearing on February 2, 2016.

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Gary Swartz, Syracuse, lived in Syracuse for over 30 years. The lot they are talking about to rezone it to commercial, that has been residential ever since he has lived here. That is right close to a school crossing, they have a traffic problem there already. If this goes to a commercial it will make the traffic problem a lot worse than what it is right now. Wondering with all the commercial property that Syracuse has as to why they would want to rezone that to commercial, can anyone tell him that. Commissioner Vaughan stated they are not permitted to respond to any questions but please continue. Gary Swartz asked if the Mayor was seated with staff. Commissioner Vaughan stated no that is City Attorney Roberts. Gary Swartz stated he wanted to address this to each one of the Commissioners, if they had a piece of property close to their home and they rezoned it to commercial wonder how they would feel about that. The first thing he thinks it is going to do is devalue all the homes in that area and would like each one of the Commissioners to think about that if it was their circumstance and the City wanted to do that to them, would they be in favor of that, would be surprised that they would. Would like the Commission to think about the tax payers in this area and how they would feel, knows all the other neighbors in there feel the same way. He would appreciate the Commission taking a good hard look at this.

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Jonathan Darling, his house is the white roof kitty corner to that lot. Doesn't like the impact that it is going to have on their property, it is actually his dad's property but he is not here tonight but lives there with him. There is no privacy, if it was a business, there is going to be lighting involved, there is going to be parking, traffic, noise pollution. Right now thinks and get that there is business and it is good for the community and taxes and blah, blah, blah but why not turn it into like a community garden, make some goods come out of it. Turning this into a business is going to affect those houses right there and just like Gary Swartz said it is going to impact right there. You, the Commission, doesn't know where they live but it won't impact them but it will impact that neighborhood right there. He is strongly against it, there are tons of other property that is available and would really appreciate the Commissions consideration to not zone it as commercial, think there are a lot of other things they could do with it but that is another story and appreciates their time.

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Adam Maher (sp), works with First Construction and working potentially with Paul Toniolli, the potential buyer and just wanted to make some reference to some of the comments that have been made here. It is their understanding that in the master plan of the City it is master planned for commercial. Obviously with a UDOT category 5 road like what they have their, there is commercial to the east and to the west of that property, it is something that seems to be in the City's long term plan and please correct him if he is wrong, but from his conversation with staff that is what they have been told. To some of the comments they have had from the neighbors those are all very valid concerns and especially people that have lived here for a long time, he can speak from having built in Syracuse City as well that there are codes that address all those such as lighting, building standards, height restrictions, all of those things which are designed to be very sensitive to similar uses around so would politely submit that the nature of the area is clearly leading towards commercial as he said to the east and west and that the City code more than adequately protects a lot of the other surrounding uses as well. Having done projects similar to this in the past, they have run into concerns similar to this as well and just acknowledge the fact that the City development standards and codes address that and they plan to not only meet all of the codes but work very closely with City staff and the processes the City has in place to make sure that it is still harmonious like the business that is immediately to the east of that property.

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Paul Toniolli, the Veterinarian that would like to possibly move his hospital from the borders of Clearfield/Syracuse into the city of Syracuse and bring a nice substantial business to the City. Doesn't know if he needs to say anything more per se at this point but just wanted it on record that he was here and due diligence of that will be back on February 2nd as well. For the neighbors also in their concerns, they respect that 100%. He had the same concerns in his rezoning/conditional use permit with the hospital he put in Clearfield, in the strip mall that was already there, but there were concerns about animals and noise and those kinds of things and they want to be good neighbors and cognizant of that and has even talked with the neighbors that live near him that are on the border of commercial properties with their concerns of lighting and the noise ordinance and wants them also to know that as the potential business owner he is aware of those concerns and glad to have them here and have them voice their concerns. Will look to see them on the 2nd and have more of a public hearing.

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Brianna McDaniel, lives second to the end on Melanie and his father's property borders the land in question. Doesn't know that she is really opposed to business there, her concerns are the fencing that would border the business to give her dad some privacy, the lighting pollution that would go into their yard, if there is a buffer zone. The other concern is the cross walk across Antelope, sure they all know it is already a very dangerous intersection and kids walk past her house to go home every day and that is her biggest concern, so if those things can be addresses she would feel better. Doesn't have anything against the Vet, she went with her daughter to a field trip to his office and it was awesome and he was very accommodating and so her point is regarding the safety, how are cars going to get in safely without, during school traffic, that is her biggest concern.

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Commissioner Vaughan stated this item will be scheduled for February 2, 2016 all of the attendees are welcome to come back again and speak again at that time if they like, any and all of their comments will be posted in the record and will be attached to the file for them to review next week. Commissioner Jensen asked staff if they need to table this item. City Attorney Roberts stated yes, they cannot take action on it tonight because it was not properly noticed.

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COMMISSIONER JENSEN MADE A MOTION TO TABLE THE REZONE R-3 TO NEIGHBORHOOD SERVICES FOR PROPERTY LOCATED AT 1679 MARILYN DR UNTIL THE NEXT SCHEDULED MEETING ON FEBRUARY 2, 2016 WITH THE ADDITIONAL REQUEST THAT THE PUBLIC COMMENTS THAT THEY HEARD TONIGHT A SUMMARY INCLUDED IN THE PACKET FOR THE NEXT MEETING.

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Commissioner Vaughan stated he doesn't believe they need a motion because it is automatically been rescheduled. Commissioner Jensen stated the City Attorney indicated they should table it. City Attorney Roberts stated it is the same effect, procedurally doesn't think it matters how they get there.

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Commissioner Vaughan stated the motion dies for lack of a second.

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Commissioner Thorson stated he has a request for staff that Neighborhood Services allows Veterinarian style, has a minor without a conditional use and a major with a conditional use, can they get a clarification for the next meeting which the applicant intends for it to be. Planner Steele stated yes, absolutely.

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Planner Steele stated he can give more information about the proposal now or more next week. He can quickly address some of the comments as far as questions about what will happen if it does get a rezone. The property would be required to go through a site plan approval process which this project would have to have a masonry fence along with buffer landscaping around the perimeter that would, because they are right, it will have impact to the neighborhood and will add traffic and it will have cars coming in and out and so the site plan review process is meant to minimize those impacts and also wanted to clarify that this a rezone request for neighborhood services not commercial. It is an essence a commercial use but the neighborhood services zone is meant for, is really crafted for those homes that are along major arterial roads or new building construction that is less than 20,000 square feet and of a smaller nature. The purpose of the neighborhood services zone, 'the purpose of this zone is to provide for a range of opportunities specifically identified as providing local neighborhood services. Uses in this zone are not meant to have a large footprint, or be overly invasive to neighborhood uses', so this is not a Walmart or a large footprint type building that is intended here.

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5. **Public Hearing – Preliminary and Final Subdivision Plan, CVS Plaza, Boos Development, property located at 1974 W 1700 S**

Commissioner Vaughan stated as with the previous item this was not noticed correctly so they are unable to hold a formal public hearing here tonight however because some people may be unable to attend they would like to receive any comments on this issue at this particular time, so if there is anyone that would like to speak on item #5 are welcome to come forward and address the Planning Commission.

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COMMISSIONER JENSEN MADE A MOTION TO TABLE THE PRELIMINARY AND FINAL SUBDIVISION PLAN, CVS PLAZA, BOOS DEVELOPMENT, PROPERTY LOCATED AT 1974 W 1700 S UNTIL THE NEXT SCHEDULED MEETING ON FEBRUARY 2, 2016.

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6. **Adjourn**

COMMISSIONER DAY MADE A MOTION TO ADJOURN INTO WORK SESSION IN THE CHAMBERS.

Ralph Vaughan, Chairman

Stacy Adams, Commission Secretary

Date Approved: _____