

Minutes of the Syracuse Planning Commission Regular Meeting, November 1, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on November 1, 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 Chairman
Greg Day
Curt McCuiston
Gary Bingham

City Employees: Noah Steele, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary
Jo Hamblin, Deputy Fire Chief
Brian Bloemen, City Engineer

City Council: Councilman Gailey

Excused: Commissioner Thorson

Absent: Commissioner Moultrie

Visitors: TJ Jensen Tanji Johnson Dallas Johnson
Christine Jeppson Kanyon Rasmussen

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1. **Meeting Called to Order:**

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

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COMMISSIONER MCCUISTION MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR NOVEMBER 1, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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2. **Meeting Minutes:**

October 18, 2016 Regular Meeting & Work Session

COMMISSIONER MCCUISTION MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR OCTOBER 18, 2016. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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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.

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Tanji Johnson and her husband Dallas, grew up on 700 S in Syracuse, lived right next door to grandparents and they lived next door to great-great grandparents so has lived there for a long time and lots of family history on 700 South and wanted to address the Commission today about something that will be discussed in Work Session item 2c, referring to the setback on widening streets and wanted to give them her thoughts. This beautiful home is something that her and her husband moved into right when they were married, her grandmother had passed away 2 months to the day before they married and they moved into her home and now that her husband is finished with his military service at the end of 30 years they are coming full circle and returning to that home on 700 South. About 10 years ago when he was deployed to Djibouti knowing that they would take possession of this house someday she began renovating the inside and they gutted it and put a lot of money and time into it at that point, knowing that when they came back they would want to invest further into the home to make it their forever home. With the road widening it has significantly affected what they will be able to do to the front of the home. This home was built back in the 1920's by migrant farm workers, the original structure was 20x13 so it was very, very small. Her grandparents purchased the home when they were married in the 1930's and then they doubled the size of the home and then tripled it in just 2 subsequent additions but it has maintained this 900 sq. ft. total for these years and it is just not practical for any size family, let alone theirs. They have 2 children at home, one that will be with them forever and then also have grandchildren and 3 grown children so need to add onto this home to be able to make it something that they can enjoy for the rest of their lives. The issue specifically is that they would like to maintain this as a beautiful historical home and yet as it currently stands it is not very beautiful, it is very plain, there is nothing charming about it, nor is it one of those homes that would say 'don't make them like they used to anymore', because the foundation is crumbling and the structure and floor and ceiling joists are just 2x6's so they need to invest heavily in this home, which they are willing to do because it has such semimetal value to her family. To make it a historical looking home, they would like to stick with the American Craftsman architecture style and one of the features that is signature to

that style is a nice big front porch. Their current architectural plans called for an 8 foot front porch with another smaller 4 feet section for a covered staircase and with the code as it currently stands they can't add a single thing to the front of the home. Know that staff is proposing to make some changes to that code and will address that later. One of the things that she saw in an email from Planner Davies is that will be talking about reducing the setback for homes affected from road widening to 15 feet instead of the current 25 feet and that sounds really great but they took 17 feet off the front of the property which is almost the entire setback itself and then with the addition of a park strip and a sidewalk that cuts 9 feet further into their front yard area and so although the change to reduce the setback to 15 feet sounds good, when they still have to calculate that from the edge of the sidewalk it still doesn't give them the room to add on a front porch. So, would encourage them to consider either allowing them to calculate that 15 foot setback from the curb or just allow them to calculate setback from the original location of the old road which would give them plenty of room that they would need to be able to do that. The front yard as it stands at their home and many other older homes it is so laughable small at this point that the front yard just basically just needs to be done away with, the front porch with just some beautiful alternative landscaping like trees and bushes as opposed to just a tiny little lawn makes a lot more sense from a cosmetic standpoint, it would be more beautiful to their neighbors. They have these brand new subdivisions going up around them left and right and would just hate for this tiny little home to remain just obscure and tiny and very un-charming when they are willing to invest in it and if could allow them this change that would allow them to put on a nice front porch in keeping with the American Craftsman architecture that they would like to see. So just wanted to make those comments and give her thoughts on that and appreciates the Commissions time. Commissioner Vaughan stated this item is on a work session if staff could make sure have this citizen on the list for notification of anything in the future in regards to this issue. Planner Davies stated yes. Commissioner Vaughan stated would normally be noticed of this because of property being affected but this is a blanket item across the entire City may miss them on this and want to make sure are notified of any future times.

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TJ Jensen stated wanted to piggyback on the previous speaker. One thing in Syracuse City ordinance that makes situations like this so difficult is the ordinance is spelled out so tightly that even to ask for a variance from a Board of Adjustments, assuming the City gets a Board of Adjustments again or whoever would do that is next to impossible because the criteria that the Board of Adjustments looks at are so tight that essentially they very, very, very rarely give variances in the first place and so think that perhaps staff and the Planning Commission ought to look at a way to allow for situations like this one where the home wasn't in compliance but then because of circumstances beyond the home owners control it basically damages their position and not much they can do about it because this definitely in her case has obviously lowered the protentional value of the home because could either physically try to lift the home up and move it back a few feet which is tens of thousands of dollars to do and may not always work or basically ask for a change to the ordinance but if make a change in the ordinance for one person then everyone else could take a advantage of it and need to be careful about that. So, do think that that is an area of the Syracuse City ordinance is weak, there are a couple areas that are weak but that is a good one where having an chance to appeal such a thing to Planning Commission or City Council or a Board of Adjustments might not be a bad idea, so don't grant it all the time but can look at these things on a case by case basis as far as setbacks and lot widths that type of thing and basically give some ability to take case of hardships without having to make it and ordinance.

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4. **Major Conditional Use – Christine Jeppson, Dream Day Care & Preschool, property located at 4158 W 1235 S**

Planner Davies stated code requires that once a daycare has over 8 children and a second employee they are required to come before Planning Commission for a Major Conditional Use approval. The entrance to this home is along the south of the property, there is kind of a bump out there with a covered deck and underneath the deck is the entrance to the daycare. The Daycare will be in the downstairs of the home and with a second employee they can have up to 16 children and the applicant is proposing 14 children at this time. The area being used for the daycare is also under a quarter of the square footage of the home, which meets the requirements of the code. The applicant has also submitted background checks to the Business Licensing Department and meets that part of the code as well. There is also an enclosed fence the rear yard and the fence does close with a gate which is also required by code. Essentially this application does meet the code and they do have more than the required parking, have the additional employee that need and the enclosed backyard and access and are not using more than a quarter of the home.

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Commissioner Bingham asked if there was a second employee, so there will be 2. Planner Davies stated correct.

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Christine Jeppson and her sister Kanyon Rasmussen are both owners of the daycare. They actually do not live in Syracuse, it is her parents that own the home and would love to eventually open a commercial site in Syracuse and so to kind of establish their trust in the community so that families can get to know them and word of mouth they figured they would start with a home based business and move on from there and would love for the Planning Commission to approve their request. They went around and individually spoke to neighbors and were amazing and are so for it. They kind of went the extra mile because felt bad that they might be noisy during the day if they were outside playing and the neighbors are so family orientated with all their kids.

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Commissioner Vaughan asked the applicant if she lived in the house. Christine Jeppson stated no. Commissioner Vaughan asked who will be living in the house. Christine Jeppson stated her parents and her mother signed all the documentation and everything and is the owner of the property and also did background checks on her mother and father who live there and then obviously since it is their business her and Kanyon have their background checks passed too. Commissioner Vaughan stated that was going to be his next questions was whether all of them had gone through the process in case she didn't know. Christine Jeppson stated they are also in the process because they want to have a few backups just in case they are sick, don't want families to have to find alternate care so they are in the process of getting backups with fingerprints and all that done too. Commissioner Vaughan stated they are just about ready to enter winter and noticed that the entry is through the side and then walking down to the back of the house that is an awful lot of unprotected walkways, are they going to adjust for snow removal and things like that, know it is a nice concrete surface but are talking about kids and that is a long way could have awnings or umbrellas or anything like that. Christine Jeppson stated they tried to look because they know a lot of kids have animals in their homes and what they track on their shoes goes into their homes so found something called safe paw, so it actually the equivalent of making sure the walkways are clear, it melts all the ice and snow and then will be out there, have a little set up that can put umbrellas and things so that they can get from their car to the yard without getting poured on and all of that, they will be out there shoveling if they need to as well. Commissioner Vaughan asked if they had any plans to accept ADA children at their facility and the reason asks that is noticed that the downstairs bathroom the door is only 28" and has to be a larger if have someone if have someone in a wheelchair or if plan on doing that and then also the steps going down to the patio. Christine Jeppson stated they figured they would tackle that as they came up to it, they can definitely add, her father said he could build ramps if that is needed but when it comes to obviously using the restroom that would be something they would have to work out with the parents on how they allow their child to use the restroom, if they are independent or not so, right now they are still taking courses on if they are going to be able to accurately handle them and if they would be a good fit for them and us for them, but it is currently not widening or anything but it is something they can definitely look into.

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Commissioner Vaughan stated staff had mentioned that the applicant has met all the conditions that are necessary and have met all of the Syracuse conditions for this. Planner Steele stated yes, the info is also in the packet as far as what the licensing requirement are as well. Commissioner Day stated thinks this will be a great thing for the community and the applicant is really well versed and was really impressed with the applicant and thinks this will be a great thing for the City. Commissioner Vaughan stated by looking at the aerial looks like have plenty of playroom in the backyard and a lot of concrete for outside calorie burning also when the weather gets a little bit nicer.

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COMMISSIONER DAY MADE A MOTION TO APPROVE DREAM DAY CARE AND PRESCHOOL SUBJECT TO ALL SYRACUSE MUNICIPAL CODE. MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

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5. Recommendation for Sale of City Property- property located at approximately 1700 S & SR-108 (2000 W) due to UDOT road widening

Planner Steele stated they talked about this in work session at last meeting, the ordinance and procedures for Planning Commission requires that the acquisition and acceptance of land for any public property, public way, ground, place or structure, also the sale or lease of municipally owned property and the location of public buildings, parks or other open spaces are reviewed by Planning Commission so that is why this is before the Commission. This is about the 2000 West expansion. In the packet, details the purchase of City owned land and the acquisition of a perpetual utility easement and a temporary construction easement for a total of \$13,430.00. This is just south of Syracuse Elementary School and the entry towards where the Lyons Club Pavilion is in the Park. This is before the Commission for review and if see anything that is not adding up this the Commission's opportunity to make a comment. The second parcel is a temporary construction easement for \$300.00, this is on Heritage Parkway where there is a detention basin a little bit farther north on the road.

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City Attorney Roberts stated just for a little information on the first acquisition the City is still actually in negotiation with UDOT on the actual amount it may be higher than that because there is going to be some impact to the City's parking lot and just so the Commission knows that number might not be the final number ultimately but realistically this is a road widening project UDOT is going to be entitled to this land regardless of what the cost is so that is something to keep in mind. Just wanted to let the Commission know that that amount is not set in stone at this point.

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Commissioner Vaughan asked if had a sunset on the length of the easement, sometimes when dealing with the UDOT they have problems with time. City Attorney Roberts stated the utility easement is perpetual so that is going to be forever as far as the temporary construction easement, as long as the project goes they have the right to use that for construction purposes so don't recall a specific sunset provision written into that easement. Commissioner Vaughan stated so could assume that official completion of the project denotes the easement is now completed. City Attorney Roberts stated yes, once the project is done then they wouldn't have a need for it and it would be the end of the easement. Commissioner Vaughan asked the City Attorney if they need to specifically mention these individually or would a motion to cover both suffice. City Attorney Roberts stated one motion for both would be fine. Commissioner Vaughan stated he strongly supports this if don't get these don't think would get the 2000 W project finished so would be a good

idea if support it and this is a recommendation to the City Council so if can make sure that the motion is recommended to the City Council for approval.

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COMMISSIONER RACKHAM MADE A MOTION TO RECOMMEND APPROVAL OF THE SALE OF CITY LAND FOR THE WIDENING OF 2000 W AND INCLUDE THE TEMPORARY CONSTRUCTION EASMENT. THE MOTION WAS SECONDED BY COMMISISONER MCCUISTION. ALL WERE IN FAVOR. MOTION CARRIED WITH A UNAIMOUS VOTE.

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6. **Adjourn**

COMMISSIONER RACKHAM MADE A MOTION TO ADJOURN. COMMISSIONER BINGHAM SECONDED THE MOTION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY. MOVED STRAIGHT INTO WORK SESSION.

COMMISSIONER DAY MADE A MOTION TO MOVE DIRECTLY INTO WORK SESSION.

Ralph Vaughan, Chairman

Date Approved: _____

Stacy Adams, Commission Secretary