

Minutes of the Syracuse Planning Commission Regular Meeting, December 6, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on December 6, 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
Greg Day
Curt McCuiston
Grant Thorson (arrived at 624pm)
Gary Bingham

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

City Council: Councilman Gailey

Excused:

Absent: Commissioner Moultrie

Visitors: Garrett Seely Robyn Gruber Robert Gruber
Brad Dahl Trent Hartley Robert Meek
Trevor Flint Derek Terry Jeremy Moore
Johnny Corrales

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1. **Meeting Called to Order:**

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

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COMMISSIONER DAY MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR DECEMBER 6, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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2. **Meeting Minutes:**

November 1, 2016 Work Session Meeting Minutes

November 15, 2016 Regular & Work Session Meeting Minutes

COMMISSIONER MCCUITION MADE A MOTION TO APPROVE THE WORK SESSION MEETING MINUTES FOR NOVEMBER 1, 2016 AND REGULAR & WORK SESSION NOVEMBER 15, 2016 . THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. 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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None

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4. **Public Hearing, Code Amendment – Code Amendment 10.25.030 - Setbacks on Widened Streets**

Planner Davies stated as have discussed in the last couple work sessions just a result of looking at a surrounding area and seeing that many of the City's arterial roads are widening and are encroaching into the yards of the existing homes, so looking at some surrounding city's texts there are some good ways to get around having to do an official determination of legal non-conformance on a property. Because if the road widens and now the setback is shorter than what is required by the zone in the front yard then would have a non-conforming situation so in a lot of other cities they would have people come forward and say they would like to have a determination of legal non-conformity and then that would require an action by the board and in this case the Planning Commission. So basically to help avoid that in Part A proposed, 'When the area of the yard setbacks of a legally established lot are reduces as a result of a conveying land to a Federal, State or Local Government for a public purpose, such lots and yards shall be deemed to be in compliance of a minimum lot size and yard setback standards of this Title without any need for variance.', so that would apply to any yard, the front, side or rear of a property that is affected. Part B is to allow for more flexible use of these properties, as many times that the setback is reduced if it is legal non-conforming a lot of times they are essentially stuck with what they have, if they wanted to say put a porch on the front of the house where they could have been able to do that before when the

road now encroaches into their front yard as example they couldn't put a porch on or say it is a backyard maybe a deck or an addition or something, whereas previously they would have been able to do, this is an attempt to allow property owners to be able to have a little more flexibility where this is not a self-imposed issue, when widen a road this of course the State or the City or County or whoever coming in and widening that road. So, what this does is it basically makes it so that regardless of zone the front yard setback would be reduced to 15 feet where these are widened and encroaching into the setback and then for the garage would require a 20 foot minimum setback there to allow for the minimum parking space standard, which is a 9x20 foot stall so people can still park in front of garages and not encroach into the right-of-way.

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Commissioner Rackham asked is there a specific lot or development that is driving the 15 foot. Planner Davies stated the 15 foot was based on the standard that have set in other zones, that is the smallest front yard setback that currently have in the City and discussion with staff determined that is about as small as safety would allow for. Have had a person that has come forward and said they would like a smaller setback than that and essentially told them and personally from a professional standpoint that is not something feel comfortable with but it is up to the Commission if would like to reduce that setback or increase it or eliminate that section, either way. Commissioner Rackham stated the second question pertains to home owner rights, if they have over a half acre they can have a horse but if take that property and are now below a half acre do they lose that right to have horses. Planner Davies stated if they have established that use when it was conforming, when the property was the half acre and then they are under a half a half acre they can maintain that use as a legal non-conforming use but if they abandoned the use, if they moved the horses off the property for longer than a year the State Law says that legal non-conforming status would go away and couldn't reestablish that.

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Commissioner Vaughan stated this is going to be very important for them in the future are going to be having some streets put in the City by UDOT and also there is going to be a time when 2000 W from Antelope going south down to the 5 points traffic circle that will be widened probably the same as 2000 on the north end and as all know a lot of those houses are relatively close and will be very, very close as that street is widened so this is something that is going to be, although is not being looked at right now but certainly in the next few months or years this will be very important to them. Believes that this is a good compromise and thinks this will take care of the job and give the City the protection they need.

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Public Hearing opened.

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Public Hearing closed.

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Commissioner Rackham stated think the way homes are now garages forward, garage even, garages back would like to see it go to 20 feet for all, rather than 15 and 20.

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COMMISSIONER RACKHAM MADE A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL THE AMENDMENT TO ORDINANCE 10.25.030 WITH REMOVAL OF 15 FEET FOR DWELLING AND USE 20 FEET FOR ALL.

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Commissioner Day stated wanted to get the opinion of staff, they talked about 15 for a few meetings, maybe just run by staff to see if it is what are trying to accomplish. Planner Davies stated the property owner that came to them initially and was driving this change actually wanted less than the 15 feet and believe 15 feet would work for them but haven't heard back from them, sent a message to them a couple weeks ago, and haven't heard back from them. But know that 20 feet wouldn't work for what they want to do but know aren't changing this necessarily for this one person, but the 15 feet is what staff felt comfortable with as far as a small setback and technically the concern that came up is have a lot of homes that are a one plane garage and house at the same plane, in situations like that if they wanted to modify things they would have to meet these setbacks requirements which may not work for them but there are a lot of these historic homes that have detached garages in the back and so that was kind of the intent with this. Planner Steele stated some of the things they are trying to avoid and what they don't want is to create a safety risk or allow a home to come so close to an arterial road that the structure is inhabitable and the structure is devalued as well as far as property taxes go. Also if look at the common length of a vehicle is about 18 feet and so 15 feet is really, if someone is parked there assuming it is a front loaded driveway already will be blocking the sidewalk with 15 feet, 20 feet would help with that but are trying to create a minimum it can't address all of the situations, if have an assumption that it is one of the older homes with a detached garage then it is not that big of an issue because the garage is in the back. New homes that are built along an arterial are required to have turn arounds and additional setbacks, so it is just trying to respect some of those longtime residents that sometimes get impacted by road expansion projects and allow them some flexibility, so anywhere between 15 and 20 feet think staff is okay with but landed on 15 feet to give them extra flexibility. So personally, would be fine with 20 feet if that is where everyone else wants to put it because that gives it room for a vehicle in the front but as far as 15 feet goes that is okay too.

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Commissioner Vaughan asked City Attorney Roberts just for the sake of the question, a hypothetical, if they did not lower this, if did not reduce it and required something like 25 feet it mandated, it has to be in the City code at least 25 feet,

and some other entity came along and wanted to do something to a street like 2000 W and if they could not fit in an improvement on that particular street that they wanted to without going beyond into that area and cutting in, so that a resident would not be able to have a conforming driveway would any agency be obligated to buy them out for lack of a better term rather than trying to fit it in or make do. City Attorney Roberts stated in a situation where have a road widening where are reducing that setback the question of compensation is one that would have to have an appraiser look at and look at the devaluation of the property, in this case it would restrict the ability to build additional encroachments like porches or additional garages things like that but it wouldn't restrict the continued use of the property so this ordinance wouldn't necessarily impact whether they would need to purchase the entire property or not, so this essentially allows people as long as it is within whatever setback they chose to build things that would otherwise be in an appropriate setback for the zone, so are giving a little more leeway to them in light of the fact that their parcel is cut back.

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Commissioner Vaughan stated they have a motion on the floor, was there a second for that. Motion dies for a lack of a second.

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COMMISSIONER MCCUISTION MADE A MOTION TO FORWARD APPROVAL TO THE CITY COUNCIL AMENDMENT TO ORDINANCE 10.25.030 AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER DAY. COMMISSIONER RACKHAM VOTED NO. ALL OTHER COMMISSIONERS VOTED IN FAVOR. MOTION CARRIED WITH A 4/1 VOTE. (COMMISSIONER THORSON WAS NOT PRESENT FOR THIS VOTE)

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5. **Public Hearing, Site Plan - Utah Onions property located at 850 S 2000 W**

Planner Steele stated Utah Onions has submitted a site plan for the construction of a 56,000 square foot warehouse facility. Staff has reviewed their plans and have found that to the best of our knowledge that they are in compliance with City ordinances. Have taken a few phone calls from concerned residents and will remember that have recently seen a warehouse building that was built on the site earlier this year. This is one of the City's older businesses in the City, there are some things with their overall site that are a different level of construction standards so for the scope of this project and this phase is the northeastern corner of the property. It will include office buildings closer to the street and the warehouse facilities in the rear or the west. They do employ a lot of people in the City. There are 2 existing warehouse buildings on the west side. There will be some loading bays on the south side in addition to employee parking, there will be visitor parking closer to the street and ample room for maneuvering semi-trucks. Included also in the packet were staff comments and can see that they have addressed all the staff comments. Some of the concerns with the site were buffering and noise. Also, have a report that they have completed a noise study based off of some of the concerns that were brought up in the previous meetings. The study concluded that their nighttime noise levels were a little high and so the owners have been at the City building and are open to turning the fans off in the evening or some other mitigating measures that can reduce the noise at night for them and so that might be something that might be brought up by some citizens tonight and something they can discuss and may have some more information for them about the fans and noise levels in the building. In the new building think the impacts to the neighbors will be much less because the homes are to the west of their site so the new building will be buffered by the existing warehouse that have already built and will be closer to the street. They won't have any wall fans in this building, everything will be a roof top fan and told staff it is more of a mechanical unit that should have less noise and are here tonight if have questions about that. There will also be paved and asphalt area, they have worked with UDOT and have provided some documentation from UDOT that their alignment for the intersections are approved through UDOT. The Site Plan has been the Architectural Review Committee meeting, they reviewed it extensively and made some recommendations, after that meeting on the north side they did make some alterations to the building so that it has a little bit more varied facade that is visible from the street. The landscape plan they are proposing a lot of vegetation that will mask, because that north side of the warehouse will have impact to the neighboring use and so will have a lot of buffering vegetation there. They will also be trying to correct some of the impacts from that existing building that has been there for several years. So, there will be vegetation there around the existing building and continues along that whole north edge and along 2000 W there will be landscaping with the sidewalk and will have some signage for the building. Overall staff feels that this will be a good addition to the community. The architect has gone through with detailed responses to all of staff's comments and so can see that have gone through and addressed everything. Fire and Engineering has also done their reviews.

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Commissioner Vaughan asked to pull up Google Earth to see the relationship to the houses on northwest side of the proposed site.

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Commissioner Rackham stated on the site plan review, number 2 it talks about 'need letter from UDOT for both driveways' and it says 'UDOT letter is being provided by the owner' the others said it was provided, was this letter provided. Planner Steele stated yes, he received an email from Randy Jefferies saying that UDOT will actually be actually be building their driveways for them as part of the 2000 W entrance and think it is going to be a great improvement to what there is now, right now there is just kind of this, the whole thing is just gravel and so pedestrians going to school have to cross through that so it will be constrictive quite a bit and there will be sidewalk and curb and gutter and all of the landscaping so it should be a lot better for pedestrians. Commissioner Rackham stated on the Fire site plan review, number 1 talks about not needing a fence, can staff explain that. Planner Steele said so currently there is a fence required but in recent discussions about the buffer ordinance there has been some discussion about the possibility of looking of not

doing a fence there. Commissioner Rackham asked staff which part he was referring to. Planner Steele stated currently there is fencing up to the northwest corner, on the plans they met the ordinance and have the fence shown doing all the way on the north edge all the way up to the street, and staff made them include that because that is what the current ordinance states, now if the ordinance does change in the future that wouldn't require that, they would have to submit a revised site plan to come in back through to get something different. The thought process with not doing a fence on the north side is that the landscaping would be able to be seen and do better because of the light because essentially have the north side of a wall and a 6 foot fence there and would be creating a bit of a tunnel. Ultimately that would be up to the Commission and up to future review in a future site plan. Commissioner Rackham asked for them to remove it or add it. Planner Steele stated a future site plan revision to take the fence off after. Commissioner Rackham stated so right now it is on. Planner Steele stated right now it is on because it is required, now if the code changes then they could come and submit for a revised site plan application and at that time could decide if that would be advisable.

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Brad Dahl, Syracuse, with Utah Onions. To address the fan issue, they have on the sound study commented about they are looking at putting timers on the fans to turn them off at night and also looking to ramp them down to see which way is the best way to go on the existing storage that is on the northwest corner. Believe on their previous phase they went above and beyond to complete that and intend to do that with this phase also. They really need approval on this, they are under a timeline and have equipment coming and any design concerns have someone here tonight that can address those.

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Public Hearing opened.

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Matt Reid, Syracuse, lives kitty corner from Utah Onion, thanks for taking the time to talk with him. Has a lot to say but don't really know what to say. His major concerns are twofold, number 1 is the noise, they are kitty corner from the first building the northwest building. Brad mentioned they did a lot on and made a lot of compromises on the second building but the first one was the real issue for them and nothing has been done on that. The sound is still as bad as it was and Planner Steele mentioned they failed, or didn't pass the night ordinance sound, this morning he got up at 5 am and they were blaring this morning so don't know when the night starts or ends but it was certainly loud at 5 am this morning. So, sound is a real issue on the current building. Really wish that Utah Onion would do something, like would remedy that and again when that first building was being built they had no idea, they thought it was a shed like a tough shed, not this warehouse or they would have been more adamant then but even then, don't know if would have known the noise that was coming off of those and wish they would move those fans, maybe make rooftop units like sounds like they are talking about. With that said on the existing building, the new building, the proposed building is mammoth and it dwarfs the 2 that are there and those are huge. So, any kind of noise coming from those especially if it is directed towards the north think would be disruptive even though it is further away just because of the sheer size of that building. So, again hope for her noise sake that all fans truly are on the roof and then that won't affect the neighboring houses or that it is directed either 2000 W or the south where the existing building is. The other real issue that has and has talked about it quite a bit with Brad at length and knock on wood haven't had any issues, is the water coming off of the buildings, they had some neighbors about 10 years ago when Benchmark behind Utah Onions built one of their buildings they had some water that came off of one of the new buildings and went into their basement, flooded their basement and it did that until they built that curb and gutter which carried the water to that the little retention pond behind Utah Onions in the corner. So, his worry again, and even with that one building has been water because all it is, is just a slope there is no curb or gutter there is nothing other than a little embankment to keep that water from overflowing into the houses one of them which is his house and now are going to add a building three times that size that is also in line with that so will have water from all of that, basically from 2000 W all the way down will have water coming off of that in a sheer line going to that corner and somehow that water is supposed to make a 90 degree turn and go back into their property and just don't see it, don't know how that can happen and sent an email to Brad a couple days ago and haven't heard back and hopefully they are addressing that and hopefully there are drains in place, really would like to see some kind of curb and gutter, something that is more permanent than just gravel and a slope because if they do get a big rainstorm that is not going to be enough to stop that water from, don't know how many square foot, and is certainly not an engineer but do know that is a lot of water that right now is being absorbed by the ground, when that building is built it is going to be coming off in sheets and needs to be addressed. Was hoping that the new building was going to be in the property a little bit more so again it wasn't in a straight line with the existing one, that existing building is pretty close to the property line, think it is 20 feet and at one of their meetings it was kind of questioned why it was built that close to the houses and suggesting it should have been 40 feet as recall obviously can't move the one that is there but think even the new one having that in more would help again with the water coming off the building then it wouldn't have a straight line. Those are his real issues, the water and the noise both on the existing building which hasn't been addressed and any noise from the newer one added to the existing noise from the one that they already deal with.

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Commissioner Vaughan asked if he could point out on the map where his home is located. Matt Reid stated he doesn't actually border the Utah Onions property his home is a little further north but his neighbors do but he is the one that has the fan noise. Most of his neighbors don't hear it, know last time the Pages and some others and again thank Utah Onions for painting that side brown for them, but they don't hear the noise because they are on the side of it, it is the

Rogers, Heath Rogers who is a Detective for Syracuse City, he is the one that faces the fans but he is kitty corner and gets the fans as well, they are the ones that get the fan noise pretty much.

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Public hearing closed.

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Jeremy Moore, General Contractor, to address all of his concerns as far as the existing fan noise like Brad stated earlier that is in the works of being remedied right now. Either in looking at either putting in a timer or ramping them down at night so it hasn't been addressed yet but it is in the works of which one will be better for operations and to make sure are well underneath that decibel noise. As far as the water issue goes, with the design on this not sure if staff has a copy of those for utility. Planner Steele stated he did not include the grading or utility plans that in the packet. Jeremy Moore stated the way that they are actually planning on dealing with that, the existing site was using a French drain system, it is just water sheets which would eventually percolate into the ground. This new building with all the added asphalt and concrete is actually getting a storm system, a storm sewer system and all those down spouts and any water flow issues will tie directly into that. So, there won't be surface water issues like there has been in the past because it will all be tied directly to a storm drain connection so that has been gone through on the plan review on the City side as well and approved there, so that should take care of any water flow issues, even on high rain times. Commissioner Vaughan asked where that water flow will exist. Jeremy Moore stated it will actually continue through the property so all of those storm drains will tie into a couple inlets in the parking areas and will continue clear out into the French drain area on the west of the property. So, it is actually tying in those 2 existing buildings, it will take their water sheet flow and take that to the back of the property so not only is it going to take care of the new building water but it will also remediate the 2 existing buildings. Jeremy Moore stated as far as the setback goes where was talking about in line 20-40 feet there, they did look at doing that the only problem is they can't do that with traffic flow, so made sure they did it at the minimum of the 20 feet but that is why they have broken up the facade on the face of that as well as the color scheme on the building and why they proposed to come back in and possibly remove the fence later on as just to clean up that face so it doesn't look so encroaching and the landscaping will actually do its job to break up the face of the building.

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Commissioner Day stated looking at the elevations think they have done a great job with the color selection, taking in the comments from some of previous public meetings. Think they have, given the size of the building think what the public will see from 2000 W with the different pop-outs, think will be a very attractive building from 2000 W.

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Commissioner Thorson stated as Utah Onions have done these improvements the neighbors have brought up several nuisance issues with it and the bottom line is those ordinances are in place and to him they are following the ordinance, they are complying in his opinion and the future compliance with those nuisances is what is going to hold them to it, so in his mind this complies with the ordinance and their operations in the future have to as well, that is outside of their approval to him.

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COMMISSIONER DAY MADE A MOTION TO RECOMMEND APPROVAL OF THE SITE PLAN FOR UTAH ONIONS SUBJECT TO ALL THE REQUIREMENTS OF THE CITY'S MUNICIPAL CODE AND STAFF COMMENTS. THE MOTION WAS SECONDED BY COMMISSISONER MCCUISTION. ALL WERE IN FAVOR. MOTION CARRIED WITH A UNANIMOUS VOTE.

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6. Public Hearing, Code Amendment - RPC Woodside Homes Concept Plan & General Plan Map Amendment

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Commissioner Day recused himself from this item.

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Planner Steele stated this is an ongoing project of course are all familiar with have been working on it all the way from the Annexation to the creation of a new zone and to opening the General Plan. What have before them is both the Concept Plan and General Plan Map amendment for the Commissions review. The City Council has asked that a decision be made tonight whether it is positive or negative, just that there is some action tonight. On November 14th City Council chose to open the General Plan outside of open amendment period since the General Plan Map is currently closed. They felt that it had some substantial benefit for the City to review this. The new zone is called the Residential Planned Community Zone. The Commission has had the chance to review that, the City Council took the Commissions comments and some of the revisions and they did tweak them slightly and they have adopted that new zone and that is why the applicant has been able to apply for the new zone. As part of the zone the reason why are seeing Concept Plan and General Plan together, which is not the standard practice but that is the new process that is set in place to allow the City more assurances that what is shown at the General Plan stage is what is actually built because in the past there has been some concern that see a Concept Plan that is nice at a General Plan change request but maybe the property sells or something happens and then revise those plans significantly and feel like don't get what was shown to us so this basically ensures that have the ability to keep it at a Legislative decision throughout the process. Some facts about the development this is approximately 190 acres, it is on 2000 W and Gentile, west of Jensen Nature Park, the current zoning is R-1 and the new RPC Zone would allow for a density that does not exceed 4 units per acre. The proposed units are 700 units and the gross density overall is 3.7 units, because of the open space land that will be dedicated to the City, which is

50 acres. The HOA improved open space is about 5% of the developed area. So, the gross area that will be developed is 123 acres. Staff has reviewed Concept Plan and feel that they have submitted a complete application for Concept Plan. have been reviewing, at the concept level things are of course conceptual and have been reviewing things like the road patterns and the distribution of the different densities, where the HOA improved areas will be, parking ensuring that this will be a good neighborhood and making sure that the City gets what they intended with the creation of the new zone. The new zone has a lot of extra things that will come to fruition through the development agreement and through the final touches, things like architectural theme and superior architectural design that are not necessarily seeing at this stage of development. Some of the notable overall design themes that are seeing here have the proposed West Davis Corridor and in general the smaller lots or the highest density lots will be grouped along the corridor and along arterial roads with a tapering of the density out towards the south and west as get further away from those arterials. It will have a clubhouse and a trail system. The north side of the lakes will feature a trail and then their community will have a clubhouse with a pool and playground. The streets are orientated to provide equal access for these residents. Also on the east there is some open space that is planned for that particular part of the neighborhood as well. They plan on crossing the canal as have talked about in some of the previous designs. Have notified UDOT that this is within their high priority corridor and they are in contact with them to sell some of this land so that the right-of-way can be maintained. There is a future Elementary School and have worked with the School District as well to try to include them in the conversations. They just passed a bond and this school is not in that bond and so they are still a few years out but they are aware of the subdivision and are working with them closely to make sure that they are well informed and can work together. And of course, there is the 50 acre park and know that this project has been a little controversial but the City felt that the acquisition of the 50 acres for park land is beneficial. The west edge there is a proposed road of 2400 W, this road will be one of the last areas developed and City will have to work with the adjacent land owner and the City Shops and will work on designing that facility and making sure that it gets built to the City's specs but the applicant is willing to contribute their half as far as financial contribution and dedication of roadway. Also included is a roundabout that will essentially provide for east west circulation, it creates a local collector road and comes to an intersection, the smaller lots will have shared driveways. Staff has done a very thorough review and it has been an ongoing process and the applicant has been really responsive and willing to make changes to their plan as have seen things and this is a revised plan after some comments and revisions from staff. Some of the outstanding items that aren't significant for Concept Plan level is that there is a driveway that is longer than the 150 feet in the ordinance. Overall staff has done their best to make sure that this meets the new zone that was created and feels like it meets the requirements of the zone. Also, part of this approval here is the General Plan Map Amendment Approval, it is currently R-1 and the proposed is RPC.

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Commissioner Rackham stated have had residents ask him when they saw this and saw the change was coming, they wondered what it was because they couldn't find the RPC Zone on the website or the City website, was that made available. Planner Steele stated the RPC zone is at the Codifier so it hasn't made it to the Ordinance website yet but it has been in several City Council packets and Planning Commission Packets and could also add it to Dropbox. Commissioner Rackham stated that is good for the Commission but this was a resident. So, that brings up the question of should they be having a public hearing when the information was not made available to the public. Planner Steele stated staff notified for the meeting and sent notices out with staff's phone numbers and fielded some phone calls and know that it is not ideal, and don't know how many residents actually get onto the City website to look at ordinance usually will get phone calls and can explain it and share information as it comes up. City Attorney Roberts stated think the answer to that question is it is available and people who want to know could either inquire or could look at existing resources on the City's website and find it, those who are interested think could easily find it if they asked. Commissioner Thorson asked if it was online. Commissioner Rackham stated he didn't know where it was so he couldn't direct them to it and should have called staff but don't think they did and he certainly didn't. Planner Steele stated like the City Attorney stated feel like the information was available and apologize if it was confusing, it is there and it is on the City website. Commissioner Thorson asked if it is on the website with the other codes that are published. Commissioner Rackham stated no, it was not. Planner Steele stated it is on the packet for City Council. Commissioner Thorson stated so a typical resident going on the website looking for codes normally would find a City ordinance without that zone, they would look for a code published on the website but it would not include the new zone, they would have to go to a specific packet to find it. Planner Steele stated that is correct, it will be codified soon and are in the process, the City Council just barely passed it, so it is in the process of getting into there. City Attorney Roberts stated typically there is a gap between the passage of the code and when it gets codified online, but anyone that wants to see a current code can contact any of us or the City Recorder and think there is a notice on the City's website when pull up think it says this might not reflect the current code, updates are ongoing. Commissioner Vaughan stated so the short answer would be that the City has complied with making the information available to the public, and the answer to that is, yes. Planner Steele yes, sir.

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Commissioner Vaughan stated have a couple questions and not sure if is premature with the Concept Plan but at least will put it in there for the applicant to know it might be coming down the future and for staff. Noticed there are several parking areas looks like 6 additional parking areas in addition to the clubhouse there and wondering if those are going to be owned and administered by the HOA. Planner Steele stated yes, they will. Commissioner Vaughan asked if there has been any discussion at that this particular point as to any time limits on the parking or the type of vehicles that can be parked there, his concern is if people are bringing in campers or trailers that might be living in the adjacent places and they want to leave them there for 24-48-72 hours/days at a time. Planner Steele stated that is a good concern and glad brought that up, in the ordinance it requires them to have a development agreement and the development agreement will

specify some of those details into what happens in the HOA maintained spaces and that is something can add, know the applicant has asked about storage units in general and have even kicked around the idea of possibly constructing one but obviously that is not part of this application but as far as long term storage wouldn't want to see that in those spots want to see those available for the residents and their guests. Commissioner Vaughan stated at this particular point and time are there any requirements for fencing in the areas adjacent to the lower left hand corner. Planner Steele stated the south and the west, anything except for that north edge of the City Park won't have any fencing on it because that would be the City park. Commissioner Vaughan stated also does staff know at this point and might be a bit premature as to whether or not with that being an Elementary School is assuming they would put their buildings closer to the traffic circle rather than to the far west and far south of the lot as to whether or not there would be any proposed sharing of school playgrounds with that City Park area. Planner Steele stated that is the intent absolutely, would love to work with the School District and similar to what see in other Parks in the City that are adjacent to schools think it is a symbiotic relationship where they can efficiently build that resource for the City. Don't know exactly how the building will be placed yet, they have told staff that it will be similar to Kays Creek Elementary in Kaysville, it is a 2-story model is one that they are building a lot of but don't know exactly what they will build or how it will be laid out quite yet but have had preliminary conversations about wanting to share the playground and parking, think it would be good. Commissioner Vaughan stated his final question, at this point mentioned earlier in staff's opinion this meets all of the requirements of the new RPC zone. Planner Steele stated yes, sir.

[7:00:39 PM](#)

Commissioner McCuiston stated he likes the roundabout idea especially in front of an Elementary school it limits the conflicts to just one direction and is usually a lot more safe but have noticed that a lot of the roundabouts or oblongabouts or circles that have in the City are poorly designed in his opinion and allow traffic to proceed through them at speed, so hope that due diligence is put on this and that an engineer is chosen that is actually capable of actually designing and has experience in designing a traffic circle and not just someone that can draw a circle on a map. There is a lot that goes into these things that makes sure that traffic cannot enter them going faster than 15-20 mph and yet like the oblongabout on 2700 S have about got run over many times by people going through there about 40 mph so being in front of an Elementary School hope they put the effort into the design but is a fan of them and think they work very well. Would also make the suggestion that a traffic analysis be done to make sure that this can handle the amount of trips that it will see from all of these high density residential. Planner Steele stated appreciates his expertise and knows he has a lot of expertise in the engineering field so those are all good comments. It has been an ongoing relationship with finding things with the plan and trying to help them revise it and fine tune it and they have provided a traffic study that is required at preliminary, and so do have that already and the executive summary says that the proposed facility should be able to accommodate the 700 units, they did have some concerns with that about roundabout that was mentioned on Bluff and 2000 W once it is built out but that is something that is in preliminary that will be included along with a wetland delineation study available also and is happy to share all of those with the Commission.

[7:02:54 PM](#)

Garrett Seely, Woodside Homes based out of Salt Lake City, Planner Steele has done a fantastic job of explaining exactly what is going on. Do have the same concerns about the roundabout and will make sure that the engineer selected will design it correctly, he has done a great job so far and are happy with his work. To answer the question about overnight parking in the parking lots, the CCR's that they will provide and the HOA that they will enforce as have done in other subdivision throughout the County, is that they will make sure that there is a 2 day limit on parking. They make sure and enforce that strictly because they don't want the same thing, they don't want RV's parked there or broke down cars or people using that instead of their garages for long term parking, so the enforcement theta they have with the HOA company is that the garages are used for the residents and the parking is used for visitors only and they enforce that strictly. Will wait for public comment and can answer questions after public comments if needed.

[7:04:52 PM](#)

Public Hearing opened.

[7:04:59 PM](#)

Robin Gruber, Syracuse, lives there on 3138 S that has the horses. Is there going to be a fence there so these people don't get into her property and are they going to kick her out because her horses are dusty and everything else. They do roping and have cattle and everything out there and don't want to be kicked out because have a whole bunch of houses coming in. Also on the roundabouts, hate the roundabout on 2700 S, hate that, but if make the roundabout any smaller won't be able to get in and out, haul a 40 foot horse trailer, can't make them too small because they will never get in and out of their place. Agree with the Commissioner, hate that corner, have gotten hit there, and hate it because people don't pay attention. But for her to pull a 40 foot horse trailer around that corner it is a pain. Need to take into consideration the property around, they do have animals and hope that will take into consideration. Came tonight to see what was going on because did receive a letter that stated that this was happening and that is why is here, has animals there and has been there for 20 years and if these people are coming and don't like animals and has seen them, they don't like the smell they will force them out and doesn't want that because enjoy living in Syracuse. Thank you.

[7:07:15 PM](#)

Public hearing closed.

[7:07:23 PM](#)

Garrett Seely stated he does agree with her and there will be a fence around perimeter of their property per City ordinance and code so they do plan on putting that in. believe could put something on the plat that states that the

surrounding uses of Agriculture and other activities is perfectly fine with that. Commissioner Vaughan asked if he has had a chance to meet with the last speaker on a prior occasion. Garrett Seely stated no, but is happy to and will afterwards.

[7:07:58 PM](#)

City Attorney Roberts stated is happy to briefly address the question of can she continue to use her property as she is using it, yes. It will still remain zoned and won't affect her zoning or any of the uses on her property so anything she is established as a use she can keep doing, this doesn't impact that and are well aware that the Agriculture uses were there first.

[7:08:30 PM](#)

Commissioner Vaughan asked staff about the roundabout, it is not carved in stone, in fact initially addressed it as a traffic circle because is thought he would prefer to have a stop sign at that lower SW corner, if are proceeding east and then going right down that street think it should be a stop sign with the adjacent, there are going to be crosswalks there and is a lot easier for crossing guards to stop traffic when there is already a stop sign as opposed to a roundabout. In a roundabout, people coming and doing a 270 degree turn don't have much change to see if there are children in a crosswalk or a crossing guard and that is why a stop sign might be appropriate and one stop sign changes a designation from roundabout to a traffic circle.

[7:09:49 PM](#)

Brian Bloemen City Engineer, stated they have already had some discussion with Woodside about that traffic circle or roundabout and is not happy with the way the east leg is coming into the alignment. Are not going to allow that free right turn either, due to pedestrian conflicts and the school right there, it is just too dangerous. So, they have discussed kind of modifying the alignment of that and are not going to accept one of the mini roundabouts like have in front of City Hall either, can't fit a fire apparatus around there or a horse trailer. So, it is going to be built to the 120 foot radius that have at 1000 W and 2700 S or 700 S and 3000 W, it is going to be a good size roundabout to handle truck traffic and buses and fire apparatus and are working on and discussing with Woodside about improving that east leg and like Commissioner McCuistion brought up trying to impede the traffic flow coming in there to force vehicles to slow down. Commissioner Thorson stated this north south road with the roundabout it is a planned interchange on the West Davis Corridor and within a half mile are obstructing it as being a collector is there a reason they want a roundabout. City Engineer Bloemen stated it will improve traffic flow. Commissioner Thorson stated for north, south it won't because if it is a collector, what's the plan for the City. City Engineer Bloemen stated it will keep traffic moving, it is actually probably the best thing there to produce queuing, especially with that school there are going to get super high concentrations when school lets out and are not going to see a whole lot of southbound traffic past West Davis, anybody coming up Gentile isn't going to use Gentile anymore they are going to take West Davis and get off at 3700 W in Layton or get off at 2000 W or keep going through. So really the only southbound movement off West Davis are going to be for this local area or the park. The major increases in traffic are actually going to be heading northbound out of that interchange. The traffic volumes on Gentile actually will reduce once West Davis comes through just because of the majority of the through traffic is for Gentile taking Bluff all the way through the City all the way through the City up into West Point and Hooper and all that so once West Davis comes through are going to take West Davis just because it is going to be a faster alternative.

[7:13:24 PM](#)

Pablo Carbajal, Syracuse, used to be an Architect for 10 years back east and something in terms of a roundabout where the speed is an issue haven't heard it mentioned and can't tell from the map but changing the texture of the road, not just in the roundabout but also a few feet into the approach makes people aware whether it is stamped concrete or some type of cultured cobblestone, it does help reduce the speed instead of it just being all one surface so that might be something to consider.

[7:14:14 PM](#)

Public hearing closed.

[7:14:35 PM](#)

Commissioner Thorson stated no comments. Commissioner Bingham stated no comments. Commissioner Rackham stated on the project itself, it goes back to the zoning and just has concern that there was a lot of time put into a Master Plan for what the residents would like to see and don't see this complying well with the master Plan, somewhat but not, some areas it does and some areas it doesn't so that is his concern and also has a concern with putting a school at the corner right there. Commissioner McCuistion stated from his point of view it is in the proper place with the densities up against the freeway corridor what would expect them to be, did some work back east too on some Master Plan developments and also here and the use of chicanes and other things can regulate traffic flow, concrete or different textures, traffic pillows or raisings can take care of certain things, mid islands, there are lots of ways to build these so that traffic is not a problem. Think the roundabout in front of the Elementary school probably improve conditions there and it seems to match the code they can check at this point so think it looks like a good addition to City. Commissioner Vaughan stated his thoughts on this and began this as soon as Planner Steele finished his presentation and asked staff directly if this project complies with new RPC code and the answer was yes. At that particular point, they know that this code was crafted by the Commission at the request of the City Council. They spent a lot of time on it, they discussed the impact that it had to the overall City Master Plan so they know how that went. They did submit a proposal to the City Council that was approved by all of the Planning Commission and the City Council received that and discussed that and kept virtually all of it but changed a few things which was certainly within their purview and then approved that and then have now adopted that new RPC zone and this is the first project to come underneath that PRC zone and with staff saying that this does meet all the RPC requirements, sure there are some minor tweaking that has to go forward but that can be taken care of,

have brought up a couple points tonight that know that the City Council and staff and applicant will be working on. So, at this particular point if it does comply with the new zone, think it is up to the Commission to send back to the City Council with an approval.

[7:17:48 PM](#)

Commissioner Thorson stated he has some questions on that and maybe the City Attorney can help them. They are doing 2 things here, they are recommending a change to General Plan and they are approving a Concept Plan, is it 2 separate things. City Attorney Roberts stated it is considered concurrently, so really the Concept Plan there is not an approval of it, it is a Concept Plan review so giving input, under the code it is essentially just a chance to identify things that are of concern that can be addressed before they bring a Preliminary plat for review. So, the main thing are voting on is General Plan Map Amendment, yes or no and then just providing input, so if there are specific things that would like to put in a motion, like them to pay attention to A, B or C could do that as well as part of the Concept Plan. So, could either have a motion where they are considered together or could or them separate but just need to be considered today. Commissioner Thorson stated the reason he asked is the Chairman made a statement that if it complies then ought to approve it but that is not the case in his mind, this is a general Plan change or a recommendation for the General Plan change and so there is an element of is this what they think the City should be in addition to does the Concept Plan comply with the code, is that correct. City Attorney Roberts stated yes, a General Plan Map Amendment is a Legislative decision as long as it is a reasonably debatable decision then can vote how feel, whether this is something that should approve or not. But the fact that it meets the new RPC zone isn't the only consideration it is all of the facts that have had and opinion.

[7:19:38 PM](#)

Commissioner Rackham stated wanted to make the comment that knows staff made the comment that it was posted properly but is not sure he concurs with that and so is going to abstain from voting. Commissioner Thorson stated he wants to do the same and abstain, is just not sure that the requirements of the deadline, the requirements of noticing, the way that the RPC zone got created, was fast tracked and kind of published but not accessible to public and will abstain as well.

[7:20:38 PM](#)

Commissioner Vaughan stated recognize that they have 5 Commissioners on the stand with 2 abstaining that leaves 3 remaining and the question remains if all of those remaining members voted the same, would that be a legal vote for either approval or denial of this particular project, his thinking it would be if it was a 3 unanimous, because that would be a majority of the members on the stand. Planner Steele stated the City Attorney is checking the Bylaws to confirm but believes yes, there is a quorum. Planner Steele stated he will address the concerns about the noticing, have followed all noticing requirements but the State and per the Ordinance have sent notices but understand what said that felt like the zone wasn't accessible but are not voting on the ordinance per se are voting on what it will be changed to and is happy to share that, it is not a secret by any means, but all the information has been posted publicly and notices have been sent out and there has been signs on the property and has been in the newspaper and is confident to say that it has been noticed properly. City Attorney Roberts under the City Code need 4 members to support an action or vote so if only had 3 in support then there would not be enough to support the Planning Commission action. Commissioner Thorson asked as an administrative puzzle, if he votes and votes against it goes as a denial, because it is only 3 in favor, if they only have 3 to start with does it go forward as the denial or does it go forward as a non-action. Knows the City wants action and in his mind the City Council and staff are promoting this project and think it is their position and decision, the City Council's decision and is willing to move it forward, don't want 3 votes only to mean a non-action, the City wants an action, they can give them an action. Planner Steele stated thinks in general it is encouraged to either approve or deny, the act of abstaining is something that has kind of been common in the City but it is not seen very commonly in other cities, it is just yay or nay. City Attorney Roberts stated he could add the City Council did pass the resolution saying that if the Commission did not act on it today then it would be forwarded on to the Council as a denial, so if have a 3 to 2 situation then it will move forward to the Council just as a recommended denial from the Commission.

[7:24:12 PM](#)

Commissioner Vaughan stated he does think they can proceed with 2 known abstained coming to the vote if he believes a motion either could be approved or denied, if all 3 voted the same way. They certainly whatever action they took if it turned out that it is an incorrect action then that can go along with the record and that can be looked at by the City Council as to how they voted. They certainly have this record of discussion, thank goodness that all of these things are recorded so know exactly what is said and what points were made.

[7:25:11 PM](#)

COMMISSIONER MCCUSTION MADE A MOTION TO RECOMMEND APPROVAL OF THE GENERAL PLAN MAP AMENDMENT AND WOODSIDE CONCEPT PLAN TO THE CITY COUNCIL SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODES. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. COMMISSIONER VAUGHAN, MCCUSTION & BINGHAM VOTED IN FAVOR. COMMISSIONER RACKHAM & COMMISSIONER THORSON ABSTAINED. MOTION CARRIES 3/0 WITH 2 ABSTAINING.

[7:26:28 PM](#)

7. 2017 Meeting Schedule & Thought/Pledge Schedule

Commissioner Vaughan stated have before them have a tentative meeting schedule for the 2017 meeting dates and thinks everyone understands the holiday cancelations and is there any discussion or thoughts on that. Commissioner McCuistion stated it looks good to him. Commissioner Vaughan stated the reason he kind of broke it out in regards to the

Planning Commission meeting schedule and Thought/Pledge Schedule and why wanted to have that separated is June 30 is the end of the fiscal year and the end of at least 1 Commissioner's term on the Planning Commission and knowing that tonight will probably be a change in Chairmanship of the Planning Commission and there might possibly be a change in Commissioners so if adopt this as the Thought/Pledge Schedule may have a change in that and are obligating the names that appear without possibly allowing a new person to have their name added on there and would hate to pass it now and then have in a couple months when have a new Commissioner to have to re-do the schedule for the remaining period of time. Commissioner McCuiston and Commissioner Bingham stated it looks good to them. Commissioner Rackham stated they have the right to change it after June, correct. Commissioner Bingham stated he is sure they can change it if someone leaves, they can approve a new name. Commissioner Rackham stated just wanted to make sure it wasn't written in stone. Commissioner Vaughan stated thinks they are good, if can just tuck that in the back of their mind for the future then they get to that point.

[7:29:07 PM](#)

8. Election of Chairman & Vice-Chair

Commissioner Vaughan stated earlier this year they changed the Bylaws slightly in regards to organization to change it from operating on the standard fiscal year to having the term of Chair and Vice Chair to run from January through December and at this meeting in December they will be selecting the person to take over Chair and Vice Chair for beginning the first January meeting. So, with that will open any nomination for Chairman for 2017.

[7:29:40 PM](#)

Commissioner McCuiston stated he would like to nominate that they continue with Chairman Vaughan at least until the end of his term on June 30, 2017 and think it is highly likely that he will be asked to extend his term and think he has done a great job up to this point, he attends all the meetings, he is always here and is always prepared and would like to recommend that he continues. Commissioner Bingham stated he would second that.

[7:30:23 PM](#)

Commissioner Day stated he would like to make a comment prior to voting. Commissioner Vaughan stated he missed who seconded the motion, it was from Commissioner Bingham. Commissioner Day stated first and foremost think Chairman Vaughan has done a phenomenal job and think his contributions to Planning Commission and his regular attendance, his depth and knowledge of the items think he does a great job and is going to speak from his experience here and just kind of share his feelings with it because his feelings and don't want them to be misinterpreted as something against a particular Commissioner. What he has learned on this body is that the Chairman, in his opinion what the Chairman does is directs the meeting, that is the job of the Chairman. The Chairman is not to have any sort of elevated, he has one vote. And in many regards his vote, feel like is less influential because cannot really, he is trying to be a neutral element of the body and so really has a disadvantage in swaying it one way or another. Also, has found that it is effective if multiple people on this body have the opportunity to be the Chairman and think there is a unique experience that comes with that and think the more members of this body that have that opportunity, think the better body they function. Don't think that having a particular Chair go year after year after year after year after year, think that really takes away from the opportunity from other people. So while don't disagree that Chairman Vaughan has done a great job, would prefer to see Commissioner Rackham, has nominated him in the past, he always says no, every time but think he would be very good, even Commissioner Thorson or Commissioner Bingham because that Commissioner McCuiston has been Chairman, but think the body would benefit as a whole if would change that up a little bit, that is just his 2 cents but don't want that come across as being misinterpreted as saying that Commissioner Vaughan or anything against Commissioner Vaughan, have a high regard and respect for him and that is his opinion and wanted to share tonight. Commissioner Vaughan stated thank you for the kind words and understands exactly what he is saying.

[7:32:27 PM](#)

Commissioner Vaughan stated they do have a motion on the table with a second. Commissioner McCuiston and Commissioner Bingham voted in favor. Commissioner Rackham, Commissioner Thorson and Commissioner Day voted against. 3/3 vote, motion failed. Commissioner Day stated he wanted to ask Commissioner Rackham have asked in the past, would he be opposed to being Chairman. Commissioner Rackham stated if he was elected he would serve. Commissioner Bingham stated he is still a little new at this so he would be fine with supporting Vice Chairman Rackham as Chairman.

[7:33:28 PM](#)

COMMISSIONER THORSON MADE A MOTION TO NOMINATE COMMISISONER RACKHAM FOR CHAIRMAN. THE MOTION WAS SECONDED BY COMMISISONER DAY. ALL WERE IN FAVOR, THE MOTION CARRIED WITH A UNANIMOUS VOTE.

[7:33:28 PM](#)

COMMISSIONER RACKHAM MADE A MOTION TO NOMINATE COMMISISONER THORSON AS VICE CHARIMAN. THE MOTION WAS SECONDED BY COMMISISONER DAY. ALL WERE IN FAVOR, THE MOTION CARRIED WITH A UNANIMOUS VOTE.

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9. Adjourn

COMMISSIONER DAY MADE A MOTION TO ADJOURN TO WORK MEETING. COMMISSIONER RACKHAM SECONDED THE MOTION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

Ralph Vaughan, Chairman

Date Approved: _____

Stacy Adams, Commission Secretary