

Minutes of the Syracuse Planning Commission Work Session, December 6, 2016

Minutes of the Syracuse City Planning Commission Work Session held on December 6, 2016, at 6:00 p.m., in the Conference Room, 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
Stacy Adams, Commission Secretary

City Council: Councilman Gailey

Excused:

Absent: Commissioner Moultrie

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1. **Department Business:**

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a. City Council Liaison Report

Councilman Gailey stated he appreciates the time to attend with the Commission and really do appreciate all of the Commissioners. The City Council has not met since they have met the Commission has met twice since they have so don't have anything of a Legislative nature to inform on. They did have the City's Christmas party and participated with staff last week it was wonderful and a great experience. The Guns n Hoses charity event was a great success and filled Syracuse High School's auditorium with more people really than what could be seated, it was a great gesture. One thing that would suggest maybe and the City Attorney can steer him if he is wrong, don't believe he is but in the ordinance that they were just discussing, one of the concerns of the City Council was that direction could be given as this thing develops all the way through it and one of the things they did in the ordinance was tie to the land use the development of the development agreement, so the development agreement that will be eventually be written and the Commission will be part of will transfer with this property should Woodside Homes or should somebody step in and not be able to fulfill that agreement. The development agreement will be linked to that property. City Attorney Roberts stated that is correct, this is not traditional zoning in the sense of here is a zone build something that fits the use, this is going to be, there is development that runs the land additionally all of the things that come with the Preliminary Plat that will see and there are going to be allot of things to review when that comes up, will become essentially the zoning document, so won't be able to deviate from the elevations, the landscaping plans any of that stuff once it is approved, so it a little different from what normally see and it was designed that way, it gives the developer the additional accelerated development schedule but also give the City the ability to make sure that get what was presented initially. Councilman Gailey stated the Council has not met since and will meet next Tuesday night. Would like to echo what was said of Commissioner Vaughan, the dialog between them has been wonderful and thank you for having that open channel and Commissioner Rackham it will be fun to meet with him and look forward to talking with him.

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b. City Attorney Updates

None tonight.

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c. Upcoming Agenda Items

Planner Davies stated have received application for a subdivision for the liquor store from the DABC on Antelope Drive just east of Smith's, it is a 2 lot subdivision which will be in the next meeting. Planner Davies stated will also have the next step in the Woodside project, the Preliminary Plat and their Rezone request as well.

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2. **Discussion Items:**

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1. R-4 Zoning Amendment

Planner Steele stated this is an issue that came up with property located in red in the packet. This is zoned R-4 and something that the City generally despises and has written into it that it is just there because there are some properties that were zoned R-4 in the past. With the widening of 2000 W, UDOT has given the land owner of those 4 plex apartments, they also own the home that is there and have given them the option of either tearing it down or keeping it. It is in pretty bad shape, there options are either keep it and keep it as kind of a rundown duplex or do some remodeling and do like a small office in there. What the developer would like to do is have UDOT tear it down for them which will save

them some money as well and build another 4-plex. Obviously, it won't look like those other 3 that are there already, but they talked about maybe some townhomes or just some other attached type homes. The problem for developer lies in the R-4 zone, the basically the way it shakes out for a 4-plex the minimum square footage would have to be 3000 sq. ft. per unit, which us a really big unit. The City Council has given the Commission the nod to look at it, this is one of those where they are not saying they necessarily want to change it they just want the Commission's opinion on whether should change it, or just stick to our guns and say no, no don't want to change it or even open the door, there are only a few areas zoned R-4 in the City. If do think it should be changed what would be the suggestions to allow this sort of thing and what the temperature of the water is. Would recommend if do want to change it to go in and change the minimum sq. ft. requirement for each unit. Overall the density is 11 units per acre and they have plenty of room in the overall density, it is just the minimum unit size that is holding them back.

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Commissioner Thorson stated rather than change the ordinance what are their options for a variance and just going through a variance process. Planner Steele stated had explored that a little bit. The requirements for a variance have to be kind of, they have to prove a hardship and it can't be self-inflicted but they do have other options and the City doesn't have a Board of Adjustments currently set up for a variance but felt that after reviewing the State code for a variance that they would have a hard time in qualifying for it. Commissioner Thorson stated his thoughts on those 2 issues and thought of those, this comes up not because of their own choices it is because UDOT is taking part of the property so it is not a self-inflicted hardship, it to some degree is a hardship, it is a pretty decent change in their living condition if they stay and in the case of not having a Board of Adjustments does that authority not go back to the City Council and give them the opportunity to do that. That is the pathway that would take rather than change an ordinance for one home. Planner Steele stated in fact that is the same thing staff said originally, brought up with the Department, what the response was is that they do have a choice in keeping the house, no one is telling them they have to tear down that house they could keep using it. Commissioner Thorson stated but they have to lose their front yard. Planner Steele stated they what Planner Davies had mentioned, they won't ever have the ability to really add onto it because they won't be able project into the front yard at least. Commissioner Vaughan asked about the amount of square footage that is being taken away, had the property not been taken away, would there have been enough room for them to build another like unit on there. Planner Steele stated under the density, yes but under the minimum square footage for each unit, no. Commissioner Vaughan asked if there would be anything that would preclude them from building a Tri-plex or a Duplex. Planner Steele stated yes, the minimum square footage that are written into the ordinance are obstructionist on purpose and in general think if the City doesn't want something should just be more straight forward and forthcoming instead of kind of a roundabout way of making it impossible or infeasible to actually obtain.

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Commissioner Vaughan stated obviously, they haven't had an opportunity to discuss this other than what was submitted in the packet. His initial thought would be unless there is some absolute time limit where need to move, now that have had a chance to look at it theta they ruminate over this until perhaps the next meeting. Commissioner Rackham stated said it was 1.69 acres, is that after UDOT takes the property. Planner Steele stated that is current, doesn't know what it will be after. Commissioner Rackham stated because that would make a big difference, it would affect the setbacks and everything. Planner Steele stated under the current map though 1.69 times 11 would give them the head room for 6 units, would assume roughly estimating that would still have enough density for a 4-plex. Commissioner Rackham asked what the square footage of the other 4-plexes on there. Planner Steele stated he is not sure, if were to guess would say 1200 sq. ft. Commissioner Rackham asked if it was all one parcel or two parcels. Planner Steele stated one. Commissioner Rackham stated so the house id on the same property. Planner Steele stated yes. Now a day they wouldn't have allowed that but back then for whatever reason they allowed them to be on the same parcel. Commissioner Rackham stated he would like to see what the square footage is after UDOT takes their portion. Commissioner Bingham stated if they don't amend the ordinance, they still have the option to remodel it and turn it into a business. Commissioner Vaughan stated thinks raised a couple additional points why it might be a good idea to let them ruminate over this and staff to possibly look at some of the comments and come back with more info. Commissioner Thorson stated in general think they figure out a way for this home owner to do what it is suggested, kind of like the idea, think it a pretty decent move for the owner to be able remove the home and build a 4-plex, that is what is there already. Commissioner Vaughan stated his concern is having a good solid discussion and "justification" for it because looking at number one on there that the City Council appears to be indicating a tentative opinion already. Commissioner Thorson stated this property owner is zoned R-4 it is not a new development. Planner Steele stated under the premise that the first part says 'no new development shall be allowed' think in general that is saying don't ever want to zone any new parcels R-4, not necessarily but guess that could be up to the interpretation as to how the Commission want to see that thought, but staff kind of read that as didn't want to zone anything new as R-4. Commissioner Rackham stated there was a lot of discussion when they did the General Plan of what happens to the R-4, if something like this or if fire destroyed it and kind of threw up their hands not sure but the thought was to make it to go to R-3 or PRD or something else but just kind of left it for that reason. Commissioner Vaughan stated because it is a discussion item anything further, think it still needs more discussion so would recommend that they continue this to the next work session meeting in January and then with the idea that all take it home and ruminate over it because it is going to be the same group of people that get to work on it now that have an idea of what are facing, think should be prepared. Commissioner Rackham stated when it is brought back for the next meeting can staff have what the property size is after UDOT widens the road and what the square footage of units are on there now. Planner Steele stated have the drawings from UDOT and can estimate what the allowed density will be and can know on the front doors and ask for a tour.

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3. Commissioner Reports

Commissioner Day stated nothing to report. Commissioner McCuiston stated nothing to report. Commissioner Rackham stated nothing to report but asked to get the current Planning Commission Bylaws posted in the Dropbox. Planner Steele stated yes, we will post that as well as the new RPC zone. Commissioner Bingham stated nothing to report, just wanted to comment and thank Chairman Vaughan for his service, coming into the Commission new he wraps his arm around ya and makes ya feel very welcome and very professional, so thank you. Commissioner Thorson stated nothing to report.

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Planner Steele stated also wanted to say think that the Commission does a great job and have done a great a job in directing, because have had some controversial things and some things that were awkward and feel that have kept the conversations civil and orderly and also just wanted to say that sometimes it appears that staff is for a project or against a project and just want to make it clear that is not in the business of promoting, is not a promoter, obviously don't have ties or financial anything to it and if for whatever reason it appears that is not being or bias want to make sure has confidence in him and staff to know that we are providing information and behind the scenes do a lot of due diligence and a lot of research so if administratively if see that it is meeting everything that is in the ordinance then yes, will say it looks good and more often than not there will be rounds of revisions that staff tells them no it doesn't meet it, doesn't meet it, doesn't meet it and they will keep correcting and when it actually comes to the Commission try to bring a more or less polished product so by the time see it usually staff is feeling pretty good about so that is why it probably appears that are more or less promoting a project but it just means that have gotten to a point on the project that are comfortable bringing to the Commission. So just want the Commission to have confidence in staff, we have confidence in the Commission and if do have any concerns are here every day so give us a call if have any questions about a project or see something in the packet that doesn't make sense or see something that was not include in the packet can always amend a packet, want to have a good dialog between the Commission and staff.

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4. Adjourn

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