

## Minutes of the Syracuse Planning Commission Regular Meeting, April 5, 2016

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Minutes of the Regular Meeting of the Syracuse City Planning Commission held on April 5, 2016, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

**Present:**

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

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

City Council: Councilman Mike Gailey

Excused:

**Visitors:**

Patrick McReaken	Ted Clark	Trent Hartley
Adam Bernard	Matt Reed	Joe Morminu
Adam Loser	Doug Hammond	Al Collins
Ken Standifer	Con Wilcox	Brad Lasater
DeAnna Haskett	Rick Scadden	Derek Terry
Richard Cowley	Wilma Johnson	Craig Johnson
John Diamond	Johnny Corrales	Erik Craythorne

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1. **Meeting Called to Order:**

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

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COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR APRIL 5, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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2. **Meeting Minutes:**

**March 15, 2016 Regular Meeting & Work Session**

COMMISSIONER JENSEN MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR MARCH 15, 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.

None

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4. **Site Plan Approval, Utah Onions, property located at 850 S 2000 W**

Planner Steele stated this is part two of Utah Onions, last time talked about their site plan and had a lot of neighbors come and express some concerns over noise and there was discussion about the fans and traffic and the fencing. So since then they have submitted a letter in the packet responding to each one of those concerns and for the benefit of those in the audience that weren't at the last meeting this project is on 2000 W just south of Syracuse High. It is an industrial use that has been in the City for a really long time, there is one large diagonal building and another existing 18,000 square foot building in the north corner and they are proposing to build another 18,000 square foot building and then eventually in phase 2 to build a larger building facility. This is an infrastructure improvement they are not anticipating much additional business just trying to upgrade their facility since it is really old. On the north side will be a new receiving and processing facility with phase 2 and then with phase 3 they would demolish some of the older building along 2000 W. One of the items that were discussed last time were the fans and in the renderings they have moved those fans from the north side of the building to the south elevation. They have also worked with neighbors on the color of the building to reduce glare which was a concern that was expressed and settled on more of tan, cream color. Also within the phasing lines, they would be required to improve fencing and buffering all within the phase within each project. So with the first

building they would be required to do fencing and buffering on the east and north boundaries all the way up to below the existing building and then with phase 2 would encompass the north end part and phase 3 would have the demolish and added landscaping along 2000 W. They included a letter from their contractor to address some of the construction noise concerns which says their hours of construction will be between 7AM and 7PM and that they won't run the machinery before or after those hours and will try to be as quiet as possible. The applicant has expressed their desire to meet the noise ordinance and both the contractor and the applicant said that they are willing to do whatever it takes to modify the fans or do whatever and they have hired an expert to measure their existing sound decibels but that report is not complete yet. There is also a letter expressing staff concerns not to go through every item but there was a concern was the driveway paving which their response was that the driveway apron will be paved and that is something that can be discussed as a Commission whether or not that is sufficient. Other items for discussion for the Commission are the phasing lines to the extent of what line that landscaping will be required and could change the phasing lines so they could more or less landscaping during the first phase. Also the wall height, wall type, they have given more info on the existing wall it appears it doesn't have a good foundation so a lot of it is crumbling, it was installed by the housing developer and that is something that can be explored what the appropriate fencing whether it is an 8 foot fence or 6 foot fence or masonry and those are all suggested items of discussion and to make sure if there are any conditions that they are relevant to those impacts to the neighborhoods. As far as the open space percentages, the building heights, the setback, those all meet the ordinance.

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Commissioner Jensen staff if there have been anymore letters or emails from citizens from the last meeting. Planner Steele stated no. Commissioner Jensen stated so essentially haven't indicated anything one way or another from what was presented today. Planner Steele stated all they have is the record of those who came for the public hearing at the last meeting. Commissioner Rackham stated that it looks like the roof is still white on the plans. Planner Steele stated yes. Commissioner Rackham asked if the applicant was going to do anything to reduce glare on the roof. Planner Steele stated that is something they can discuss if the Commission views as an issue definitely can be discussed. Commissioner Vaughan stated from looking at the pitch it wouldn't reflect glare, the pitch is north and south as opposed to east and west.

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Patrick McReaken, Layton, he is the architect and engineer on the project, they have addressed all of the issues that were identified at the last meeting and have adjusted the project as deemed necessary especially with noise and the fans. The fence, the west sidewalk along the edge of 2000 W they addressed that and are folding the project in somewhat with the renovation project for 2000 W that is being accomplished by UDOT and starts very soon. They are also getting geared up for their construction, they have worked with the neighbors somewhat to modify the architecture on the outside and the color as mentioned and feel like they are ready to proceed.

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Commissioner Jensen stated at the last meeting he expressed concern about the existing building which doesn't fall under this application tonight but the fact that it is located so closely to the wall and just wanted to state for the record that under the buffer table ordinance and the 5 classifications A-E and A-D all indicate that the buffering has a distance requirement and usually a planting requirement essentially but under E which is supposed to be the most strict and has the biggest impact, it actually says OR instead of AND so in the case of the building that was built in 2011 that does comply with the ordinance as it is stated because since it falls under buffer table E either do landscaping OR provide additional distance and wanted to point this out to the Commission because that is a problem and don't know why the other 4 buffers say AND for the 2 requirements as far as landscaping and fencing and such but under E it is one OR the other and think that since E is supposed to deal with the most impactful uses they really should look at that and change that OR to an AND. Spoke with staff on this very subject and seems odd and might have been an oversight when the ordinance was done but industrials are most impactful use and so in the future think they want to try to buffer that use better against residents because existing residents are next to Utah Onion there are affected by it and any other industrial developments in this area and other areas in Syracuse are going to have the same problem. So wanted to apologize to the applicant for his misunderstanding of the ordinance and wanted to point that out and also wanted to bring up that under the response on the noise it talked about the 80 decibel requirement which is in there but want to point out that under industrial performance standards there is the 80 decibel standard and there is also the ambient + 6 at the property line and both of those apply and think the ambient + 6 is going to be a little lower than the 80 decibels with the sound meter out there and not sure but want to make that clear that the applicant understands that it is not a flat 80 decibels that is not what the ordinance states. Wanted to state that and point out that the building that was built in 2011 misunderstood the buffering table requirement and wanted to apologize for that.

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Planner Steele stated staff looked at the building from 2011 and they actually modified their drawings a little bit from their original drawings which had it even closer to the boundary, believe it is setback about 20 feet and something that staff would like to revisit possibly in a work session to talk about the buffer table because it has been problematic and has so many choices it is confusing for applicants and would like to make it a little more straight forward.

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Commissioner Rackham stated on the response letter is says 7AM to 6PM but staff stated 7AM to 7PM here, which one is it. Patrick McReaken stated they stated 7AM to 6PM in the letter that was sent to staff and don't think they are going to work past 6PM but that was the statement of 7AM to 7PM, which one is it probably outside would be 7AM to 7PM and apologize for the discrepancy. Commissioner Rackham stated they are going to review the fan type but doesn't say

when will review it or when will publish results. Patrick McReaken stated the noise study will be under way soon they have the contract signed and the provider is filled with work right now and should be able to get to the study later in April. They will have the results of the study well before the building is done and before the fans are in place. The study deals with the 2011 building and the new proposed building so are looking at both. Commissioner Rackham asked in #19 it says to refer to 7, 13 & 16 for the fence height but never really specifically addressed whether plan to go to 8 foot or do not plan to go to 8 foot and then also talked about why were higher on the other side but didn't say if were going to lower their side when do landscaping. Patrick McReaken stated to answer that needs to go through a little bit of history as to how they got in the configuration they have not. The masonry fence to their understanding was built by the home developer as Planner Steele mentioned and was built at the existing City standards at the time which was probably the 6 feet. They added some soil on the Utah Onions side to build up the ground and help eliminate any storm water from flowing to any of the neighbors. So it is a bit higher on the Utah Onions side which means the fence right up at the fence and within about 12 feet of the fence is shorter than the 6 feet. Out in the main work area of the yard though it is 6 foot height elevation difference to the fence, their objective in the project is to landscape the area out 20 feet that will have rock and trees and will build up the area to eliminate the need for their operations workforce to be up near the fence which was one of the concerns of the residents that the operators were up near the fence and looked as if they were looking over the fence in their backyard and with the landscape that will take away that opportunity for the operators to get up close. Their objective also is to stay within the City zoning ordinances and have a 6 foot high fence. Commissioner Rackham asked so not an 8 foot fence. Patrick McReaken stated that is correct. Commissioner Rackham asked as far as the property, the height where it goes up are going to leave that intact. Patrick McReaken stated they would like to yes.

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Commissioner Jensen stated essentially they have put a berm along that fence to catch basically detention to keep the water from flowing into the neighbors. Patrick McReaken stated to deflect the water off. Commissioner Jensen asked if their intention when they upgrade that fence is are they going to put the 6 feet from the top of the berm is that their plan. Patrick McReaken stated the existing fence on the project is planned to stay as is and will landscape out 20 feet from the fence and will have rock and trees and scrubs that were designed by a landscape architect for this setting and this location and felt that it would meet one of the major concerns of the neighbors which was to not have the operational workforce look over the fence and appear as if they are right in their backyard and will help to keep them at least 20 feet away and also lower in elevation and away from the fence. Annually at least they will have to do landscape maintenance out there on the shrubs and tree so their landscape maintainers at least annually will be near the fence but that needs to be done to maintain the trees and shrubs. Commissioner Jensen stated another thing that Planner Steele and he discussed briefly the cinder block that will used for this fence is it going to decorative cinder block or just regular cinder block any thought given to that. Patrick McReaken stated the fence exists right now. Commissioner Jensen stated he was talking about where the rest of the fence will be going in. Patrick McReaken stated the masonry fence exists right now and in phase 2 will build a fence along the north lot line and a part of the west lot line to the north of the existing building now but that will be under phase 2 and will be masonry or prefabricated fence that is a step higher than the masonry look. Commissioner Jensen stated he would make the suggestion that if are going to be putting up any masonry fence that try to use a more interesting type of cinder block than just flat cinder some type of rock texture or something on it. Patrick McReaken stated he fully agrees. Commissioner Jensen asked staff how does that berm affect the fence side with the run off does that mean they have to go higher. Planner Steele stated they can require an 8 foot fence or a 6 foot fence whatever the Commission feels is appropriate for the buffering, the buffer ordinance says fence. Commissioner Jensen stated the question is are they measuring the height is that from the top of the soil at the fence line or is it where the general elevation of the lot is. Planner Steele stated he would say from Utah Onions property but think that is up interpretation. Commissioner Jensen stated from what he understand it sounds like they have put some dirt up against that cinder block to redirect the water which technically would raise the elevation right there against the fence like a little berm so just trying to figure out how they would calculate that. Would it be from the top of the little berm they added or from the top of the general elevation there. Planner Steele stated from the Utah Onions side on the property boundary would be where would be calculated but it is open for discussion. Commissioner Jensen stated the reason he is nit picking on this is because this might bring in a situation where if they have raised the elevation against that fence they may need to add another foot to the fence or something and why is trying to muddle through this. Commissioner Rackham asked the applicant how high is the berm from the normal elevation and how close is the berm to the fence. Patrick McReaken stated the berm is, based on memory, is about 10 or 12 feet from the fence and it builds up at the fence and it slopes down from there if the Commission likes they can reshape the berm somewhat so that at the fence it is at the original height and still have the berm somewhat in from the fence to deflect the water there. Commissioner Rackham stated so it is right up against the fence. Patrick McReaken stated in a lot of the areas it is yes, some it is not.

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Commissioner Vaughan asked staff regarding the fence there has been discussion and has been mentioned here and the comment on #19 masonry fence height where they talk about existing masonry fence height are they talking about modifying the residents fence or are they still going to be requiring an industrial zone to on the industrial property to erect their own 6 foot masonry fence. Planner Steele stated that is up to the Commission but staff recommendation would be to install a new fence because of the condition of the existing fence. Commissioner Vaughan asked staff if grading from that or landscaping from that would be from existing grade or what would be the artificial grade or the bottom course of the existing masonry fence which in his mind thinking that is what the original ground level was that bottom course. Planner Steele if wanted to could ask for a berm with a fence on top of the berm but there is grading issues for the neighbors so would recommend the existing elevation of whatever the fence is at.

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Commissioner Vaughan stated because this is an industrial facility what is the current height on stored items or stored inventory in an industrial area. Planner Steele stated there is not anything in the ordinance about a height limitation for storage it says outdoor storage should be screened. Commissioner Vaughan stated the landscaping that has been proposed for this particular project, what is the 10 year height of trees and things like that, wondering when the trees are relatively mature how close are they going to come to the existing height of the stacked pallets and field storage bins. Planner Steele stated that depends on a lot of factors as far as how fast the trees are going to grow and what size they are when they are planted and water and sun but the species that are proposed here are a zelkova, hackberry and crabapple, crabapple is the smallest and probably max mature size is 25-30 feet and a hackberry isn't much bigger and zelkova is probably in the 40-50 feet range. Commissioner Vaughan asked at the spacing they have there are the trees going to touch are they going to create a site barrier that is solid or are they going to have a tree then a view of stacked pallets then a tree then a view of stacked pallets. Planner Steele stated the intent is to create a solid screen of vegetation and what they have proposed appears to do a pretty good job in his opinion. The scrub is a creeping juniper which is really low so that could be a suggestion since as a screening shrub it doesn't do a lot. Commissioner Vaughan asked if all of these are deciduous plants. Planner Steele stated the trees are deciduous and juniper is an evergreen. Commissioner Vaughan stated without being able to tell the individual trees on there from the X's again are they going to wind up with picket space fencing between green trees and pallets in the air. Planner Steele stated think depending on the fence size don't know the exact match hard to say but would expect that the tops of the roof of the building and even possibly some of the pallets will be visible from some of the neighbors and especially before the trees reach full maturity.

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Commissioner Vaughan asked the applicant first off appreciates their willingness to work with the City and the very detailed response they provided to the City on behalf of the discussion at the previous meeting that is very professional of them to do so. Question regarding an item they addressed on the new building which is at the back of the Haskett and Flurer property is that are going to be changing paint colors from the white to whatever tan shade is going in there. Patrick McReaken stated Mocha Tan is what they call it. Commissioner Vaughan stated is wondering and not sure if it was specified in there perhaps missed it, was there any chance that they would be extending the same paint color to the west facing wall on the existing storage building which would be at the back of the Paige property. Patrick McReaken stated that may be a very beneficial thing to do and they are opened to that. Commissioner Vaughan if it looks as though they are going to be putting up their own masonry fence don't know if the next door neighbors who had the opinion that they were trying to work with them as much as possibly can if for example believe it is the Paige property that has part masonry and a good portion of vinyl fence on the back of their property wondering would there be an allowance for them to possibly remove their walls or could some cooperation or when would that be done where the wall would be going up so if some of those neighbors wanted to take theirs down it might be made easier and possibly even facilitate a better footing for Utah Onions wall. Patrick McReaken stated that would happen under phase 2 and certainly it would be wise to take down the vinyl fence and would make a better footing and foundation for the new masonry or prefabricated masonry look wall. Commissioner Vaughan stated now that they have determined that the wall belongs to the residents have they had any conversation with the Flurer's in regards to their wall now. The Flurer's are the one on the corner where the trees are pushing over a detached wall possibly are encroaching on the Utah Onions property now. Patrick McReaken that wall needs to be repaired of course and are ready to work with the Flurer's to make repairs on that wall. Commissioner Vaughan stated he believes there are some discussion in there that there is no footing underneath the fence. Patrick McReaken stated that is what they understood from the people that were there as the wall went in and will have to determine that of course. Commissioner Vaughan asked the City Engineer if he knows by any chance of the ease of trying to repair a no footed 6 foot concrete retaining wall as to whether or not that is even feasible or this is knock down situation in his recommendation, is concerned about a wall possibly falling onto a wall that is being mandated by the City. City Engineer Bloemen stated if it wasn't constructed with a footing to begin with don't see any point in trying to even repair it think would be better off just taking the whole thing down and putting in a footing and redoing it right the first time.

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Commissioner Vaughan stated in regards to and mentioned also in regards to the storage bins or the field bins that they are going to try to put a significant percentage of them inside the new structure and possibly even in the new manufacturing or packaging facility. Patrick McReaken stated yes. Commissioner Vaughan stated wondering if that were to happen would they still be stacking the remaining field baskets as high or would those be dropped down in height but occupying the same footprint on the ground. Patrick McReaken stated maybe that is the better management plan for those in the future that a lot of the stacked boxes will be placed in the new facility and also the processing plant somewhat not all the boxes and a good management plan may be to stack them lower for safety and for appearance for the neighbors and they appreciate that.

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Commissioner Vaughan asked regarding the mobile fueling station that used to be at the corner where the wall is failing know it has been discussed that they will be moving that do they have an idea where that is going to be moved on the property, will that be in phase 1 or phase 2. Patrick McReaken stated that will be under phase 1 and it needs to be moved now. Commissioner Vaughan asked if they have a location on site for that at current time and wondering if they need a time when that fueling would be identified on a blue print. Patrick McReaken stated it has been emptied out as he understands. Brad Dahl stated he met with Deputy Chief Jo Hamblin about it and the tank has been removed and they are putting all new hoses on it and got with him on the City ordinance as far as what is supposed to surround it and kind of a

little interpretation there but they intend to make a concrete wall around it, a dyke, but concrete to hold in case of a spill and haven't decided where they are going to put it yet. Commissioner Vaughan stated thank you that is exactly what he was asking for and staff at what point do they need to know where that is going to be located and would it be okay for the Commission if approved pending that subject to staff's approval. Planner Steele stated also spoke with Deputy Chief Hamblin about it as well and he wasn't overly concerned about it as being part of this phase, it was something that was already existing on site, could put in the motion that they show it on some revised plans or revised future plans in phase 2 they could show where they propose to put it.

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Commissioner Jensen stated he wanted to raise the fence height issue again and isn't necessarily opposed to them having the berm right up against the fence and that encroaching on the 6 feet a little bit but think that the thought behind that 6 foot is are standing right next to that fence if it is 6 foot it is a little hard to look over, if it is 5 foot it is a little easier to look over and don't know if that is, kind of wishy washy on it but think certainly they would want to see the fence reconstructed properly with proper footings but wondering what the other Commissioners think about where the berm will be with all the trees right there whether need to force them to raise that to the 6 feet to meet the berm cause that may have them move the berm farther in the property to avoid that and that might create a little channel there for water so am not, kind of curious what the Commissioners are on that. Commissioner Moultrie stated he has done some research on that and in industrial, commercial leaning up against residential a lot of them are requiring an 8 foot fence and that is kind of what he would like to see is an 8 foot fence along the residential side, if it is against commercial is open for suggestions but along residential would like to see an 8 foot fence. Commissioner Vaughan asked the City Attorney if they have the nexus sufficient for that type of requirement. City Attorney Roberts stated when dealing with a site plan approval need to stick with what the code says and not what wanting it to say so should just be applying whatever is in the code and cannot require anything in addition beyond what is in the code.

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Commissioner Thorson stated he is a little concerned with the plans on their own plans they mention the CMU block wall 5-6 feet high and in his opinion the person whose job it is to update or approve that is the most recent offender of the conflict of land use. So the developer put it up when they built residential next to industrial, industrial is now improving their yard it is now upon them improve that fence to meet the ordinance, it cannot be 5-6 feet it has to be 6 feet. They have gone through a lot of discussion on what the ordinances say they have to comply and that fence measured at the fence shall be 6 feet, if it is 5' 9" it doesn't comply and they will need to fix that. Would like to see them, there is a lot of attitude of let's do as little as we can to comply with the ordinances and get this done but they are going to have to comply and when they get into it 3 months and the enforcement office says the fence isn't high enough they have to build a new fence and that will happen it is not an option either they show it on the plans now they can try and get away with not doing it now and be forced to later and that is fine but it will happen that it has to be 6 feet. Not worried what the fence is or isn't or be replaced or not it shall be 6 feet when the project is done whether it is existing fence or whether it is new fence whether they acknowledge it now or whether acknowledge it later it shall be 6 feet so don't see a lot, don't want to see on the plans 5-6 feet because that means they are going to have a hiccup later but don't care because that is still their job to make it right later, this plan is fine as is they still have to comply with the ordinance. Commissioner Vaughan stated he understands and has walked that fence that property line and it is not a continuous, it is not camelback hump where there is a berm high centering on the back of it just raises and think pretty much over time with trucks have gone over it and pushed it up or have tried to straighten it out and in a couple places there are rises but don't think it is an intentional berm where they have back filled up against it so their property is higher. Commissioner Vaughan asked the City Engineer on requiring this wall would it be his recommendation to follow the dirt level the way it is right now the land level or to make that a true straight line bubble straight at whatever angle that is from the Flurer corner up to that west wall or west line where they would pouring that or should that be a graduated height wall. City Engineer Bloemen stated thinks the City wants the wall to match in with the existing grade don't want to mess with the neighbors or Utah Onions too much but do want to ensure that all of the drainage off of Utah Onions is staying on their property and not going onto the adjacent properties. Commissioner Vaughan stated so it would be a case of removing the excess dirt to try to bring it to a standardized grade angle whatever that is before they commence building their footing on that. City Engineer Bloemen stated thinks should be the least impactful on the residential side and try to match into that grade as best as can. It is a lot easier to move around some dirt on the Utah Onions side when nothing is improved yet to grade that and get it all to drain would be his opinion. Commissioner Vaughan stated is why asked earlier would the Utah Onions fence be at the same level as the bottom course of the residents block wall. City Engineer Bloemen stated yes that would be the best. Commissioner Vaughan stated that would be his recommendation to put the bottom course of the Utah Onions fence at the same course level as the existing masonry wall. City Engineer Bloemen stated yes.

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Patrick McReaken stated they understand and what they could do is to leave the fence in, place take the dirt back away from it, dig a swale that centers about 8 feet from the fence or so and have that as their landscaped area that still goes out about 20 feet but direct the water to drain through the soil and not have it just deflect off into the main lot, if that sounds like a reasonable solution. City Engineer Bloemen stated think the City's only requirement is that they match into the existing grade of the homes so are not affecting their grades at all and keep drainage on site, however that is accomplished think that is up to Utah Onions. Patrick McReaken stated they would leave their side of the fence intact and only change their side of the fence. City Engineer Bloemen stated just elevation wise, think if the home owners want to remove the existing fence and have them put in a new block wall instead of having 2 fences right next to each other that is

between Utah Onions and the home owners to decide. Patrick McReaken stated just to clarify the existing fence they are talking about is the only fence they will have in phase 1, the new masonry fence to be built will under phase 2.

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Commissioner Jensen asked staff since they have the deficient wall there that has the foundation issues is that under the Commission's purview to require that to be repaired to spec. Planner Steele stated yes. Commissioner Jensen stated the idea to put that little contour there to channel the water away from the fence thinks that is probably a good solution and in that case and would certainly agree with what Commissioner Thorson said that it needs to be 6 feet at all points. Commissioner Thorson stated he really likes the idea of a brief short swale near the fence followed by a berm or something that increases screening, put trees onto of a berm that is 15 feet back and still accomplishes drainage that would be an ideal scenario. Commissioner Jensen stated wanted to point out that the applicant here is actually doing 2 things with that buffer they are only required to put in the fence and they are doing fence plus landscaping which think they all appreciate quite a bit. Planner Steele stated he may have misunderstood Commissioner Jensen's question regarding if could require them to add onto someone else's wall. Commissioner Jensen stated they have the section where the wall is leaning or whatever and so would say that is not really to spec, can they require them to repair or replace that. Planner Steele stated where that is not actually Utah Onions wall they would have to work that out with the property owners but what they can require is that there is a wall per the City ordinance so if they want to work that out with the land owner that is up to them but what is under our purview is require that it is there and from his inspection and what he has seen the wall is not high enough and is not durable enough so would recommend they either build one to the side where the property owner doesn't want them to do it and in cases where they can work with the property owner they remove the existing and put a new one up and there are a lot of different kinds of privacy fencing there is of course the standard that has a foundation all the way the standard block but there is also stamped concrete that has piers that is a little less labor intensive but also can provide a really good separation between the two uses with sounds and they come in 8 foot panels they come in 10 foot panels they come in all kinds of different sizes so think for the Commission's purview would recommend just saying want x size fence and where want it. Commissioner Jensen stated his concern is just where the trees are want to make sure don't think they have to replace the entire cinder block wall but think that one section there needs to be addressed. Planner Steele stated it is just a matter of whether or not the owner of the fence is willing to let them mess with it.

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Patrick McReaken stated well put. There are a lot of neighbors and there is a need for them to have a 6 foot fence perhaps if the wording in the results of this meeting were that their responsibility is work with the neighbors to meet the zoning ordinance and that will whether or not their existing fence stays in place will work with them to make those individual decisions and think the approach they will take though is to build a swale like mentioned and have the trees on a higher landscaped area so they stand higher and help to block out the boxes too and make that work for the City if they allow them to work with the neighbors to build an answer that is a continuous on the western wall but deals with their fences individually. Commissioner Vaughan stated one of the legal concerns he has and sure the City Attorney will concur on this is the Commission cannot force for example Mr. Flurer to fix his fence the only concern they can possibly do is give Utah Onions leave to not have that fence directly on the property line because Mr. Flurer's fence is already over the property line on the Utah Onions property and without him taking action soon it is going to fail and then they have a legal responsibility situation and don't want to see the City mandating a wall only to know it is going to be subject to possible legal action in the future if one of the neighbors isn't a good neighbor. Patrick McReaken stated they need to work with the Flurer's and the Haskett's and others to perhaps make some individual incremental adjustments along that fence as they move along but still have the wall from their side anyway look contiguous. Commissioner Vaughan asked the applicant if there were any other concerns. Patrick McReaken stated they just need to get it under construction but still though their responsibility is to build a good fence. Commissioner Jensen asked the applicant if they have had conversation with the Flurer's about the existing conditions of the fence. Patrick McReaken stated the owners have had that discussion and not sure of the results of that discussion. Brad Dahl stated Mr. Flurer approached him to come from the Utah Onions property side to cut down the trees that have folded the fence onto the property line and was going to do it with a 2 week period but hasn't done it yet. Commissioner Jensen asked if Mr. Flurer was going to remove the trees entirely. Brad Dahl stated yes. Commissioner Jensen stated that is good news his concern was even if they repair the fence if those roots are going to push it over again and so that is good and think they have stated it about 6 times now but that section of fence that is deficient right now are willing to work with them to get that replaced. Brad Dahl stated yes.

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Commissioner Vaughan stated about ready for a motion and one of the things they should probably incorporate into this because they do not have a draft or a recommended ordinance for this but might want to consider who ever makes the motion is the points that have been volunteered on the McReaken engineering letter of March 29, 2016 incorporated in the packet approximately 16 or 17 points there and some of those include paint on the existing building, paint on new building, 6 foot wall, future location on the plans of the moveable fuel and removal of the concertina and possibly some other things.

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Commissioner Rackham asked staff when they bring the plans back will it define the fan type. Planner Steele stated once they submit for a building permit they will have a lot of building details, the site plan they don't provide what kind of fan they are putting in. Commissioner Rackham stated the question is are they required to tell staff the exact fan type or just fan. Planner Steele stated no they are not required to give the fan type but since it has been an item of discussion can

ask for more details of the fan type. Patrick McReaken stated they are prepared to specify that on the site plan drawings if they wish. Commissioner Jensen his main concern with what Commissioner Rackham brought up is whatever they end up choosing that is the least impactful to the neighbors and don't think they need to give specific brand, model or whatever just as long as they get the end result they are looking for. Patrick McReaken stated they will have the initial fan selection however subject to the results of the noise study when that comes in and can specify the initial fan selection right now and put that on the site plan but after the noise study may have to modify that or add some baffles but will have to get the results of the study first though. Planner Steele stated any details they can address for how responding to the potential, how mitigating those impacts to the neighbors with baffles or whatever the more detail the better.

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COMMISSIONER THORSON MADE A MOTION TO APPROVE THE SITE PLAN APPROVAL FOR UTAH ONIONS AS SUBMITTED AND DISCUSSED WITH SPECIFIC ORDINANCE CONCERNS REGARDING THE FENCE THAT THEY ACCOMPLISH A 6' FENCE EITHER BY IMPROVEMENTS OR BY GRADING, ACKNOWLEDGE THE NOISE LEVEL REQUIREMENTS, SCREEN OUTSIDE STORAGE SPECIFICALLY THE FIELD BOXES EITHER BY TREES OR FENCE AND SELECTION OF FANS PENDING THE NOISE STUDY AND TO ENSURE THAT THE COMMISSIONER WOULD LIKE TO SEE THE RESULTS OF THE NOISE STUDY WITH ONGOING SUBMITTALS. COMMISSIONER JENSEN SECONDED THE MOTION. (see 7:14:45 PM for approval)

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Commissioner Rackham stated before they vote there is an audience member that came to speak. Commissioner Vaughan stated unfortunately this is a plan approval they had their shot when they had the public hearing at the last meeting. Commissioner Jensen stated he wouldn't mind hearing from them obviously they didn't make the public hearing last time it couldn't hurt to hear from them. Commissioner Day stated would call it and request it that they add new information that hasn't been already discussed. Commissioner Thorson asked if he needs to suspend his motion until after they speak. Commissioner Vaughan stated no, they can hold it in abeyance at leave of Commission if there is anyone else who would like to come forward and speak on this this would be their opportunity.

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Deanna Haskett, 1011 S 2125 W Syracuse, came before the Commission before and hearing what has been said of course want to reiterate a couple of different things that feel like are getting over looked which are a big concern to me because feels like where her home is located have one of the biggest impacts on what this new building is going to do to her home. They keep talking about a 6 foot wall, it is not a 6 foot wall, it is a 5 foot wall right now and it is at least a foot and a half to 2 feet on their grade so the concrete that they have for this existing building is at least a foot and a half to 2 feet higher than the wall height so literally on their side it is like 3 feet so if they are working at all on that concrete it is like a 3 foot height difference for them to her backyard so in talking about not doing anything with the preexisting wall it is not a 6 foot wall as it is only a 5 foot. Would like to see a 6 foot from the tallest side that way if they are working back there on any of the concrete going between the buildings will not see that as much but where it is at right now it is like 3 feet on their side so there is literally no privacy, no blocking and get what was said about the placement of the trees it is not going to make a big difference, it is going to be like a picket fence where will be able to see all of that plus there is going to be added traffic and once those pallets are gone and have the new building that is where they are planning on having all their semis come in so with that 3 foot level is going to be seeing out to 2000 W all of those semi's and having all of that diesel noise coming between the buildings into her property so to not have a 6 foot wall from the tallest side even if they move the berm back it is still going to be a 3 foot height difference on most of the property between both of the properties. If they want to do and is happy to have them tear down the existing wall behind her house and put a 6 foot height on the tallest side which would make it an almost 8 foot wall on her side and that is really, hope, hope, hope that the Commission will really take that into consideration for her because it has been a big headache for her having the newer building there and having as much construction and work that has to constantly look at because of the height difference it is not a privacy wall at all as it stands right now so that is a really big concern to her. Her concern is for the fence placement if don't require them to do it in phase 1 and they do it in phase 2 that is a lot more construction seeing again if they don't have to do anything with the fence until a year from now because they are wanting phase 1 to be done by this fall and feel like the fence should be a bigger priority and should be done by the time the building is finished as well and spoke with Joe Flurer yesterday about his trees and he has asked Utah Onions, he has some dead Poplars that he wants to come in and have cut down from Utah Onions side but he has a lot of live trees and is very concerned with what they are planning on doing on Utah Onions side that it will kill a lot of his roots and will kill his trees off and he will have more trees that will have to be cut down and to express that concern for him. But really the emphases for the Commission is to please take into consideration that wall height and having that extended from the highest side so that she does have more privacy on her property because with as much as work as they are planning on doing with the new building that is a lot more for her so just wanted to make sure that wasn't bypassed and overlooked so feel like they are talking about a 6 foot wall and Utah Onions talking about not touching the existing wall and not doing an additional wall and it is not 6 foot as it currently sits and it is about 3 feet on their side so please take that into consideration with the decision to either have them tear down the existing wall and make it 6 foot on the high side so that it is taller on her side so that when she is looking out there are not in her backyard or if they do decide to build a wall behind her wall that is fine but want it to be 6 feet minimum from the highest side so that really is a big grade level difference. It is really a big concern to her and is worried, spoke to Heath Rogers who is an investigator or detective with Syracuse Police and wasn't aware of this meeting and had some police work he had to do and couldn't be here tonight otherwise he would have been here and he is concerned about if there will be shrubbery added behind his building because he is frustrated he has like the Reid's a lot of the impact from the fans and he was expressing his frustration to her today about the noise and how loud it is and thank

goodness it doesn't run in the summer because couldn't use their yard and would like to see some landscaping between that existing building and the fence line right now. But please, please have a 6 foot wall on the highest side, would really appreciate that. Commissioner Jensen asked if her lot was immediately north of the Flurer's. DeAnna Haskett stated just north of the Flurer's, she is between the Paige's and so the Flurer's is on the corner and hers is right next to it and where it shows the existing building her home is the home where can see the existing building and is just south of that and can see the concrete peninsula and that is where they are planning on putting the new building so can see through her backyard how much of an impact especially from her windows that sees all of the work that is being done when they are processing back there so that is a big concern to her with the grade level difference even if they go in and put a berm or wider ditch as was talked about to make the height the same at the wall it is not going to impact how much she can see inside the property because inside the property it is still going to have a much higher height difference and so it is not going to help her at all as a home owner and is kind of frustrating in a sense to her because wants to make sure she does have a buffer when they bought their home 10 years ago that building wasn't there and the only things they saw were the onion crates which honestly did not bother her cause it was like a neighbor they never saw but after they built the newer building there is a lot of coming and going they have changed and are not out there art 630 in the morning beeping their horns anymore like they were but still have a lot more work that is seeing happen on a daily basis and once that other building is there it is going to be even worse so that is her concern that if there isn't a wall there that it is going to fill more encroaching from Utah Onion in her personal space so would really, really like to see a minimum of a 6 foot wall on the highest side.

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Commissioner Vaughan asked staff to tell them for staff purposes what should this go through what the height of the wall and where it is going to be in relationship to property. Patrick McReaken stated this might help the conversation they appreciate Mrs. Haskett very much for helping them with the paint colors and it is good they had the property owners here, they would like to build a 6 foot high wall that is a true 6 feet on the east side of the wall and that will think satisfy what she is looking for. Commissioner Day stated he believes Commissioner Thorson articulated it very well, the fence has to be 6 feet and don't think this body should be negotiating between property owners different things, the fence should comply with the ordinance that they have 6 feet tall and concur with the motion that provided by Commissioner Thorson. Commissioner Rackham stated he would like a clarification on Commissioner Thorson's motion was he talking just new fence added or all the fence that is on the property. Commissioner Thorson stated his thought is that by grading they can scrape away dirt from that wall and establish a true at the fence measurement of 6 feet that is what he thinks could happen. Commissioner Rackham stated okay but it has to be on all, even existing walls. Commissioner Thorson stated yes, existing or new it has to be 6 feet. In his opinion if he was the code enforcement officer go out there on either side of the wall and put a tape up and if it is less than 6, it is not 6 feet so if they leave their side 2 feet than the other side and it doesn't measure 6 feet on that side it is not 6 but the code and ordinance could over rule that depending on an interpretation but in his opinion it is the higher side of elevation. Commissioner Rackham asked if his motion stated that it is all existing and new fence. Commissioner Thorson stated it didn't say. Commissioner Jensen asked if he would like to modify his motion. Commissioner Thorson stated it could be either existing or new whichever complies with the ordinance. Commissioner Rackham stated that is fine but just wanted to make sure because think what Utah Onions is talking about is new fence and want to make sure the motion included existing fence. Commissioner Vaughan stated there is no modification of the existing fence it is going to scratched, it is a scratch fence starting from brand new and on their side of the property it is going to be 6 foot. Commissioner Rackham stated okay if that is the case. Patrick McReaken stated talking also about from the corner where the fences form a corner at the Flurer's lot up to the north to the end of the phase 1 construction, phase 2 then would have to have that same criteria so they would take out the fence that exists behind the Fluer's and Haskett's homes just along that north south line and have that replaced with a full 6 foot high fence on either side.

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Commissioner Jensen stated was going to state that there is absolutely nothing stopping people from assuming they can match the block from adding a couple of courses to meet that requirement so don't always have to tear the fence down can work with what they've got for aesthetic purposes sometimes it is just better to replace the entire fence and sounds like are looking at as far as that entire north south fence there mentioned looking at upgrading that entire fence. Patrick McReaken stated yes. Commissioner Vaughan stated for clarification by the maker and the second, feel comfortable going forward with the motion the way it has been submitted and seconded or would like to withdraw it with consent of second and make sure they are clear and adjust everything. Commissioner Thorson stated he thinks they are good and doesn't care how they comply how with the ordinance they shall and it is not up to the Commission to say they have to comply it is already the rule and the law and they are approving the plan that will comply with the ordinance, Commissioner Jensen stated he is comfortable with the motion as stated he stated it has to meet the 6 foot requirement. Commissioner Vaughan asked staff if was comfortable with what they have and what their intent is trying to do with this. Planner Steele stated yes.

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ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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5. **Public Hearing, Site Plan Approval, CVS Plaza, property located at 1974 W 1700 S**

Planner Steele stated this is CVS Pharmacy on the prominent corner in the Town Center the corner of 2000 W and Antelope it is near Founders Park and across the street from the clock tower. It is a 13,000 square foot building with 70

proposed parking spaces. Working with the Town Center Master Plan the architect and engineers were very cooperative in trying to find a concept that works with the ordinance and will also be context appropriate and provide for a nice project in the Town Center that will be successful. They have used a lot of similar material and styles that are found in some of the other buildings in the Town Center. They have provided a pedestrian plaza on the corner that would have some stairs and seating and kind of a refuge as kids are crossing the street there since it is an active crosswalk and the main entrance would be on the east. They have met with the Architecture Review Committee and they are passing on a positive recommendation for the building architecture and site plan. Included is a reference from the engineer of how they have addressed all the staff comments and have addressed the majority of them and there are a few minor outstanding items that will be more related to the plat.

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Commissioner Jensen asks staff has the City Council has voted to change the parking requirements. Planner Steele stated yes. Commissioner Jensen stated so the maximums no longer apply, even though it states in the Planning Comments it states they are over the maximum requirements even though there is no longer a maximum requirement. Planner Steele stated yes but they actually applied before that was officially changed. Commissioner Jensen stated might want to strike that since it no longer applies. Commissioner Jensen stated this might not be the time but the signage requirements is that a separate approval. Planner Steele stated yes they will be required to do a conditional use permit for their signage. Commissioner Jensen stated looking at those and not quite sure if all those big huge CVS logos all over the place is exceeding the square footage requirements or if it meets it or not but if that is under a separate review that doesn't apply to tonight. Planner Steele stated that will be under a separate review there is a maximum square footage requirement based off of the façade of the building square footage a ratio and will review when they submit that application. As far as the parking spaces they are over what the maximum is but with the proximity to Founder Park felt that would be beneficial for the City to record some. Commissioner Jensen stated he is not opposed to the maximums just noting since the City no longer requires maximums that no longer apply.

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Scott Moreland, Boos Development represents CVS along with the civil engineer and architecture firms and wanted to thank the Commission for the opportunity tonight and are very excited to present this project in Syracuse and bring CVS to this corner and felt they have presented a good project in congruence with staff and are here to answer any questions along with consultants as well as far as any technical questions might have. Victor Yanez with Norr, as mentioned they designed this building according to the design standards to try to enliven the corner, engage the community and provide for pedestrian access into the site. They wanted to give a differentiation in the uses and the access points while still meeting all the requirements. It is an upgraded building from what CVS's typical prototype would be because CVS is very interested in serving this community and being a good asset to the City. They have as staff mentioned a small plaza at the corner with some landscaping and steps coming up to the elevation of the building to allow for an area for the youth to use away from the street as well as a more direct access to the sidewalks leading to the front door which faces east on this property. They incorporated the cross gable feature that is found in other buildings within the area and are using brick and cement board very durable materials throughout the building in order to reduce their maintenance and improve the look and feel of the environment. Believe that everything that they have done is consistent with and sometimes going beyond the requirements of the City and respectfully request the approval of this project. Leslie Morton with Psomas, it is a 13,000 square foot building and just under a 2 acre site, there is a drive through pharmacy that wraps around the building at the corner and the drive through window is where the tower feature is that was mentioned. There are 70 parking stalls, landscaped islands in the parking stalls with trees and have met all the tree requirements of the City landscape buffer between the street and the parking lot and also within the islands. Staff had mentioned Founders Park and talked a little about this in the Architecture Review Committee also that there is a lot of traffic that currently goes through this site coming from the Park onto Antelope Drive and CVS has agreed to grant a public access easement through the site so on the very east edge of the property there is a access easement that runs from the north all the way to the south that the public would still be able to use that as access from the Park onto Antelope Drive.

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Commissioner Thorson stated there was a comment about coordinating accesses with UDOT and has that changed, other than it is review by them. Leslie Morton stated they have submitted to UDOT for their access permit and it is in review, what they have talked about with UDOT is the access they are showing onto 2000 W is going to be a temporary access and when UDOT comes through there and widens that road from basically their access point to the north that access will be eliminated and the access will come from the north and will line up with the access into the shopping center to the west and then their access will curve into their site from the north which shows on the site plan with the arrows and that will be the permanent future access and UDOT will do that when they widen 2000 W. The access on Antelope is permanent right in, right out from the access. Commissioner Thorson asked if it was this that talked about the study for fire flow, was that this project. Planner Steele stated maybe he was thinking of fire riser, that was one of Deputy Hamblin's comments and they have met that comment. Planner Steele stated was he referring to A, provide documentation that the water system provide adequate fire flow through the Syracuse City Engineering department. Leslie Morton stated at this point they haven't determined all of the actual fire flows that are required. The building hasn't been fully designed but is sure that the City system has plenty of adequate fire flow to take care of a 13,000 square foot building. City Engineer Bloemen stated that is a standard comment Deputy Chief Hamblin puts on all site plans.

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Commissioner Jensen asked the applicant if they had any problems meeting staff's concerns, Leslie Morton stated no, they worked very closely with staff for several months on both the site plan and the way the site is laid out and also the building features and architectural features of the building. Commissioner Jensen asked staff if they felt like they have addressed any concerns. Planner Steele stated yes, absolutely, they have been very good to work with and have exceeded all and everything asked for have provided.

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Commissioner Rackham asked the applicant if can explain why have 2 speed bumps and why they were put where they did. Leslie Morton stated that was one of the discussions that they had in the Architecture Review Committee, there was some concerns about the traffic coming from Founders Park and they are very used to just kind of cruising through that empty parking lot and not rally having to worry about maybe a car backing out into that drive lane so as a result of that conversation they added a couple things. They added a stop sign right as they come out of Founders Park with note #5 on the plans so that anybody coming right out of the park will have to stop and look for traffic coming from the right or the left in the future and the speed bumps were added just to slow cars down going through the public access area so that they are not going too fast if there is a car trying to back out. Commissioner Rackham stated he would have expected it to just be up more by the stop sign then in the middle of the parking lot like that. Commissioner Rackham asked Planner Steele if he was involved in that. Planner Steele stated yes in the Architectural Standards it says that major internal circulation pathways should have some sort of separation between the parking and the drive isle and this was a proposed solution that they came up with to try to remedy this and felt it would help. Commissioner Rackham stated what he is looking at if they just had one up closer to the stop sign so that it didn't impact their parking lot. Planner Steele stated if their engineer feels like that would still meet their needs then is open to that discussion too. Leslie Morton stated they can take a look at that. Commissioner Vaughan stated partially he was the one who raised that particular comment during the Architectural Review Committee, have met with the 3 applicants here as part of that committee meeting and his concern at that time for background is the eastern most spaces coming off the now access for the school kids going out to Antelope was for those 9 spaces if they were to try to back out, cars are sometimes coming rather rapidly southbound through that and would be going out the blind side of there looking for cars. Suggested making those possibly even diagonal tilted to the left but that would result in the loss of at least one parking space so the compromise came forward with possibly speed humps as opposed to speed bumps and there is a difference and think the fire department might want to chime in on those and would have a recommendation for the actual design of a speed hump to be used in the parking lot for the purposes of not jarring someone in the back of an ambulance and that is the main reason for having a hump as opposed to a bump. It hasn't been raised before but will do now and perhaps can ask whether or not they want to have the same type of speed reduction device included across the northern access going out to 2000 W or whether or not they think that would be too much of a straight shot and cars would have a tendency to speed up as soon as they make that last left turn heading towards 2000 W. Commissioner Rackham stated his thoughts when looking at this, they have the driveway, the drive through existing right there, most people that are going to park in the pharmacy rather than going over the speed bump and around they are going to make the sharp left and then are going to go into oncoming traffic so that is why think putting it back closer to the stop sign with 1 would probably be the better. Commissioner Vaughan stated that is something they can discuss with the applicant right now. Leslie Morton stated she wasn't sure she understood the concern there of the cars coming out of the drive through. Commissioner Rackham sated the drive through coming out or exiting and then people coming in, rather than going in over the speed bump to get to a parking stall they are probably going just turn left and would have the 2 cars hanging there and could see that being a traffic problem, not a huge one but a little bit. Leslie Morton stated to avoid the speed bump they would make the quick left. Commissioner Rackham stated so if the first speed bump wasn't there think it would help the flow. Leslie Morton stated understood.

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Commissioner Jensen stated the one marked #22 think probably would be a good idea to nudge that to the south a little bit so it is more aligned with the northern island, where people might try to make the turn and hug the curb to partially avoid the speed bump and think that would be more effective if it just a little more to the south and more in line with the island there. Leslie Morton stated thinks their concern and Commissioner Rackham suggested that one be removed. Commissioner Jensen stated he was talking about the northern one, nudging it 20-30 feet to the south is what he is suggesting as far as the southern one is necessarily opposed to it but Commissioner Rackham does bring up a good point. Commissioner Vaughan asked if would like the speed hump moved own to the extension of the south boundary of the landscape island. Commissioner Jensen stated yes, move it so it is more in line with the island. Leslie Morton stated another solution for the south one could be to get rid of the south one completely and put a stop sign in the island.

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Commissioner Day stated maybe would be appropriate to help the flow of this is that they proceed with the public hearing and take all the comments and maybe discuss them at that time verses piece milling it together. Commissioner Vaughan agreed and asked the applicant if there was anything else the applicant would like to express or any other questions of the applicants and their presentation.

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Commissioner Vaughan opened up the Public Hearing.

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Public hearing closed.

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Commissioner McCuiston stated getting back to the speed bumps discussion, thinks speed bumps in any form are horrible idea and they do nothing but irritate the public, damage emergency equipment and make people speed up because they have a perceived loss of time through an event like that. Speed pillows and speed raised intersections and things like that are a little bit better but questioning if they really need them there at all. Commissioner Day stated he would agree with Commissioner McCuiston and find them rather annoying and find the snow plow people find them rather annoying as well. Commissioner McCuiston stated once they try and move snow through there they find out they are never a good solution. Commissioner Thorson stated would agree that their value is offset but a lot of downsides, at a minimum would eliminate the south one don't think they should, people entering the parking lot from Antelope want no reason for them to get hung up right at the entrance when the car right behind them wants to enter to and then have a backup, want free flow off of Antelope into the parking lot. Commissioner Vaughan asked if anyone else want to chime in on the speed humps. Commissioner Jensen stated that going with a wider solution there were it is kind of like not just a little hump but a wide raised section that kind of accomplishes that and think is a little easier on the snowplows but certainly the little humps can be an issue but if it is something that is a more of a raised area to kind of just slow traffic down a little bit. Commissioner Vaughan stated that is the definition of a speed hump and those are generally approved by fire Departments universally across the United States because of the angle, pitch and speed of which to traverse safely but on the other hand have had 3 Commissioners comment negatively do they have a 4<sup>th</sup> and then they can reach a consensus on that one specific point.

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Commissioner McCuiston stated he just wanted to say that questions the value if they are actually going to slow traffic or deter anyone from speeding through there, they would just cut through sideways where the striping for the cars is and don't see it as an effective solution or one that is needed, could use a raised sidewalk at the entrance of Founders Park and accomplish the same thing. Commissioner Vaughan stated when they get to a motion that speed humps be deleted from the design.

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Commissioner Jensen stated wanted to comment that it is a very nice looking building and think that they did a very good job on the elevations and it looks like it will complement the existing Town Center well and kudos to the Architecture Review Committee for the hard work on that as well as the developer. Commissioner Vaughan wanted to reiterate that the Architecture review Committee did recommend approval of this project to the Planning Commission as a unanimous vote from them.

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COMMISSIONER THORSON MADE A MOTION TO APPROVE THE SITE PLAN APPROVAL OF THE CVS PLAZA WITH THE REMOVAL OF THE 2 SPEED BUMPS WITH NO OTHER TRAFFIC CALMING DEVICES. COMMISSIONER MCCUISTION SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

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**6. Public Hearing, Preliminary Subdivision Plan, Criddle Farms South, property located at 1200 S 4000 W, PRD**

Commissioner Day recused himself from the meeting. Commissioner Thorson asked staff regarding this agenda item it appears that the address on the agenda of 715 S 4000 W is incorrect. Planner Steele stated there was a previous application for the other address and was a simple mix up and the actual address is 1200 S 4000 W. Commissioner Thorson asked if that changed any of the notification requirements. Planner Steele stated the notification letters went out to the correct addresses it was just merely a misprint on the actual agenda.

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Planner Steele stated this is Criddle Farms and are dubbing this Criddle Farms South to not confuse it with the other General Plan items that were seen. It is a PRD and already received zoning and included in the packet is a development agreement that was signed in 2013 and within that development agreement it was an annexation and a concept plan and some of the articles of agreement were density, number of units, open space, trails. In the original concept that was agreed upon was 99 units and is now proposing 101 which is still below the actual maximum density that was already agreed on. The proposed preliminary plan is 4 phases and the north arrow is facing to the right so 4000 W is at the bottom and 1200 S is on the left of the plan. They have pretty much stayed with the concept plan with the exception of the location of the trail and this is something that staff has worked with them to try to provide a little more beneficial location for the trail and the neighbors and provide a little more buffering. The trail has been moved to the south with a 30 foot wide landscape strip between the street and the backs of the lots and staff thought that would be a more beneficial location for the trail, more visible and not walking behind and between people's backyards and side yards so a little more visible. Also in the packet is also a memorandum of how they have addressed engineering comments and they have submitted new plans but as far as can see they have addressed staff's concerns. Moving forward there are some outstanding items that they need to work on, more detailed landscape plan and as a PRD they are required to have amenities as the open space and common space. The common space is the more improved type of open space and then open space is a little more loosely defined. So they will be required to do a more detailed plan with that and also another development agreement that will detail some of those, the landscape features and how are going to move forward with them and also included the PRD ordinance for reference.

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Planner Steele stated on 1200 S have had discussions with them about what kind of improvements would be required since they border that public street and have reached an agreement of what can be done and what the cross section will look like. There is an existing trail that was installed as part of the Bridgeway island subdivision that goes east to west and

along 1200 S and right now 1200 S is an existing dirt road and that is all and basically serves as a cut through for farmers and pheasants. The cross section for 1200 S would maintain that trail and then a 66 foot right of way and would have a little smaller asphalt width and then a park strip on the north and a sidewalk on the north.

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Commissioner Vaughan asked staff regarding the memorandum dated March 31, 2016 under engineering plans it talks about lots 73, 75, 76 and then 38, 49, 40 can staff point them out where it states sewer and land drain needs to be extended. Planner Steele the problem here is the original plans that they submitted had different lot numbering since they put in the phases but believe the second page. Commissioner Vaughan asked if could translate when it particularly the one that talks about draining into the detention basin assuming that might be parcel A in the diagram. Planner Steele stated parcel A is the top left corner and will have a detention basin in it. The original concept shows the lot numbers and are pretty similar to what is on the plans that the comments were based off of. Commissioner Jensen asked staff they recently changed the PRD ordinance from net acres to 6 gross and so does this meet the 6 gross requirement. Planner Steele stated yes it does, they proposed 5.3 gross. Commissioner Jensen stated they changed it and lowered it slightly and just wanted to make sure and know under this development agreement that it was lower than what was normally allowed which was part of the annexation agreement but just want to make sure this meets the ordinance. Planner Steele stated everything looks like it does and are locked into that development agreement. Commissioner Jensen stated his question for the City Attorney and may be for future use is they have a development agreement or an annexation agreement and they subsequently change the ordinance does the new ordinance supersede that development agreement. City Attorney Roberts stated would need to review the development agreement if it conflicted with what was in the agreement then they are locked in with what the agreement said, can't change the rules that is the point of a development agreement but if it is consistent with the development agreement then the new standards could be applied.

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Commissioner Thorson asked staff it states on there it has open space of 10.4 acres for a total of 54% is that including the front yards of each of these lots and does the definition of open space include side and front yards, effectively the front yards of each property and don't know and they have talked about what open space and common space meant but just not seeing it, just seeing a high density residential development with very little open area that people can use but not seeing the 54% open space that is useable by the public. Planner Steele stated are correct the way the open space is calculated includes someone's backyard, side yard and front yard but the common space is the improved area that will have amenities and would be more of the true "open space" that most people would interpret it as. Commissioner Thorson asked what the definition of open space in this development agreement, does it allow it to include front yards and side yards. Planner Steele stated as far as he has read it and understood it, it can include those side yards but are not allowed to be fenced in, the concept of a PRD is that it is more of an open area that usually the lot lines are right under the foundation similar to like a town home or a Sunset Villas where they have shared common space but often that shared common or open space becomes someone's backyard that isn't that usable but the technically the neighbors can use. Commissioner Thorson stated looking at R-1 residential, his front yard is as open as these front yards and just not seeing and is disappointed in the City's definition and application of open space, these are just front yards so. Planner Steele stated he completely agrees. Commissioner Thorson stated it complies as written and can't object or deny it but objects to the use of it. Planner Steele stated he agrees and in reality is someone gonna go say 'hey son let's go play catch' behind someone else's unit, it's not going to happen. Commissioner Thorson stated the reality of this open space does not meet what he thinks is the intent of open space. Commissioner Jensen stated he looked it up there is a 20% common space requirement and looking at it there are parcels A-G as the open space. Planner Steele stated that is correct and that is one of the outstanding items is have asked them to provide a more detailed table showing the different parcels and is also something they need to explore more of what kind of amenities they are going to offer in each one of those parcels because it has got to be good. Commissioner Jensen stated one thing to keep in mind is the trails do technically count as common space. Planner Steele stated parcel B has the trail in it and can't tell the boundaries but believes includes the whole length of the eastern. Commissioner Jensen stated looking at the colored diagram where the trails snake through there and looks kind of nice actually.

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Commissioner Vaughan asked staff regarding the development agreement that there is an allowance for maximum density and wondering if there a minimum density and could they set any standard for this, where would they be if it was a R-1, R-2 or R-3 project as opposed to a PRD where trying to maximize and wind with basically a. Planner Steele stated this would be too dense to go in any of those other zones and as far as a minimum don't really understand or know where is going with that guess technically they could put one house in the middle of it and the City wouldn't care. Commissioner Vaughan stated at 20 acres how many units could there be under R-1, R-2 and R-3. Planner Steele stated he can do the math really quick if he wants. Commissioner Jensen stated 46. Planner Steele stated if is getting at does this have more units than the other zones the answer is yes. Commissioner Vaughan stated he is doing an extension of Commissioner Thorson's question that the density and the spacing here just looks to be too much and looks more like Los Angeles rather than Syracuse Utah particularly when compared to existing developments north, south and to the east. Planner Steele stated he does not disagree but this was the concept that was already approved, doesn't mean that things can't shift and move around but it is very similar to what the concept that was already approved. Commissioner Vaughan stated that is why he asked was there a minimum stated in that agreement there is a maximum stated but not minimum. Planner Steele stated no. Commissioner Vaughan asked if they have the power to reduce that maximum by 20%, 30% or 40%. City Attorney Roberts stated no, they cannot do that, the development agreement is in place and the zoning is in place, they are entitled to the density and cannot lower the density at all. Commissioner Vaughan stated basically an agreement

that is cast in stone are here just to lift the rubber stamp and drop it. City Attorney Roberts stated are here to make sure it is developed in accordance with the ordinances governing PRD can't change the use in a site plan review. Planner Steele stated under the current PRD zone this would also meet the current ordinance as well but understand his concern and obviously don't expect any rubber stamps from this Commission and appreciate the thorough review and can assure that staff takes a judicious eye to it and are invested and want to see a good development out there too and try to act within the parameters that have been given to staff and have been in conversation with their engineer to try to negotiate a good product and they have expressed that they are willing to work with the City and if there are some specific things that can do that feel would be a better product for the City there are willing to work with the City. Commissioner Vaughan stated so basically saying that this agreement executed under a former City Council a former Planning Commission is basically an agreement that is somewhat binding and then further on that in staff's opinion does this project fall under and comply legally with the current PRD. Planner Steele stated yes, staff has done a review of the current ordinances and yes unfortunately are bound by that agreement. Commissioner Jensen stated just a point of clarification had brought up the annexation agreement and wanted to point out that that annexation never came before the Planning Commission it was something that the City Council worked out and at the time it was put forward had mentioned that felt it probably should go before the Planning Commission so could make a recommendation on it but were never given that opportunity. There are 2 things on the common space that are troubling him in 2 areas, looking at parcel A and understand they are trying to align with 975 S there but that space for parcel A looks kind of un-useful to him essentially can call it common space but no one is really ever going to use it and parcel B is kind of under the same thing and would rather see parcel B and parcel C get unified in some fashion so that they actually connect just don't like all this orphaned common space and think that the purpose of the common space is to try to unify it into one area or not necessarily one area but into useable groups not just left over acreage. Planner Steele stated and those types of comments are under the Commission's purview to provide input at the preliminary plan stage. Commissioner Jensen stated under the current structure of Title VIII isn't the Planning Commission supposed to get some input before they get it put in front of them. Planner Steele stated so the process is concept, preliminary and final. Commissioner Jensen stated thought under concept thought the thought at the time it was that it would be brought in front of the Planning Commission to make some initial comments not necessarily approval or anything but just make suggestions but were never given that opportunity. Planner Steele stated the concept stage goes to the development review committee which is at staff level committee that is scheduled every Monday. Commissioner Jensen stated but as part of that as understood it there was supposed to be an opportunity to put that before the Planning Commission and City Council as well so can make some additional input before they get into where they are vested. Planner Steele as far as he understood they are acting within the proper protocol but would be happy to look and see if there is anything that. Commissioner Jensen stated the reason he said this is it would have been an opportunity for them to make these suggestions before it got this far along in a public hearing and the developer is pretty far along in the process, the whole point is they are not trying to let them get vested earlier but if could make initial comments earlier it could be helpful to the developer. Planner Steele stated and like had mentioned earlier in the meeting about ways to annex land in the future when they do a development agreement and requirement them to the do the design work up front that it is good and the City knows what is getting but is bad that don't get to vet out that concept design more and so since that concept was part of the development agreement that was their concept review and so since they had already gotten that then that is why it was taken directly to preliminary.

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Commissioner Thorson stated he thinks they should move on and hear from the applicant and move onto the public hearing and then continue their discussion after with the additional information from those parties.

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Rick Scadden, North Ogden, think it has been pretty well discussed what the design was the reason for the change from the original was different amenities. One big point would like to make think was a very good concern from the staff was they are creating more space between 4000 W and the backyards of the homes that border that 30 foot strip will make it much more appealing for the people who live there. Most everything was addressed and can answer questions if have them and want to point out a willingness to work with the City, the staff has been great to work with and have given them good direction and a willingness to work with ideas and things that would be amenable for the project to move forward but also believe current zoning and current land use do meet those requirements based on the way it is written now.

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Commissioner Jensen asked the applicant if would be necessarily opposed to trying to do some things here to try to unify the common space a little better. Rick Scadden stated they would not be opposed to that, their intent was to try to break it up to where it was in different areas of the project but would be open to moving them around. Don't see that moving a few around would cause them any great problems so would be open to ideas. Commissioner Rackham asked the applicant regarding open space parcels are any of them detention basins. Rick Scadden stated parcel A and that is why they would start in that phase because of course they would have to put that in in the beginning. Commissioner Rackham stated the ordinance requires some kind of amenity in a detention pond. Rick Scadden stated they have discussed different things from playground equipment to other things and have discussed that with staff a couple times. Commissioner Rackham stated nothing firm committed. Rick Scadden stated not yet but are definitely open to making it a community that people would obviously want to be in and have those amenities to use.

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Commissioner Vaughan opened the public hearing.

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John Diamond, 3269 W 1800 N Clinton, is here representing a couple of entities and first of all would like to bring to the attention of the Commission that Hooper Irrigation has an irrigation pipeline that goes down the east side of this project on 4000 W and when that was put in back in the early 60's of course this was all farm land down in there and all that piping is non-reinforced pipe so the concern would be on the ingress and egress areas that something would have to be done there to reinforce that pipe and protect that pipe from the damage like they had down by when Bridgeway Island went in down further they had a lot of problems there with broken lines and things on that non-reinforced concrete and thinks that is something that needs to be considered. The other question has is they also have an irrigation easement that goes down 1200 S and the same situation there and don't know it hasn't been discussed what the plan for 1200 S was and that is his question don't know if the Commission knows or not but the reason that asphalt trail was put in there was to protect that irrigation line and it is also a non-rated line so it wouldn't be a line that could go under the street it would have to be reinforced and that is why the City put that asphalt down through there. John Diamond asked the Commission if they had an answer on what they are planning on doing along 1200 S. Commissioner Vaughan sated they cannot answer his question but will make sure those are addressed by City staff and particularly the City Engineer. Commissioner Vaughan asked Mr. Diamond if he knew specially what the diameter of what the pipe sections are. John Diamond stated down to 1200 S from 4000 W down to 4500 W is 12 inch it is pit pipe 80 PSI and the line going across 4000 W it is a funny size it is like a 23 inch pipe it is an oddball size pipe. John Diamond stated the other concern he has is they own the property to the west and this property was not in Syracuse City when they entered into an agreement with Syracuse City to take the tail water and developed the pond that is below 4500 W and this is where that water would wind up and the agreement with the City and has a copy of the agreement is that the system at the time for the zoning that was in place in the City and several of these properties, the Simpson property is now come in and requested and been approved for more density and this property has been approved for more density and that pond was not designed to hold that much water and so their concern is that it needs to be considered in the planning. Has nothing against the development but they just don't want to have a problem down the road with a 100 year storm or whatever because it was not designed to take this kind of run off. Commissioner Vaughan asked if he had a copy of the agreement he could leave with the City Attorney. John Diamond stated yes and it was also recorded down at the County courthouse. John Diamond state the other question would be to the waste water that would dumped into that system according to the agreement has to meet the clean water act and the other design of it they have had oil separation boxes and things of that nature to catch any oils and sediments and things of that nature and that would need to be included in the design as well.

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Craig Johnson, Syracuse, would like to continue on the conversation of what Commissioner Jensen was talking about having open space better and what Commissioner Thorson also stated the open space or the common space needs to be better. It is the intent of the ordinance as was created with the PRD and needs to have that feel of common space and where it is little small pockets here and there, echo what Commissioner Thorson and Jensen have said and think it also needs to have better design. If that takes some of the lots out so be it but they need to look at having a better common space to fulfill the intent of the ordinance.

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Public hearing closed

[8:14:50 PM](#)

Rick Scadden he wanted to confirm the size of pipe on 1200 S. Commissioner Vaughan stated 12 inch in 1200 S and 23 inches on 4000 W. Rick Scadden stated the design was as mentioned are open if there is a better idea they are open to it and don't want to be bad neighbors they want to put a project that has their name on it and is important to them that they can do it right.

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Commissioner McCuiston stated is just wondering if the Ensign drawing concept is the concept that was approved, the colored one. Planner Steele stated yes. Commissioner McCuiston stated sees a lot better trail connectivity and interconnection of the open spaces in the concept plan plus it contains 2 fewer lots than the newer one before them now and doesn't see trails on it at all. Planner Steele think what happened was staff made a comment to move the trail along 4000 W and there wasn't a lot of thought beyond what would be remaining in those other parcels and agrees they need to improve the open spaces and give more detail on what will be going on in them. Commissioner McCuiston said it contains a couple of extra additional lots is that part of the agreement or just extra lots they have thrown in. Planner Steele stated let me check the agreement. Commissioner Vaughan stated the green looks like the highest lot is #99. Commissioner Jensen stated it is 101 in the advised. Planner Steele stated density, the subject area shall be limited to no greater than 6.7 units per acre so is suspecting under 4 where it says open space, shall contain 50% and 20% improved common space don't think they could reach 6.7 units with the required open space. Commissioner McCuiston stated thinks the trail system that was there actually connected the open spaces together and created something that works and what they have before them is really disjointed and non-functional. Commissioner Vaughan stated at 6.7 that would be 134 lots as opposed to the 99 showing in the green. Commissioner McCuiston stated his concern would be to see a different site plan that shows functional open space and functional common space. Planner Steele stated yes, they need to submit more detailed landscape plan and also there is a development agreement that will talk about the architecture of the buildings and they have agreed that they will provide that to staff. The options are to table it until get more detail if they like or can even deny it they want or can pass with conditions if know more specifically what would like to see. Commissioner Thorson asked if there was a time limit if they table, do they have to address it in 60 days or.

Commissioner Vaughan stated it would most likely be the first available date unless the applicant would request a longer time but as was mentioned by staff one alternative would be to deny it as presented and part of the argument for that is there is a wide variance between the maps that are presented now and what was initially agreed upon when the original agreement was drawn up the white map as opposed to the green map. Commissioner Thorson stated of the 2 options tabling has a time limit to address it and denial could mean a reapplication and not sure what the rules are and the burdens would put on them either way and would like to know what they are. City Attorney Roberts stated think with the deficiencies that have been identified they are working on those so seems like tabling would be the more prudent way to go and just come back in 2 week or 4 weeks or when they have had an opportunity to turn those things in and get those questions answered rather than denial which requires them to go through the whole application process again. Commissioner Jensen stated looking at their plan and trying to solve what they have proposed verses the concept plan and to hit 101 lots on the color concept plan utilizing the land for parcel B & H could accomplish those extra 2 lots plush could shift lot 73 to 58 shift that row over a little bit to add a little more common space to parcel E and then as for parcel H could probably nudge it a little but do like having the trail go through the subdivision there and know staff likes the idea of putting the trail along 4000 W but in his opinion is a little unimaginative and like the idea of staking off 4000 W and into that interior road there and maybe there is a way between lot 1 & 54 get the trail to snake back to 4000 W there or also snaking over in the land that will part of another development later but does like the concept plan better accomplishes the purpose of the common space and still think there is a lot of room for improvement but think this should be tweaked because the common space looking at now just doesn't feel common to him it feels like a bunch of different pocket areas for and not all the residents are equally served by it.

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Commissioner Vaughan asked staff if this was rejected by the Commission under normal circumstances the applicant would have to refile and again pay fees, if they were to deny it with prejudice and wave fees would that allow the applicant to bring it back under the current fees paid or is that something the City would prefer not to do. Planner Steele stated like City Attorney Roberts stated think tabling would be the prudent option on the table but the denial would have to be very specific of what ordinance it was not compliant with. Commissioner Vaughan stated would it be sufficient to say that the original agreement as depicted in green is different than the new plan with lot design, open space, enumerated open space and lack of a trail system would that be sufficient in staff's option or maybe a question for City Attorney Roberts. Commissioner Rackham stated the ordinance requires additional parking not attached to the houses and don't see any of that in there either so. Planner Steele stated 2.5 spaces for PRD. Commissioner Rackham stated doesn't it stated additional also. Commissioner Jensen stated that is the .5 with the idea that the extra .5 can be used for common parking areas. Planner Steele stated didn't see anywhere where it said common parking areas just saw the 2.5 so what are referring to accurate as far as the ratios go and is something that could be identified as non-compliant. Commissioner Rackham stated another thing they are supposed to be seeing some kind of a plan for houses type thing, there is nothing in there but want to remind them that there is a 2 car garage requirement. Planner Steele stated wanted to let the Commission know what staff was thinking about the trail there and potentially could be both interests met and what Commissioner Jensen said is a good point that those spaces should be interconnected and cohesive and think the different interests at hand are the residents themselves and interconnecting those, their own open spaces and then the connection more of the City wide scale of creating a trail system of people trying to go between Rock Creek Park and the eventually the trail over to the causeway. So there are kind of those 2 competing interests almost like a freeway and a local road so kind of a hierarchy and were thinking more of the neighborhood as a whole so possibly as they go through and explore their internal open spaces could have sidewalks that are smaller and interconnect them and then more of the freeway could be the trail that connects.

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COMMISSIONER JENSEN MADE A MOTION TO **TABLE** THE PRELIMINARY SUBDIVISION PLAN FOR CRIDDLE FARMS SOUTH TO ADDRESS THE STATED CONCERNS.

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Commissioner Vaughan asked if had a specific date in mind or at the next available meeting. Planner Steele stated it depends on how quickly staff gets the updated plans, the next Planning Commission meeting is April 19, 2016 and require that the plans are in the Wednesday before the meeting to compile the packet and that is really pushing it. Rick Scadden stated they moved the trail system from staff's direction and wanted to point out and thought it was a good point from them is that trail is going to go right through about a dozen backyards so if someone is sitting in their backyard having a cook out or get together people are going to be walking through their backyard and that was the intent of moving the trail was and think it was a valid point and think from a homeowners stand point as well and also likes that it moves the homes further west off of 4000 W and think it is a valid point as well now as far as it going in other areas and also combining some open space don't have any problems with that but think the trail being in people's backyard should be of concerns as well and think it should come under consideration like on parcel D with open space and people will literally be walking through backyards. Will come back with updated plans and ideas and will talk with their engineer and let staff know how quick can get it back but would like to get back as soon as possible and something that is agreeable and workable to the Commission. Commissioner Vaughan stated by statute are required to set in contiguous to a date certain. Rick Scadden stated if are not able to get done by April 19, 2016, then it would be 2 weeks from there but will work to get that done by the 19th. Commissioner Vaughan stated how about the first meeting in May because this project has been on hold for a couple years now. Rick Scadden stated not for them but for other people that is correct. Planner Steele stated May 3, 2016 would be the first meeting in May. Commissioner Vaughan stated with an approximate submission date of April 27, 2016. City Attorney Roberts stated could craft the motion and move to table this to April 19, 2016 but if the applicant

contacts the City and hasn't gotten them to staff by April 13, 2016 then it could be moved to May 3, 2016 so could leave it open that if they can get it done can add them to that agenda but if not can move to the next. Rick Scadden stated would like to get it done. Commissioner Jensen stated his motion was just to table it until the applicant was able to submit a revised plan and gives the applicant the leeway and if can make it by April 19, 2016 that is fine and by staff's judgement if not it could be May 3, 2016 but likes keeping it open. Commissioner Jensen added as part of his motion a better plan that better unifies the common space. Rick Scadden asked for clarification because they did change the trail based on staff's recommendation and what the Commission would recommend with what to come back with. Commissioner Vaughan stated cannot give recommendation but have had the opportunity of hearing what all of their comments have been in that regard. Commissioner Jensen stated would make a quick comment on that they do have another project that is not a PRD but if look at the Trailside subdivision by the roundabout on 2700 S the trail that goes through there it does kind of go through people's backyard but under the PRD ordinance as it stand do allow for the rear pad to be fenced off so that could help screen the houses but do think there are some thing that could be done by shifting some of the lots around to address that concern and create a little bit of extra open space in the process and are a lot of creative things that can be done and want to give the applicant adequate time to do that and whatever meets the ordinance is fine but the common space really needs to be more unified is his concern.

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COMMISSIONER JENSEN REITERATED HIS MOTION TO **TABLE** THE PRELIMINARY SUBDIVISION PLAN FOR CRIDDLE FARMS SOUTH TO ADDRESS THE STATED CONCERNS AND BETTER UNIFY THE COMMON SPACE WITH REVISED PLANS FOR THE APRIL 19<sup>TH</sup> OR MAY 3<sup>RD</sup>. COMMISSIONER RACKHAM SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

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Commissioner Thorson stated has a comment regarding the trail system and the applicants comment regarding the trail going through people's backyard which makes the point that it is not open space it is considered a backyard by everyone in the room, it is not functional open space by the definition and when read the definition of open space in the current code that is not open space, it is not for the general use of the public it is not conducive to the human environment in the definition. The justification of moving the trail because it is in people's backyard exactly proves that. Commissioner McCuiston stated he would like to echo Commissioner Thorson's comments and agree with him.

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ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY WITH COMMENTS.

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Commissioner McCuiston stated point of order wanted to point out that they spent over 2 and a half hours on 3 agenda items and if are not more judicious in their use of time will not get through tonight's agenda and will hard pressed to get through any nights agenda. Commissioner Vaughan stated he thinks one of the other items before them will go rather quickly but will definitely take that into mind.

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Commissioner Day has rejoined the Commissioners.

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**7. Public Hearing, General Plan Map Amendment, Barber, property located at 1972 S 2000 W, R-3 Residential to PRD**

Planner Steele stated the current zoning for this property is R-2 and are just working on the general plan amendment because of the map closure. The total area is 4.7 acres and under the current zoning they could do 14 lots and the PRD will allow 28 lots. It is across the street from where we are right now and their proposal is to build something similar to development to the west and south which is Craig Lane Estates which is a HOA community and is another similar development style that had been talking about where it has shared common space. The existing General Plan is R-3 and wanting to change to PRD can see the R-2, Craig Lane was initially a cluster subdivision and that was between 1999-2005. The applicant submitted a letter stating why they want to change it and basically they want to create a similar product and provided a concept plan to show where the home sites would be and where the open space parcels would be. Planner Steele read the PRD ordinance purpose description.

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Commissioner Jensen stated it shows the density for R-2 and PRD but for the benefit of the Commission the density for R-3 would be about 19 lots.

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Commissioner Vaughan asks staff why did staff accept this when the project does not meet minimum standard for a PRD. Planner Steele stated referring to the acreage and the minimum acreage for a PRD is 5 acres and this is a 4.7 acre piece and in the summary explained that they could purchase land for their access and they would need to purchase some land in the corner which could potentially take them over the 5 acres so staff is the venue to provide information and not the decision maker or the filter have provided analysis and facts for the Commission to decide if this is something that want to approve or not.

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Commissioner Rackham asked staff if they had provided anything that said they have talked in an agreement or just verbally that they can buy it. Planner Steele stated they did have a meeting with the HOA presidents of Craig Lane Estates and Troy Barber the land owner and they let staff know verbally that they would be willing to provide that access and sell the land.

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Commissioner Jensen asked staff that the PRD mentions it has to be fronting a major arterial, this isn't fronting 2000 west. Planner Steele stated in the summary also explained this does not have frontage however if they were to consider it as part of or an extension of Craig Estates they do which fronts 2000 W. Planner Steele stated he warned the applicant that this is a stretch and to be fair have said there are some outstanding items but if the Commission felt that this could be a good addition to the City and think that with some work by essentially adjoining to Craig Estates they could be considered meeting those standards but that is a stretch and interpretation that will leave to the Commission to make.

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Commissioner Vaughan asked if staff mentioned to the applicant that the City recently changed the status of piggybacking additional projects to get the benefit of a former phase or former properties trying to assemble them to get the benefits of the larger project. Planner Steele stated referring to a Still Water Estates kind of situation. Commissioner Vaughan stated yes. Commissioner Jensen stated or Trailside. Planner Steele stated yes and have thoroughly cautioned them and knows it is a stretch and respectfully let the Commission make the decision.

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Adam Bernard, Syracuse, as has been pointed out this is a stretch and this is why have come forward to the Planning Commission because know that it is not necessarily an ideal situation for this zone or any of the zones. Their desire is to work with the home owners association to provide what is best for the community and know that this is in the heart of Syracuse and understand that it is a very important piece of property. The property owner has mentioned he can put these PRD, smaller homes, small profile homes that are contiguous with the HOA that is currently there. With the current zoning like Planner Steele mentioned can get 14 homes and even with the PRD would only be getting 14 homes. The mention of 4.7 acres there is roughly 4.7 acres and have talked about taking out lot 3 on 2000 W and would answer the fronting problem as well which is .3 of a lot but that does not provide a good backdrop for the community. They want this to stay as more of a private area just like continuation of the HOA. They could take out that lot and put another 2 homes in but they don't really want to do that and don't think the City wants that to have back of homes facing 2000 W and want to keep that as Professional Office space as it is currently general planned as and are willing to work with the people around the property and understand it is a stretch and that is why are before the Planning Commission to see what can and cannot stretch on.

[8:44:09 PM](#)

Doug Hammond, representing the Craig Estates HOA, several years ago Troy Barber came to their HOA in a general meeting and proposed this particular plan and it was accepted by the residents in a majority to give him the option for this access and they were very concerned that the type of homes that are being built in that area are big, in fact they are so big that they look into the backyards of other homes further down in Craig Lane and wanted to prevent this so that they asked if he would build single level homes, no basements and he agreed to that. These would be upscale homes as can see by the design and will add very nicely to the City Center. It doesn't add to increase traffic on 2000 W it would come out directly on Craig Lane so we feel it would be a very positive plus to the community. The HOA again has approved their coordination with them. Commissioner Vaughan asked if he was part of the applicant group or speaking as someone on the issue as an interested party in favor of. Doug Hammond stated as an interested party because of part of the HOA. Commissioner Vaughan stated he has no ownership of the property at all. Doug Hammond stated no, not at all, no interest from that aspect. Commissioner Vaughan asked Adam Bernard if there were any other members of his applicant party.

[8:46:17 PM](#)

Commissioner Rackham stated looking at the concept it has a lot of open space that is back behind homes but don't see any common space and are supposed to have 20% common space. Adam Bernard stated correct and that common space is with developmental amenities and have talked about are able to put a trail type system through lot 2, in between lot 1 & 2 to connect this and are willing to and this is a general plan amendment this is not their final site plan they didn't feel that was necessary to provide but are willing to put access point to 2000 W as well as to the senior assisted living homes so would have access to both streets whether it is a trail or a sidewalk so the children don't have to go all the way around to get home can cut through this area and are willing to make and has said this is a general plan amendment this is not a site plan.

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Commissioner Jensen stated R-3 allows 19 lots and are showing 18 lots including the 4 lots facing 2000 W, what is the purpose of the PRD. Adam Bernard stated the R-3 the frontage of the homes the 80 feet in the front, the lot width would not allow for the homes they desire to build.

[8:48:04 PM](#)

Commissioner Vaughan asked the applicant if they have entered into escrow or a contract agreement for the actual purchase of the additional properties. Adam Bernard for the additional property from the HOA, they have not entered into an agreement because like has said they can reach the 5 acres just by themselves with lot 3. Commissioner Vaughan stated so just initial talks then.

[8:48:29 PM](#)

Commissioner Vaughan opened up the public hearing.

[8:48:38 PM](#)

Doug Hammond, going back to the map and looking at the very south border that actually opens up into open space into Craig Estates the same with the area where the entrance would be is open space and on the west is also open space as part of Craig Lane so with this kind of a design it is going to create a very nice atmosphere for homes because it is all open.

[8:49:24 PM](#)

Al Collins, Syracuse, owns a property that is adjacent to this and just has a couple questions, what is the current zoning for Craig Estates. Planner Steele stated R-2. Al Collins stated so his proposal is would not piggyback onto a project that currently exists and then give it a higher density population capability it shouldn't exceed R-2 if they are jumping off of Craig Lane homes and like Commissioner Vaughan stated earlier do they want it to look like Los Angeles with the high density population. This is prime commercial land that could be developed off of other properties and just thin it is a bad idea to piggyback off another project and build high density homes right there and don't want it to look like downtown L.A. there and wouldn't go into an approval without purchasing land to reach the 5 acre minimum shouldn't give an exclusion to the applicant. If an exclusion is made to them what are they going to do next so think everything needs to be in place, contracts, and purchase agreements before is approved and should not exceed an R-2.

[8:50:53 PM](#)

Joe Morminu, Syracuse, own the property that is adjacent to Al Collin's and just moved from Orange County California last July to get a away from the density and crowding and this looks like a plan from Orange County California and definitely opposed to it and afraid is going to affect his property values.

[8:51:48 PM](#)

Public hearing closed.

[8:51:56 PM](#)

Adam Bernard stated as had been mentioned these would be low profile homes, the Ovation style homes where they are single level and will not be blocking anybody or anything. R-2 density would allow them 14 lots and there are 14 building pads on the concept plan and don't foresee how that is any higher density than what an R-2 would allow besides than it allows them to get these spaces here and actually quite surprised having these comments as these homes that they could be building homes just like the 2 comments that were made that would have a lot higher impact and higher negative to their property value which surprises him but also coming off of 2000 W would be detrimental to the City to have a new road onto 2000 W doesn't necessarily need to be there.

[8:53:16 PM](#)

Commissioner Jensen stated as had pointed out before and they have recently changed it from R-2 to R-3 trying to accommodate the applicant to make this property a little bit more useful and the idea of taking it to the R-3 is the smaller minimum lot size and slightly smaller frontage than R-2 and looking at the configuration trying to figure out if there is a way that they could do traditional lots there. The big issue that has with it is until they actually have 5 acres thinks it is irresponsible for them to PRD 4.7 if they don't know where the .3 acres is and also the City is getting away from PRD, certainly the Criddle property just came through but that was the last PRD that the City Council at the time was interested in entertaining and they did add one along 1700 S for Craythorne recently but that is along a major corridor and in his mind when he envisions Syracuse if there were to be any more PRD's it would be along 1700 S, east of 2000 W or north of Antelope along 2000 W and are about the 2 places in the City where could even consider doing PRD in his mind because the rest of Syracuse has made it abundantly clear they are just not interested in that. What was proposed here certainly hits as far as density hits R-3 but with the minimum lot sizes and common space and the plan looks like could be tweaked quite a bit just really not comfortable unless could make it as part of an agreement that is drafted beforehand making the change blind because it is just what is being proposed now isn't necessarily what will see, once they get the PRD they can go for the full density if they can make it work and can't say no and just ran into that with the last applicant and they are allowed 6.7 and are going to get as close to that as they can and could be the same here so just not comfortable with this at this time and think need more firm information and also just comfortable approving more PRD's unless are on a major corridor.

[8:55:50 PM](#)

Commissioner Day stated agrees with Commissioner Jensen if this doesn't meet the acreage has a hard time approving it and maybe the applicant could clarify their plan a little bit more to get there and maybe would help. This doesn't look like Los Angeles, has been there, they can do some nice home here and do some nice things and don't really put much thought into those type of comments but think as a body need to look at the ordinance and if this proposal is not in compliance with the ordinance either need to give the applicant more time to come into compliance or not advance it and that is what the discussion should be centered on and Commissioner Jensen brings up a good point that if they live and die by these agreements if they want to bring it in and show a concept plan and nitpick it and say do this, this and this that is what they approve essentially so think should let the applicant clarify their 5 acres and see if they can get up into compliance. Is hard pressed that hooking on to Craig Lane can constitute connection to a larger road and having a little internal struggle with that.

[8:57:18 PM](#)

Commissioner Vaughan stated he respectfully disagrees. From now on are expected if a project is only 92% of what the requirements are they should accept it. The minimum standard is 5 acres are they going to start making 10,000 lots 9,206 are they going to start changing everything because they are 8% short. They have a minimum standards for their lots, for their zones, for houses the height they can be those are minimum standards. The applicant in this particular case

said in front of them that it was a long shot and already knew that he was outside the bounds. Sorry don't mean to be Ming the Merciless but in this particular case think it is easy to turn it down because it doesn't not meet the minimum standards. Perhaps when the applicant comes back and has 5.01 acres that would be a different story, it would be a completely different discussion but at this particular point there is only one discussion, does the applicant meet 5.0 acres, the answer is no.

[8:58:38 PM](#)

Commissioner Day stated he would like to clarify his comments he wasn't suggesting that they approve something that doesn't meet the minimum standards all was suggesting was perhaps the applicant could use some time to adjust his proposal. Commissioner Vaughan stated he understand and agrees the applicant has from now until the cows come home to get 5 acres because the ordinance will still stand and if he owns the 4.7 now those will still be his but at this particular time is .3 short.

[8:59:06 PM](#)

Commissioner Jensen asked City Attorney if they table it could they come back and incorporate additional acreage without having to do a public hearing and additional noticing. City Attorney Roberts stated they would have to take a look if the adjusted boundary would require some additional notice and give people a chance to come and weigh in on that. Commissioner Jensen stated if they tabled it, it might save them some inconvenience. City Attorney Roberts stated if they changed the boundaries and would need to see if needed to be re-notice it and reopen the hearing or if it doesn't change the noticing that is not a substantial change to the application.

[8:59:46 PM](#)

Adam Bernard stated lot is that .3 of an acre they can get that 5 acres, would that solve Commissioner Jensen's concern of it being off of a main thoroughfare, it is 2000 W it is one of the main streets in the City and so is struggling to understand, understand that the plan proposed does not have 5 acres, can come to the Commission and say take lot 3 out and have 5 acres but does that meet everyone's requirements. The question is what other things would the Commission like to see because are willing to work with the Commission to make it happen. Commissioner Vaughan stated speaking for himself when they have 5.0 in hand please come back, until have it in hand. Adams Bernard stated they own all of those 18 lots and so the total acreage there is 5.96 but do not want to change and don't think it is best for the City to change those fronting lots from Professional Office to an R-3 or PRD but can do that if need to. Commissioner Vaughan asked the applicant if would like to request a continuous to a date certain in which their project will show 5 plus because right now what is before them is 4.7 and the answer to that in his opinion speaking as 1 of 7 the answer is no. Adam Bernard stated would like to have all 7 Commissioner's concerns and say can come back when all concerns answered. Commissioner Jensen stated another way to get to the 5 acres and know people don't like reconfiguring the lots but the lot depth on the other 4 lots that own is well in excess for what the minimum requirements for R-2 are so if needed to shave off 20 feet from the back of the 4 lots to get there. Adam Bernard stated that is what is saying they can get there but what is best for the City. Commissioner Jensen stated still struggles with the other part of it with the access to 2000 W and that is pretty clear in the PRD. Adams Bernard stated right and then if they take all of lot 3 does that answer the concern of getting to 2000 W. Commissioner Jensen stated it doesn't address his bigger concern of whether they want PRD at all and that is the question for the Commission. Commissioner Day stated they are getting caught in the details and thinks Commissioner Jensen is right, do they want PRD here, let the applicant come up with his plan to meet the ordinance, question is at this point do they want PRD here. Heard from the president of the HOA from Craig Estates and they weren't against it, they actually thought it would be a benefit to what they were doing but that is the question is do they want PRD in this area. Commissioner Vaughan stated the question because are bound by ordinance is whether or not does this meet the minimum standard. The City Council can say they like this because it is pink and fuzzy and warm and they are nice on the other hand if the Planning Commission says what does the code say. Commissioner Jensen stated with all due respect this is a legislative decision not an administrative one.

[9:03:41 PM](#)

Commissioner Rackham stated they either need to extend or end they are past 9pm. Commissioner Jensen made motion to extend so can complete their regular agenda items. City Attorney Roberts stated they have scheduled public hearings it would wide to at least let the public be heard. Commissioner Thorson stated would second it. Commissioner Day stated they owe it to the public and those people who made application to continue but would ask that they do everything they can to expedite some of these and not belabor some of the topics. Commissioner Rackham asked if planning to extend all the way until item 11 or the public hearing. Commissioner Jensen stated all the way to item 11 and adjourn they need to get the other items out of the way. Commissioner Day also seconded the motion. All were in favor, motion carried unanimously.

[9:04:04 PM](#)

Commissioner Rackham asked the applicant regarding the extra lot talked about throwing into this, what is the current zoning. Adams Bernard stated all of it is zoned R-2 actually but the general plan has it as Professional Offices. Commissioner Rackham stated so would have to go from Professional office to PRD. Adams Bernard stated correct. Commissioner Rackham stated he echoes Commissioner Vaughan's sentiment that it is 4.7 when it is 5 come talk to them.

[9:05:00 PM](#)

Commissioner Thorson stated it is his opinion that would rather have a variance against the frontage than the PRD open idea would rather and don't know if could give that now but would rather see a variance to the frontage requirement rather than a PRD at this place but that was the only objection gave as being able to develop as R-3 at least

economically. Really don't like the idea of an open PRD option would rather have it clear concise lots and if it makes it possible for them to develop similar to the adjoining properties with other variances would go for that but not the PRD.

[9:06:01 PM](#)

Commissioner McCuiston stated is not a fan of the PRD hasn't seen much of it go well and doesn't think wants to approve anymore.

[9:06:20 PM](#)

Commissioner Jensen stated doesn't want to lead the applicant on and have to table it if just not going to give them the PRD in the first place but if they think they can get some type of agreement where they can get where they want to get and maybe draft an agreement that goes along with and certainly give the applicant time to get to the 5 acres not opposed to tabling it to give them that time but don't want to and this is just a recommendation to the City Council to keep in mind but hate to table it if the Commission is ultimately going to say no anyway.

[9:06:54 PM](#)

Commissioner Vaughan stated thinks they have 2 choices they can deny it because it doesn't meet the minimum standards for even filing for it or the applicant at his request can come forward and ask for a delay to a date certain and the date would be open to the applicant but other than that the chair would entertain a motion to deny.

[9:07:19 PM](#)

Commissioner Thorson stated he would deny it on multiple grounds with prejudice.

[9:07:24 PM](#)

Adam Bernard asked as Commissioner Jensen mentioned this is going forward to the City Council so the Commission can forward with a negative vote and the Council can say yes but the question is what does that do for him. Commissioner Vaughan stated staff could answer that for him. City Attorney Roberts stated a negative recommendation is just that it is a recommendation, it is not binding the Council could, they do what they want to do and it carries with it what believes it will and knows that the Council does take into consideration what the Commission thinks but it is certainly not binding. Adams Bernard stated right and if they go forward with a negative recommendation that would be the next Council meeting on the 12<sup>th</sup>. Commissioner Jensen asked the applicant if he had a preference either way.

[9:08:24 PM](#)

COMMISSIONER THORSON MADE A MOTION TO DENY THE BARBER PROPERTY FOR GENERAL PLAN MAP AMENDMENT CHANGE FROM R-3 TO PRD BASED ON CRITERION IN THAT IT DOES NOT MEET 5 ACRES, IT DOES NOT HAVE DIRECT ACCESS TO AN ARTERIAL AND IN ADDITION IT IS THE OPINION OF THE COMMISSION TO NOT HAVE A PRD IN THIS AREA. COMMISSIONER JENSEN SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[9:09:09 PM](#)

**8. Public Hearing, Minor Subdivision, Cowley, property located at 1373 S 2000 W, R-1 Residential**

Planner Davies stated this is a lot that is splitting in half so lot 1 on the west side will be 12,358 and lot 2 on the east side will be 12,500. It is located just north of Syracuse Elementary on the corner of 2000 W and 1350 S. IN the staff report mention there was a parcel of land to the north a thin strip that is currently owned by the City and have discussed that with the applicant and has expressed wanted to include that in the subdivision and was recommended by staff. It is currently zoned R-1 and all of the minimum lot standards are met by this subdivision.

[9:10:48 PM](#)

Planner Steele stated if can add in their motion since this is City owned property that would be essentially be giving to the applicant in the motion include something to the effect that recommend that City Council deeds this property to the owner. Planner Davies stated they would need 2 separate motions, one that states are comfortable with deeding that property over and another motion to either approve, deny or table the subdivision.

[9:11:32 PM](#)

Commissioner Jensen asked staff general plan is R-2 or R-3, which could affect setbacks. Planner Davies stated was not sure what general plan is zoned. Commissioner Jensen asked staff the City property along 2000 W has it been offered for public sale at some point. Planner Steele stated doesn't know but it is a small sliver and really doesn't have any value and has been maintained by the land owner for who knows how long and it is like .07 acres.

[9:13:07 PM](#)

Commissioner McCuiston asked how the expansion of 2000 W impact the property there. Planner Davies the road dedication on the west side accounts for the expansion.

[9:13:20 PM](#)

Planner Steele stated the property is general plan map is Neighborhood Services and the property to the south is Professional Office and that was changed recently to accommodate the assisted living. Commissioner Jensen stated so that entire parcel is Neighborhood Services but the existing zoning is what are applying right now.

[9:13:47 PM](#)

Richard Cowley, owners of the property there and there is enough room behind it there to create that 12,000 square feet with 100 foot fraise and just decided they needed to sell it and told getting too old to keep it mowed. Would like to give another family a residence in town and would be right adjacent to the Cottages and they have maintained the little strip on the north side there and keeps the weeds cut so it looks like lawn ever since the Cottages went in.

[9:14:53 PM](#)

Commissioner Vaughan opened the Public Hearing.

[9:15:07 PM](#)

Wilma Cowley, the original owner of the property and they have looked forward to having a neighbor there but has been kind of nice to have the open space but it is a good neighborhood and accessible to the schools for a family and the acreage there that could build a nice family home for someone with a family and an area for a garden there.

[9:16:05 PM](#)

Public hearing closed.

[9:16:18 PM](#)

COMMISSIONER DAY MADE THE MOTION TO GRANT THE APPROVAL OF THE 2 LOT MINOR SUBDIVISION LOCATED AT 1373 S 2000 W AND FORWARD CITY COUNCIL. COMMISSIONER DAY RECOMMENDS THE CITY DEED THE EXCESS PROPERTY TO THE PROPERTY OWNER. COMMISSIONER JENSEN SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[9:17:25 PM](#)

Commissioner Jensen recused himself from the next item.

[9:17:33 PM](#)

9. **Final Subdivision, Still Water Lake Estates, Phases 8 & 9, located at approximately 3669 S Bayview Drive**

Planner Steele stated this is phase 8 & 9 of Still Water, phase 8 has 19 lots and phase 9 has 29 lots. They have met all of the staff comments and one of the outstanding items is that they will have to escrow 50% of the cost to cross the canal and that was per the development agreement and they have agreed to do that at a future time when they sign the escrow agreement.

[9:18:45 PM](#)

Commissioner McCuiston asked how does the road terminate into the canal and the trail there or how does it plan to. Planner Steele stated they are providing a temporary hammerhead turnaround easement and have had some discussion with Deputy Chief Hamblin has worked with them to ensure that this doesn't create a hazard for people wanting to turn around for emergency vehicles, Deputy Chief Hamblin signed off on this configuration and they have agreed to paved it and there are details on how that will work and have agreed to actually put asphalt in it and a nice apron and sign on the north and south edge saying 'no parking'.

[9:20:05 PM](#)

Commissioner Vaughan stated think this is the best part of the Still Water Lake Estate project and think these lots are good size and think it is time and wish them good luck.

[9:20:31 PM](#)

Commissioner Rackham asked where the temporary turnaround is will that have a driveway with a curb and gutter there. Planner Steele asked if the house will have a separate driveway. Commissioner Rackham stated there is a strip between the road and the paved. Planner Steele stated there will be a concrete driveway apron and the hammerhead part will be asphalt. Commissioner Vaughan stated and nothing can be built on those lots while the hammerhead is in effect. Planner Steele stated actually they propose building homes on those lots, the current ordinance does say that it is not allowed however that ordinance came into place after they had signed their development agreement and proceeded with the development and the cul-de-sacs are not per the current cul-de-sac ordinance. Commissioner Vaughan stated this is another asterisks then. Planner Steele unfortunately there are some gray area items and have to move forward.

[9:21:59 PM](#)

Commissioner McCuiston asked if type 3 barricade will be placed to prevent people from driving head through the trail into the canal or jersey barricade as a type 3 barricade sign. Planner Steele stated the applicant nodded yes.

[9:22:30 PM](#)

Commissioner Day stated point of clarification the applicant will be able to build on those 2 lots. Planner Steele stated yes. Commissioner Rackham stated on the road that goes across how long does the escrow account sit before they get their money back or the road gets build. Planner Steele stated it is in the development agreement and believes it is 5 years but does expire but has a feeling that road will punch through soon.

[9:23:15 PM](#)

Commissioner Vaughan asked staff would it be possible to add a condition that the fire lane be marked or the hammerhead be marked as a fire lane and that no parking be permitted at any time, no use other than as hammerhead for the fire department this would allow development of a lot but would make that the exclusive use of the fire department. Planner Steele stated yes can put that in the motion and is something have discussed with them and they have agreed with but doesn't hurt to put it in the motion and that is something, the hammerhead is something that want to make sure that emergency turnaround is in place and so staff wants to make sure it is there and done right.

[9:24:11 PM](#)

COMMISSIONER DAY MADE A MOTION WITH THE FINDING THAT PHASES 8&9 MEETS MUNICIPAL CODE AND TO RECOMMEND APPROVAL TO CITY COUNCIL WITH CONDITIONS UPON PROPER SIGNAGE ON THE ROAD TERMINATION AND ON THE FIRE HAMMERHEAD WITH EXCLUSIVE USE BY THE FIRE DEPARTMENT

WITH BARRIERS AND ALSO WITH THE CLARIFICATION THAT THEY WILL BE ABLE TO BUILD ON LOTS 914 & 913. SECONDED BY COMMISSIONER THORSON. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[9:25:24 PM](#)

10. **Land Acquisition**, City to purchase property located at 507 W 2700 S due to future 500 W road widening

Planner Davies stated off of 2700 S there is a piece of property that is currently zoned A-1 and the City would like to purchase that and the property owner is currently a landlord so they rent out the property and are some plumbing improvement that need to be made to the property and in order to make those it would increase the property value and so has approached the City and stated know will need this piece of property for road improvements in the future offered to sell it before make improvements at a cheaper cost rather than improve it and continue to use it and increase the price of the property so the City would end up paying more later. In its current state the City is planning on demolishing the building anyway so plumbing improvement would not be relevant when the road goes in and not in the interest of the City to allow the improvements as it would increase the value of the property. So the City would like to purchase it from them in its current state and needs a recommendation from the Planning Commission according to the code to do so.

[9:27:08 PM](#)

Commissioner Vaughan stated on the picture it shows a red box with an LDS Church next to it is the tenant of the property the LDS Church or should it be on the northwest corner. Planner Davies stated it is a small strip of property. Commissioner Thorson stated it is in the correct location. Commissioner Vaughan asked there is a house and tenant there. Planner Davies stated yes there is a house in there with the trees drove by it and didn't see it. Planner Davies yes, it is in there kind of covered by the trees. Commissioner Rackham asked when the widening was supposed to occur. Planner Steele stated currently are working with Clearfield and maybe the City Engineer can give more info but good news is that the City received a grant regarding it. City Engineer Bloemen stated the City received a grant to do the northern portion and this portion where the house is kind of undetermined when it will get done but staff thinks it is best to purchase it now and get this acquisition out of the way. Commissioner Jensen stated thinks the City is being foresightful on this.

[9:28:44 PM](#)

COMMISSIONER MCCUISTION MADE A MOTION TO FORWARD AN APPROVAL TO THE CITY COUNCIL FOR THE CITY TO PURCHASE THE PROPERTY LOCATED AT 507 W 2700 S DUE TO FUTURE 500 W ROAD WIDENING. COMMISSIONER MOULTRIE SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[9:29:30 PM](#)

11. **Adjourn**

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN WITH NO WORK SESSION FOR THIS MEETING. COMMISSIONER MCCUISTION SECONDED THE MOTION. ALL WERE IN FAVOR

\_\_\_\_\_  
Ralph Vaughan, Chairman

\_\_\_\_\_  
Stacy Adams, Commission Secretary

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