

Minutes of the Syracuse Planning Commission Regular Meeting, August 2, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on August 2 2016, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chairman
Curt McCuiston
Troy Moultrie
Greg Day
Grant Thorson
Gary Bingham

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

City Council: Councilman Gailey
Councilman Maughan

Excused:

Visitors: TJ Jensen Adam Benard John Wheatley
Dave Porter Garrett Seely Mark Millard

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1. **Meeting Called to Order:**

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

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COMMISSIONER DAY MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR AUGUST 2, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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2. **Meeting Minutes:**

July 19, 2016 Regular Meeting & Work Session

COMMISSIONER MCCUISTION MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR JULY 19, 2016 AS AMENDED. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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3. **Public Comment:** This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

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None

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4. **Public Hearing, Major Conditional Use – Mark Millard, M&H Tools, property located at 2392 W 1125 S**

Commissioner Vaughan stated he has a conflict of interest due to a residential proximity and will be leaving the diocese and turning it over to the Vice Chairman.

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Planner Steele stated this is a major conditional use permit for a home based business and has a large commercial truck and the City requires a conditional use just in case there is something that needs to be reviewed to mitigate any sort of potential nuisance related to the commercial vehicle. The applicant has been in business for 12 years and has recently moved from another residence in Syracuse to this location, the applicant has a current City business license and was previously approved for a major conditional use from the Planning Commission back in 2013. The City ordinance requires vehicles associated with home occupations between 10,000 -20,000 pounds to obtain a major conditional use permit and the applicants work vehicle is 19,000 and pictures have been included in the packet. The commercial vehicle will be parked on the side of the residence on concrete behind a 6 foot fence. The applicant is also in compliance with the off-street parking requirements. The applicant has installed a concrete RV pad on the side of his residence to park his truck on. Planner Steele stated if there is anything the Planning Commission have any additional items to reduce any possibly nuisances such as fencing or landscaping but the applicant is providing a fence and concrete pad so is in compliance with code.

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Commissioner Rackham opened up the public hearing.

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Mark Millard, applicant, stated the concrete was installed about a month ago and finished that project up so is on concrete now. Commissioner McCuiston asked if he fence was in place with a gate. Mark Millard stated yes the gate is in place. Commissioner Thorson sked how wide his side yard was from the house to the lot line. Mark Millard stated it is about 11-12 feet from the house to the property line. Commissioner Rackham asked how far back the cement goes in the backyard and does it go behind the fence. Mark Millard stated the concrete pad goes back about 40 feet behind the gate so he has enough room for the gate to swing open and the truck is completely all on concrete.

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Public hearing closed.

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COMMISSIONER MOULTRIE MADE A MOTION TO APPROVE THE MAJOR CONDITIONAL USE PERMIT FOR M&H TOOLS HOME OCCUPATION PROPERTY LOCATED AT 2392 W 1125 S, R-2 ZONE SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY MUNICIPAL CODES. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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Commissioner Rackham turned the meting back over to the Chairman Vaughan.

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5. **Final Subdivision Plan, Laurelwood Lane Phase 2, property located at approximately 870 S 1600 W**

Planner Davies stated this is a final subdivision approval request, 15 lots and all the lots meet and exceed the minimum lot size for the zone and the density is also met by what has been proposed. Staff noticed on lot #203 was not wide enough and spoke with the applicant and have addressed that and sent an updated plat today but that was not included in the packet with the short notice however it does meet all of the other requirements and the new plat they sent does meet all the requirements for the zone. It is the Planning Commissions prerogative if want to conditionally approve it saying that the lot width needs to be taken care of on lot #203 other than that everything else looks good or even table it if want them to come back with that but staff has seen the plat and it does meet the ordinance now. The original plat on the original phase 1 is just to the south, it is an R-2 single-family zone. Pretty straight forward basically the same type of development that is in the area already provides some connectivity as well.

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Commissioner Vaughan stated it wasn't included in the packet so wanted to make sure if all of the other conditions were met and properly noticed and things like that. Planner Davies stated yes, it was, with a final plat don't do a public hearing with that so wouldn't have signs and mailers and that kind of thing but the preliminary plat was noticed correctly when that came through the Commission.

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Commissioner McCuiston stated lots with this closely put together and small should be graded individually, was that discussed at all. Planner Davies stated they have had discussions with developers about grading recently but don't believe have had that specific discussion with this developer.

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John Wheatley, Symphony Homes, stated they purchased this approved plat 3 years ago and this phase was initially approved as it was but didn't feel like they didn't need to do that many units at one time so did the first 21 lots and now are approaching the point where if they don't put lots in this fall won't have enough to carry through the winter so brought the same plat back and after they submitted the same plat that was previously approved to staff they noted that one lot did not meet the requirements, guess it was missed last time it was approved so now have revised that lot so it meets the requirement. They would request respectfully a conditional approval because they would like to move this subdivision in the next month to construction and would be glad to meet with staff on grading and any other requirements.

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Commissioner Rackham asked if could go over what the width is for the change lots to make them be in compliance. John Wheatley state the only one they changed was lot# 203 and personally has not seen the changed plat himself but think it now meets the 85 foot lot minimum. Planner Davies stated it was changed to the 85 foot minimum. Commissioner Rackham stated so would have had to reduce some of the others to get that 85 foot, so what were the other lots reduced to. Planner Davies stated the others were more than 85 foot and doesn't have an exact number but the one to the north was 97 when measured initially and the one to the south was 95 and that was just measuring with a ruler trying to get the curve and everything but they were substantially more than they needed to be. John Wheatley stated believe they had some larger lots that had extra width that they could take some out of to get that minimum width. Commissioner Rackham stated some of them were pretty close to the minimum lot size were they checked when made the adjustments didn't lose the lot size. Planner Davies stated yes, they are complaint.

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Commissioner Vaughan stated the applicant was asking for conditionally approval. John Wheatley stated they was what staff had mentioned, they have a revised plat but it wasn't included in the packet so haven't formally reviewed it and if could get approval of the revised plat then would ask for approval of that if available. Commissioner Vaughan asked if the plat are talking about it is it the one before them or one they haven't seen. Planner Davies stated it is one they haven't

seen, it is up to the Commission if want approve it with the condition that lot width on lot# 203 is met before it goes to the City Council that is an option or can also table it and have them come back. Commissioner Vaughan stated this might be an opportunity where are relying on staff that the lot frontage requirement is being met on the revised plat, basically in this configuration but with just that additional 4 feet from each of the adjacent lots. Planner Davies stated correct and it is. Commissioner Vaughan asked if there were any other contingencies or conditions that are not out there. Planner Davies stated no, it complies with every other part of the code. Commissioner Vaughan stated understanding that one condition on frontage are there any other conditions asking to consider. John Wheatley stated no just since the revised map did not come in time when received the packet and would ask for the condition that the revised map met all the requirements. John Wheatley stated it has been a great subdivision for them and have only about 10 lots left to sell and think this will be a great addition to go ahead for this next year.

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Commissioner Thorson stated on review of this noticed lot# 214 has a frontage of 84.28 which looks to be just shy of the minimum and isn't overly concerned about that but if that is truly the case would include that as a condition. Planner Davies stated that lot when measured and is hard to see but it is almost bowed a little bit because when measured in the middle it actually comes out to about 87 feet, or the front setback line because that is where measure lot width at according to the code. Commissioner Thorson asked if it was frontage or lot width at the setback where the requirement goes by. Planner Davies stated it is lot width at the setback.

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Commissioner Rackham stated based on this looking at lot# 215 there is 117 on one side and 74.68 on the other so does that dictate which direction the house has to go. Planner Davies stated no not in this case it could go either way it does meet the lot width at the front setback line for both directions so that frontage doesn't really matter necessarily they can chose either way.

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COMMISSIONER THORSON MADE A MOTION TO RECOMMEND THAT CITY COUNCIL APPROVE THE REQUEST OF JOHN WHEATLEY FOR A 15 LOT SUBDIVISION, LAURELWOOD LANE PHASE 2 PROVIDED WITH THE CONDITION THAT THEY MODIFY LOT DIMENSIONS TO SATISFY THE ORDINANCE. THE MOTION WAS SECONDED BY COMMISSIONER MOULTRIE. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

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6. Preliminary Subdivision Plan, Jackson Court, property located at approximately 1958 S 2000 W

Planner Davies stated this is continued from the last meeting the item was tabled for the following reasons, development lacked a direct connection to an arterial, the private road within the development does not have curb, gutter or sidewalk, proposed development is intended to be a phase Craig estates development, the Planning Commission alleged private roads are not permitted, the development needed to show additional amenities, the road layout within the development raised concerns about emergency service access, specific snow removal agreement had not been reached. Have talked to the applicant about these and have worked with them to try to get them taken care of.

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Planner Davies stated the minimum lot standards and the overall density of 6 dwelling units per acre which this does not exceed. The development shall provide a standard right of way of 60 feet which will include curb, gutter and sidewalk improvements. On the updated plan they provided staff which is very similar to the plan that was proposed last time, there is a cul-de-sac that comes into the subdivision which does have a road right of way of that 60 foot standard and their cul-de-sac size also meets the current standard.

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Planner Davies stated the open space is more than 50% of the land area and believe it was close to 51%, with 30% of that being open space and 20% in common space. There is one detention pond in the center which is part of the common space, that does include amenities and they have proposed a covered grill area in the center of the development. They also have a landscape plan and basically all of the houses are all in one plane more or less around the road in the middle but have provided trees to kind of break up the architectural monotony, per the requirement there. Planner Davies stated they also have off-street parking that meets the 2.5 parking requirement per dwelling.

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Planner Davies stated the direct connection to a major arterial, minor arterial or major collector roadway have discussed that in depth both as staff and with the City Attorney and determined that this doesn't clearly state whether that is a road necessarily or whether that is some sort of other type of connection so feel that because there is a pathway that goes out to the right of way that it meets that requirement.

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Planner Davies stated the front yards are 20 feet all the way around, there is 16 feet between all of the structures, the rear yard is also 15 feet and the building heights on the plans have seen none of them exceed 30 feet. They do have some different floor plans with the intention to mix those up and kind of have some architectural variation throughout the development. Looking at the actual plan itself it is very similar to what was proposed before with the addition of the landscape plan they have proposed a 20x24 pavilion with tables as an additional amenities as was discussed last time and that was basically the only other additional amenity. They have put some trees around the benches for shading and some additional trees throughout the development. Also learned from the applicant that the home located on unit #19 has been demolished and that is where they are planning on building a model home there and that was added to the plan,

existing home to be removed and construct a new house unit. However unit #20 is to remain the way it is, the house just to the south. They have maintained the trees that they were going to maintain on the landscape plan, the existing tree groves. Also discussed the need for the buffer on the northern property line, PRD where it abuts professional office zone or commercial zones which it is commercial on the east side and then professional office on the west side they will be putting in a fence or wall and will also be putting in the required landscaping to meet that buffer standard though that is not shown on the plan which the applicant can speak to.

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Planner Davies stated they discussed the private road within the development and there is also some ambiguity in the code as to what a private road is and how a private road works. The way the applicant has proposed it they have proposed it as a private driveway, a common driveway which would not have to meet the requirements of a private road or a public road. There was also some discussion that would need to rezone Craig Estates, there are currently some developments within the City that have split zoning within the same development and so where this is a residential zoning and R-2 is the existing zoning for Craig Estates is also residential it would be somewhat inconsistent to require a rezone of Craig Estates.

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Planner Davies stated the applicant has had some discussions with the HOA and they have reached an agreement about snow removal and about how that is going to be maintained and also the maintaining of the driveway area and common space. Basically they have done their best to address what the Commission brought up before and staff feels that it meets the intent of the ordinance and also meets the letter of the ordinance and again the ordinance is somewhat open ended on some things so that would be where some discussion would come in on this but staff's review of it feel that it does meet the ordinance.

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Commissioner Vaughan stated using the term driveway to describe the circle access through the center of this property is there another instance of a similar construction anywhere within the City of Syracuse or are they plowing a new field, in other words are they establishing a precedent for future developments because they are allowing this the way it is. Planner Davies stated his understanding is that the current PRD developments Sunset Villas and Stoker Gardens that they do not have 60 foot right of ways throughout the development those are smaller and they also do not meet the current street standards so those would also be considered common driveways. The code if were to call this private road it would need to have the cross section requirement of 60 feet with curb, gutter, sidewalk, park strip everything that a normal street would have so there are some projects that have been approved that have a similar digression from that.

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Commissioner Vaughan stated unit# 19 which is the one on the northeast corner is that going to have direct access onto 2000 W. Planner Davies stated it is his understanding that is the intent. Commissioner Vaughan asked if there was a requirement where all of the units within this would have to if one has access that all of the rest of them would have to or requirement that this unit would also have to feed into the private drive and then come in through Craig lane. Planner Davies stated no not that is aware of. Commissioner Vaughan stated on the center park or open area there is no pavilion shown on the diagram and on the landscape plan there is a pavilion but there is no bench on the left side, what is correct. Planner Davies stated with the amenities what is correct is what is on the landscape plan so the pavilion will be across from the gazebo so on the landscape plan is shows the pavilion shown with the benches shown and the shelter with the cooking area so this is the complete amenity package and they didn't include the pavilion on the plan for whatever reason. Commissioner Vaughan stated on the north side of the trail that passes through there is only one bench now because the blue line that shows the footprint of the structure shows 2 benches there. Planner Davies stated looks like the bench was relocated. Commissioner Vaughan stated that is why was asking which one is correct to make sure they can maximize. Planner Davies stated the landscape plan is the one that is intended to show where the amenities are specifically and is not sure the reasoning for not having them match sure the applicant can speak to that but his understanding is the landscape plan shows where the amenities will be exactly so the bench showing on the landscape plan on the south side is where that will be located.

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Commissioner Vaughan asked the City Engineer with this modified plan where have added the driveway to 30 feet does he believe there will be any issues with snow and/or trash. City Engineer Bloemen stated regardless of whether or not it is built to the street standards the asphalt and base and everything itself is going to have to be built to street standards to be able to support a fire apparatus and if it can support a fire apparatus then it is going to be able to support a garbage truck. Commissioner Vaughan asked if feels the turn radiuses are fine and the width is going to be fine. City Engineer Bloemen stated correct, it meets the IFC and then they also included the turn radiuses in there so, yes it does. Commissioner Vaughan asked if knows how snow is going to be removed from there if it is going to be removed if by the City machinery that brings it out to the public cul-de-sac or are they just going to leave it there until Mother Nature takes course. City Engineer Bloemen stated they will not be allowed to just like any resident isn't allowed to shovel their driveway onto a City street and expect the City to come and plow it that goes against ordinance so they would have to keep all of their snow on their own property which really shouldn't be an issue they have plenty of place to put it so think that is a pretty low risk the way that this is laid out. Commissioner Vaughan stated so if a private company comes in to do snow removal don't have to worry about them bringing all that snow and putting it on the cul-de-sac. City Engineer Bloemen stated they have plenty of open space in the middle and then at the end of the hammerheads they aren't going to do any more work than necessary so there is plenty of room to put the snow there. Commissioner Vaughan asked staff

if will need a condition to make it very clear that snow is to be taken care of the applicant and not dumped in the City. Planner Davies stated could, that is a signed agreement with the HOA that was included as part of this report so it is up to the Commission if would like to put that in and make sure it is clear but it is part of their agreement. Commissioner Vaughan asked about trash from the common area in the center of the driveway will that be taken to an HOA trash or dumped in a private trash can or is there going to be a trash facility in the middle of the park. City Engineer Bloemen stated it will be handled like all of the other PRD's in which each unit has their own garbage can like a typical house and each residence will get a bill with sewer and trash on it. Commissioner Vaughan asked as far as trash disposal inside the common area the park in the middle, the pavilion is going to generate trash. City Engineer Bloemen stated that would be up to the HOA to maintain that and dispose of that. Commissioner Vaughan asked about the other park there is there trash containers on site in the park or is that done off site or is that totally relied upon on the HOA to take care of the situation. City Engineer Bloemen stated that is up to the HOA to take care of that.

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Commissioner McCuiston stated when asked about grading earlier meant this subdivision about lot grading, this is a lot closer put together and requires a lot more attention to detail and asked if staff had those discussions with the developer. Planner Davies stated yes and also forgot to mention that they have provided a conceptual board with materials and colors as to aesthetically what will be seeing in the development. Planner Davies stated regarding the grading was he referring to the overall grading on the development. Commissioner McCuiston stated the grading on each lot the drainage occurs and it doesn't flow into a neighbor lot especially around the window wells or anything like that if they have basements or not, they have to meet IBC and all that but with them being so close a lot of times it is hard to make them grade and to drain everything should drain out into the street. City Engineer Bloemen stated they can definitely submit a grading plan, with the PRD's typically it is actually a little bit easier for the grading because the developer typically taken care of installing the open space so it can make each lot work the best that it should in relation to the neighbor.

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Commissioner Rackham asked if there will be some kind of visual indication for the snow plows to show where they start and where they are not responsible. Planner Davies stated the way that it enters the driveway area there will actually be a driveway pan so it should be fairly obvious as if were entering into a residential driveway would have the same type of an approach. Commissioner Rackham stated they wouldn't be able to see that under snow, so when the snowplow comes in how will they know where to turn around rather than just do the whole road. City Engineer Bloemen stated the easiest answer is he makes the maps but they will know not to plow that and will have discussions with the plow drivers and let them know that it is privately maintained just like Stoker Gardens and Sunset Park Villas they both have these kind of layouts and the City doesn't go back in and plow private driveways like that.

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Commissioner Thorson asked the City Engineer, Commissioner McCuiston brought up the lot grading and noticed on there they have a storm pond in the middle but don't see any other catch basins, there is low impact where the drainage goes off the roadway over a flush curb but don't see a way that it gets collected into the storm pond and wondering if that has been part of an infrastructure submittal that they didn't see. City Engineer Bloemen stated they do show a little bit of grading drainage arrows on there but basically everything is sloping towards the middle so there is not going to be a crown in the road it is all going to sheet flow to the open space. In a typical street would have a crown down the middle and one half would go one way and one half would go the other way, this one there is going to be no crown and are going to tip that whole road so that everything drains into the center. Commissioner Thorson stated he paused there just for a second because snow pushed to the uphill side of the road would melt across the road possibly causing and that is one of the reasons a crown is there but that answered his question.

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Deputy Fire Chief Hamblin stated wanted to mention for the Commission's consideration that when they start looking at a private drive and has had the opportunity to talk to several fire marshals in the communities around the City to address some issues like this because think are going to see more of these types of developments coming in. Some things that they suggested to look at also with these private drives it is still considered a fire access to the structure just to make sure to put on record that they are a fire access and treated as such some of them have had problems in the past with the HOA's going in and people starting to park on the street as they do and blocking access in front of other houses and calling in and becoming a problem with fire departments having to go out and look at that so maybe that is something can look at for this development and in the future identifying and making sure are recording this as a fire access to these structures so the fire lane can be enforced. Commissioner Thorson stated his recollection last time they did talk about on-street parking and the problems with access that that could cause whether it be striped as fire or signed as no street parking and were told it is a private drive and they would address that as an HOA but maybe should include as well as a requirement. Commissioner Vaughan asked Deputy Fire Chief if had any comments or requests for possibly making one side of the driveway to be a fire lane. Deputy Fire Chief Hamblin stated yes, anytime 26 feet or greater they can require one side of the lane to be a fire lane if it is below that then require both of them and this one is greater than 26 feet but can require the one lane to be. Commissioner Vaughan asked which one he preferred, the inside or the outside curb. Deputy Fire Chief Hamblin stated he would prefer the inside because that is going to give them more turning radius for their apparatus to make that circle around. Another suggestion to add to determine the difference on streets that one of the other Fire Marshals from Draper pointed out to him was they changed the color of the sign to a blue sign on the road that indicated they were private drives verses the sign on a public drive were green so that might be something want to

look at in the future. Commissioner Vaughan asked if the code at this time would cover the ability to issue citations on this private driveway should anyone park in the fire lane. Deputy Fire Chief Hamblin stated he would leave that up to the City Attorney. City Attorney Roberts stated the City has adopted the Fire code so if the fire code gives the marshal the ability to do it then it could be done. Commissioner Vaughan asked if it would have to be issued by the Fire Department or could it be from the Police Department. City Attorney Roberts stated generally if the Fire Department is delegated the ability to do it then it doesn't really matter who issues it as long as they have the proper authority.

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Adam Benard, the applicant, stated to address the concerns of why the maps don't match up they just didn't have the time, the engineer didn't have the time to add what they had discussed with the landscape architect and so the landscape architect's map is more to the correction of what is going to happen. They again did not have sufficient time to put in the buffering vegetation onto the landscape map, had turned the map in before the deadline and they have another map coming with the buffering vegetation. As to the fire lane, the HOA already has a no on-street overnight parking and they are going to stripe it as no parking period on the street except for in those 9 extra stalls.

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Commissioner Rackham stated ordinance 10.75.060 requires a common building theme, what is going to happen to the existing home to bring it into compliance with the building theme of the rest of the houses. Adam Benard stated if was talking about unit# 20, they can bring that one into compliance with the rest of the project by adding the shutters and adding the common themes they had discussed with the City Planners to make them uniform. That is the tricky thing, the code says they can't be all exactly the same but have to have a uniform construction so it was fun trying to figure out how to do that.

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Commissioner Vaughan stated on the plot map where they have the parcels shown there are a couple areas that are marked open space that are very, very large one directly south of unit# 14 and then also a large open space to the north of the Troy Barber property. The open space that abuts 2000 W is that going to be fenced. Adam Benard stated to provide the visibility from the street there is already a chain link fence on the south portion of that open space but would not suggest fencing the 2000 W because would reduce the visibility coming out of that drive. Commissioner Vaughan stated is just wondering if that is going to be open space why isn't it common space where all of the residents, the additional residents would have the ability to use that for their own access as opposed to basically reserving it for a big backyard for spaces 10 and 18. Adam Benard stated because that is not how the code reads, open space is not for any one specific use the open space can still be accessed by every single one of the residents. Commissioner Vaughan stated is prepared and just wondering if think it might be a good idea to have a walkway to go through there. Adam Benard stated if want to turn it into common space then approve them with less open space than common space. Commissioner Vaughan stated the open space down south of unit# 14 behind the Madsen property is that going to be fenced. Adam Benard stated there is currently a wood picket fence between that space as well as the Moffett property, the Commission asked for the fence with the HOA to be taken down last time to create more open space.

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Commissioner Day stated thinks the applicant has done a great job of engaging the Craig Estate community and has heard positive things from them and think this is actually going to be a great addition to the community and think it is a great location so just wanted to thank the applicant for the efforts they put forth in working with the Planning Commission in resolving a lot of the concerns and think they have really extended themselves.

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COMMISSIONER MOULTRIE MADE A MOTION FOR APPROVAL AND RECOMMEND THE CITY COUNCIL APPROVE THE REQUEST FOR A 20 LOT PRELIMINARY SUBDIVISION PLAN JACKSON COURT, PROPERTY LOCATED AT 1958 S 2000W, PRD RESIDENTIAL ZONE. THE MOTION WAS SECONDED BY COMMISSIONER DAY.

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Commissioner Thorson wanted the Commission recognize they are approving a subdivision that some very technical violations of the ordinance in his opinion and when the City Council addresses it to recognize the same. Does like the subdivision and think it is the best fit for the situation and interpretation of the code is liberal as has been described to them arrives at some sort of justification but don't know how access to a roadway is anything but a road and don't know how they get over a Cluster being added onto later and don't know how they add a PRD to a Cluster those aren't the same. With that in mind does think this is the right thing to do just want the record to show and the City Council to acknowledge when it gets approved, as imagine that there are those technical violations in his mind. Commissioner Rackham stated wanted to see if will add a condition that the existing home on unit# 20 will be brought up to the standard. Adam Benard stated they have no problem bringing unit# 20 up to the uniformity standards.

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COMMISSIONER MOULTRIE MODIFIED HIS MOTION WITH THE CONDITION THAT UNIT# 20 BE BROUGHT UP TO THE DESIGN STANDARDS OF 10.75.060. THE MOTION WAS SECONDED BY COMMISSIONER DAY. COMMISSIONER VAUGHAN VOTED NAY. ALL OTHER COMMISSIONERS VOTED IN FAVOR, THE MOTION PASSED WITH A MAJORITY VOTE, 6/1.

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7. Public Hearing, Creation of a New Master Planned Community (MPC) Zone

Planner Steele stated have been looking at this since July 5th and have gone through the ordinance and taken careful notes of the Commission's comments and think have incorporated all of the comments into the latest ordinance that is in the packet. To summarize: Increased the minimum lot sizes on two from 5,600 to 6,400 and 3,500 to 5,100, as recommended to just go down 20% on each category. Increased the required common space from 10% to 25%. Restrict the private drives to no parking. Limit the number of homes on the driveway and make the widths to be determined by the Fire Marshal. Reduce the minimum acreage to 50 and remove the language about being contiguous and the possibly to 'piggyback' on an existing development. Other changes were related to open space, trails and traffic. Talked about clarifying that the trail has a hard surface, requiring a traffic impact analysis and addressing the 3 foot fence, removing the entry monuments, adding trash removal to the HOA responsibilities and removing churches and schools as being allowed for common space, adding requirements to hide utility boxes in the landscaping requirements. Obviously as a Commission is welcome to make recommendations as far as density and the zone and open for discussion on the matter.

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Commissioner Rackham stated where added dimensions of all shared driveways shall be determined by the Fire Marshal, that wasn't supposed to be in there that was for the Fire Marshal to answer the question of what would like to see as a minimum width. Planner Davies stated they had discussed that with the Fire Marshal about what the widths are and what would work so the last discussion had with him was hadn't determined anything specifically yet but has more he can expand on that.

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Deputy Fire Chief Hamblin stated in the IFC and again has spoken to several fire marshals within private drives and the IFC and everyone around is typically requiring Appendix D of the IFC which have adopted as a City so all of these are adopted in the code already so the 20 foot width to support the 75,000 pound imposed load of a fire apparatus would be required on the drive lengths. After 150 feet they would have to come up with some sort of a turnaround whether it be a hammerhead, cul-de-sac and these diagrams are also in the IFC Appendix D. Planner Steele stated he can change that to 20 foot as a requirement. Commissioner Rackham stated they should probably talk about it first.

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Commissioner Rackham stated another one was the contiguous, doesn't think they asked to remove contiguous so much as asked to remove the definition of it, think the wording should still stay there. Commissioner Thorson stated his understanding was they were getting rid of the 200 yard gap. Commissioner Rackham stated yes, to do away with the additional definition and leave contiguous to mean contiguous. Planner Steele stated just to be clear are okay to keep the language about the adjacent parcels less than the required acreage. Commissioner Rackham stated no, what is asking for is minimum land requirements for MPC says 50 contiguous acres, that's it just 50 contiguous acres. Commissioner Day stated doesn't know if is opposed to not having it contiguous, is okay if they are not necessarily contiguous if are worked within the plan and there is thought process behind it, what would be opposed to if it was more of an afterthought or if it was discontinuous of some sort but is not necessarily opposed to it if it is not contiguous. Commissioner Rackham stated to clarify if have a road separating them and cross the road that is contiguous if have another development between them that is not contiguous. Planner Steele stated so is just removing the 200 yards definition on contiguous but leaving the rest of the language. Commissioner Rackham stated everything is gone except the word contiguous, in the last one it said 'minimum lot requirements for MPC zone 100 contiguous acres' and that is it.

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Commissioner Thorson asked staff in this model of MPC zone approval at what stage does the public get their first input into the process. Suppose a subdivision came forward, his understanding it comes before the City Council as a concept plan with a request to open the Master Plan for amendment and then after that they open the Master Plan having a concept in hand then it goes to a zone change and that would then be the first time the public hears or knows about the subdivision and would get noticed that there is a concept plan that the City Council is reviewing and his objection to this and if is not understanding it right let him know, but the objection is the public gets notified after the City Council has effectively acted on a specific subdivision in concept. Planner Davies stated the way it would work they do have a public hearing requirement in association with the General Plan Amendment so in order basically to anything with the concept they would have to. Commissioner Thorson stated this is describing opening the Master Plan with a concept in hand, is that correct. Planner Davies states right. Commissioner Thorson asked if there was a public hearing for the City Council to vote to open the Master Plan. Planner Davies stated no, not to open it but to amend it which that would be required. Commissioner Thorson stated but they open it with a concept in hand that have acted on and then the public gets notified. City Attorney Roberts stated that is not accurate they would approach the Council and might have some sort of concept in hand but they wouldn't be any sort of approval associated with that so the only question there would be to open the General Plan at that point then the concept plan would be analyzed at the same time at the General Plan Map and that is where the public hearing would go. In order to entice the City Council to open the General Plan they are going to have to tell them what they want to do but that doesn't mean that they are going to have any sort of vested rights or expectation that are going to develop exactly what they brought just to open the plan that is just the general process for opening the General Plan. When it comes time to actually amend the General Plan Map there is a public hearing and so people would be able to come and give input both should it be amended and also concerns with the general concept. Planner Steele stated maybe where some of the confusion is originating is in the process right now a concept plan application does not go before Planning Commission or City Council but this process would group the concept plan with the General Plan which does go through that process of a public hearing and with City Council as well.

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Commissioner Vaughan stated wanted to ask about un-ringing a bell. This body was presented with a concept map and their basic discussion on lot size is a result of looking at that concept map and then making recommendations because by a majority the Commission was not too happy with 3,500 sq. ft. So how do they un-ring that as far as answering Commissioner Thorson's question when does the public have the first shot at it according to some of their thoughts they should have already had their shot at it right now as far as either in general discussion in public comments or tonight because this is a public hearing. They have all seen it, it is part of the record in the upper right hand corner it has the City logo on it so it is a concept plan. Planner Steele stated what have seen is not a concept plan as far as a formal application and as far as the zone creation tonight is a public hearing and people have a chance to weigh in on the zone that creating to accommodate this sort of development. The process would be and have included it in the past right now are just working on the zone, the creation of the zone and then will forward that onto City Council and they are also working on an Annexation. A standard project would submit a concept plan and General Plan application together and that would go through Planning Commission, public hearing as well as City Council so there are 2 chances for public to participate there and then would submit a zoning and a preliminary plat application at which time they would come to Planning Commission and the City Council and so there are 2 more opportunities for public to participate and the zoning is a legislative decision and the preliminary plat is an administrative design so it is pairing those 2 types of decisions together.

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Commissioner Thorson stated wanted to run through what this process would be because wants to understand it well and want to make sure they are not, they are trying to advance approval on this situation and in their words give 'credit' to a developer who is putting in some effort so a developer comes to the City Council, they just go on the agenda and request for the General Plan to be opened and at that point they provide some sort of a sketch or not. City Attorney Roberts stated there wouldn't be a requirement that they do that but expect that they probably would just so the Council has a general theme. Commissioner Thorson stated the General Plan gets opened up and then they file for a general Plan Amendment and that General Plan Amendment at this point is it specific to that property or is it not. City Attorney Roberts stated yes the general Plan map Amendment would be specific to that development. Commissioner Thorson asked if a General Plan Map Amendment change be noticed to adjacent land owners or just on the City website, mailer or whatever. Planner Steele stated it would be a public hearing. Commissioner Thorson stated but then the City Council is going to address amending the general Plan specific to a project that hasn't been noticed to the adjacent land owners, it is just generally noticed to the whole City, is that correct. Planner Steele stated it would be the same process we follow right now for a General Plan Amendment. Commissioner Thorson asked if notice any specific land owners if there is a General Plan change. Planner Steele stated send out a notice for surrounding land owners for a General Plan change. Commissioner Thorson asked or is that when the zoning change actually happens, because have had public hearings in the past where changed the General Plan for properties that were not noticed specifically, recently they have done that. Planner Steele stated if it is an item of confusion here with this new process of combining those 2 things can add some language and specifically say that need to send out notices around those properties. Commissioner Vaughan stated thinks what he is specifically saying because have never done it this way before are making the rules as we go with this project and obviously the creation. Commissioner Thorson stated they are and that would be the way to address it and then they start to refine it back into why do they have this expedited process anyway if it is just a normal process but in different words but is concerned and the big concern is the City Council ends up acting on a specific plan for a specific site before the public gets and specifically adjacent land owners get a say and get to voice their opinion. So if that has been addressed, is fine with it, but if there is any question then they need to think about that.

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Commissioner Day stated one thing that he does like about this is that on some of the larger plans think the idea is that in order to gain this type of zoning there has to be some sort of carrot or some sort of incentive for the City and so when look at the process what is seeing is that it gives the land owner or the applicant the opportunity to approach the City Council and say what are they proposing that is unique that even warrants this and if were an applicant wouldn't want to even, if are going to vest the efforts to do the level of detail are asking them to do think would want some input by some of the decision makers of the community and think Commissioner Thorson brings up a good point about public input just a matter of how to bring all of that together in a systematic approach, because what don't want to do is day 1 say want to apply for this without any detailed input from the City Council and the public without any knowledge starts giving input without what is actually being proposed and think there has to be a balance between the two.

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Commissioner Vaughan stated the City Council obviously requested that they look at this and gave them some fairly specific items they wanted them to consider. Obviously the City Council is dramatically interested in this project. There are a couple paragraphs in the packet and want to quote a couple lines 'the City must face the reality of the population growth. The City must strive to do its best to preserve the character of the community' and in the next paragraph 'it is this Commissions charge to make recommendation to the City Council that will find the right balance and preserve the character of the community' Hope is not taking these thoughts out of context and forgive him if he is but is just trying to make a comment here in regards to what are doing. This Commission has gone on record a number of times and they modified the codes not that long ago increasing the size of the lots and now within the same calendar year they are abandoning that and are basically tripling the size. Now has to say tripling the size is a minimum lot because they initially received a presentation from the City as to what size they were initially considering for the smallest lot. They all know that the City Council has the right to modify anything that is passed by this Planning Commission that goes before them and wondering at the same time and not trying to take the job of the City Council but they have to remember as they are

crafting this that the City Council if they wanted to could eliminate the 5100 and put back 3500. Then would have to ask where it says 'it is this Commissions charge to make recommendation to the City Council that will find the right balance and preserve the character of the community', how best with what they have before them can they preserve the character of Syracuse based upon what they have done just looking at those things. His concerns are that and when they talk about 'the City must face the reality' and most recent times the City has been brought up by the short hairs on facing reality and right now if what have had initially talked to in regards to this particular project they are looking at a 1,000 new lots a dramatic increase, think this would be the largest unit addition to the City in how many years. Planner Steele stated couldn't tell exactly how many years but this potential development could be a very large, multiple years worth of housing stock.

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Commissioner Day stated know they are going to be talking about this and maybe should go back to the agenda and maybe have the public hearing and go through it since could spend a lot of time on it. Planner Steele stated would just echo that understand some of the concerns the Commission has and as said is just trying to find a balance between the character and the growth this type of product is something that is in high demand and ultimately it is the City Councils decision to make the minimum lot size what they want and so the Commissions option is to find the things that can effect and make change to and out suggestions on and that is what the City Council is really looking for.

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Public hearing opened.

[7:22:58 PM](#)

TJ Jensen, Syracuse, wanted to state for the record the proposal of this zone is something that has been entirely, and is also the owner of the Annexation petition that the Commission will be looking at later which this zone is sort of intended for and do want to make the note that this entire zone has been something that has been worked out entirely between the developer and the City and the City Council and has had zero input on this and has not participated in this. Think that the point of the character of Syracuse as Commissioner Vaughan brought up is important because the residence have made it very clear up to this point where they wanted to see the densities at so this is kind of going against that. That being said the City does with the particular development this is being intended for now it is going to pick up a substantial benefit in return, a regional park and so in that respect some trade off there if look at the overall acreage which is 187, if spread the density amongst that it is not as scary as it looks if are just looking at the smaller acreages but that being said do think the Planning Commission is very wise and forward thinking because once this zone is used once other developers are going to ask for it so think it is important that there be sufficient controls on this so this isn't just the first option developers will always look at, think there needs to be a substantial amenity tied to any such development that considers a MPC zone something that is going to be significantly beneficial to the City other than more houses. Certainly the current marketing trends are that smaller lots are the thing but that isn't necessarily mean that Syracuse has to go along with that, Syracuse has been dogged in trying to encourage R-1 lots, if it takes 5 times as long to sell the R-1 lots that is not necessarily a bad thing but do think it is important that any consideration of this zone needs to be tied to a substantial amenity and however that is defined would be up to the City Council but just don't think this should be a go to zone for every developer. Thank you.

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Public hearing closed.

[7:25:59 PM](#)

Commissioner Moultrie stated he cannot hold his tongue any longer. Is really appalled and cannot believe this, they spent over a year talking about zones and what the citizens wanted was larger lots and for the City Council to come to them to come up with some sort of tool to approve smaller lots just baffles him, especially 3500 behind million dollar homes. Just see tons of lawsuits happening. Builders are going to come to them right and left because where do they stand, they just flip flop, a builder wants this so make this happen, need to put their foot down. Citizens want larger lots, quit thinking about the pocket book, and is just really disappointed.

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Commissioner Rackham asked if they should just start discussing what is on the paper. Commissioner Thorson stated wants to have a discussion first and then get to the motion.

[7:27:04 PM](#)

Commissioner Vaughan stated they have 2 parts of this first off the basic overwriting philosophy of this ordinance and then the individual bitty parts of the ordinance. Let's do the easy ones first which is the itty bitty point of the 10.XX do they have any questions, comments or requested changes to any of the specific sections of this proposed ordinance.

[7:27:38 PM](#)

Commissioner Day stated he does, the one thing that wanted to bring attention to in these types of communities when do these types of zoning feel architecture tends to be a make or break to the successfulness in the long term, the way it works over a long period of time, whenever drive through one of these communities and the architecture isn't well thought out, it seems like 5-10 years down the road the values tend to decrease so kind of read through this and one thing wanted to get Commissioners opinion is bullet item#3 says 'where the same dwelling unit is to be constructed adjacent or directly across the street a different elevation shall be used including different roof line, exterior materials and color schemes.' Do they want that, is there some sort of continuity that they would rather have or do they want it to be, todays trends have a red house, yellow house or do they want something a little bit more sameness there that would bring it

together. His thought is the later and would like to have some sameness but just wanted to ask the other Commissioners about that.

[7:28:53 PM](#)

Commissioner Thorson stated one of his overall writing points and want to express this because adding this to the ordinance applies to it. This idea that this is called a Master Planned Community zone or ordinance but there aren't really any requirements or accreditation for what a master Planned Community is. With that in mind would like to see some sort of requirements for who is the Master Planner, are they licensed, accredited, certified by some organization that makes them a Master Planner and along with Commissioner Day in the architectural requirements require that they employ the services of a licensed architect. If they are going to call this a master Planned Community it ought to be masterly planned by professionals, not by the developer.

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Commissioner Day stated one other comment as it regards to architecture and want to get the Planning Commissions sense on this, think one of the benefits of having a zone like this when think about the future Freeway that is going to come through that is going to affect a lot of this property and so without thinking about that in terms of what that does to this property think would be a little bit short sided. Was driving down Legacy and driving by a development that had kind of similar to this and noticed on the back side of those homes there are a lot of add-ons to those that weren't really original and think there is going to come a time when people are going to want to do that and don't think the builder would but overtime, is there some thought process into that about these being smaller lots and so they want to restrict the ability to put something on, second or third generation homeowner so they don't start doing things to the home. Commissioner Vaughan stated agrees with that and is familiar with the area that is talking about on Legacy so can see that issue. Commissioner day stated doesn't necessarily, but is thinking second or third generation down the road. Commissioner Thorson stated so is suggestion like an HOA requirement or some sort of internal requirement that maintains the predetermined architecture. Commissioner Day stated it could be something like that with an HOA. Commissioner Vaughan stated it could be added in this zone that an HOA is required. Commissioner Rackham stated thinks that is a good idea with an HOA with minimum requirements put in there and think it needs to be added. Commissioner Vaughan stated theta might be an easier place to enforce that type of situation, certainly any large development would be easier to maintain an HOA, an active functional HOA as opposed to 10 houses on 1 street where everyone says it's okay to do what they want regardless of HOA. Commissioner Day asked staff if there had been talk about an HOA in this.

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Planner Steele stated yes, there is a section in the proposed ordinance that talks about the HOA and what their responsibilities would be, it says 'property maintenance, home owners association is required to ensure the amenities, common spaces, trash removal, and street trees are maintained and replaced as needed, the HOA covenants of the community shall be recorded with the County and applied to all phases of the development.' Has personally lived in a few different HOA communities and understand the concern of someone has this really nice Sante Fe and then add a monstrosity of an addition off the side that is colonial and the communities lived in they have an architectural review committee and could easily add some sort of text in the ordinance that their covenants should have that type of committee to regulate additions, obviously that would be outside the City's hands at that point, there are few different directions can come at it from right now if someone wants to do an addition as long as they are within the building setbacks and get a building permit and meet those stands, the building code it is kind of free reign. Commissioner Vaughan stated thinks under property maintenance it could be to also address additional structures, modifications to the original building, all changes to the exterior of an original structure and a pertinent construction have to be presented to an HOA for approval something along that line.

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Commissioner Rackham stated going back up to 10.XX.040 1)B where it says 'no more than 25% of the total units shall be SFD 5100' think that needs to be across the board or some kind of thing so that don't get 25% and then the bulk of them 6400 so it is more of an even distribution, even on the large side. If it is a Master Planned Community so it is for all so saying don't want them to come in and say have the 25% of the 5100 and now let's put the rest of them in the 6400, need to have something that distributes them. Commissioner Thorson stated thinks could address that either with a 15% minimum of each size or a maximum of 30% of any size, would go for the max of 30% of any size. Commissioner Rackham stated he had 25% of each lot standard but is open just think they need to put something in there. Commissioner Vaughan stated doesn't think their concern is whether or not need to have or worry too much about the 10,000 sq. ft. lots think are mostly concerned probably about the smaller sizes, they did put a cap on the smallest, do they want to put a cap on the others. Commissioner Vaughan asked Commissioner Rackham if he is suggesting 25% on all 4 size lots. Commissioner Rackham stated yes, wasn't hard over on that just wanted a limit. Commissioner Day stated it seems a little bit arbitrary it would be nice to maybe have a thought process behind it. Commissioner Rackham stated is open it was a last minute thought. Commissioner Thorson stated thinks there has to be a range because they are not going to. Commissioner Bingham stated it is a little restrictive it seems. Commissioner Thorson stated they aren't going to hit it right on. Commissioner Day stated the first stab at it will be wrong like the first plan they come in with it is going to change and are going to need that flexibility to say 10,000 sq. ft. lots are selling so need to do more of those or could be the reverse of that would imagine that would happen through the life of. Commissioner Rackham stated was just trying to restrict them from coming in and building all those small lots and then 1 big lot. Commissioner Bingham stated he likes the minimum of at least 15%, besides the smallest, 15% of each other size. Commissioner Rackham stated so no more than 25% on the 5100 and a minimum of 15% on the others. Commissioner Rackham stated gives them a little more freedom.

Commissioner Thorson stated then have a total of 60% that are determined and can come up with the other 40% that would allow 55% to be smaller lots.

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Commissioner McCuiston stated hasn't been able to have his philosophical rant yet so figured would take a few minutes. It was very recently that they had the shared solution presented to them and the reason that would work was because they would actually have to maintain densities throughout all of these agreeable cities. According to the shared solutions proposal the City was already over density and looking at the City's Master Plan are near that density and now are approving another 1000 lots in this area with a lot of green space west of the proposed corridor to go and with current issues on secondary water problems know are going to run into a lot of other things that are going to be happening and just hoping that are taking that into account as place these developments around the City and are placing a pretty big burden on the City Engineer to try to take care of these impacts. Not to mention as they are looking at a 1000 lots at the edge of the City it is a regional traffic problem so would say that the traffic impact analysis should not just be contained to the City or actually opening up what can be thought of as a traffic sewer and dumping another 1000 trips onto an already overburdened Gentile Street. If think of jam density for cars it is usually 1800 vehicles per lane per hour and have a 2 lane road there during the PM peak hour coming west bound it is already at jam density and with another 1000 trips that is going to have to be expanded and not at the Cities expense. That being said they are talking a lot about this, they have 2 separate issues although they are combined because of them being linked this was an ordinance that is being planned for a certain development they need to consider them differently and know they have a lot of things to say about the development before them but they can be handled as they go through the approval and review of the development and can handle specifics in this ordinance at future Planning Commission work meetings and try to craft the language in there that might need to have. Just concerned that they have been given a schedule and according to that schedule tonight is the night that have to push this forward so can keep ion track and don't think they should have their hands tied for that but just keep in mind that these things can be possibly handled separately.

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Commissioner Rackham stated where they talked about the dimension of all shared driveways by the fire marshal they threw out 20 foot as a width and then there was also brought up the 150 foot limit where things change. So is proposing say 20 foot with 150 foot limit for the shared driveways. Commissioner Day asked if it would be advantages to maybe reference the IFC because depending on the type of structures some of those requirements are modified, 3-story buildings, 2-story buildings, etc. Commissioner McCuiston stated believes the City has adopted the IFC so they should already have been considered. Commissioner Rackham stated he had 24 and compromised at 20.

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Commissioner Rackham stated the next one he had was the minimum lot width where they bumped the size of the lots up they didn't impact the lot width at all and would like to see the 4 of them change and thought the minimum lot width on the 10,000 should be equal to the R-2 now which is 85 feet, put the 8,000 at 75, the 6400 at 65 and then the 5100 at 55 feet. Commissioner Rackham stated the minimum side yards was okay with the first 3 because all of the other ordinances are 10 and 8 but 5 just seems a little bit tight so thought maybe go to 7 feet. Commissioner Day stated is okay with 5 have seen and think on smaller homes kind of need to go to 5 but understand what is saying, has seen it so frequently that doesn't have a problem with it. Commissioner Bingham stated that is why he doesn't like it is because see it so frequently and would agree to increase it a little more, could lean out your window and high five your neighbor. Commissioner Rackham stated figured 7 feet and then couldn't touch that way. Commissioner Vaughan stated have 2 for 7 feet and 1 for 5 feet. Commissioner Rackham stated the next one was the maximum building height where have 35 feet the other codes all specific a little bit differently other than the PRD which limits it to 20 feet, they just specify 'building height shall be as allowed by the current building code' and when look up building height in the definition and it says as defined by the International Residential Building Code adopted by Syracuse' but went online to try to find that and have to pay for it. So what is the International Building Code height. Planner Steele stated it is 35 feet. Commissioner Rackham stated should probably change the wording to specify the same as the other codes.

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Commissioner Rackham stated where it says 'no parking shall be allowed in shared driveways' that seems more like an HOA issue and not applicable in here. Commissioner McCuiston stated they just had that discussion on the last one that they wanted to mark it as a fire lane so would prefer it to stay in.

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Commissioner Vaughan stated to weigh in on the height a 35 foot house on an R-1 or should say a 10,000 or 8,000 sq. ft. lot looks a lot different than a 35 foot house on a 5000 sq. ft. lot. After a while looking at his grandchildren's Lego blocks and wooden blocks when start stacking the proportion of a house that is not going to have much of a footprint and it is going to be like stacking a 1x1x3 up on end and Dads can visual that with children's building blocks and then when take a whole bunch of those 3" tall blocks and put them all close together get a certain appearance that lines up and don't know if that is something want to have in the community. Again when are going back to the very first section as to whether or not that blends with the character that the City has. In looking at the colored map that was initially handed out in looking at the neighborhood to the right on the upper right hand corner doesn't see too many 3500 sq. ft. houses over there and not saying that is completely typical of every other neighborhood in Syracuse but is just saying all of the sudden can almost be assured that would have 3500 sq. ft. houses on the small lots and don't know if that is something that is in the character of Syracuse, doesn't have a specific number but think 3500 is too much in that super dense area.

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Commissioner Thorson asked staff that building height is that measured to ceiling line or to peak. Commissioner Rackham stated to maximum peak. Agrees, wanted to put 30. Planner Steele stated is not exactly sure how they measure that. Planner Steele stated Deputy Fire Chief Hamblin said he has a copy of the IRC in the City Building Inspector's office and can check. Commissioner Thorson stated just wondered if it is the ceiling line it is 3-stories if it is to peak it is probably 2-stories and that is where the break goes.

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Commissioner Rackham stated the next paragraph 10.XX.070 where changed it to 50 and while was probably in agreement with that last time as read this document more in depth especially in the purpose of the document and then in what want to add later on, thinking they should probably think about 100 contiguous acres. Commissioner Vaughan stated with that 100 contiguous acres would possibly consider dividing that up into specific neighborhoods, can easily visual that they are going to have a pocket of the 5000 sq. ft. homes and would hate to see that particular pocket because it is going to be 25% of the property and would hate to have them without any open space in their neighborhood because are going to have more people there with less space unless make some provision for it, whereas the people on the larger. Commissioner Thorson stated provision for that is no more than a 1/8th of a mile from an amenity and think that is a different issue. Commissioner Vaughan stated it is 660 feet. Commissioner Thorson stated thinks is talking a different issue there, 100 contiguous acres is just overall project size and contiguity. Commissioner Vaughan stated that smallest size zone could fit within a 660x660 square, just a thought but agree with Commissioner Rackham's initial premise on the size because again according to this design they have a section that is pretty far away with no space.

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City Attorney Roberts stated he has an answer on the IRC question, building height is defined as the vertical distance from grade plane to the average height of the highest roof surface, so that would exclude things like chimneys or antennas or things but it would be the average height of the end of the peak of the roof. Commissioner Vaughan stated so it is the average height so it could be 25 on side and 45 on the other. City Attorney Roberts stated average height of the highest roof surface so if had a roof surface that slanted somehow then would do the average height of it. Commissioner Thorson stated it is mid peak.

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Commissioner Day stated in terms of this conversation about open space think the idea on that development is they are going to give a big chunk of open space for a regional park and would that set them up for something they don't want in terms of having them shrinking the regional park and putting smaller pocket type facilities is that going to come back and maybe be something they don't want later on. Commissioner Rackham stated there is a discussion on that coming up, is the amenity considered part of the open space when it is donated to the City. Commissioner Vaughan stated his thought on that is the word regional park or the phrase regional park doesn't appear anywhere in the MPC zone language, MPC has to stand on its own, so if they say there has to be a regional park within 100 yards of an MPC zone that would be one thing but there is no mention. Commissioner Day stated just thinks they are skirting around the obvious, in the same breath they are handing out the concept plan and then in the next breath are saying, so guess what is saying is that they proposed this big park facility if that is what the City wants or is something that is important to the City are they going to negatively affect that plan. Commissioner Rackham stated it talks about that and as read through this more his preference would be 'land dedicated to the City for use as a public park shall not be counted towards common space.' period, would require common space be spread throughout the development. Commissioner Day stated so then would they dedicate the land then, because that is kind of a double edge sword, right. Commissioner Rackham stated there is nothing in here so one of his additions is a major amenity of substantial benefit to the City and approved by the City Council must be provided. It doesn't necessarily have to be a park it could be a pool or something of a major amenity approved by the City Council. Commissioner Vaughan stated an addition but not in the 10 code.

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Commissioner Vaughan stated any thoughts on the 100 acre woods. Commissioner McCuiston stated thought they just changed that from 100. Commissioner Rackham stated they did and as he read through it more reading what they are asking for and what they want to do not sure 50 acres is going to do what are looking for them to do and that is going back to the purpose of this ordinance. Also had an addition to this that is not in there and not exactly sure where to put it but it says entire master planned development must be presented and approved at the same time and cannot have additional phases added after approval by the City Council, so don't come in and keep adding on to this thing, that is why pushed to change it back to 100. Commissioner Thorson stated has a thought on the 50 versus the 100 and it goes back to skepticism as to where this ordinance came from and who wrote it, think the 100 is meant to favor the big guy who is helping get this ordinance passed and the 100 favors him because there are not many parcels that go to 100, and the 50 would favor another level down and don't have an opinion about how bit it should be 100 or 50, thought 50 would give more people more opportunity, the 100 is restricted there is probably like 5 of these parcels that could do it and pull it off, 50 would be like maybe 20 and reasons and support for going to 50 was just to open up opportunities for someone other than the billionaire.

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Commissioner Rackham stated they already talked about the one where asked for the amenity to be approved by the City Council. On the property maintenance HOA, think that should be put in its own section and then there were a couple additions that needed to go in that. One was the architectural review committee to review exterior changes and thought there was another one but didn't write it down.

[8:02:29 PM](#)

Planner Steele stated have been taking notes but think it is going to be a really long motion and also if can include some sort of description of, think the big question as they move this on to City Council they will be asking is why decreased the density in the recommendation so if can explain the reasoning behind the increased lot size and decreased density.

[8:03:17 PM](#)

Commissioner Vaughan asked if anyone wanted to go on the record to say they think the lot sizes are too small and don't want that much density. Commissioner Thorson stated the presentation of it talks about maintaining the character of the City and the character of the City is bigger lot sizes so think it is pretty legitimate maintain a 5000 square foot lot and recommend that to the City Council, think the character of the City is not a 3500 sq. ft. lot, the current characteristic of the City, now they have the prerogative to choose something different and go a different direction but easily justified to maintain the character of the City, the lot sizes should be bigger than what was originally written.

[8:04:19 PM](#)

Commissioner Moultrie stated and when they spent a whole year on the zoning citizens spoke up and said they wanted larger lots and they are not here for personal gain, are here as a voice for the citizens and that is what they need to make their decision off of, what they want as citizens, what do the citizens want they want larger lots. Looking at that development there are million dollar homes out there and they want to stick a 5000 or 3000 sq. ft. lot right behind them, does not make sense.

[8:05:08 PM](#)

Commissioner Vaughan stated the other side of that for fair and balanced is that not everybody wants a quarter acre lot there are some people that like condo size or whatever, they have a couple very successful senior neighborhoods because of the size of their lots and the size of the homes that they have and because they have minimal yard care for themselves to be responsible for so there can be a market for it. Commissioner Moultrie stated as the other Commissioners have mentioned are already struggling with the secondary water pressure and already struggling with traffic. Commissioner Vaughan stated they are free to attach any thoughts they have using those sentences from the factual summation on this item, as far as a summary would hope it goes without question that they are trying to do the very, very best that they can for Syracuse.

[8:06:26 PM](#)

Commissioner Day stated on the lines that have been expressed on lot size understand what the Commission is saying and does want to bring up the idea that this is a great opportunity of getting a very large park that think is really needed and think it is a huge opportunity and with that being said as sort of a background in addition to the location where this is most likely going to be proposed with the road going through those lots as looked at the map are next to where the road would through so guess what is saying and is his feeling that if it is 5100, 4500 or 3500 don't know in terms in his mind if it makes that big of difference, think the big thing is getting that park and that is a huge opportunity for the City so with that background that is his thought process. Now is he in favor of 3500 lots all over the City, no is not, don't want that to be misconstrued but think in context can understand the thought process behind it and think there is a very legitimate thought process behind it.

[8:07:40 PM](#)

Commissioner McCuiston stated if can piggyback on that just for a minute. Back when they were debating the location or possible locations of the West Davis Corridor there was an option that was further west and the farming community out further west banded together and formed a commission and came and lobbied very heavily saying they were always going to be farmers out there and don't want to have houses out there and now Black Island Farms is up for sale and see other areas which is exactly what said would happen. The City's character will change with this corridor going through it and think the proposed development looks like a god addition to the City but agree with Commissioner Day don't want to see 3000 sq. ft. lots everywhere but they might have a good place in this area next to a corridor of this size.

[8:08:31 PM](#)

Commissioner Vaughan asked if they were done with the 10 section with all of the modifications that someone is going to include in their motion. Commissioner Vaughan asked if anyone had any thoughts or comments on the basic philosophy behind this, are they facing the reality of the population growth and are they doing what is best to preserve the character of the community.

[8:09:25 PM](#)

Commissioner Vaughan stated they do need to finish this particular item by at least a quarter to 9 because they do have one other very important item, item# 8, but with that in mind would like to propose a brief break off the record so everybody can have their own individual thoughts and then get ready to come back on the record ready to proceed and do something on this.

[8:17:18 PM](#)

Commissioner Vaughan stated back on the record. They have had the opportunity of going through the 10 code and hope have covered all of the points that are important there. Commissioner Day stated he does want to make one amendment at the consideration of Commissioner Rackham asking speaking with the Deputy Fire Chief perhaps it may be better to reference the IFC when it comes to the alleys. Commissioner Rackham that is what changed it to, to per current IFC code.

[8:18:32 PM](#)

Commissioner Thorson stated does have some thoughts and they may be more appropriate after the motion and discussion on the motion but this is the time laid out for it. Has a list of things and is going to go through them and it is all based on the philosophy of this ordinance and some of his objections to it. Hopes to express that his input has been in good faith, present his input in good faith, if they are going to get an ordinance then want it to be this way and if the City is going to choose to go this path this is the way he would want it to be and does not want the City to go that path, don't want them to take that route. In contrary this ordinance don't feel was presented to them in good faith, don't feel it was given to them with, it was given to them with a schedule. Thou shalt look at this, thou shalt approve it on these dates, thou shalt do these things without really them really given an option to say do they really want the City to look at this, they were told that the City is going to look at this and they were given the schedule regarding what they were going to look at and when were going to look at it so don't feel that it was given to them in good faith. With that said want to go through some of his objections to the way the philosophy of this ordinance. This ordinance violates what the City has previously approved, the approval and planning and actions of the community are being violated with this ordinance. They are going in a very different direction than what the City has in the past, to some people's approval and to others objections but it does not keep the character of the City. It introduces a process of approval that is very susceptible to corruption, when have specific undefined requirements with amenities in return, think that I very susceptible to corruption and with that in mind this all happens and expressed it earlier it provides for the City Council to act on something a specific plan prior to major public input. The City Council is given an opportunity to go negotiate with a developer and start the approval process before the public even really knows what is going on. In addition they named this a Master Planned Community zone, it only focuses on residences it is not a Master Planned Community, it does not include commercial, retail, recreation and professional. The master Planned Community is Syracuse, they are master planning a community and might even be bad at it but this is just a residential subdivision similar to a Planned Residential Development, it could be done under that ordinance with modifications to that ordinance, it is not a Master Planned Community. This ordinance bypasses City standards, they have City standards setup for the way they want the City to look, the way they want it to feel and provides for negotiated violations of those ordinances with a promise for amenities and think that is a bad position for the City to be in saying here is the requirements but if give us a park don't have to follow them. This ordinance removes planning from the normal process that they have set up, they are the Planning Commission, the City Council plans for the City and they provided a Master Plan and that Master Plan changes but this Master Planned Community ordinance is an opportunity for the City's Master Plan to just be changed as soon as something big comes in. They are openly telling the developers they are willing to change the plans for them. The complications come as they have described here when get a Master Planned Community that doesn't meet the City's standards in other way but after the fact have to retroactively apply City standards to future residences of that community such as if they want to add on or what they do in the future with road maintenance, landscaping have to rely on the HOA to do that because the City standards wouldn't allow it, they already don't allow the community to begin with. This Master Planned Community leaves up the planning to the developer and hope they have added some requirements for professionals to be involved and would like to see requirements for licensed architect, license landscape architect, requirements are already there for engineer but find an accreditation for a Master Community Planner because what they will be given is what a developer wants to see and what an engineer can dream up in his office rather than a Master Planned Community. In communities like this and one of his objections to PRD's is often the developer comes in and negotiates and this is even included in the one that was presented previously for the example given. They negotiate lost opportunity for lots, will give a big soccer field in return want the lost density to apply over here, well that density never existed can't bargain with money didn't have. Now they can give the City that land but they can't bargain that density back on the City in full they need to recognize that they don't have that opportunity to put lot on that property and that is a general object to a way that a lot of these get promoted there might be a portion of land that is not developable and yet the negotiation includes if could have developed on that land would have had 400 extra lots so let me have them over here and will give you this dump and the City makes it something great and that is good but they don't have those 400 lots to negotiate back to the City, they never had them. In the end this process where they have undefined requirements in exchange for undefined amenities it proclaims to the development community that this City is for sale, that if come in with a big enough, bright enough, fancy enough can do what they want in the City and believe it leave the City liable for the next developer that doesn't offer a good enough price. One developer can come in and say gonna give a fancy soccer field but then don't need a soccer field after that and the next developer says want to do the same thing with a soccer field and say no can't, on what basis their price isn't good enough, already have one of those don't need another soccer field. So his objections to this ordinance are significant and does feel that has tried his best to give input where could to create an ordinance that is better than if jumped ship but just object to this in so many ways, there are so many violations of the public trust that are here and what they have developed as a City character and the City due process is being violated by this. That is all.

[8:27:19 PM](#)

Commissioner Rackham stated he pretty much said it and agrees. Commissioner Day stated he would like to offer maybe a different point of view and looks at this as a huge opportunity and doesn't discount any of the things that were said. They can take 2 approaches the can say they want, he lives next to half acre to acre lots subdivision down below the Bluff and it drives his property values down, it is the most transient subdivision in this community and there are 2 of them down there and could say they are both very transient and they do drive the values down so that is where struggle half the time because don't think people want that, they want great communities and think that is what they are up there to do and it is hard because no one is ever going to come out and say this is a great development. Has never been part of a public hearing in which someone has shown up and said I like that subdivision that will never occur that will never happen. They could do, the majority of this community is LDS they could propose a Temple and people would complain about the height

of the Temple, they would complain about the lights of the Temple, they can never do anything right on this body but what they have to do is look long term and have to look at the different things that are effecting this community and think very long term, have to plan and have to show a little bit of leadership on that think maybe this gives them this opportunity and think it is far from perfect and don't think it will ever be perfect, share a lot of the concerns of some of the other Commissioners and not trying to discount them just maybe trying to show a different point of view in looking at this saying okay, what is the good in this and how can they maybe try to accentuate that good and take advantage of it, if not they might miss this opportunity, so maybe that is just a different point of view and thoughts that he had.

[8:29:24 PM](#)

Commissioner Vaughan stated the City Council was kind enough to ask them to look into the project, yes they did give them some suggestions after they had been and staff has spoken with potential owners and developers of property. That is part of the job the City Council does and part of the job staff does to go out and try to find people to come in and invest in Syracuse. In this particular case it is a much larger project than they have had to deal with in the last few years, several years at that. They have been given the flexibility for them to craft the statue, the ordinances, they beat it up, and they have discussed openly those areas that they do like and those areas that they do not like and believes everyone has had a chance to comment on those things that they would like to see done differently. Doesn't think there isn't anyone here on the Commission that isn't interested directly in the best thing for Syracuse. Everybody has a different choice, drives the best car that thinks is available in Syracuse but some people would disagree with his choice of cars and it will always be that way. They will never agree on the same car, same house, or same lot size hey just have to do what they think they can do. As a body think they have done an excellent job in crafting and giving an answer to the City Council as to what can recommend. Fortunately they have the luxury of living by the code, where the City Council has to live and die by what they view and think is best, in other words vision. The Commission gets to hide behind the code they have to stand out and face the wind head on, to that end the Commission are cows and can turn their back on the wind, the Council are buffalos they turn and face the wind. Think they have a product that can give to them and think that if they stand behind the product that they have absolutely there is nothing the matter with a nay vote on any issue but think they can move this forward. It merits discussion, it is an issue that if it doesn't come up today it will come up when some other project, some other land owner wants to develop a large parcel of land. As they all know when looking at the southwest those aren't small lots out there, those are big parcels. So with that in mind are there any other philosophical comments before start crafting their motion.

[8:33:17 PM](#)

Commissioner Rackham stated based on the comment about naming the zone should consider changing the name to Residential Planned Community (RPC) rather than Master Planner Community (MPC). Commissioner Vaughan stated they can do that and is correct this is not a Master Planned Community, this is not Sun City this is a large development and can certainly put that in the motion as to rename as to what think would be a better title to the ordinance.

[8:33:55 PM](#)

COMMISSIONER RACKHAM MADE A MOTION TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL TITLE 10 THE RESIDENTIAL PLANNED COMMUNITY (RPC) ZONE WITH THE FOLLOWING CHANGES: THAT THE TOTAL UNITS ADD A MINIMUM OF 15% ON THE OTHER LOTS STANDARDS, THE DIMENSIONS OF ALL SHARED DRIVEWAYS SHALL BE DETERMINED IN ACCORDANCE WITH CURRENT IFC CODE, THE MINIMUM LOT WIDTH FOR THE 10,000 BE 85 FT., 8,000 BE 75 FT., 6,400 BE 65 FT. AND 5,100 BE 55 FT., THE MINIMUM SIDE YARD FOR 5,100 BE 7 FT., THE PLAN MUST BE DEVELOPED BY AN ACCREDITED MASTER PLANNER WITH THE CONCEPTS AND THE DESIGN FOR THE DEVELOPMENT, MINIMUM LAND REQUIREMENT IS 100 CONTIGUOUS ACRES, THE ENTIRE MASTER PLAN MUST BE PRESENTED AND APPROVED AT THE SAME TIME AND CANNOT HAVE ADDITIONAL PHASES ADDED AFTER APPROVAL BY THE CITY COUNCIL, MAJOR AMENITIES OF SUBSTANTIAL BENEFIT TO THE CITY AND APPROVED BY THE CITY COUNCIL MUST BE PROVIDED TO THE CITY, PROPERTY MAINTENANCE HOA SECTION WILL BECOME ITS OWN SECTION, REQUIREMENT ADDED FOR AN ARCHITECTURAL REVIEW COMMITTEE TO REVIEW ALL EXTERIOR STRUCTURAL CHANGES AND MAKING THESE CHANGES TO CONFORM WITH THE REQUIREMENTS OF WHAT THE PLANNING COMMISSION BELIEVES IS THE GENERAL PLAN AND TO KEEP THE CHARACTER OF THE CITY THE WAY THE RESIDENTS WOULD LIKE TO SEE IT. THE MOTION WAS SECONDED BY COMMISSIONER DAY. COMMISSIONER THORSON AND MOULTRIE VOTED NAY, ALL OTHER COMMISSIONERS VOTED IN FAVOR, MOTION CARRIED WITH A MAJORITY VOTE, 5/2.

[8:38:03 PM](#)

Commissioner Day removed himself from the next item on the agenda.

[8:38:15 PM](#)

8. Annexation Application, Woodside Homes, Jensen property located at approximately 2000 W Gentile St

Planner Steele stated have received an annexation request for approximately 237 acres and have attached the annexation plan in the packet and in that plan there are 9 criteria for approval as well as the timeline which includes the process that go through for noticing with the County and the waiting period and then Planning Commission then has an opportunity to review it and provide a recommendation to City Council. The annexation includes the area off Gentile and 2000 W and the entire road will be maintained and responsibility would be turned over to the City for that. Also includes some parcels not owned by the applicant, owned by UDOT and Layton Nine. Since this is within a high priority corridor UDOT has been working with Layton Nine's parcel. Staff requested that the petitioner add those parcel so don't end up with a peninsula and have a nice boundary that goes along Gentile. The Annexation policy plan from 2002, says need to follow Utah State code 10-2-403, which is included and goes over procedures of how to annex property. The things are

looking out for are whether or not it promotes the goals of the Government to protect and promote the health, safety and general welfare of the citizens of Syracuse present and future. Encourages systematic growth and development within the City and keeping with a cohesive and orderly community. Will notice that some of these things are quite broad and this is one of those legislative type things that City Council can decide whether or not they want this to be part of the City or not, it could be that it is not the right time or for a lot of different reasons it is not as strict as an administrative type thing so have some leeway here. Considers in conjunction with the Syracuse City General Plan the need over the next 20 years for additional land suitable for residential, commercial and industrial. Considers population growth projections for the City and adjoining areas over the next 20 years. Assures availability, maintenance, extension and/or adequate capacity of public facilities and services. Considers the City's future and current financial requisites for municipal services in developed and undeveloped unincorporated areas of Davis County. Promotes the most efficient relationship between land uses in Syracuse City and its neighboring communities and service districts by avoiding gaps and overlaps with expansion areas of other municipalities. Ensures the pace and quality of annexations shall be within the management capability of Syracuse City the use of well-conceived land management practice. The pink area on the map is area that will eventually annex into the City, obviously the map is a little outdated, doesn't have Stillwater Estates but it within the area on the Annexation plan. The Utah State code and not to go into all of the detail by says don't leave donut holes or peninsulas and goes into detail as how to actually annex property, that it needs to have a good map and be surveyed and all that. Once it is annexed in it would match the current General Plan Map for current zoning, which is R-1.

[8:44:16 PM](#)

Commissioner Vaughan asked in regards to annexation on this, if they accept and approve the annexation request as a Planning Commission can they ask that the City Council require them to bring water with them, that they be able to show the ability to provide water shares for their property. Planner Steele stated yes. Commissioner Vaughan asked the City Attorney if should a motion be made to approve this petition request that they have a finding included in that motion to accept the 9 points that are listed, would that be a good idea. City Attorney Roberts stated it is good to have the intent behind it. On the water shares issues not sure that is addressed in the code and don't know if that is something can require of a person who is annexing in, but could always recommend that the Council look into it. Commissioner Thorson thought that was on development rather than annexation. Planner Steele stated water shares are gathered before recording of a final plat in the process right now so think if what are referring to is that loose language saying generally if do bring into the City do they have adequate utilities to service this property, when a subdivision goes through the process are also required to submit a feasibility report that basically makes them do that homework but that is something to review and consider like the City Attorney said could include something in the motion to make sure have adequate utilities to the parcel.

[8:46:31 PM](#)

Commissioner Vaughan asked the Commissioners if they want the 237 acres in Syracuse, is it within their sphere of influence, do they want to have future say in what happens on this property. Commissioner Rackham stated there is an audience member who wants to comment on this. Commissioner Vaughan stated normally this isn't a public hearing but come forward.

[8:47:18 PM](#)

TJ Jensen stated he owns some of the property that is followed within this annexation petition and wanted to point out to the Commission that as staff had pointed out annexation of the roads into Syracuse is a major deal. Essentially right now the City has a temporary agreement on gentile and 2000 W to partially maintain those roads but it is kind of half County and half City so that will clean up nicely. However there are multiple property owners involved with this there is Davis School District and UDOT, they own all of those properties now so as well as the Jensen family so would just encourage the Commission that each of the individual land owners will be separately responsible for whatever water shares can be developed can't put that on one land owner and does know that UDOT and the School District have their owns water shares and we will be bringing water shares as well. Thinks this cleans up the border of the City quite a bit and think that is to a great benefit to the City because right now have a pretty jagged border in that area and now will have a nice square one.

[8:48:20 PM](#)

Commissioner Thorson asked staff is it true that all of the land owners shown on this annexation are in agreement, there is not any adverse annexation or unknown annexation. Commissioner Vaughan stated there is only one owner. Commissioner Thorson stated no, there are several. City Attorney Roberts stated what they would look for are protests and as far as he knows haven't received any protests from those, don't think they all signed the petition but could be wrong though but don't believe had any protests from people who are included in the annexation area. Commissioner Thorson stated so they would have to speak up verses they have to be party to, is that correct. City Attorney Roberts stated under the process there is a petitioner and they submit their petition, in order to avoid the peninsula problem have included those additional properties owned by UDOT and School District. Commissioner Thorson asked at what point are they notified that they are going to be annexed where they are not, either they are notified now or they are going to find out sometime in the future, when does that happen. City Attorney Roberts stated the land owners were notified, that happened a long time ago. Commissioner Thorson stated so they know about it already. City Attorney Roberts stated yes, it's been at least a month, they have had notices. Commissioner Thorson stated so no protests and they were notified. City Attorney Roberts stated it is mailed notice, it is direct notice not just general newspaper notice.

[8:49:44 PM](#)

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Commissioner Vaughan stated he is personally in support of this annexation, think I would be a good idea and think it would be an asset to have the City control this property within our jurisdiction.

[8:50:07 PM](#)

COMMISSIONER THORSON MADE A MOTION TO RECOMMEND THAT CITY COUNCIL APPROVE ANNEXATION OF THIS PROPERTY PRESENTED BY WOODSIDE HOMES AND MAJORITY LAND OWNERS SHOWN ON THE APPLICATION. THE MOTION WAS SECONDED BY COMMISSIONER MCCUISTION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[8:50:51 PM](#)

9. **Adjourn**

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

NO WORK SESSION WITH LIMITED TIME ON THE CLOCK

Ralph Vaughan, Chairman

Date Approved: _____

Stacy Adams, Commission Secretary