



Syracuse City Planning Commission Meeting February 16, 2016

Begins at 6:00 p.m. in the City Council Chambers
1979 West 1900 South, Syracuse, UT 84075

Regular Meeting Agenda

PLANNING COMMISSIONERS

CHAIR

Ralph Vaughan

VICE CHAIR

Dale Rackham

T.J. Jensen
Curt McCuistion
Greg Day
Troy Moultrie
Grant Thorson

1. **Meeting Called to Order**
 - Invocation or Thought by Commissioner **Moultrie**
 - Pledge of Allegiance by Commissioner **Jensen**
 - Adoption of Meeting Agenda
2. **Meeting Minutes**
February 2, 2016 Regular Meeting and Work Session
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.
4. **Major Conditional Use Permit** – Accessory Dwelling Unit, Anita Townley, property located at 2747 S 800 W, R-2 Residential Zone.
5. **Major Conditional Use Permit** – Oasis Montessori Child Care Center, Ramesh Wettasinghe, property located at 780 S 2000 W, General Commercial Zone
6. **Adjourn**

Work Session

1. **Department Business**
 - a. City Council Liaison Report
 - b. City Attorney Updates
 - c. Upcoming Agenda Items
2. **Discussion Items**
 - a. Accessory Dwelling Unit in Industrial Zone
 - b. Parking Ordinance Table
3. **Commissioner Reports**
4. **Adjourn**

NOTE

If you wish to attend a particular agenda item, please arrive at the beginning of the meeting. In compliance with the Americans Disabilities Act, those needing auxiliary communicative aids and services for this meeting should contact the City Office, at 801-614-9626, at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

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PLANNING COMMISSION REGULAR MEETING AGENDA

February 16, 2016

Agenda Item # 2

Meeting Minutes

February 2, 2016 Regular and Work Session

Suggested Motions:

Grant

I move to **approve** the meeting minutes dated ... for the regular meeting and work session planning commission meeting, as amended...

Deny

I move to **deny** the meeting minutes dated ... for the regular meeting and work session planning commission meeting with the finding...

Table

I move to **table** the meeting minutes dated ... for the regular meeting and work session planning commission meeting until ...

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

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on February 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 Chair
TJ Jensen
Curt McCuistion
Troy Moultrie
Greg Day
Grant Thorson
- City Employees: Noah Steele, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary
- City Council: Councilman Mike Gailey
Councilman Andrea Anderson
- Excused:
- Visitors: Adam Bernard Frank Weiler
Adam Maher

[6:00:46 PM](#)

1. **Meeting Called to Order:**

Commissioner McCuistion provided a quote from Plato "If you do not take an interest in the affairs of your Government then you are doomed to live under the rules of fools." The Pledge of Allegiance was led Commissioner Moultrie.

[6:01:43 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JANUARY 19, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:02:04 PM](#)

2. **Meeting Minutes:**

January 19, 2016 Regular Meeting & Work Session

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

[6:02:44 PM](#)

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

None

[6:03:11 PM](#)

4. **Public Hearing – Rezone R-3 to Neighborhood Services, Paul Toniolli, property located at 1679 Marilyn Drive**

Planner Steele stated this property is located on Antelope Drive halfway between 1000 W and 2000 W. It is in a residential area and the General Plan calls for Neighborhood Services and so the applicant is desiring to change to what the General Plan calls for. It is currently zoned R-3, next door there is a Neighborhood Services already operating as a Boutique and that is what the zone is meant for. The Neighborhood Services is meant for small offices like Insurance Offices, Animal Clinics, Financial Planning, Boutiques. The A-1 to the south is 2 lots per acre max and the R-3 allows 4 lots per acre as a maximum density. The General Plan map has General Commercial along Antelope Drive and where those existing homes were is anticipated those will eventually convert over to some sort of Commercial use in the future. The R-3 Zone description is more medium density single-family residential. The Neighborhood Services zone the purpose is to provide a range of opportunities specifically identified as providing local neighborhood services. Uses in this zone are not meant to have a large footprint or be overly invasive to neighborhood uses. Anything that goes in here has a maximum density, or maximum size of 20,000 square feet and it can't be any taller than 35 feet. Now this is just for the rezone, of course this project will, when they do want to construct the building they will be required to go through the site planning process and Architectural Review Committee and also the potential for nuisances will be reviewed at that time such as traffic, the location of parking, number of parking, there is even some information in the ordinance about soundproof walls for boarding and things like that, but it is before the Commission to consider whether or not this would be appropriate land use for this neighborhood.

[6:07:47 PM](#)

63 Commissioner Jensen asked staff to go over buffering requirements since this is going to be adjacent to residential
64 use. Planner Steele stated in the buffer ordinance depending on what it is adjacent to and in the table it has a column for
65 existing land use and then the proposed land use and this will require a buffer around, anything touching, not along the
66 street but on the east and north edges of the property and there will be a fence and landscaping, can't remember, haven't
67 looked up exactly which buffer table it goes under, but it will be at least a 10 foot wide landscape buffer with a masonry or
68 vinyl 6 foot fence, believe it was a masonry fence. Planner Steele stated also forgot to mention what was asked regarding
69 the difference between an animal clinic and an animal hospital was, the major difference is one allows livestock, horses,
70 cows and that kind of thing. The clinic is meant to be smaller and more of dogs and cats.

71 [6:09:30 PM](#)

72 Paul Toniolli, applicant and Veterinarian, currently own Antelope Animal Hospital on the corner of 1000 W and
73 Antelope Drive, which is kind of cute and funny when he first originally started that hospital he came to the City thinking
74 that was Syracuse, it is the only corner that is not and with that background has always wanted to be in Syracuse. Been at
75 his current location for about 10 years, they have grown big enough that they feel like it is time to move to a more
76 permanent location and really feel like being in the City of Syracuse is their goal, it is who they want to serve and what
77 they want to do. Mr. Toniolli stated he is a small animal hospital, doesn't know if the City ordinance make him change his
78 sign, guess that would be fine, but is currently Antelope Animal Hospital. Does not treat large animals, does not plan on
79 treating large animals, likes them but doesn't need to work on them, strictly cats and dogs, doesn't even really treat
80 exotics, will help if he can. Mr. Toniolli stated 90% of his work would be small animal, his hours are Monday thru Friday,
81 not open on Saturdays, doesn't know if that would change but if they do most Veterinary clinics work an 8-12 kind of shift,
82 some maybe work until 3, he has enjoyed not working Saturdays, so unless he has an associate who wants to take on
83 Saturdays, it is not in his absolute future plans. Wouldn't mind doing a little bit of boarding, don't need to be a major
84 boarding facility, respect the noise ordinance ideas. Is currently in a little strip mall so between him and the next business
85 did plan and build soundproof walling and such of that nature and haven't had any complaints. If anything he can hear
86 them and their rock and roll music as people are tanning more than they can hear his dogs barking but he puts most of his
87 patients that are boarding or spending the night or kept during surgery on the far side of the building, they are respectful
88 of that. He is also a certified rehabilitation practitioner which just means he is a physical therapist for dogs, side note physical
89 therapy is a trademark for people so can't use it by law, so it is considered rehabilitation practitioner. So they would
90 probably have some rehabilitation, which just means they might have some agility course work, they might have a dog or
91 2 out in the yard doing exercises to rehab after an orthopedic surgery or people that do trials, hunters, field trials, literally
92 shepherding dogs anything that is an athletic animal can come and maybe do some outside work but again during the
93 day, not multiples, not really a trainer, not looking to do training classes or anything like that. Most of the rehab is usually
94 done indoor in an underwater treadmill but that is just another aspect of the business that would like to bring on to grow.
95 As for the building and the idea of the use of the land, right now mainly hospital, they respect but are thinking they also
96 know of the buffer zone, so they would actually like to make the access to the property on Marilyn Drive so that they would
97 not only have the fence that needs to go along the residential but then they would have the landscape buffer zone and
98 then the driveway and the parking lot so the building will be more up close to Antelope Drive (1700 S) and far away from
99 the residential section. Mr. Toniolli stated Adam Maher with the construction company he has hired was also present if
100 they had any questions for him and as support but thought the Commission wanted to hear from him since he is the guy
101 going to be doing the business.

102 [6:13:28 PM](#)

103 Commissioner Jensen thanked the applicant for the information. Commissioner Rackham asked the applicant that he
104 had stated that 90% are small animals, what are the other 10%. Paul Toniolli stated maybe a bird, a rabbit, a guinea pig
105 but never a cow, never a horse. If he does any questions, to be honest, yes he has helped some large animal people but
106 it is either on the phone or at their place, one gentleman has goats but lives all the way out in the County north of Weber
107 County, Box Elder County, but really no, no farm trucks in the parking lot, no cows getting hoof trims, nothing like that, so
108 guess he could say 99% are small animals. Commissioner Jensen asked about potbellied pigs or that type of things. Paul
109 Toniolli stated no, he can help, he would do his best to figure it out, but would send that to a mixed animal practitioner or
110 someone else, they are different beasts.

111 [6:14:48 PM](#)

112 Commissioner Vaughan asked the applicant if he was going to be some wok outside on the property as opposed to
113 where he was in the shopping center. Paul Toniolli asked if he meant Veterinary work. Commissioner Vaughan stated he
114 mentioned an exercise course, some rehab. Paul Toniolli stated if they can imagine like a chain link fence, would
115 obviously have it, his biggest fear is having a dog get out on Antelope Drive. Commissioner Vaughan stated that was his
116 basic question, using the word escape. Paul Toniolli stated they had one episode, it was very sad or interesting, that they
117 made him have levered handles guess because of fire safety or hazards or handicap, dogs can paw those and pop open
118 a door, dog got to the front door, his front door happens to open out, pushed it and ran out onto 1000 W and then ran over
119 to the owners home which was 2 blocks over. So luckily nothing happened and didn't get hurt but if they have an exercise
120 yard or let's say if the City is okay with him bringing on some boarding, then they would have basically, in his mind, his
121 vision would be a double gate system. Would go into, open a gate, you are in that place, have to close that gate, open
122 another gate, get into the exercise yard, walk them around, let them go poop or pee, maybe run them up and down the
123 aisle, watch their lameness, watch their limping, bring them back in the yard. Commissioner Vaughan asked if the animals
124 that he sees, are they capable of winning over a 6 foot fence. Paul Toniolli stated some of them might be. Commissioner
125 Vaughan asked if he would be planning on any interior type barrier such as seen on a prison exercise yard that is
126 basically perpendicular and parallel to the ground that sticks out approximately 12-18" which allows an animal the

127 opportunity to reach up with a paw and then successfully pull themselves over. Paul Toniolli stated no, he gets what he is
128 saying and dogs can climb chain link fences, it has been proven time and time again, some dogs are big enough they
129 could even jump a vinyl fence, if they are just right and agile, so wouldn't put anything there to encourage that activity, if
130 that is what he is saying. If he is saying put something there to prevent that, would probably say no to that as well
131 because wouldn't want a dog to impale themselves trying to get either. Most of the time they would either be on a leash,
132 like controlled, double leashed, choke collar leash so they can't get out. If he is working with a client on rehab, usually the
133 owner would probably be there, not that they are always responsive to owners but yet they listen to owners more than
134 they do to some crazy person they don't know, but again if there is something they need to discuss before they do that,
135 sure, obviously they want to be amendable and obviously their goal is safety for the animal for well as people and cars,
136 don't need someone to swerve to miss a dog and hit another car kind of thing, so they would want to be mindful of that as
137 well. Commissioner Vaughan stated because it would be up against a residential area and that is one concern he has, so
138 at this particular point he will not have any free roaming animals in the back, that are not restrained and somehow, so they
139 will either be on a leash or within a small dog walk area. Paul Toniolli stated yes, that would be, he would hesitate to say
140 yes 100% but if has a staff member who turns their personal dog loose against his knowing, there might be incidences
141 and just has to say there has got to be a small caveat that someone may not listen to his rules, but typically when they
142 walk an animal now for example they are double leashed, they have 2 leashes on them as they take them for a walk in
143 case one breaks. Commissioner Vaughan asked if a German Shepherd break through a standard vinyl fence by pushing
144 a panel out. Paul Toniolli stated probably, technically any dog could, but a German Shepherd, bull headed ready to go.
145 Commissioner Vaughan asked if he had any plans for securing any vinyl fencing that might have on the property to
146 prevent a large dog to push its way out. Paul Toniolli stated yes, they would want to make sure something like that is in
147 place, obviously within reason sure, is open to discussing that.

148 [6:19:37 PM](#)

149 Commissioner Thorson stated in looking at the definitions between an animal clinic and animal hospital, no livestock
150 pushes them to an animal clinic, having an exercise facility outside pushes them towards animal hospital and depending
151 on the size of that, would have to get a conditional use permit, has he anticipated or thought about what he may need to
152 get after the rezone to get the use permitted or is he going to try to go in under animal clinic. Paul Toniolli stated they are
153 known as Antelope Animal Hospital. Commissioner Thorson stated it is not necessarily what his business is called, it is
154 the definition in the City code. Paul Toniolli stated that is reasonable and understandable, thinks if he really, really wanted
155 to have the type of exercise yard and the City ordinances qualified as a hospital and needs a conditional use permit then
156 he would go for that. Had to do a conational use permit where he is at now, had a 6 month conditional use permit at his
157 hospital in Clearfield because of the strip mall and so far has been a good tenant and 10 years of goodness and so and if
158 there are certain sizes or specs, doesn't want the Commission to think it is this big showboat or anything it is just, if they
159 go by multiple Vet hospitals they usually have some place to walk the dogs to go poop and pee is really what he is talking
160 about, it is not going to be this grand, half the property or some big facility it is just basically, would give dimensions but is
161 really bad at numbers in the sense of 10x10, but it is not going to be a football field exercise yard. Commissioner Thorson
162 stated he was just thinking of the impacts to the neighbors would be the noise of the animals, the trainer calling
163 commands and yelling at them. Paul Toniolli stated it would not be that, there is not going to be a trainer calling and
164 commanding, it will be more of Mrs. Smith lets have your dog go over some stairs, homemade wood stairs and go under a
165 PVC pie that is 2 feet off the ground, let's have it go up and over, up and over, those are the little things they would do, it
166 is not like 5 dogs in a row and send them out, it is individualized, one on one, quiet, there might be a bark here or there at
167 a bird or something, that is hard to say, but thanks for asking because he just got certified and hasn't really done a lot of it,
168 it is totally new for his profession but it is really up and coming.

169 [6:22:39 PM](#)

170 Commissioner Vaughan stated before they open the public hearing originally this item and the following item were
171 scheduled for a public hearing on January 19th, through a newspaper publication error, advanced publication of that
172 hearing was not given, so they were unable to hold a formal hearing on that but at the convenience of people that did
173 come to attend the meeting that wanted to speak on the item at that time, they did hear from people and any comments
174 they had. Commissioner Vaughan asked staff if they did publish all of the comments that were taken at the January 19th
175 meeting and were they included in tonight's packet. Planner Steele stated yes, they were included in the minutes.

176 [6:23:27 PM](#)

177 Public Hearing opened

178 [6:23:53 PM](#)

179 Frank Weiler, previous Syracuse resident now live in Clinton, own the property currently, and want to talk briefly, they
180 are making a decision and back in 1970 when the home was built that was a great residential area but as they know with
181 the commercial and residential development out west and Antelope getting busier and busier, that is a very undesirable
182 residential location right now. It is a rental property and when he advertise for renters to come, he has a very limited ban
183 on who wants to live there and most of these people have very limited choices on where they can go, consequently he
184 can't chose the people he would rather live next to and he sometimes has to, sometimes get good ones and sometimes
185 get questionable ones. The last renter he had, had a criminal record but thought they were good but turns out they conned
186 him, they stole from him, they stole from the furniture rental company, they tried to con the State and so this is a situation
187 that that property is in right now. That is his problem, not any of the City's problem but if h was a neighbor and had a
188 choice to live next to a very nice professional building or a low end rental property, think that the professional building is
189 the ideal buffer choice for what is in the City plan and going forward.

190 [6:25:26 PM](#)

191 Public hearing closed

192 [6:25:27 PM](#)

193 Commissioner Jensen asked if this would go before the Architectural review Committee once they start talking about
194 the business. Planner Steele stated yes. Commissioner Jensen stated he would like staff to take note of some of the
195 discussion about the dog run and basically if there mitigation that needs to be there during the Architectural review.
196 Planner Steele stated yes and they will be sure to check all of the ordinances and make sure that the site plan follows the,
197 whether it is a clinic or a hospital and meet all of the ordinances and think the applicant is agreeable to meet everything
198 too. Commissioner Jensen stated that in his opinion this is precisely why they have Neighborhood Services and the only
199 other thing he would like to see, know the applicant indicated they would like to have the traffic going on Marilyn Drive but
200 Marilyn Drive is a rather congested road so it is up to the applicant and Architectural Review Committee to discuss that
201 but like the idea of the access to Antelope better so it doesn't impact the neighborhood. Planner Steele stated that is
202 something they will review with the site plan application, there is a driveway already existing on the property and they
203 would just require that they give us a letter from UDOT saying that it is okay that they access the State road that way.
204 Commissioner Jensen stated he doesn't want to limit the applicant, he is just expressing his preference that since it is a
205 business it should access to Antelope.

206 [6:27:13 PM](#)

207 Commissioner Thorson asked staff regarding the applicant mentioned possibly boarding animals, hasn't been able to
208 find in City code where boarding where may be allowed, is that an allowable, where is that or is that always a conditional
209 use. Planner Steele stated under conditional uses, and can pull up code, but there are 2 definitions for animal clinic and
210 animal hospital. Commissioner Thorson asked if it included boarding on one of those. Planner Steele stated no, it just
211 talks about soundproofing. Planner Steele read from code, Animal Clinics, such facilities shall require soundproof walls, if
212 a part of a larger commercial building, and receive site plan approval. Clinics utilizing single-tenant buildings shall locate
213 no closer than 100 feet from any residential dwelling unless it also incorporates soundproof walls. Animal Hospital, Such
214 facilities shall receive site plan approval and locate no closer than 200 feet from any residential dwelling. Animals taken
215 outside the building to the exercise runs shall have continuous supervision by an employee of the facility. 2, Hospitals
216 shall be no closer than 200 feet to any adjacent primary structure, constructed with soundproof walls, and comply with
217 Table D with the buffer. 3, can't be less than 1 acre. 4, the property shall provide one-half a parking space for each
218 animal. 5, site plan should include means for controlling dust, odor, and insects for the outdoor exercise runs. Sorry long
219 answer for outdoor boarding, doesn't really talk about. Commissioner Thorson stated he is not seeing boarding in his code
220 as a use. Planner Steele stated it just kind of refers to the soundproof wall and think they assume, a commercial kennel
221 license that is another license that we have in the ordinance that, which, will have to look at a little bit more whether an
222 animal clinic is with their licensing if that is combined or they would have to get a separate kennel license on top of that.
223 Commissioner Thorson stated that doesn't affect his decision today but just wanted to look ahead for what may happen.
224 Planner Steele stated this is just for the zone change but all of those other things would be looked at in the future as this
225 applicant comes through.

226 [6:30:00 PM](#)

227 Commissioner Vaughan asked staff a follow up question, obviously tonight's public hearing is for the rezone as
228 opposed to the use of the actual property once it gets rezoned, will this facility come back for any other action before the
229 Planning Commission. Planner Steele stated yes, it will go through site plan and Architectural Review Committee which is
230 a subcommittee, so for the Commission it will just be the site plan. Commissioner Vaughan asked at that particular time
231 that one might be a better opportunity for them to restrict animal size, discuss some additional things on fencing and
232 anything else that might do with the operation there, also boarding, limitations of boarding, cause if he is going to be a
233 clinic for small animals there is no restriction at this particular time, he couldn't board a horse or a rhinoceros. Planner
234 Steele stated yes. Commissioner Vaughan stated he knew the answer he just wanted to make sure they are setting a
235 record for it. Commissioner Jensen stated he wanted to make a comment in reference to what Commissioner Thorson just
236 brought up, under permitted uses under Neighborhood Services this is one of the few zones where they have introduced
237 the new language, uses considered similar and compatible by the land use administrator, so think under that even if they
238 are not specifically talking about boarding animals, in this case sometimes they would board animals because they want
239 to keep them overnight because they are sick or whatever so would think that would be similar and compatible as a
240 permitted use but that would be something that legal would have to consider or the administrator.

241 [6:31:46 PM](#)

242 COMMISSIONER DAY STATED THIS REQUESTED ZONING IS COMPATIBLE WITH GENERAL PLAN AND ALSO
243 WOULD BE A GREAT ADDITION TO THE COMMUNITY AND MOVE TO RECOMMEND APPROVAL TO THE CITY
244 COUNCIL TO REZONE PROPERTY LOCATED AT 1679 MARILYN DR FROM R-3 TO NEIGHBORHOOD SERVICES
245 SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODE. COMMISSIONER JENSEN
246 SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

247 [6:32:22 PM](#)

248 **5. Public Hearing – Preliminary and Final Subdivision Plan, CVS Plaza, Boos Development, property located at 1974**
249 **W 1700 S**

250 Planner Steele stated this is located on the corner of 2000 W Antelope where the old church was, it is a 3 acre parcel
251 and they are requesting to divide it into 2 lots. They have retained a public access easement because to the north is
252 Syracuse City's Founders Park and a lot of, it is one of the primary access points to the Park and also for the Syracuse

253 Elementary pick up, so they are retaining an easement so the access will be through and then the 2 lot lines, 1.742 which
254 is for a future CVS which we will see a site plan here once they get through with this process and lot 2 it is unclear exactly
255 what will be on that lot yet. Also included are the reviews for staff reviews and Engineer and Fire are present if have any
256 questions that the Commission has but from Planning they have met all of the requirements.

257 [6:34:10 PM](#)

258 Commissioner Jensen asked staff regarding the property to the north, the Rosewood Townhouse LLC, knows the
259 Sherman Legacy Property and that UDOT acquired that property. Planner Steele asked if he meant if they acquired the
260 Townhomes. Commissioner Jensen stated they had talked about acquiring a portion of that parcel as well. Planner Steele
261 stated they acquired the Sherman Legacy property to the west, is what UDOT acquired, but not the Townhome property.
262 Commissioner Jensen stated so the Townhomes will remain basically unchanged. Planner Steele stated that is his
263 understanding but is a UDOT project and they are still going through the final revisions but that is his understanding that
264 the Townhomes will stay.

265 [6:35:08 PM](#)

266 Commissioner Vaughan asked staff on the map regarding lot 1 and lot 2, in the middle between the two lots they
267 have a checker board pattern and that is showing as being a public access utility easement that is approximately 25 feet
268 wide, does that co-inside with the pathway that moms and dads have been using for x number of years to drop their kids
269 and pick up their kids from the school. Planner Steele stated yes. Commissioner Vaughan asked if the end of that
270 easement match up to the apron access on Antelope. Planner Steele stated yes. Commissioner Vaughan stated so
271 basically with this, they are allowing the access, the easement to continue. Planner Steele stated yes.

272 [6:36:15 PM](#)

273 Leslie Morton, with Psomas located at 4179 Riverboat Rd in Salt Lake City, representing the developer of the
274 property, Boos Development Group, they are negotiation with the LDS Church to purchase this property and subdivide it
275 into the 2 lots and staff did a good job of explaining the intent. Lot 1 would be CVS Pharmacy is planning on developing
276 that and lot 2 at this point is unknown, not sure what the plan is for that, it may become one other or two other restaurant
277 pads or other retail pads but it is unknown at this point. The CVS Pharmacy project they have actually been working
278 ahead a little bit and working with City staff on the site plan for that, they haven't submitted an application but just working
279 on the site plan application trying to, working on the site plan itself, trying to make something that the staff is happy with
280 that is going to aesthetically enhance that corner as part of the City Center and think they are getting pretty close there.

281 [6:37:33 PM](#)

282 Commissioner Jensen asked staff that she had indicated that they had not closed on the sale yet, if for some reason
283 this doesn't proceed, assuming it will, but if it doesn't, what does that do to the site plan, just want to make sure the
284 current owner is on board with this. Planner Steele stated they have a letter from the LDS Church saying that they are
285 approved to move forward with due diligence. If they create a plat and it is recorded and it doesn't go through then guess
286 the Church will have 2 lots but doesn't mean that the property. Commissioner Jensen asked if the current property owner
287 has seen this and they have not indicated any objection. Planner Steele stated no.

288 [6:38:18 PM](#)

289 Commissioner Rackham asked the applicant lot 2 right now is asphalt, is the plan to leave it asphalt until they
290 develop it. The applicant stated yes.

291 [6:38:40 PM](#)

292 Commissioner Vaughan stated as before there was an error in the posting of this item to be discussed, people that
293 came to the original meeting on January 19th were afforded the opportunity to speak if they were unable to make it tonight
294 and asked staff if all of the speakers that spoke on this item on January 19th were included in the minutes. Planner Steele
295 stated yes, there wasn't any public comment on this item on January 19th and is reflected in the minutes.

296 [6:39:30 PM](#)

297 Public Hearing opened

298 [6:39:36 PM](#)

299 Public Hearing closed

300 [6:39:39 PM](#)

301 Commissioner Jensen stated he is glad to see this corner being developed.

302 [6:39:52 PM](#)

303 COMMISSIONER DAY MADE A MOTION TO RECOMMEND APPROVAL OF THE PRELIMINARY AND FINAL
304 SUBDIVISION PLAN, CVS PLAZA, BOOS DEVELOPMENT, AND PROPERTY LOCATED AT 1974 W 1700 S,
305 GENERAL COMMERCIAL ZONE SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL
306 CODES AND STAFF RECOMMENDATIONS AS CONTAINED WITHIN THE PACKET. COMMISSIONER MOULTRIE
307 SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

308 [6:40:34 PM](#)

309 **6. Municipal Code Title X Amendment – Pertaining to the General Plan Amendment 10.20.060**

310 City Attorney Roberts stated this is the amendment dealing with the General Plan Map opening for, basically the
311 Council was concerned that since they closed the Plan sort of abruptly there may have been some people who straggling
312 and wanting to make those changes and taken then by surprise so what they have is the draft text which essentially just

313 adds that if they submit their map request before 5pm on March 15, 2016 which is a weekday, then it can be considered
314 and believe that is what the intent of the Council and Commission was last time they met.

315 [6:41:25 PM](#)

316 Commissioner Jensen stated thinks they should probably spell out, says 'should be submitted to the department', it
317 doesn't say which department so think they should probably say Community & Economic Development Department or
318 planning Department or whatever would be appropriate so that it is clear. City Attorney Roberts stated the department
319 might be a defined term in the Land Use Code and when they use in that particular code if that is what they mean but will
320 check on that and if not defined as its own term can add that in there as Community Development Department.

321 Commissioner Jensen asked if we had a Planning Department or just CED. City Attorney Roberts stated it would just be
322 the Community & Economic Development Department.

323 [6:42:28 PM](#)

324 Commissioner Rackham asked if there has been any applications coming in. Planner Steele stated no, but they
325 anticipate one. Commissioner Jensen stated that is probably the one that was put before the Council, so think that counts
326 as an application. City Attorney Roberts stated the code has also been closed so anyone reading the code would think
327 what would be the point so may be some people when they see this published might bring in something, but we don't
328 know. Commissioner Vaughan asked would he be correct in stating that this particular item D, that they are adding is a
329 one-time thing only, it is because of the inception of the closing of the Plan that when the Plan reopens again later on
330 there will be no extension period, this is a one-time shot. City Attorney Roberts stated right, when the Plan is closed in the
331 future and when it opens again there is going to be a substantial noticing period so people will have more notice to
332 prepare for so this was meant to be a one-time, since they barely closed it, let's just give people a little extra time because
333 this was the only time. So there was no indication that they had that this will be reoccurring thing. Commissioner Vaughan
334 stated so there will be no grace period the next time, just wants to make it very clear for 2 years from now or a year from
335 now that this is it. City Attorney Roberts stated correct, unless the Council changes it.

336 [6:44:04 PM](#)

337 Commissioner Vaughan asked if they need to take any action on this. City Attorney Roberts stated would like to move
338 on this so that the change can be effective so unless there are other concerns with it would recommend that they move on
339 it and can forward it to the Council for consideration next week.

340 [6:44:22 PM](#)

341 COMMISSIONER JENSEN MADE MOTION TO FORWARD GENERAL PLAN AMENDMENT 10.20.060 TO CITY
342 COUNCIL FOR THEIR APPROVAL WITH THE ONE CHANGE THAT DEPARTMENT BE CHANGED TO COMMUNITY
343 DEVELOPMENT DEPARTMENT. COMMISSIONER THORSON SECONDED THE MOTION. ALL WERE IN FAVOR.
344 MOTION CARRIED UNANIMOUSLY.

345 [6:44:56 PM](#)

346 7. **Bylaw Amendments - Pertaining to the Planning Commission Bylaws & Rules of Procedure**

347 City Attorney Roberts stated there were a few changes since their last meeting but they are in line with what they had
348 discussed last week with the combined Council and Commission meeting. The first one is number 14, this was related to
349 the question of what role do they want the Commission to take in affirmatively drafting code changes and the feeling from
350 the Council members were really that they would like them to just run the issue by them first, make sure that they want
351 this to be addressed and then can move forward with drafting it. Want to have a mechanism to do this and made the most
352 sense to have the Chairman be the one who conveys this to the Council. So number 14, convey issues which may result
353 in potential code amendments to the City Council for initial input and approval to move forward with drafting those
354 amendments, this shall be conveyed through the Council liaison and the duty to convey these issues may also be initiated
355 by 2 Commissioner members during any meeting. So even if 2 Commission members initiate it, it would go to the Chair
356 and the Chair would have a duty to convey it on. So there is always going to be that channel of it goes through the Chair
357 so it can be really clear this is coming from the Commission. So the Chair can do it without Commissioners making that
358 type of motion or if the Chair is not in favor of it then 2 Commissioners can impose upon the Chair to pass that along. It
359 seemed to him that captured the feeling that the Council, it certainly can be tweaked or changed a little bit, wording can
360 always be changed. Does the Commission have any concerns with that procedure or open to suggestions if there are any.

361 [6:46:47 PM](#)

362 Commissioner Vaughan stated they should set a time limit for the Chair to respond to get into contact with the
363 Council representative or before there is a need for 2 Commissioners to feel that they need to push into action. Would
364 recommend 72 hours, 1 week, in other words this would keep the Chair from sitting on an item, has no intention of doing
365 that but for the benefit of his fellow Commissioners but think they should make sure they close any loopholes for the
366 future. City Attorney Roberts stated they could say, officially convey to the Council liaison and the duty to convey this
367 issue may also be initiated by 2 Commission members during any meeting and the issue must be conveyed within 72
368 hours. Wondering how are picturing this, can do this on own or say a work meeting and there is not a motion they just
369 discuss it and think it is a good idea and submit it to the Council, or suggesting that a Chair might say that and not do it.
370 Commissioner Vaughan stated they could say they accept and are going to get in contact with the representative and just
371 never does, thereby basically it has become a pocket veto and doesn't want that to happen. Commissioner Rackham
372 stated he doesn't really see it that way, see it more as they bring it up as a topic, it get yay or nay or the Chair can bring it
373 up an then the representative that is going to the City Council which would be someone from the Planning Group would
374 present it to them, it is not necessarily the Commission who would present it to them, that is what he envisioned when he
375 heard it. City Attorney Roberts stated that is a little different from this because he was envisioning the Chair going through

376 the liaison passing along information, so if that is an alternative, that is something they could certainly do. Commissioner
377 Rackham stated that was one of his wording changes was to put in there the Chair or specified representative. City
378 Attorney Roberts stated that is certainly something they could do and then.

379 [6:49:25 PM](#)

380 Commissioner Jensen stated he is really uncomfortable with number 14, get the spirit of that and that is something
381 that as a Commission they can chose to do so they are not wasting the Council's time, however under Title III, do feel that
382 Title III as, since they are an independent body from the City Council, Title III does empower them to suggest, recommend
383 changes to the ordinance and so if the Commission feels it is important enough that they still want to advance that think
384 that it, essentially them being, doesn't think this body should be flat out restricted suggesting a change to an ordinance if
385 they feel it is important, if it is conveyed to the Council at the time they might not understand why the Commission feels it
386 is important but under Title III that is one of the Commission's prerogatives and is not comfortable with number 14 at all,
387 not sure how the rest of the Commission feels. Certainly as a matter of course they would like to proceed this way but
388 don't want to have their hands ties as a result of that.

389 [6:50:33 PM](#)

390 Commissioner Day stated he doesn't think they would be restricted. He does appreciate Commissioner Jensen's
391 thoughts that it is important but his concern is that if they start utilizing staff's time and City resources and they are not
392 elected Officials they can become rather burdensome especially where they don't know the human resources that are
393 available and start occupying their time and thinks there needs to be some communication between the Commission and
394 the City Council with ultimately the City Council giving them directive. Commissioner McCuistion agreed.

395 [6:51:04 PM](#)

396 Commissioner Vaughan stated he would maybe change it from 72 hours to say prior to the next regular City Council
397 meeting and that would allow for holidays and take into account special meetings and weather emergencies or some
398 other things. Commissioner Jensen stated he would make the recommendation that they might not want to say regular
399 City Council meeting because there next meeting might be their extended work session meeting and they could certainly
400 provide direction during that extended work session would think so would shy away from the word regular as a
401 suggestion.

402 [6:51:43 PM](#)

403 Commissioner Vaughan asked if they are able to come to a consensus unless they want to ask City Attorney to make
404 a decision in regards to this particular point, if he feels they should have a time limit on the Chair to comply with number
405 14. Commissioner McCuistion stated he doesn't know why they would actually need a time limit, if it comes to a point
406 where the Chair is not performing his duties then there is a way to remove the Chair or go around him or sure there are
407 other ways, don't know what the time limit, understand the pocket veto but if the Chair is not performing his duties isn't
408 there some other way to bypass it, just seems like extra wording in an already pretty thick document.

409 [6:52:37 PM](#)

410 Commissioner Jensen stated under number 14 it states it is the Council liaison that is going to convey it not the
411 Chairman, so the Chairman is kinda out of the loop on that, it is going to be whoever the Council has designated as the
412 liaison would be the one who would be conveying that to the City Council not the Chairman. City Attorney Roberts stated
413 this is in subsection 14, which is Chairman Duties and that he conveys issues to the City Council, this is conveyed through
414 the liaison so the process is the Chair would convey it, now if the liaison is here and hears 2 members make the motion
415 he can always bring it to the Council's attention without the Chair specifically bringing it to him. So there are a number of
416 sort of stop gap measures that would prevent a Chair from scuttling something that the Commission really wants to bring
417 forward.

418 [6:53:30 PM](#)

419 Commissioner Vaughan stated their current liaison has had perfect attendance so it has not been an issue with
420 concluding a meeting and saying okay we are notifying you and we would like this done but in the event of the liaison not
421 being there. Is happy to accept number 14 as presented the way it is to move forward, just mentioning what sees as
422 possible abuse in the future.

423 [6:54:09 PM](#)

424 City Attorney Roberts stated it can legally be either way so whatever way the Commission wants to go doesn't
425 necessarily see a legal, not going to say yes it needs to be there, so if they want to put it there they can but if they don't
426 feel like it needs to be there that is also their choice.

427 [6:54:18 PM](#)

428 Commissioner Vaughan asked City Attorney Roberts if he was happy with it, as presented. Commissioner Thorson
429 answered and stated yes he is. Commissioner Day stated he thinks it is written very well, he is okay with the way it is
430 written. Commissioner Jensen stated he disagrees with that but is the majority obviously. Commissioner Vaughan stated
431 he thinks the remaining Commissioners are happy with the way it is presented.

432 [6:54:53 PM](#)

433 City Attorney Roberts stated in Section III, Duties of Members, Meeting Attendance, so meeting attendance was
434 discussed in length, there was a lot of discussion about attendance and the proper way to motivate attendance, the effect
435 of various other provisions on attendance and this section is where they came to, is there would reports of attendance
436 made to the Mayor on at least a quarterly basis and it can come in more often than that but those would be submitted to
437 the Mayor and that could be done by the Secretary or the Chair. They would also keep track of whether the Chair was

438 notified if someone couldn't attend and then attendance falling below 80% during a 6 month period is an indication that a
439 Commissioner's attendance is in need of attention. It doesn't call out specifically what is going to happen but that is a
440 signal to all Commission members that, look if you are falling below 80% maybe it is the time for them to consider whether
441 they have the time to devote to this ,is there something that has come up that is conflicting with this assignment. Thinks
442 that is where the Council sort of would like them to come down, of course they can change this as much as they want
443 when it is forwarded to them. If the Commission has a different impression is happy to make changes as well.

444 [6:56:18 PM](#)

445 Commissioner Vaughan asked for clarification the responsibility of this would fall on the Commission Secretary,
446 because he notes that the Mayor or staff, the Finance Director automatically prepares a quarterly statement with
447 attendance as part of their Payroll packet, so that is automatically tabulated already, the only thing is don't believe it goes
448 directly to the Mayor. City Attorney Roberts stated he believe the Secretary would be the appropriate person to forward
449 that as a Chair could make sure that it is being forwarded or could also send a second copy to the Mayor.

450 [6:56:57 PM](#)

451 Commissioner Jensen stated he would suggest that where it states 'in need of attention', would change it to 'in need
452 of Mayoral review', because it is the Mayor's appointment and is the one that is ultimately going to make that decision.
453 Think they are setting that bar, since the Mayor is the one that is going to make the decision, whether feels that person's
454 name should be put up for a re-vote or is happy to let that slide, it is the Mayor's decision, at least under the current
455 ordinance.

456 [6:57:45 PM](#)

457 Commissioner Vaughan asked if the other Commissioners if they liked how it was presented. Commissioner Day
458 stated he likes the way it is presented.

459 [6:57:56 PM](#)

460 City Attorney Roberts stated in section IV, Quorum, there was some discussion of whether to increase the number
461 needed to form a quorum. The concern with that is if things come up or people have to recuse themselves they could run
462 short of 5 pretty quickly but there was a feeling on the Council that if they increased the number of quorum members then
463 that could increase attendance and sort of impress upon future Commission members that come on that really need to be
464 at every meeting because they may not get a quorum together. The downside to that if they do not get a quorum and
465 there is something that they are required to take action on within a certain amount of time then under our laws it is
466 deemed approved so an application were to come forward if they could not get a quorum enough times then it would just
467 be deemed approved and maybe it was the type of thing that they shouldn't have approved it, but it will be deemed
468 approved. That is the downside of having a higher quorum, it is just a higher threshold and when circumstances arise that
469 can be problematic. There was also discussion about alternates, unsure if there was a final decision if that should happen
470 or not, think it is an open question at this point but think it is something that the Council is interesting in, think if as a
471 Commission they want to make a statement that really think that 4 is the appropriate quorum number then it would be
472 good to let the Council know that is the desire from the Commission.

473 [6:59:36 PM](#)

474 Commissioner Thorson stated he is in favor of leaving it as 4. Commissioner Jensen stated he is concerned of the
475 timeline, seems to remember something about 30 days if they don't act on something or initially act on it within 30 days it
476 can be deemed as approved, think that the issues of attendance aside, they want to make sure the applicants are getting
477 through the process in a timely matter so think 4 is the number they should stay with.

478 [7:00:10 PM](#)

479 City Attorney Roberts stated there was also some discussion about remote participation where if a person, the
480 concern was they don't just want someone calling in their pajamas from home unless they are seriously ill so if they had
481 someone who was seriously ill but still wanted to participate then they could or if the person is out of town they could
482 participate remotely. Just need to make sure it is noticed properly, one easy way to do that is to just have it printed on the
483 bottom of every agenda, it would just say one or more Commission members may participate electronically. If they start
484 doing that then if one gets sick or has to leave town unexpectedly and still want to participate, then could. There is already
485 a resolution that the Council has adopted with procedures and how it is done so it wouldn't require a code change or
486 anything but thought they could put it in there if that is something that the Commission is interested in. Would be a full
487 participate so would vote Yay and Nay and be able to ask questions and interrupt people just as if they were here. It
488 doesn't technically need to be in the Bylaws but just thought if they put it in then they have the guidelines of when it would
489 be appropriate and when it wouldn't.

490 [7:01:34 PM](#)

491 Commissioner Jensen stated the one thing he does have an issue with is 'arrangements for remote participation
492 should be made one week in advance' should isn't shall but what he doesn't want to encourage is a Commissioner has
493 got some type of contagious illness or something but they still want to participate, if they are not available that one week
494 window they might show up and give the rest of them the plague or whatever so think that one week should be
495 contemplated maybe 24 hours in advance or something so staff has plenty of time, think one week is a little too hard to
496 predict. City Attorney Roberts stated thinks the reason that was put in there was because they publish the notice the
497 agenda the week before so it is whether to know whether to put that notice on there or not. If they adopt the provision
498 where they just put it on every agenda then any sort of reasonable notice would be fine. That is a question or the
499 Commission if they want it put on all agendas then staff can do that. Commissioner Day stated if someone has an illness

500 such as a cold or the flu don't think they will want to participate remotely they might be flat on their backs, so think this
501 more or less pertains to someone who could give a weeks' notice. Commissioner Vaughan asked staff if this is the City
502 Council's standard, one week advanced notice. City Attorney Roberts stated he does not know what the Council's
503 standard is.

504 [7:03:08 PM](#)

505 Commissioner Thorson stated in their training it talked about electronic communications and as long as they were
506 noticed, they were acceptable and legal and think the one week is just to satisfy that.

507 [7:03:19 PM](#)

508 City Attorney Roberts stated Councilman Gailey just informed him that it is not set in stone but that is sort of the
509 general guideline that they have is that they give enough notice that it can get in the agenda and get noticed properly and
510 make sure they have all the equipment is ready because they would have to make special arrangements, get a phone, by
511 a microphone and things like that. Commissioner Vaughan asked City Attorney Roberts if this is what he would
512 recommend the way it is presented. City Attorney Roberts stated it can adopted this way, the one week was just there
513 solely for the agenda, they can always publish an amended agenda at least 24 hours in advance, so if they aren't going to
514 be putting that notice on every agenda, it could be a 24 hour thing, sometimes it is just a matter of logistics making sure
515 staff is prepared for it.

516 [7:04:07 PM](#)

517 Commissioner Thorson stated he would make a change to what is proposed, he likes the idea of just noticing it on all
518 the agendas that it may occur, it gets them out of any problems that way and it isn't hard to print it. The other change he
519 would make is that electronic participation is at the discretion of the Chairman, think then the Chairman has the ability to
520 limit abuse and the Chairman has the ability to say, they have 6 people here so don't worry about calling in we got it or if
521 they only have 3 people present has the opportunity to call someone and thinks that is a way to not abuse the electronic
522 participation but keep it available as a tool for them and trusts the Chairman with that power.

523 [7:05:11 PM](#)

524 Commissioner Jensen stated he concur that he agrees with the reoccurring notice on the agenda to meet the noticing
525 requirements, thinks that is the easiest way to do that, maybe they just, not sure if they have to phrase that in the Bylaws
526 necessarily but would just way as far as the one week, when feasible might be a good addition. City Attorney Roberts
527 stated they could put when feasible but not less than 24 hours in advance.

528 [7:05:46 PM](#)

529 Commissioner Vaughan asked staff what the physical capacity of the system is, are they limited to one, two or three,
530 basing that on the observation that sometimes they have had 3 people absent. Planner Steele stated it depends on what
531 type of equipment is available to use. City Attorney Roberts stated they could have an electronic meeting under the Open
532 Meetings Act, so they could have everyone Skype in if they really wanted to, they would have to notice it that way and it
533 would be deemed an electronic meeting, don't think they are planning on doing that but that would really be a question for
534 the IT Director, don't know what our capability is to have more than one, don't know that it would come up very often.
535 Commissioner Vaughan stated he hopes not but wanted to deal with the possibility if they can only do one at a time then it
536 is a case of first come first serve and the others are left out.

537 [7:07:16 PM](#)

538 Commissioner McCuiston stated he likes the changes suggested, having the option of doing less than a weeks'
539 notice seems to be, is prudent. Commissioner Rackham stated his only question is, is this already set up or does the IT
540 Department have to do something to get it and how long will that take. Commissioner Vaughan stated it is set up, Council
541 has. City Attorney Roberts stated they have but. Commissioner Rackham stated sometimes they have to get a conference
542 number and have to set up and get things going to do the conference. Commissioner Vaughan stated that is why the time
543 limit, some type of a minimum time limit allows for IT Department to come in. Commissioner Rackham stated he
544 understand the 24 hours, but is 24 hours enough. City Attorney Roberts stated he is confident they have the capability it is
545 just a matter of it being set up and teaching staff how to do it, once staff knows how to do it probably can do it on our own
546 at pretty short notice.

547 [7:08:23 PM](#)

548 Commissioner Vaughan asked if everyone was okay with it being changed to 24 hours. Commissioner Jensen stated
549 he thought it should be one week in advance when feasible and shall be at least be 24 hours, because should is a kind of
550 a suggestion. City Attorney Roberts stated if they are going to be noticing it every time they could even just say
551 recommend that let staff know, don't have to give any notice, but if noticing the public that is what really matters, if the
552 public knows and that there is enough time for staff to get it together, so if they just want to put, should be given to the
553 Chair when feasible with 24 hour notice, staff can be flexible and make it work. Commissioner Jensen stated would
554 suggest 'arrangements for oral participation shall be noticed and shall be made 24 hours in advance when feasible'.

555 [7:09:43 PM](#)

556 Commissioner McCuiston stated he thought Commissioner Thorson had a fantastic idea to say notice it on every one
557 and then at the discretion of the Chair, that is simple and don't have to put a bunch of extra words in there. Commissioner
558 Day stated he doesn't see this being used that often, think they are kind of overthinking it. Commissioner McCuiston
559 sated like they do everything, they want to wordsmith it all day long, it is just simple, it is done. Commissioner Day stated if
560 3 people want to electronically participate think would just be highly unusual.

561 [7:10:26 PM](#)

562 Commissioner Vaughan stated they will make it 24 hours and just to be clear don't think they need to put it in there
563 but as far as matter of policy, 24 hours in advance of a meeting would be 6pm Monday and the only way to make sure
564 that it is prior to 6pm would be in the form of an email that is timed because making a phone call to the Chairman doesn't
565 necessarily guarantee that he is notified but as far as email notice or a phone call to staff, Commission Secretary by 5pm,
566 close of business, a phone call between 5 and 6 doesn't cut it. Commissioner Rackham stated maybe it should be 25
567 hours. Commissioner Vaughan stated he is just trying to set the game rules because it is a sensitive issue and if they all
568 understand it then they can just say 24 hours. Commissioner McCuiston stated it might work for him personally but if a
569 new Chair comes on who has more or less time they should probably set policy just with them and don't know if it should
570 be included in the Bylaws.

571 [7:11:45 PM](#)

572 Commissioner Thorson stated that by adding the statement in there that time arrangements of any kind be made in
573 any advance of the notice eliminates the possibly of calling anyone on the spot, is that their goal, because believes that is
574 one of the goals is to be able to call someone on the spot. Commissioner Vaughan stated defacto and dejure, which way
575 does he want to look at it. Commissioner Thorson stated he would eliminate 'arrangements for participation should be
576 made' at all, would eliminate the first half of that sentence. Thinks courtesy would say, I'm going to be out of town but
577 would like to participate because there is this issue and the Chairman would say sure because it was noticed, it is noticed
578 on every agenda or have the opportunity if only 3 present that even though home sick in bed ask to participate. Those are
579 the 2 scenarios they are looking at and would eliminate any time period in order to encapsulate both of them.

580 [7:12:51 PM](#)

581 Commissioner Vaughan stated speaking as the current Chair, would like to remain as neutral as possible on this
582 trying to figure out what any other Commissioner would do if they were sitting in the center seat, which is why he has been
583 asking questions rather than saying this is what he would like to see.

584 [7:13:15 PM](#)

585 Commissioner Jensen asked Commissioner Thorson if his suggestion is basically 'arrangements for remote
586 participation may only occur if the agenda is provided requisite notice of the arrangement'. Commissioner Thorson stated
587 yes, that is how he would word it. Commissioner Day stated perfect, put it on all the agendas, if they need someone they
588 can call them, if they want to call in and they say that is fine, think it would work out just fine.

589 [7:13:59 PM](#)

590 Commissioner Jensen stated so strike from should to occur. City Attorney Roberts stated he would also strike
591 'arrangements for' and just say 'remote participation may only occur if the agenda'.

592 [7:14:11 PM](#)

593 City Attorney Roberts stated the last item was discussed pretty extensively and didn't really have a way to amend it,
594 section VI, Voting, currently it says 'except as otherwise specifically provided in these rules, a vote of 4 members of the
595 Commission shall be required and shall be sufficient to transact any business before the Planning Commission'. There
596 were concerns, it was brought up if they only have 4 Commissioners present do they want to have a unanimous vote or
597 would it be okay to just have a majority of those present and voting. They could have a meeting where 5 are present and
598 1 person recuses themselves and have to have the unanimous vote of the remaining 4, the concern was if they change
599 this rule then it would encourage non-attendance or it would, people would just think their vote is not that critical because
600 sure there will be 5 or 6 others there, so that was a concern. Think in this case if they want to, another thing
601 Commissioner Thorson brought up was they could have a special rule that says 3/2 carries the day if 5 people are voting
602 rather than requiring 4. Would like to have is the Commissions input, the Council can do with it what they want to do with it
603 but sure they value their opinion and want to know what the Commission thinks would be a sufficient vote, so leave it to
604 the Commission to decide if want it changed or leave it the same.

605 [7:15:56 PM](#)

606 Commissioner Jensen stated his suggestion would be the majority of Commissioners present shall be required.
607 Commissioner Day stated that is his thought as well, this is not where to you encourage attendance. Commissioner
608 Jensen stated that is already covered in another section. Commissioner Thorson stated he agrees with the way it is
609 presented, with his thoughts being 3 out of 4 is pretty good representation of the Planning Commission. Commissioner
610 Vaughan stated his concern is would the City Council be happy with a majority or would they like to see 4. Commissioner
611 Thorson stated he knows that they were pretty concerned and they kind of compared the Planning Commissions situation
612 with the City Council in that they have to have 3 affirmatives but that is not true either, in the case of a 2/2 tie with 4 the
613 Mayor gets to add a vote and so a 4 affirmative isn't truly a straight comparison to the City Council so like the majority of
614 present. Commissioner Day stated if quorum is 4 to be able to transact business with a quorum of 4 and so likes the way
615 it is written. Commissioner Thorson stated he believes the City Council would reject it and go back to 4 and don't think it
616 will affect them too much anyway, but would like to present it as majority rather than 4 affirm. Commissioner Moultrie
617 stated he likes it.

618 [7:17:36 PM](#)

619 City Attorney Roberts stated it is okay if the Council disagrees with them, they have the final say and know that but
620 thin it is important to let them know that the Commission thinks a majority is sufficient, if they have business to transact
621 and they only have 4 people but have 1 person who doesn't agree with it, think 3 should be able to override the 1, that is
622 okay, express yourself and if the Council disagrees, they disagree, that is alright.

623 [7:17:56 PM](#)

624 Commissioner Jensen stated just for the benefit of the Commissioners this is their recommendation, the Council is
625 the one that approves the Bylaws not the Commission so if they want to make a change they can but should submit the
626 recommendation that they want.

627 [7:18:14 PM](#)

628 Commissioner Vaughan stated they have a choice whether they can ask for 4 or the majority, it. Commissioner
629 Jensen stated he likes the majority of Commissioner's participating, because a quorum is already required anyways so it
630 can't just be 3 Commissioners. Commissioner Day asked if they have a majority or 4 that agree with that right now.
631 Commissioner McCuiston stated thinks they have a majority. Commissioner Thorson stated right now it is 4 affirmative
632 and they've broken that rule. Commissioner Jensen stated multiple times. Commissioner Rackham stated he wants to go
633 on record supporting the majority. Commissioner McCuiston stated majority. Commissioner Day stated majority.
634 Commissioner Moultrie stated majority. Commissioner Vaughan asked if they can be in agreement that it stands as
635 presented.

636 [7:19:06 PM](#)

637 City Attorney Roberts stated that is all that he had for the Bylaws. Commissioner Jensen stated he would like to go up
638 to Order and Decorum really quick if they can, under G, they have made an addition but has an issue with how the
639 addition is phrased, the second line has an issue with, 'members of the public shall not be permitted to further engage
640 with the applicant or staff', has an problem with 'shall not be permitted' because sometimes staff may not be entirely clear
641 what it is that they were asking so staff may want to ask the person that raised the concern, what exactly is their concern,
642 so would be good with 'shall be discouraged to further engage' but don't like shall not be permitted, think that should be at
643 the Chairman's discretion. City Attorney Roberts stated the overall goal was they don't want back and forth, where more
644 people keep getting up. Commissioner Jensen agreed but by the same token there is sometimes that the back and forth is
645 needed, why said 'should be discouraged' would be better than 'shall not be permitted', that way it is at the Chairman's
646 discretion.

647 [7:20:31 PM](#)

648 Commissioner Day stated he likes the way it is written, the way it is presented. Commissioner Thorson stated he likes
649 the way it is written, want to kind of make sure that they are not given the opportunity to open Pandora's Box again, they
650 can only address newly, new information in their rebuttals, it looks like that is the way it is phrased, they can respond to
651 questions, criticisms and concerns but can't open up new information and present after the public had a chance to talk
652 then they can present new information and that is not the case. Commissioner Vaughan stated if this was the court of law,
653 that would be the rule, but because thinks they are interested in hearing from the applicants and people. Commissioner
654 Thorson stated but that offends the rights of the public, if the applicant presents new information in their rebuttal and
655 the public doesn't have a chance to respond to that new information. Commissioner Vaughan stated they could always direct
656 the Chair to request the applicant to limit his comments to those negatives that were expressed. Commissioner Jensen
657 stated his concern here is and as Chairman basically how he did it was they are here to serve the public and not to hide
658 behind the rules and so think it is to the City's benefit to try to get as much good information as they can and sometimes
659 rules can get in the way of that so they should be mindful to not create rules that are going to block them from getting the
660 information they need when making decisions.

661 [7:22:15 PM](#)

662 Commissioner Vaughan stated taking the other side of the street on behalf of the last applicant gave a nice
663 presentation on opening remarks they asked a couple questions they had some people speak and then the applicant
664 came back and said oh yeah I also forgot to mention this, they wouldn't be able to allow him to refresh his memory, given
665 as though the applicants are generally not professionally trained to be representatives of an applicant they are regular
666 citizens, their presentations are not going to be perfect every time and would hate to slam the door on someone who
667 innocently forgot something that is now important. Commissioner Thorson stated in that case would go with
668 Commissioner Jensen's recommendation that the Chair allows a back and forth at your discretion. Commissioner Jensen
669 stated that is why said should be discouraged so under normal circumstances don't allow it but if the Chairman feels that it
670 is extenuating circumstances can make that call instead the one running the meeting. Commissioner Vaughan stated the
671 3 Chairs he has had experience with have all allowed that and don't think they would have a problem with that.
672 Commissioner Day stated think they would lose decorum if they allowed the public especially on a hotly contested item to
673 just freely comment, think would get a situation where the applicant is speaking and get the public clamor sort of
674 disrupting the thought process and the presentation, so like the way it is written, if the Chair wants to ask the public to
675 come up after the applicant is addressed could but for the most part like the way it is written and would discourage the re-
676 opening of public hearing per se and flood gates gain. Commissioner Vaughan stated they are professional discerners of
677 truth. Commissioner Day stated they are very good at it too, has noticed. Commissioner Vaughan stated there are a lot of
678 times they have had questions come up where sometimes they wanted to ask the person in the audience and they have
679 done that in the past and don't think they have a problem, he certainly wouldn't want to be limiting. With the 3 past
680 Chairman's in one sitting, that is a pretty good panel. Commissioner Jensen stated 'shall be discouraged' would do it.

681 [7:24:42 PM](#)

682 Commissioner Vaughan asked if any problems accepting as presented, noting their discussions in case Council has
683 any questions.

684 [7:24:56 PM](#)

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City Attorney Roberts stated that is all that he had. The question now is does the Commission want him to make some changes and bring back in 2 weeks or want to pass it with changes made in a motion or what is their preference, seems like wanting to move it on. Majority of Commissioners stated move it on.

[7:25:21 PM](#)

COMMISSIONER DAY MADE A MOTION TO FORWARD THE BYLAW AMENDMENTS TO CITY COUNCIL FOR APPROVAL. COMMISSIONER MCCUITION SECONDED THE MOTION. COMMISSIONER JENSEN VOTED NAY. ALL OTHER COMMISSIONERS VOTED IN FAVOR.

[7:25:57 PM](#)

8. **Adjourn**

COMMISSIONER DAY MADE A MOTION TO ADJOURN STRAIGHT INTO WORK SESSION IN THE CHAMBERS.

Ralph Vaughan, Chairman

Stacy Adams, Commission Secretary

Date Approved: _____

DRAFT

Minutes of the Syracuse Planning Commission Work Session, February 2, 2016

1 Minutes of the Syracuse City Planning Commission Work Session held on February 2, 2016, at 6:00 p.m., in the Conference
2 Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

3
4 **Present:** Commission Members: Ralph Vaughan, Chairman
5 Dale Rackham, Vice Chair
6 TJ Jensen
7 Curt McCuiston
8 Troy Moultrie
9 Greg Day
10 Grant Thorson
11
12 City Employees: Noah Steele, Planner
13 Paul Roberts, City Attorney
14 Stacy Adams, Commission Secretary
15
16 City Council: Councilman Mike Gailey
17 Councilwoman Andrea Anderson
18
19 Excused:
20
21 **Visitors:** Adam Bernard

22 [7:26:23 PM](#)

23 1. **Department Business:**

24 Planner Steele stated CVS is going to be coming in, have been working with engineer before they submitted
25 anything. There is something that came up in the last week that wanted to get Commission input on it is related to storage
26 units in the Industrial zone, it is considered a dwelling unit but it is not listed as an allowed use in the Industrial Zone to
27 have dwelling in Industrial but it is common practice for all storage units to have a live in manager and they actually have
28 one storage unit over by Pizza Factory that they do have somebody living there in an Industrial Zone. Wanted to address
29 that and wanted to get Commission's opinion on whether or not would be advisable having staff work on and making it a
30 permitted use in the Industrial Zone only when connected to a storage unit manager situation.

31 [7:27:48 PM](#)

32 Commissioner Jensen stated he has an observation on this, there are actually 2 sets of storage units he can think of
33 in Syracuse, the old Hall & Gailey on the corner 1000 W 2700 S they use that for RV storage now but no one has ever
34 lived there though and then there is the one they approved a little while ago under the power corridor on 1700 S, is that
35 the one staff is refereeing to. Planner Steele stated yes, by Pizza Factory. Commissioner Jensen stated the third one that
36 would come up which dovetails with his thought is they just recently approved the Bankhead property for a re-zone and
37 the front of that is commercial and under commercial the follow units conversion of dwelling units is allowed, don't know if
38 construction of a dwelling unit is allowed but there is that provision under a conditional use to do a dwelling unit in
39 commercial. Either it is a house that is there, it is changed to commercial or there is the house that is converted to
40 commercial that want to convert back to residential that is provided for under commercial. Rather than draft something up
41 since that is handled as conditional use under commercial could just make that a conditional use under Industrial.

42 [7:29:00 PM](#)

43 Planner Steele stated there are two options, under the zone they could list it as a permitted use next to Storage units
44 and could add dwelling units so that there is no conditional use application or other permission required or the second
45 option like were saying is to put it in the conditionals and it can wither be a minor or major, major would come to
46 Planning Commission, minor would be covered by staff. Commissioner Jensen stated if they were to make it a conditional
47 use, would suggest dwelling unit attached to storage facility, would the way would phrase that. Commissioner Vaughan
48 asked in staff's opinion which would be easier to administer, during the planning stage, approval and supervision. Planner
49 Steele stated it would be easier if it was just under the permitted uses already and then they can review that with the site
50 plan. Commissioner Jensen stated he is good with it being a permitted use, dwelling unit as attached with storage facility.
51 Commissioner Thorson asked if this is a dwelling unit specific to security. Planner Steele stated yes, a live in manager
52 they don't want apartments, don't want just a rental apartment. Commissioner Thorson stated would say an accessory
53 integrated dwelling unit, wouldn't want them to be able to rent it out, so it would be kind of like an accessory to the
54 business, and integral accessory dwelling unit or something. Planner Steele stated maybe that is the key word, integral.
55 Commissioner Thorson stated and require that it be for the purpose of the business not as. Planner Steele stated the goal
56 is to just add a sentence, something simple just to cover the bases since they do have an existing business that is kind of
57 non-conforming and in anticipation of that in the future. Commissioner Vaughan stated his suggestion would be no larger
58 than a studio contiguous to the office.

59 [7:31:22 PM](#)

60 Adam Bernard, Syracuse, stated he manages storage units and depending on the size of those units, would agree
61 that it has to be integrated, he does not live on site and nor do they have somebody living on site in those facilities.
62 Everything can be done today from somewhere else. There is no reason why in today's technology centered world he
63 can't manage, he can literally stay at his house, not leave his door and do everything he needs to do from home. The only
64 reason why he goes down there is to have a body there, make sure he is living and breathing and so like what

65 Commissioner Thorson said an integrated. To have somebody managing it, these people are going to need something
66 larger than a studio to answer what Chairman Vaughan said, most of these people are family and people who work with
67 the owner.

68 [7:32:44 PM](#)

69 Commissioner Vaughan asked how he remove a lock on a lock out for debt payment, how does he handle an
70 emergency, how does he handle after ours. Adams Bernard stated he just tells them hey, if they paid late or if they moved
71 in. Commissioner Vaughan stated if they lock them out, how do they get that lock off from his office. Adam Bernard stated
72 they have to wait until the morning, they were late in their payments so they have to understand that he can do that or he
73 can someone else do it for him, he has people who are closer to the facilities than he is, so they wait. Commissioner
74 Vaughan asked about fire monitoring, is that done off site or is that done in an office. Adam Bernard stated fire monitoring
75 for the units themselves or for the office. Commissioner Vaughan stated anywhere, it is his facility, is he going to want to
76 know if there is a fire there. Adam Bernard stated he monitors offsite, yes, they have fire monitoring companies
77 specifically doing that for any amount of time, so can do everything you want to from a distant location.

78 [7:34:01 PM](#)

79 Councilwoman Anderson, Syracuse, stated actually use that storage unit and a couple of times their gate doesn't
80 open and so it was very helpful that somebody lived on site because had to honk the horn so they could let them out and
81 number two the apartment that they live in is already bigger than a studio apartment so that would not fix the problem.
82 Commissioner Jensen stated he would suggest that if the Commission is amenable that they put the question to Council if
83 they'd like to see the change and if they are they can direct staff to work on it. Commissioner Vaughan stated thinks they
84 are open to whatever they would like to do. Commissioner Jensen stated that Council has indicated they would like
85 Commission to run ordinance changes through them so this would be an easy one to get their opinion on really quick,
86 have them say if they'd like us to work on it or not at their next meeting.

87 [7:34:48 PM](#)

88 Planner Steele stated he can have Director Mellor contact the Council and make sure it is cool and can.
89 Commissioner Jensen stated if it something they are just not interested in, there is no sense in the Commission. Planner
90 Steele stated if it is okay with the Commission he can draft up some language and put it on the meeting for next time.
91 Commissioner Jensen stated if he can figure out how to draft up Commissioner Thorson's suggestion for integral use.
92 Planner Steele stated yes, need to make sure it is very clear it is only for a storage unit and as far as a studio, think they
93 should at least have. Commissioner Day stated he thinks it is a self-regulated thing, if they are a storage unit business
94 they don't want to put a large home, think that is self-regulating. Planner Steele stated is what they don't want is
95 somebody to up-fit a 20x20 storage unit into an apartment and is not a very good living situation would almost say that
96 there is a minimum square footage attached to it. Commissioner Jensen stated he is good if it a 2 or 3 bedroom apartment
97 or living facility, if they have a family that is there living with them, more eyes on the facility. Planner Steele stated when
98 they do have a live in manager it makes those storage units nicer and safer and that is good for the City.

99 [7:36:28 PM](#)

100 Planner Steele stated have been working with UDOT working on some streetscape improvements nothing set in
101 stone but UDOT is moving forward with their plans and staff and the City are trying to push for some, for a center median
102 and possibly have it planted with some street trees. Planner Steele stated staff is busy but that is all for now.

103 [7:37:01 PM](#)

104 **a. City Council Report**

105 Commissioner Jensen stated don't think they need a City Council report since most of them were at the last City
106 Council.

107 [7:37:12 PM](#)

108 **c. Upcoming Agenda Items**

109 Planner Steele stated there are 2 major conditional use permits that will be on the agenda. One is a basement
110 apartment and the other is a child care center that is south of Coleman orthodontics, across from the IHC.

111 [7:37:58 PM](#)

112 Commissioner Jensen stated reporting on the consolidation of Title 10 will be meeting with staff and Director Mellor
113 on Thursday and will be a first reading so the Commission can become comfortable with it, make some initial suggestions
114 so can actually formally draft that but that could theoretically be ready for the next agenda, depending on how staff feels
115 on it after Thursday.

116 [7:38:35 PM](#)

117 **b. City Attorney Updates**

118 Nothing to report. Commissioner Vaughan stated the training was very good, thank you very much.

119 [7:38:44 PM](#)

120 **2. Discussion Items:**

121 **a. Parking Ordinances**

122 Planner Steele stated he added an extra column to the table for review and in the packet from last time had a
123 reference for required parking spaces from a transportation planning handbook, Institute of transportation Engineers and
124 then the table from our ordinance and put the columns together so they could compare. All the residential were very
125 similar to what was recommended. Hotel was very comparable to our minimum. Commercial businesses our minimum is 3
126 per 1,000 and they recommended 6 per 1,000 so recommending more. Less intensive commercial business

127 recommending 1.5 per 1,000 and they recommended 3.5 per 1,000 so one again higher. Convenience Store 3.5 again.
128 The recreation type parking ours states 2 per 1,000 and they recommended per player, 2 per player or 1 per 3 persons
129 permitted capacity and that might depending on the size of the facility might be more. Daycares ours was a minimum of .5
130 they recommend .35 so actually a little less per person of the licensed capacity so per teacher, depending on some of
131 these it is hard to compare apples to apples because don't know all the details of the facility. Most likely the transportation
132 handbook planning recommendation is higher. Offices 2.5 per 1,000 and he recommended was 3.6 which is higher than
133 our max.

134 [7:41:41 PM](#)

135 Commissioner Jensen asked what GFA stand for. Planner Steele stated Gross Floor Area, so it is basically have
136 gross and net, take the net takes out walls and unusable space. Commissioner Jensen asked how we calculate square
137 footage verses GFA. Planner Steele stated have gone with whatever has been written on the architects drawing which is
138 usually net. So 3.6 once take into account net verses gross it is probably right there around the 2.5.

139 [7:42:25 PM](#)

140 Planner Steele stated Fast Food per 100 square feet of dining is 1.5, minimum they recommend is 15 per 1,000
141 square foot, so it is probably close to what we have. Auditoriums ours is 1.5 seats and they recommend .33 to .6 per seat.
142 Dental Clinics 1.5 per 1,000 and they recommend 5.5 per 1,000 square feet but that is gross again so could be lower.
143 Hospitals 1 per patient bed and they recommend 1 per 3 bed plus 1 per 5 average daily outpatient plus 1 per 4 medical
144 staff plus 1 per student, facility, staff, so ours is comparable to what they are recommending after adding in all additional
145 calculations there. Animal Hospitals relevant for the discussion earlier tonight, per animal .5 and they recommended 4.5
146 per gross.

147 [7:43:59 PM](#)

148 Commissioner Vaughan asked staff if they are supposed to count animals, if the applicant comes in and says wants
149 10 dogs and we say can't have 11. Planner Steele stated yes, would have to add another parking space for that extra
150 dog, so would be a good one to implement with GFA or just keep it as square feet, it is kind of implied it is net square feet.
151 The Gross Floor Area is basically the footprint of the building if were to measure the footprint.

152 [7:44:45 PM](#)

153 Nursing Homes which is what brought this whole conversation on, we require 1 per every 5 beds and they
154 recommend 1 per room which is basically one per bed. Commissioner Jensen said sometimes they have doubled up beds
155 though. Planner Steele stated so they are recommending a lot more parking. Assisted Living is .4 per unit, still higher than
156 what our minimum is . manufacturing uses 1.25 per 1,000 square feet and they recommend 1.5 plus spaces for office
157 cells. There was another discussion as to why even have a maximum why not just keep am minimum, the only reason is
158 really in the rare case that they create this giant parking lot that contributes to storm water runoff or makes a
159 neighborhood non pedestrian friendly because there is too much asphalt, but really think that would be a rare case.
160 Commissioner Jensen stated the other reason would be to protect their tax base, since they don't get a lot of taxes off that
161 huge parking lot so by putting that maximum there it encourages them to use the rest of that real estate for something
162 else, we don't need to keep it but that would be a reason. Planner Steele stated especially with mixed use development it
163 is proven that when there are a variety of uses closer together that they can have a better benefit to each other. Planner
164 Steele stated is open to whatever the Commission would like to recommend whether they want to modify the parking
165 standards can add another ordinance change to the pile.

166 [7:47:09 PM](#)

167 Commissioner Vaughan stated based upon what just presented where there are multiple business that appear to
168 have shared parking would point out the parking lot for Dollar Tree, Arctic Circle and a couple of those businesses in
169 there, they made no effort what so ever to have those parking lots accessible one to another, if want to get from
170 Walgreens to Arctic Circle have to drive out to Layton go down to Farmington and then take a left at the Ocean and come
171 back. Unless they can find some way to, when future development comes in to a shopping complex like that to really
172 share and provide ramps rather than 2 and 3 foot buffers between the two of them, they need to have specific dedicated
173 parking spaces for each structure that goes up because they can't share that when a pedestrian can't get from one to the
174 other. This time a year especially points it out because they know in which direction the snow plows service parks the
175 snow, they park in the middle of the lot to block access so pedestrian traffic is almost impossible going from Arctic Circle
176 to Dollar Tree.

177 [7:48:37 PM](#)

178 Planner Steele stated in the Town Center they have some similar problems where the drive isles aren't connected
179 between the two developments and that is something that should be reviewed in the site plan before. Commissioner
180 Vaughan stated Dominos to Fizz.

181 [7:48:55 PM](#)

182 Commissioner Thorson asked which of these are the biggest offenders, is it just Nursing Homes that they are kind of
183 out of touch with and Commercial, are those the two big ones. Planner Steele stated yes, think Nursing Homes is probably
184 the biggest, Nursing and Commercial. Planner Steele stated from experience with site plans they haven't complained that
185 we are requiring too many or not enough but really think the Nursing Homes are probably the lowest hanging fruit here.

186 [7:49:39 PM](#)

187 Commissioner Jensen stated the other one that might not be bad to change from per animal to per GFA would be the
188 Animal Hospitals, so basically do by the square footage, instead of .5 per animal where the standard recommendation is

189 per square footage so that might be one that could change over to the 4.5 per GFA. The other thing they would want to do
190 if they go for floor space is either calculate it into the Animal or decide if they want to go GFA instead.

191 [7:50:30 PM](#)

192 Commissioner Day asked staff what is catalyzing this change, is there a facility that is non-compliant or someone
193 coming in or just something they have noticed. Planner Steele stated the Commission asked staff to look into it.
194 Commissioner Thorson stated it was something that was noticed when the nursing home went in with 6 spots and the City
195 Council asked that they continue this discussion. Commissioner Day stated if they are going to continue this think they
196 look at it holistically because think the whole parking issue is. Commissioner Thorson stated he would like to have Planner
197 Steele get the City Engineer and come back with a recommendation for each item. Would eliminate the animal counts,
198 would eliminate any, and would go towards a gross square footage, whatever is easiest for staff. Commissioner Day
199 stated he would get rid of the maximum, net square footage and that becomes complicated. Commissioner Thorson
200 stated it would be up staff what would be, in his mind the next step would be short of them crunching numbers here.
201 Commissioner Day stated doesn't think they are the ones who need to be doing that. Commissioner Thorson stated next
202 meeting have a recommended change. Planner Steele stated he would be happy to come up with a recommendation and
203 go from there. In light of the other code amendments, how would they feel if it was not next meeting and maybe when.
204 Commissioner Jensen stated that is a good suggestion when staff is ready to submit it, rather than force it on the next
205 meeting, there is no hurry on this.

206 [7:52:05 PM](#)

207 Commissioner Jensen stated with these standards coming from a book, in that type of research, essentially the work
208 that has been done on that, do they talk about combined parking lots and where there are multiple uses, kind of sharing a
209 parking lot, is there some type of formulation for that that has been contemplated. Planner Steele stated for shared
210 parking in similar uses. Commissioner Jensen stated he is specifically think about Walmart but do think that got way more
211 parking places than it needs most of the year and think that if there are multiple businesses sharing a business that there
212 needs to be some way to give them a little more flexibility so they aren't putting in extra asphalt they don't need to put in.
213 Planner Steele stated there is a lot of asphalt over at the Walmart and that is just the nature of Walmart, they don't have a
214 problem paying for all that extra parking for that one day of the year. In the ordinance under the off-street parking
215 standards it has recommendations for shared parking and can review that as well, remember it talks about the drive isles,
216 and also in the site planning process a lot of that particular design stuff gets handles but as far as the maximum number of
217 parking for shared parking that might be we have a max on Commercial. Commissioner Jensen stated he just wants to
218 make sure the minimums are low enough that if they are not needing all those parking places then that combined use that
219 they can lower the standard a little bit, if there is a less intensive use and a more intensive use, sure there is something for
220 that but want to make sure they are not unduly forcing additional parking where they don't need it. Planner Steele stated
221 there is the possibility of putting of some language, think there is already some language in there saying the Land Use
222 Authority shall determine which listed use is most similar, and in consultation with the developer shall establish the
223 minimum/maximum parking space requirement so there is already some flexibility in there and looking at the unique
224 characteristics of the site and seeing if there is opportunity for shared parking that is something the land Use Authority can
225 say there is already 10,000 spots and you are building next to Walmart and can look into the shared use type situation.

226 [7:54:40 PM](#)

227 Commissioner Vaughan stated making an observation think they are looking at something 2015- 2016, they should
228 be looking at 2030-2040. When it comes to commercial land, Industrial land, they are at not even 50% built out and should
229 be looking for maximum parking in every single category they have there because they are going to be developing
230 commercial islands, not developing them in a domino where they build lot A and then a commercial lot B right beside it,
231 they are going to have things free stranding and each one needs to be freestanding to its maximum possible use as they
232 fill in as they get closer as they are starting to fill in now with residential they can always cut back as they do have those
233 adjacent parking lots should they need that but for right now they should, the City should adopt the maximum as shown in
234 the chart which are basically National in nature, recommended what everyone is doing because they are going to need it
235 once they get to that certain point be it 2020-2025 and they start doing in-fill rather than new construction, parking is
236 going to be a real issue and it would be better if they start solving the parking now, because parking is as important to
237 commercial as R-1, R-2, R-3 is to residential.

238 [7:56:17 PM](#)

239 Planner Steele asked if he was saying don't limit the minimum or maximum. Commissioner Vaughan stated thinks
240 they should go for the maximum. Planner Steel stated the maximum minimum. Commissioner Thorson agreed.
241 Commissioner Vaughan stated yes. Commissioner Jensen stated if he is talking about the Transportation Planning books
242 numbers it is the floor, would be good with that. The other thing, the entire 193 corridor is still wide open and there is like a
243 mile and a half worth of undeveloped land there, so do think in that situation they may have a large developer coming in
244 looking to do a large development, so don't think they are quite to in-fill yet, certainly along Antelope there are but not
245 along 193.

246 [7:57:13 PM](#)

247 Commissioner Vaughan stated somewhere down eh line the City Council will be talking parking and think it would be
248 better if they talked parking before they do, think they should educate City Council. Planner Steele stated he will have
249 something for them not next meeting but will shoot for the meeting after that and worse case scenario the meeting after
250 that but don't, but don't feel it is a pressing issue but as soon as possible is what he is understanding.

251 [7:57:42 PM](#)

252 Commissioner McCuiston stated doesn't know if it is worth referencing an external document like the Institute of
253 Transportation Engineers document and just say comply with that, that way they don't have to continually update their
254 code every time something changes. Planner Steele stated that would be easy for him. Commissioner Jensen stated that
255 this would be, at least for commercial not the residential side, must residents wouldn't know where that document even is.
256 Commissioner Thorson stated the only objection with referencing it would be that they would have developers who
257 wouldn't have access to it but would use their recommendations, parking is a per unit deal doesn't matter if a new
258 business is coming next week or not, it is per unit and think the recommendations are going to be close to spot on, really
259 like the language that allows the Land Use Authority to wheel and deal with the developer, there are a lot of uses that
260 coincide well and a lot that do not and they are not readily identifiable until looking at the specific case. Commissioner
261 Jensen stated an example of a compatible use be essentially opening until 5pm during the day and then during that time
262 have a grocery store that sees less customers during the day but in the evening when people are coming home from work
263 see more people then, see some synergy there with the parking but that being said just because that is the use that is
264 there every day that is the use that is going to be there tomorrow, think they have to be careful of that because if they are
265 planning on synergy and it goes away can make things difficult down the road.

266 [8:00:06 PM](#)

267 Planner Steele stated by way of clarification, no on the reference to just referencing to the handbook. Commissioner
268 Jensen stated thinks they should mention the handbook but if they can get some starting numbers at least. Planner Steele
269 stated he will use the numbers but not just link to them and agree don't see any need to recreate the wheel and their
270 numbers are pretty accurate.

271 [8:00:55 PM](#)

272 **3. Commissioner Reports:**

273 Commissioner Jensen stated he wanted to point out in their legislative updates the ULCT has been sending to those
274 on those of them on their mailing list, House Bill 132 is one of the ones that has gone to the floor and recommend
275 Commissioners look at it, essentially although it sort of involves us, it is more of a business licensing issue but essentially
276 the legislature wants to eliminate the City's ability to require businesses license in certain cases and what they are
277 shooting for is businesses that essentially don't generate a lot of traffic or have hazardous materials, like a consulting
278 business or something they would like to see that those don't have to be licensed by the City, the ULCT posted that but
279 would encourage the Commissioners to take a look at HB132 and then if have an opinion on it, let their legislator know.

280 [8:02:23 PM](#)

281 Commissioner Vaughan stated he withdrew the noise ordinance discussion based on the comments at the joint
282 section in regards the way City Council would like to see, have new suggestions brought to them but with that in mind
283 because of the item #4 on the agenda which was a rezone involving the Animal Hospital they had a discussion regarding
284 animal boarding so would ask Council representative if he would take the questions as to whether or not the City Council
285 would like the Commission to look at the concept of animal boarding limits, size, shape, number and then possibly get
286 back to them at a later time. Commissioner Jensen pointed out that Neighborhood Services already does have noise
287 ordinance standards as part of the Industrial Performance Standards, they do have to meet those regardless.

288 [8:03:27 PM](#)

289 Commissioner Vaughan wanted to express his thanks to staff especially City Attorney and City Recorder for the
290 training they provided which is necessary and part of their annual requirement and expressed thanks to the Mayor for
291 inviting them to allow and for the dynamic input that they received from the Council on where the Council would like the
292 Commission to be, it is extremely helpful and sure speaks for everyone else that it is nice to receive that input.

293 [8:04:07 PM](#)

294 **4. Adjourn**



PLANNING COMMISSION REGULAR MEETING AGENDA

February 16, 2016

Agenda Item #4

Conditional Use Permit-Accessory Dwelling Unit

Factual Summation

Address:	2747 S 800 W
Zone:	R-2 Residential
Applicant:	Anita Townley
Total Acreage	.23 acres

Background

This request is for an Internal Accessory Dwelling Unit. The applicant will record a deed restriction for owner occupancy with the Davis County recorder prior to submitting the building permit. The applicant will be converting a portion of the existing finished basement into a one bedroom apartment. The dwelling unit contains a single bedroom requiring 1 extra off street parking spaces which can easily be accommodated by the applicant. The applicant meets all the requirements of the City Code.

Applicable City Code Requirements:

Chapter 10.30 - GENERAL LAND USE REGULATIONS

(E) Dwelling, Accessory. Accessory dwelling units as defined in this title shall be subject to the following:

(1) **Internal**, Attached, or Detached. Accessory dwelling units may be built internal to, attached to, or as a separate unit detached from the principal dwelling on a lot where a single-family dwelling exists, in accordance to the standards set forth in this section. Accessory dwelling units are allowed in the following residential zone districts: R-1, **R-2**, and R-3, subject to the provisions of this section.

(2) **Owner Occupant Requirement**. Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the principal dwelling or accessory dwelling unit. Owner occupancy shall not be required when:

(a) The owner has a bona fide, temporary absence of three years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(b) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

(3) **Deed Restriction.** A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the City Attorney, filed with the county recorder's office, indicating such owner occupied requirement of the property prior to issuance of a building permit for the accessory dwelling unit by the City. Such deed restriction shall run with the land until the accessory dwelling unit is discontinued, abandoned or revoked.

(4) **One accessory dwelling unit is permitted per single-family residential lot.**

(5) **Underlying Zoning Applies.** Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a principal building of the underlying zoning district with regard to lot standards, such as building and wall height, setbacks, yard requirements and building coverage.

(6) **Existing Development On Lot.** A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

(7) **Minimum Lot Area.** Within permissible zoning districts, the minimum lot area required for an accessory dwelling unit shall be:

(a) **Internal.** For accessory dwelling units located within the principal single-family dwelling, the minimum lot size shall be that of the underlying zone district.

(8) **Building Code Compliance.** **Accessory dwelling units are subject to compliance with current building code.**

(9) **Separate Utility Connections.** Separate utility connections **shall not be permitted** for internal accessory dwelling units. Owners of lots with an accessory dwelling unit shall be charged for two City utility connections, regardless of shared connection.

(11) **Nightly Rental.** **Neither dwelling unit may be used for nightly/weekly rental.**

(14) **Methods of Creation.** An accessory dwelling unit may only be created through one or more of the following methods:

(a) **Conversion** of existing living area within a principal structure, such as a basement or attic space;

(15) **Size** of Accessory Dwelling Unit.

(a) **Internal** accessory dwelling units (basement or attic) shall not exceed 50 percent of the gross square footage of the principal dwelling unit.

(d) The **minimum size** of an accessory dwelling unit is that size specified and required by the adopted building code of the City.

(16) **Ownership.** An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot.

(17) **Number of Residents.** The total number of residents that may reside in an accessory dwelling unit may not exceed the number that is allowed for a “family” as defined in this code.

(18) **Parking.**

(a) An accessory dwelling unit that contains a **studio or single bedroom shall require one additional on-site parking space.**

(19) **Location of Entrance** to Accessory Dwelling Unit.

(a) **Internal** or Attached Units. Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front facade of the principal dwelling. No new street-facing entrances may be added to the principal dwelling for an accessory dwelling unit unless such access is located at least 20 feet behind the front facade of the principal dwelling unit.

(21) **Conditional Use Permit Required.** A conditional use permit shall be required for an accessory dwelling unit in compliance with the standards of review set forth in this code. Applications which do not meet the minimum standards set forth herein and have been denied by the Zoning Administrator as a minor conditional use permit may be appealed to the Planning Commission for review.

(22) **Building Permit.** A building permit is required for the proposed accessory dwelling unit, regardless of method of creation.

(23) **Occupancy.** No accessory dwelling unit shall be occupied until the property owner has obtained a building permit and certificate of final occupancy from the City. [Ord. 14-01 § 1; Ord. 11-04 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-04; Ord. 03-08; amended 1994; Code 1971 § 10-6-020.]

Attachments

- Aerial
- Site Plan

Suggested Motions:**Grant**

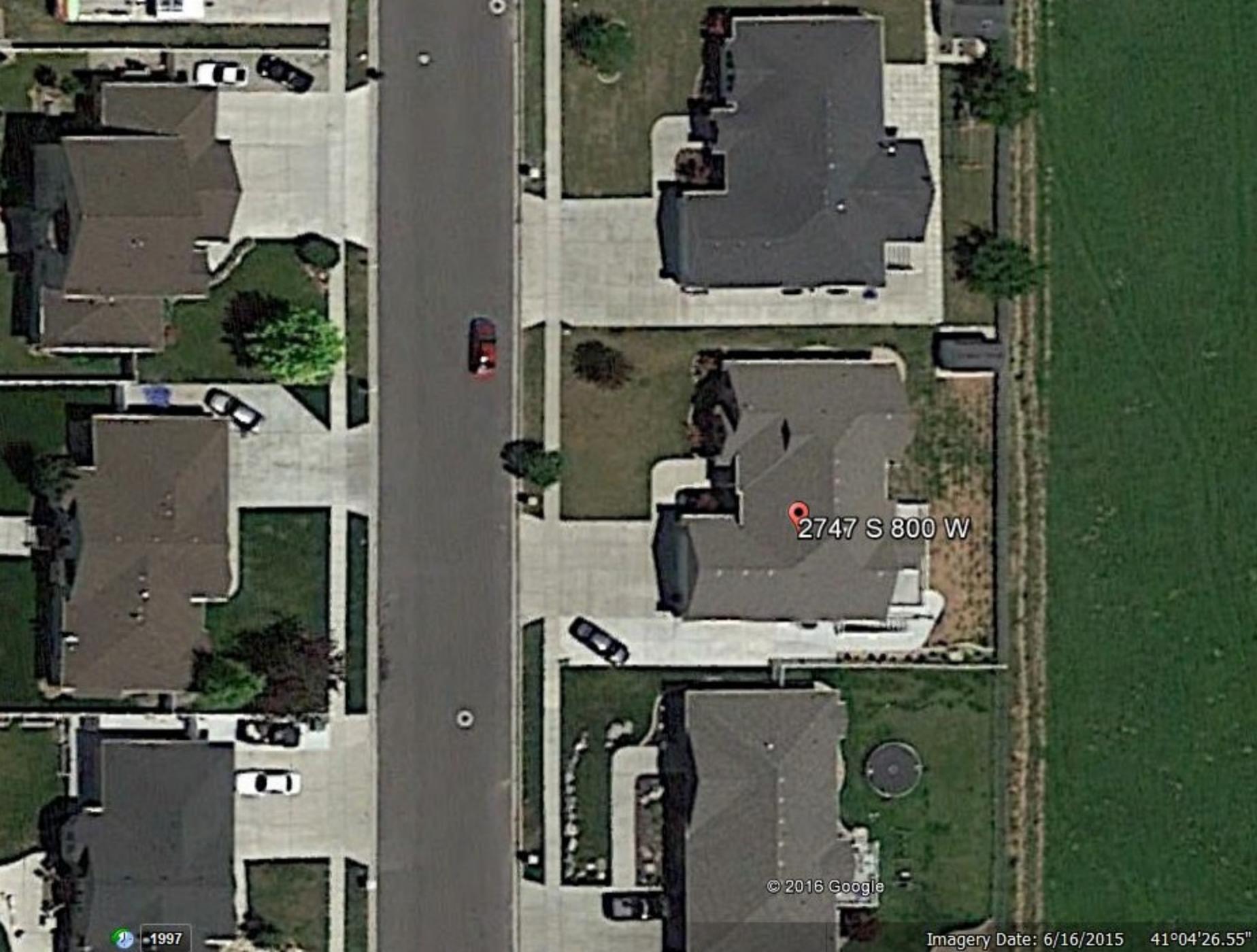
I move to approve for an accessory dwelling unit for Anita Townley located at 2747 S 800 W subject to applicable requirements of the City's municipal codes (and to the condition(s) that...)

Deny

I move to deny an accessory dwelling unit for Anita Townley located at 2747 S 800 W, based on...

Table

I move to table discussions pertaining to an accessory dwelling unit Anita Townley located at 2747 S 800 W, until....



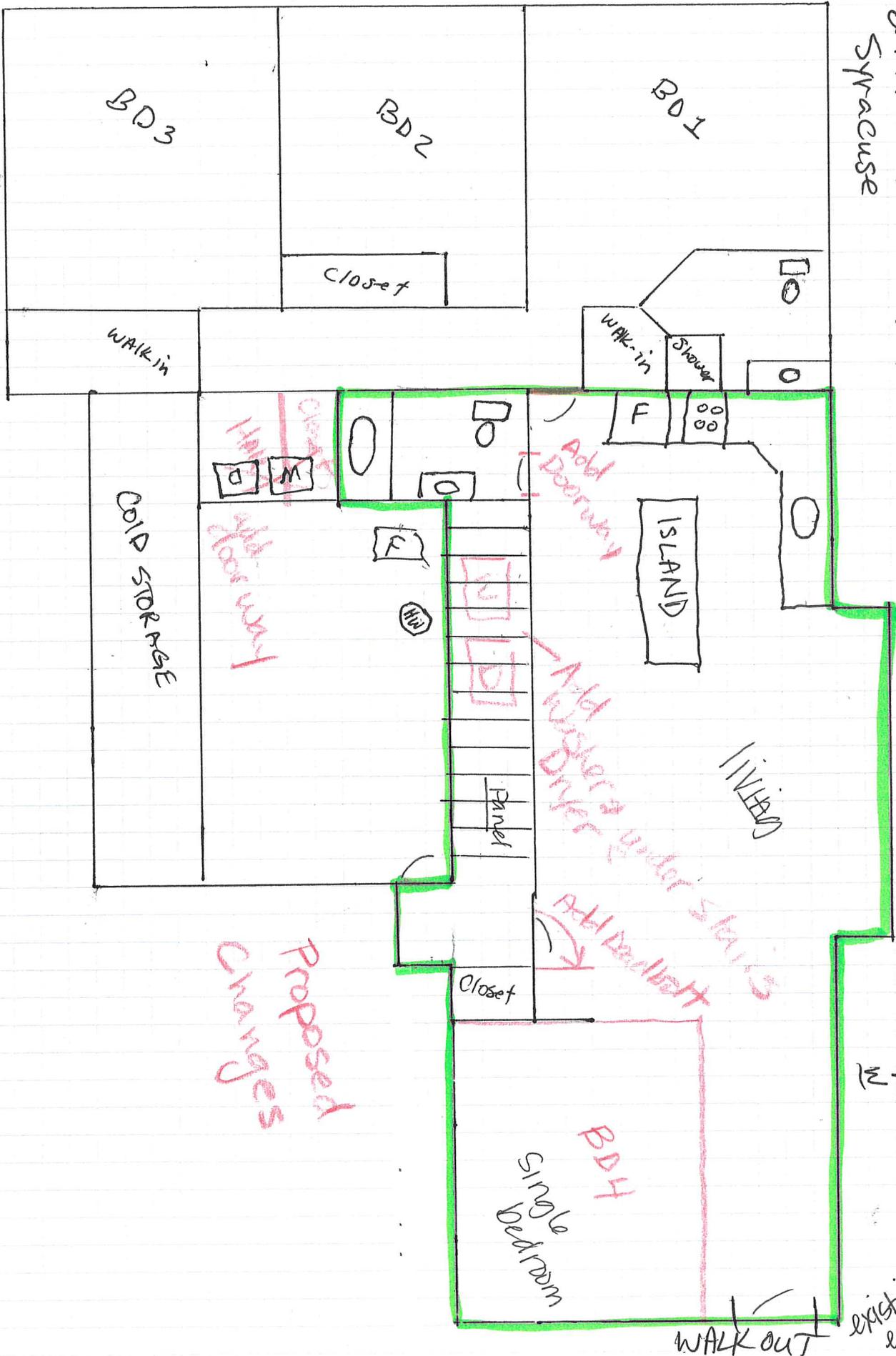
2747 S 800 W

© 2016 Google

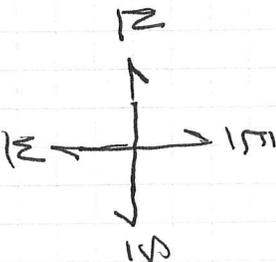
1997

Imagery Date: 6/16/2015 41°04'26.55"

2747 South 800 West
Syracuse



Proposed
Changes



existing
exit



PLANNING COMMISSION REGULAR MEETING AGENDA

February 16, 2016

Agenda Item # 5

Major Conditional Use Permit Oasis Montessori Schools Child Care 780 S 2000 W (Suites B101 & B102)

Factual Summation:

Zone: General Commercial
Applicant(s): Ramesh Wettasinghe & Kanchana Duwe Arachchige

Background:

This request is for a Child Care Center of a current City & State licensed residential daycare/preschool to move into a Commercial location. Benchmark Properties will be doing the remodeling of the Commercial property and will submit the building permits and all required documents upon which the Building Official will inspect to ensure compliance with City Building code. There is adequate parking in the complex for parents dropping off and picking up children as well as employees. There will also be a 4 foot vinyl fence surrounding the walkway and play yard to the rear of the building.

Applicable City Code Requirements:

Chapter 10.90 - GC – GENERAL COMMERCIAL ZONE

10.90.030 Conditional uses

The following may be permitted as conditional uses after application and approval as specified in SCC 10.20.090.

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Animal hospitals (major).

(C) Day care centers (major).

(D) Professional nonretail services, up to a maximum 25 percent of the commercial subdivision (major).

(E) Temporary commercial uses (see SCC 10.35.050) (minor). [Ord. 14-10 § 1; Ord. 11-10 § 11; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 2001, 1991; Code 1971 § 10-19-030.]

Attachments:

- Aerial
- Site Plan

Suggested Motions:

Grant

I move to **approve** the Major Conditional Use Permit for Oasis Montessori Child Care Center, located at 780 S 2000 W, General Commercial Zone, subject to all applicable requirements of the City's municipal codes (and to the condition(s) that...)

Deny

I move to **deny** the Major Conditional Use Permit for Oasis Montessori Child Care Center, located at 780 S 2000 W, General Commercial Zone, based on...

Table

I move to **table** discussions pertaining to the Major Conditional Use Permit for Oasis Montessori Child Care Center, located at 780 S 2000 W, General Commercial Zone, until...

750 S

S 2000 W

780 S 2000 W

F

E

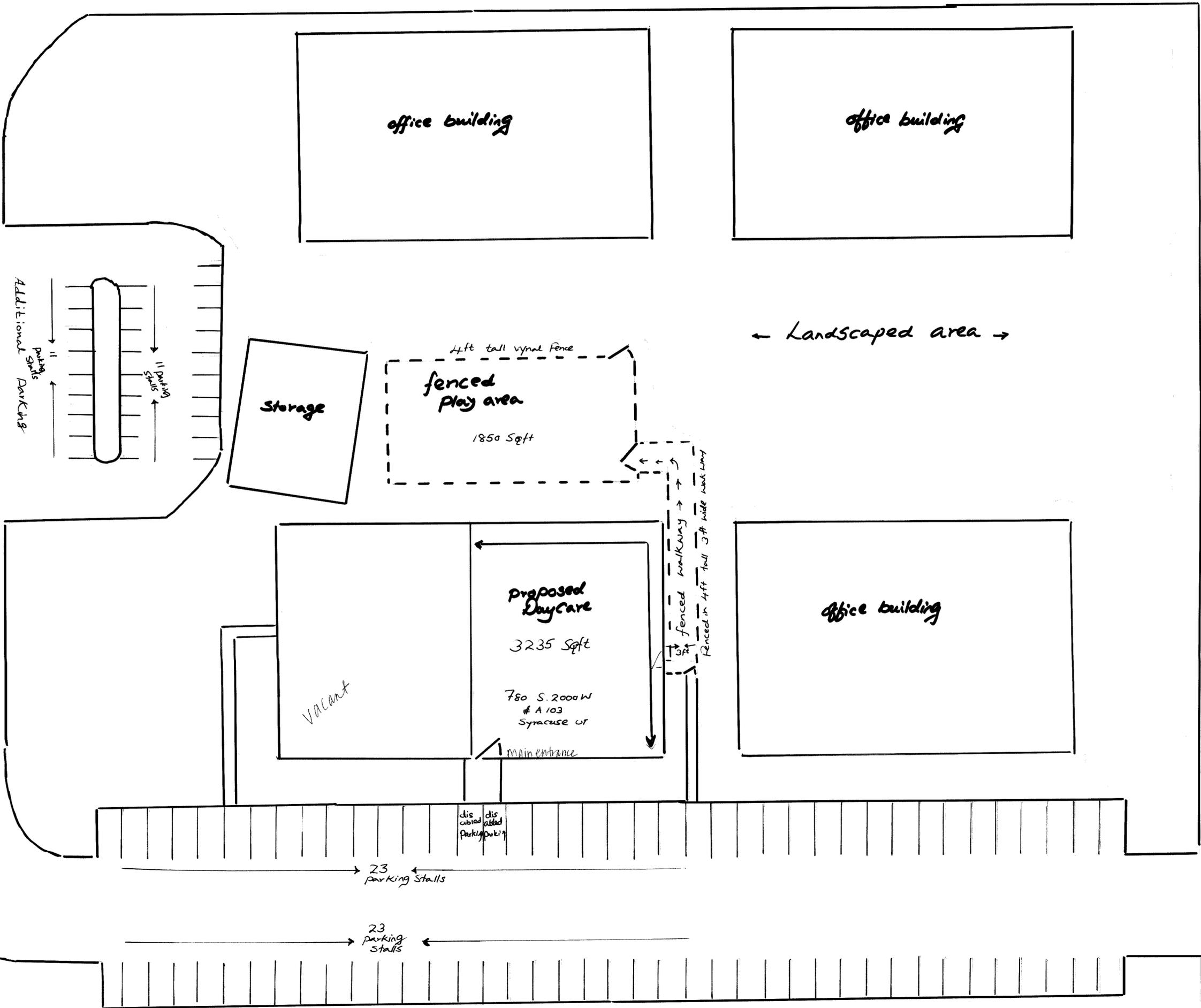
B

A

108

© 2016 Google





↑ N 0002 S ↓

hallway

Kitchen

front desk

Carpet

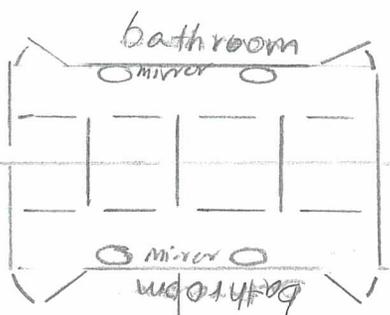
Carpet

4 ft wall
3 ft glass
wall up to ceiling

4' wall / Glass

Carpet

Carpet
wall pad



Suite
B102

375 sq ft.

Outside
door
fenced
area

Suite
B101

main
entrance

main
entrance





PLANNING COMMISSION WORK SESSION AGENDA

February 16, 2016

Agenda Item # 2a **Proposed Amendment to Municipal Code 10.40.040
Minimum and Maximum Parking Spaces**

Background

Planning Commission briefly discussed the potential for the City to modify parking space requirements, especially those required for assisted living facilities.

Attachments

- "Red-lined" ordinance
- Comparison parking table

10.40.040 Minimum and maximum parking spaces.

Each land use as listed below shall provide the required off-street parking. For any use not listed, the requirements for the most similar use listed shall apply. The Land Use Authority shall determine which listed use is most similar. In special cases where there is not a similar use, the Land Use Authority, in consultation with the developer, shall establish the minimum and /or maximum parking space requirement. Any entity that conducts a business in or from a residence, or to which employees come to a residence for work, shall obtain site plan approval subject to the following condition: the site provides two off-street parking spaces per single-family residence plus an additional one-half off-street parking space for every full-time, part-time, or contract employee or worker who visits the residence or provides services at the residence during an average week.

Uses	Unit Measure	Min.	Max.
Single-family dwellings	Per dwelling unit	2	N/A
Two-family dwellings	Per dwelling unit	2	N/A
Three-family dwellings	Per dwelling unit	2	N/A
Four-family dwellings	Per dwelling unit	1.5 2	N/A
Planned residential development (PRD) family dwellings	Per dwelling unit	2.5 2	N/A
Hotel and motel	Per room or suite	4 1.5	2
Intensive commercial businesses, stores, and shops	Per 1,000 square feet retail floor area	3	4.5
Less intensive commercial businesses, including autos, lumber, appliances, sales, etc.	Per 1,000 square feet retail floor area	1.5	2.5
Convenience stores, service stations, mini-marts	Per 1,000 gross square feet floor area	2	3.5
Commercial recreation, such as golf courses, bowling alleys, indoor soccer, etc.	Per 1,000 square feet per 3 persons permitted capacity	2 1	4.5
Day cares, preschools, and nursery schools	Per teacher, plus drop off loading area per seven students	0.5 1	2
Offices and personal services	Per 1,000 square feet floor area	2.5	3.5

Uses	Unit Measure	Min.	Max.
Fast food or drive-in restaurants, sit-down restaurants, and bars	Per 400 1,000 square feet of dining area	1.5 15	3.5
Auditoriums, assembly halls, theaters, churches, and funeral homes	Per every five seats	4.5	3.5
Dental and medical clinics	Per 1,000 square feet floor area	2.5	4.5
Hospitals	Per patient bed	1	2.5
Hospitals, animal	Per animal 1,000 square feet floor area	0.5 2.5	1
Nursing homes	Per every five beds	4.5	1.5
Manufacturing uses, research, wholesale	Per 1,000 square feet floor area (excluding floor space used exclusively for storage)	1.25	3

[Ord. 11-04 § 7; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-12; amended 1991; Code 1971 § 10-8-040.]

Uses	Unit Measure	Min.	Max.	Transportation Planning Handbook, Institute of Transportation Engineers
Single-family dwellings	Per dwelling unit	2	N/A	2
Two-family dwellings	Per dwelling unit	2	N/A	2
Three-family dwellings	Per dwelling unit	2	N/A	2
Four-family dwellings	Per dwelling unit	1.5	N/A	2
Planned residential development (PRD)	Per dwelling unit	2.5	N/A	2
Hotel and motel	Per room or suite	1	2	1.25/room, plus 10 per 1000 sq ft restaurant/loung, plus 30 per 1000 sqft meeting/banquet room of < 50,000 sqft or 20 per 1000 sqft meeting/banquet room of > 50,000 sq ft.
Intensive commercial businesses, stores, and shops	Per 1,000 square feet retail	3	4.5	6 per 1000 sqft gross floor area
Less intensive commercial businesses, including autos, lumber, appliances, sales, etc.	Per 1,000 square feet retail	1.5	2.5	3.5 per 1000 sqft gross floor area
Convenience stores, service stations, mini-marts	Per 1,000 gross square feet	2	3.5	3.5 per 1000 sqft gross floor area
Commercial recreation, such as golf courses, bowling alleys, indoor soccer, etc.	Per 1,000 square feet	2	4.5	2 per player or 1 per 3 persons permitted capacity
Day cares, preschools, and nursery schools	Per teacher, plus dropoff	0.5	2	.35 per person (licensed capacity)
Offices and personal services	Per 1,000 square feet floor	2.5	3.5	3.6 per 1000 sqft for GFA < 250 ksf or 3.35 per ksf GFA >250ksf
Fast food or drive-in restaurants, sit-down restaurants, and bars	Per 100 square feet of dining	1.5	3.5	15 per 1000 sqft GFA (Gross Floor Area)
Auditoriums, assembly halls, theaters, churches, and funeral homes	Per every five seats	1	3.5	.33-.6 per seat
Dental and medical clinics	Per 1,000 square feet floor	2.5	4.5	5.5 per ksf GFA
Hospitals	Per patient bed	1	2.5	1 per 3 beds, plus 1 per 5 average daily outpatient treatments, plus 1 per 4 medical staff, plus 1 per student/faculty/staff
Hospitals, animal	Per animal	0.5	1	4.5 per ksf GFA
Nursing homes	Per every five beds	1	1.5	Nursing home = 1 per room, ...assisted living = .4 per unit
Manufacturing uses, research, wholesal	Per 1,000 square feet floor	1.25	3	Manufacturing/light industrial = 1.5 per ksf plus spaces as required for office ,sales, etc.
				warehouse: .7 per ksf GFA,



PLANNING COMMISSION WORK SESSION AGENDA

February 16, 2016

Agenda Item # 2b Municipal Code Proposal Pertaining to incidental dwelling units for storage unit managers

Background

We have an existing non-comforming use that is occurring in a storage unit complex within the city that is anticipated to re-occur when/if additional storage units are permitted. It is common practice for storage units to have a live-in manager. This makes the units safer and more attractive and is incidental to the use. It is proposed that this becomes a permitted use.

Attachments

- potential ordinance text

10.120.020 Permitted uses.

The following uses, and no others, are appropriate to this zone, compatible with each other, and a permitted right; provided, that the parcel and buildings meet all other provisions of this title, or any other applicable ordinances of Syracuse City, and receive site plan approval as provided in SCC

10.20.100:

- (A) Agriculture.
- (B) Automotive and engine repair services.
- (C) Churches, synagogues, and temples.
- (D) Car washes, self-service coin-operated style car washes and full-service tunnel style.
- (E) Contract construction services.
- (F) Manufacturing, chemicals and allied products or plastic products.
- (G) Manufacturing, compounding, processing, milling, assembling, testing, or packaging (of the following products):
 - (1) Apparel.
 - (2) Fabricated metal products (not including primary metals industries).
 - (3) Food products.
 - (4) Stone, clay, and glass.
- (H) Pawn shops.
- (I) Payday lending/check cashing services.
- (J) Printing and publishing industries.
- (K) Professional nonretail services.
- (L) Public and quasi-public buildings.
- (M) Public parks.
- (N) Rehabilitation centers.
- (O) Restaurants and fast food services.
- (P) Retail, building materials, hardware, and farm equipment.
- (Q) Storage facilities, industrial warehouse. (Dwelling units are allowed only for live-in managers of a storage unit project. Dwelling units must be secondary and incidental to the use, and located on the same parcel as the storage units. Dwelling units are not allowed with warehouse or other storage uses.)
- (R) Tattoo and body piercing shops.
- (S) Uses considered similar and compatible by the Land Use Administrator.
- (T) Welding or machine shop.
- (U) Wholesale trade. [Ord. 11-02 § 1 (Exh. A); Or