

Syracuse City Planning Commission Meeting
December 1, 2009
Minutes

1. Meeting called to Order, Adoption of Agenda, and Approval of Minutes

Planning Commission Chair Robert Whiteley called the meeting to order at 6:03 p.m., indicating City staff posted the agenda 24 hours prior to the meeting and delivered copies to all Commission members. Kenneth Hellewell offered the prayer, and Robert Whiteley led the pledge of allegiance.

Members Present: Chairman Robert Whiteley, Vice Chair Kenneth Hellewell, Tena Campbell, Nathan Miller, Mike Norton, and Jamie Nagle as well as City Administrator Rodger Worthen, GIS Specialist Troy Moyes, and Administrative Assistant Judy Merrill.

Visitors: Chris Kobaly Kenn Eversole T.J. Jensen Steven King

KENNETH HELLEWELL MOVED TO ADOPT THE DECEMBER 1, 2009, AGENDA AS OUTLINED, SECONDED BY NATHAN MILLER; ALL VOTED IN FAVOR.

2. Approval of Minutes

There were no minutes for Commissioners to review.

NATHAN MILLER MADE A MOTION TO TABLE THE MINUTES FOR OCTOBER 20 AND NOVEMBER 3, 2009, SECONDED BY MIKE NORTON; ALL VOTED IN FAVOR.

3. Rock Creek Subdivision Phase 4 Public Hearing and Plat Amendment

Administrator Worthen explained how this plat amendment would resolve three issues: 1) clearing up title work on lots 430 and 431 and adding property to their frontages that used to be the knuckle/radius in the road; 2) creating Lot 432; and 3) dedicating the extended roadway that tied 3525 West with St. Andrews Drive. Part of Rock Creek Park Phase 2 included tying St. Andrews Drive into the northeast corner of Rock Creek Subdivision Phase 4. City Council granted approval and, after construction, it left a piece of park property at the southeast corner of the Park. During Council's deliberation prior to approving Phase 2, they discussed creating a building Lot 432, as shown on this plat amendment, and selling it as surplus property to help pay for park improvements. Part of the road construction impacted the frontages of lots 430 and 431, which was now a straight street. This amendment would dedicate the street and create the new lot as well as provide authorization from Council to begin some title work to clarify and correct the deed descriptions on lots 430 and 431 because of the added property. He met with Steven King, owner of Lot 431, the week before regarding this matter and left information for the owner of Lot 430 relative to these issues as well as this meeting but did not receive contact from them. There used to be no outlet on the east end of Rock Creek. The majority of residents had to travel westward down one road until it connected to either 700 South or 4000 West. The City's main concern dealt with emergency response capability into that neighborhood as well as looping water and utilities. A young man recently died in a bus accident there and getting emergency response vehicles into that one area was a challenge. While designing Phase 2, the Council decided to connect a small stub road into St. Andrews Drive, mainly for emergency response and to improve overall traffic flow, but it would impact those lots. They had been enjoying a quiet knuckle when they first moved in and now had probably much more vehicular traffic than anticipated. However, building the road improved the area for most people in the best possible way.

Chairman Whiteley opened up the meeting for public hearing.

Chris Kobaly, 766 St. Andrews Drive, came forward stating that he had been living at this address for the last 3½ years. They experienced issues of concern with this subject lot in the past as far as upkeep, specifically weeds, trash, and dumping. When they moved in, his family enjoyed having the park next door even with upkeep problems of the land. If the City moved a home onto that property, it would affect them quite a bit. With the current prices of property and housing, he voiced concern with the type of people who might move in there and whether it would be a revolving door of different tenants. He and his neighbor talked several times about cleaning up the lot and working something out to keep it maintained as a park. Although there was no sprinkler system, they would not be opposed to providing that service.

Steve King, of Lot 431 located at 795 South 3525 West, stood to ask whether the approval process for Phase 2 of the Park, regarding the road, included a public hearing. Administrator Worthen advised him that park developments were not subject to public process. Mr. King claimed that, coming from that perspective, he purchased his lot after looking on the City's website that showed a parking lot at that location, rather than a road, with an ingress/egress instead of a through street. He invested there with the intent of living in a low traffic area, so his children could play and have direct access to a park without having to cross a busy street, for the view, and for more of a country environment with fewer adjacent homes in order to avoid the complications that go hand in hand with neighbor relationships. Now, this would be a main access to the neighborhood along with an undeveloped parcel behind Rock Creek with an ingress/egress, once developed, as another main access point. His lot now fronted a very busy corner. He then addressed each of the City's main concerns. As for recouping costs of park improvements by selling the land and not having to maintain and develop it as a separate park, any open area would add to the City's curb appeal and country-type atmosphere in order to attract and maintain quality citizens. Instead of recouping costs through the sale of land, they could recoup it indirectly by enticing more residents to the City because of amenities such as this. He could not comment on the second concern, regarding the separation from the larger park, other than ask why it would be difficult for an employee to simply drive a lawn mower across the street to care for this smaller parcel. As for the third concern with costs associated with developing it for the park, he and his neighbor were willing to provide the labor free of charge as long as the City provided materials. After developing his own lot, he estimated the cost for this parcel as open space to be no more than \$5,000: \$1,500 dedicated to the irrigation system, \$500-\$1000 for seed and fertilizer, another \$500-\$1000 for trees, if desired by the City, and the rest for dirt to fill in a lull in the back corner. If the City were to provide that dirt, this amount could be much lower. If costs were a concern, he said he would also be willing to financially back the development in order to keep it as a park. Dirt was expensive, but he was confident in the City having access to dirt and providing the grading necessary to maintain this piece as a park. He then expressed concern for the rezoning of this land as residential that would lead to a set of neighbors he was not expecting at the time he purchased his lot, although he recognized the City's right to do what they felt was best with their land. However, he had a hard time understanding how a builder would situate a home and driveway on that lot without the majority of land ending up on the sides of the house rather than the typical desired location of the rear. He also anticipated this property being an investment for someone to use as a rental home, which typically housed tenants not invested in the property in the sense of trying to be good neighbors and maintaining curb appeal. Vice Chair Hellewell expressed an inability to see this parcel utilized as a park because of the road separation. He asked if Mr. King agreed with his view of it simply providing open space for his neighbor and him. Mr. King did agree it would be unusable as a park but suggested it could be similar to those amenities found in roundabouts, such as water features, that provided curb appeal. This was a fairly large residential area with land south of this that the City could also develop to become a key point for people to enjoy as they entered the neighborhood on this main thoroughfare. Commissioner Norton asked if he were suggesting a beautification-type project. Mr. King told him yes and wondered if it would require rezoning. Chairman Whiteley advised him that features like that would not require rezoning but did not see it as being of sufficient benefit to the City. A water feature would have higher maintenance costs than a lawn or xeriscape. Commissioner Nagle added that there would be liability issues from allowing residents to maintain City-owned property. If he had an accident while mowing it, Syracuse would be liable. It opened up the City to a lot of risk and exposure. Mr. King realized he needed to clarify his offer of labor to just the development of the park by helping put in sod or seed and an irrigation system. After the parcel had grass established, he assumed the City would take over maintenance by mowing it with the adjacent park. He actually did not recommend putting in a water feature, due to the cost of maintenance, but just asked that it remain open as a nice introduction to the neighborhood. Commissioner Nagle referred to a heated debate during a Council meeting some months back with residents along Doral Drive who were dying to have Syracuse maintain an adjacent piece of land. However, City crews were struggling to keep up with the current number of parcels. Taking on more would be harder with the budget situation and lack of resources. She emphasized her ability to understand his concerns but was not sure fulfilling his request would be in the best interest of the City or at least more than just two homeowners. Mr. King suggested the City would still have costs associated already with maintaining the undeveloped land until they were able to sell it as well as the selling process itself. He did not believe it

would sell quickly in the current economy and wondered if the price the City set would end up being low and lead to a purchase by the quality of people in the lower income bracket. He cited occasions when a City lawn mower picked up rocks and damaged siding of houses and fences nearby. If the City did rezone it residential, he asked what selling price they would target. Vice Chair Hellewell advised him that the City would base it on an appraisal of the land. Mr. King asked if the City would have it reassessed if the economy improved before it sold. Vice Chair Hellewell told him that decision would be up to the Council.

Chairman Whiteley closed the public hearing and reminded everyone in the audience to sign the log on their way out if they had not already done so on the way in to the meeting.

Vice Chair Hellewell expressed appreciation for the public comments but really struggled to see how this property would benefit anyone else besides those bordering property owners. The biggest benefit to the City would be selling it as a residential lot in order to recoup some costs. The home would most likely fit in with the subdivision, be a benefit to the area, and remove a little maintenance responsibility from the City. Although Syracuse did have another park separated by a sidewalk, both sides were much larger than this one.

Commissioner Miller voiced his understanding of the impacts this change would have on these lot owners who bought their homes based on the view and location and that the other neighbors would not be impacted as much.

Commissioner Nagle pointed out that the new neighbors could be a family. Income did not necessitate the quality of people or how well they maintained their homes. Syracuse had a lot of nice neighborhoods, even in the more moderate areas. If someone paid \$78,000 for a lot, they usually built a new home and cared well for it. She and her husband bought their home on what they thought would be a dead-end street, but the City connected it through to Gordon. However, they absolutely loved their home and neighborhood despite the change. The Commission was very mindful that their situation did not work out to be ideal, but the area desperately needed this road, especially for emergency situations. She predicted the new people who moved next to them could end up being their best friends for life.

Commissioner Miller believed the new lot would actually be a prime location across from the park, which meant the home would most likely be quite decent. His home actually bordered a triangular open piece of City property maintained by just an occasional mowing. Sometimes his lot received extra water, along with dandelions galore, so he has had to go over and spray a few times. Being next to City property was not exactly a benefit unless it was a large well-maintained piece. Syracuse almost had too many small parcels that crews maintained only haphazardly due to their numbers and lack of money. He was still leaning towards changing this parcel to a building lot and selling it to defray future park improvements. This money would not just go into City coffers but also might not go to just the Rock Creek Park. It would benefit park development throughout Syracuse. He did not want children crossing that street to go to the smaller park area.

Commissioner Campbell pointed out that the size of this new lot would actually be twice the size of Lot 430, probably resulting in a fairly good-sized home. Anyone who could afford that lot would be vested in the property. Chairman Whiteley agreed based on the size and location, stating it would most likely be a very nice home. Of course, the City did not have any control over who built it or who moved in, but they did try to do what was best for the community as a whole, all while realizing the occasional impacts to residents. The road was already there, and removing it would not make sense. So, they needed to deal with the remaining property, which conformed well to the surrounding residential land use. The road made a natural barrier and separation between residential and the park, and caring for just one area of park land would be easier for the City. The Commission did listen and understand the sentiments expressed and did not want any negative impact on them but hoped to make the best of this situation.

KENNETH HELLEWELL MOVED TO APPROVE THE SUBDIVISION PLAT AMENDMENT FOR ROCK CREEK PARK SUBDIVISION PHASE 4, LOCATED AT APPROXIMATELY 3525 WEST 800 SOUTH, AND FORWARD IT TO CITY COUNCIL. JAMIE NAGLE SECONDED THE MOTION; ALL VOTED IN FAVOR.

4. Planning Commission Business

Commissioner Miller attended the last City Council meeting and reported on the grading done at Fremont Park by three companies needing some training ground. They provided the equipment and employees, which saved Syracuse over \$200,000. The Council looked forward to working more with them for future

training purposes. The Council adopted the Title X proposals the Commission forwarded to them. The Mayor noted that State Road 193 received funding for its extension down to 2000 West.

Chairman Whiteley indicated that Commissioner Campbell would attend and report on the next Council meeting. He then pointed out that the City offices would not be open the afternoons of Christmas Eve and New Year's Eve.

KENNETH HELLEWELL MADE A MOTION TO TABLE THE LAND USE TRAINING UNTIL A FUTURE MEETING, SECONDED BY MIKE NORTON; ALL VOTED IN FAVOR.

5. Adjournment

NATHAN MILLER MADE A MOTION TO ADJOURN AT 6:39 P.M.; ALL VOTED IN FAVOR.

Robert Whiteley
Planning Commission Chair