

Syracuse City Planning Commission Meeting
February 1, 2011
Minutes

1. Meeting called to Order and Adoption of Agenda

Planning Commission Chair Kenneth Hellewell called the meeting to order at 6:08 p.m., indicating that City staff posted the agenda 24 hours prior to the meeting and delivered copies to all Commission members. Kenneth Hellewell offered the prayer, and Tyler Bodrero led the pledge of allegiance.

Members Present: Chair Kenneth Hellewell, Vice Chair Tyler Bodrero, T.J. Jensen, and Gary Pratt as well as Community Development Director Michael Eggett and Administrative Secretary Judy Merrill

Excused: Braxton Schenk

Visitors: Clint Sherman Teresa Larsen Heidi Wise

Commissioners reviewed the February 1, 2011, Planning Commission meeting agenda.

T.J. JENSEN MOVED TO ADOPT THE FEBRUARY 1, 2011, AGENDA AS OUTLINED, SECONDED BY GARY PRATT; ALL VOTED IN FAVOR.

2. Approval of Minutes

Commissioners reviewed the minutes of the January 18, 2011, work session.

GARY PRATT MADE A MOTION TO APPROVE THE MINUTES OF THE JANUARY 18, 2011, PLANNING COMMISSION WORK SESSION AS WRITTEN, SECONDED BY T.J. JENSEN. ALL VOTED IN FAVOR.

Commissioners reviewed the minutes of the January 18, 2011, meeting.

T.J. JENSEN MOVED TO APPROVE THE MINUTES OF THE JANUARY 18, 2011, PLANNING COMMISSION MEETING AS WRITTEN, SECONDED BY GARY PRATT; ALL VOTED IN FAVOR.

3. Clinstville Subdivision Conditional Use and Preliminary and Final Plans

Clint Sherman, owner of the subject property, appeared before the Planning Commission requesting preliminary and final plan approval for the subdivision of a developed dwelling group, located at 1919 West 2700 South. Director Eggett provided some background on his request, stating that the applicant approached the Commission back in March 2005, requesting a Conditional Use Permit to construct a six-unit dwelling group on an old family parcel dating back to 1871. He had no intentions of selling it and had already owned the other two duplexes on that street for the previous nine years. His sons maintained the yards. Each new unit would have a two-car garage with separate driveways that exited directly onto 2700 South or Bluff Road. There was concern by commissioners about setbacks for matching up the rights-of-way with Bluff Road and controlling driveway accesses by requiring one or two shared driveways due to the high volume of traffic on both streets. Mr. Sherman explained that larger driveways or accesses required dealing with storm water, but his plan did not create much storm water. The Commission recommended approval, and City Council reviewed the request on March 8, 2005. The minutes stated that Mr. Sherman requested approval for a six-structure twelve-unit dwelling group on 1.618 acres with three buildings fronting each road. The duplexes would be similar to those in Walker Estates. The driveways would be to the outside for less impact to neighbors. The Council unanimously granted conditional use approval for a six-structure dwelling group with two units each. Mr. Sherman now needs to refinance this land but cannot due to the number of buildings on the lot. He explained that, with the help of Rodger Worthen, former City Planner, he designed the dwelling group to specifications that would allow him to subdivide in the future if necessary. Mr. Sherman proposed three lots, which staff confirmed would comply with required setbacks but overlooked density constraints for that specific zone. Because subdividing into three lots would convert the use to multi-family housing in an R-2 zone, staff recommended subdividing into six lots and applying for conditional use approval for two-family dwellings on each lot. Since the applicant already went to the expense of revising his drawings based on staff's initial acceptance of the plans, subject to some minor changes, the Department wanted to minimize any further expenses incurred by the applicant through the remainder of this process and recommended review by the City Engineer of the submitted drawings, with the knowledge that it would include three more

lots. JUB Engineering submitted the following recommendations in a memo dated January 27, 2011: 1) **Move shed, shown straddling a proposed lot line, or adjust lot line.** 2) **Include north arrow and scale on Sheet 1.** 3) **Show bearing and distance to Section Tie at north quarter corner.** 4) **Correct spelling on northwest corner of Section 22.** 5) **Make the following clarifications regarding private utility easements protecting privately-owned utility lines, i.e. culinary water, sewer, and gas, serving the duplexes in this Subdivision: a] show section ties on Sheet 2 that correspond with written description, b] remove the word 'unrecorded' in written description, since that verbiage would be obsolete upon recordation of plat, c] verify and update central angle, which appears more accurate as 01°23'49" rather than 01°13'49", on both written description and drawing on Sheet 2.** Director Eggett concluded by explaining that he was not requiring the applicant to go through sketch plan since the development already received site plan approval from the Commission and City Council as a group dwelling. City and engineering staff therefore felt comfortable waiving sketch plan review and placing the item before the Commission for only preliminary and final plan review.

Commissioner Bodrero asked about the applicants required deadline, since he was concerned about granting conditional use and preliminary approval along with a final approval without seeing the revised drawings showing all six lots. Mr. Sherman explained how he needed to have the new loans in place by the first week of March. Commissioner Bodrero stated that applicants typically went through an engineering review for commissioners to discuss and use as a basis on which to grant preliminary approval. Applicants then make those engineering changes for commissioners to review prior to final approval. He would have been more comfortable combining all of these applications as long as everything was in place, but the plans showed only three lots rather than the six lots requested. Mr. Sherman referred him to the staff recommendations explaining the reason he did not have the revised drawings ready for them to review. He already revised the plans once and did not want to go to the expense of revising them again for the Planning Commission and then again for City Council if the Commission required any more changes. Staff did not tell him he needed to add three more lots until just the week before. He was fairly confident he could provide the revised drawings to the City the next day.

Chairman Hellewell asked what the applicant intended to do about the shed. Mr. Sherman explained that he only needed to move it to one side or the other by about 3 feet, which would be easy since it was not attached to the ground.

Commissioner Pratt asked if the engineering stakes were already in the property to indicate the new property lines. Mr. Sherman told him they were only on the property corners in front.

Chairman Hellewell voiced his preference to grant a Conditional Use Permit and preliminary plan approval but table final plan review until the applicant could submit revised plans for commissioners to verify that everything was drawn properly. He did not like forwarding unfinished business to City Council. Commissioner Pratt stated that staff had been heavily involved in this project, and the required changes were mostly grammatical with the exception of the additional property lines. He preferred to grant approval on all three requests and allow staff and JUB Engineering to review the revised drawings prior to the City Council meeting. Chairman Hellewell argued that staff did not approve these types of applications; the Planning Commission had that responsibility.

Commissioner Bodrero asked the applicant if he already knew where he would be placing those additional property lines. Mr. Sherman approached the commissioners and penciled them in on a large set of plans.

Chairman Hellewell convened the meeting into public hearing. No one came forward, so he closed the public hearing.

Commissioner Jensen asked for the other commissioners thoughts on the item, and Commissioner Pratt stated that time was of the essence for this applicant. Since they had the history of this project and could easily visualize the additional three lots on the plans before them, he did not believe it would be appropriate to hold up the final plan approval to see the final product that would turn out the same whether the Commission looked at it or not. There would be plenty of people reviewing it, and he did not believe there would be any issues that would make a difference to commissioners in the end.

Commissioner Jensen asked about each lot complying with the minimum square footage requirement, and Director Eggett assured him that staff verified the minimum lot standards for this project.

Commissioner Pratt reminded commissioners that the applicant was deeding over some of his own property for the City road and commended Mr. Sherman for his willingness to do so. Mr. Sherman advised the commissioners that this plat would be the only way that dedication could happen and that those roads basically encroached onto his land.

Commissioner Bodrero explained that his concern with recommending final plan approval was not based so much on the engineering comments as it was on the idea of six lots. However, he would be amenable to recommending said approval subject to all required changes listed by the engineer's reviews prior to the plat going before City Council. Commissioner Jensen concurred, even though he had concerns with the size of Lot 1. As long as JUB Engineering looked at it and was confident that the revised drawings met all setback requirements, he was comfortable recommending final approval.

GARY PRATT MADE A MOTION TO GRANT CONDITIONAL USE APPROVAL TO CLINT SHERMAN FOR SIX TWO-FAMILY DWELLINGS IN THE PROPOSED CLINTSVILLE SUBDIVISION, LOCATED AT 1919 WEST 2700 SOUTH, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE LAND USE ORDINANCE SPECIFIC TO THIS USE. T.J. JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR.

GARY PRATT MOVED TO GRANT PRELIMINARY PLAN APPROVAL OF THE CLINTSVILLE SUBDIVISION, LOCATED AT 1919 WEST 2700 SOUTH, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE SUBDIVISION AND LAND USE ORDINANCES, SPECIFICALLY THE DENSITY REQUIREMENTS OF THE R-2 ZONE, JUB ENGINEERING'S REVIEW COMMENTS OUTLINED IN A MEMO DATED JANUARY 27, 2011, AND A REVISION OF THE PLANS TO REFLECT SIX LOTS RATHER THAN THE THREE PRESENTED. T.J. JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR.

GARY PRATT MADE A MOTION TO RECOMMEND FINAL PLAN APPROVAL OF THE CLINTSVILLE SUBDIVISION, LOCATED AT APPROXIMATELY 1919 WEST 2700 SOUTH, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE SUBDIVISION AND LAND USE ORDINANCES AND THE CONDITION THAT THE APPLICANT REVISE THE PLANS TO REFLECT SAID REQUIREMENTS, INCLUDING THE ADDITION OF THREE MORE LOTS, PRIOR TO CITY COUNCIL REVIEW AND CONSIDERATION OF THIS REQUEST, AND THAT CITY STAFF AND CITY ENGINEER REVIEW THE REVISED PLANS TO VERIFY COMPLIANCE WITH ALL REQUIREMENTS, JUB ENGINEERING'S REVIEW LETTER DATED JANUARY 27, 2011, AND ANY ADDED COMMENTS AS A RESULT OF THAT REVIEW, AND FORWARD THIS ITEM TO CITY COUNCIL. T.J. JENSEN SECONDED THE MOTION; ALL VOTED IN FAVOR EXCEPT FOR KENNETH HELLEWELL WHO VOTED AGAINST THE MOTION.

4. Cec's Iddy Biddy Kiddies Conditional Use Modification

Teresa Larsen, 2497 South 900 West, approached the Commission requesting approval to modify her Conditional Use Permit from a minor to a major occupation in order to increase in the number of children she may have in her home daycare from eight to sixteen. Director Eggett reviewed the history of this business, stating that the applicant came before the Commission on September 21, 2004, to request approval of a daycare in her home for up to six children. Her hours of operation were Mondays-Fridays from 8:00 a.m. to 6:00 p.m. She had a yard fully enclosed with a fence, and she would be kenneling her cat and dog during business hours. Some children would be driven while others were neighbor children who would walk to her home. The Commission recommended approval of the request as submitted, and forwarded the item to City Council. On September 28, 2004, the applicant went before City Council requesting approval for up to eight children, as allowed by her State license. The Council agreed that the City routinely allowed up to eight children in home daycares, so she amended her application to reflect that change. The Council then granted her approval. In 2008, the applicant applied for approval to increase the number of children in her daycare from eight to sixteen and add an employee. The Commission considered the request on October 7, 2008, but the applicant was not present. Commissioners wondered if Mrs. Larsen needed to enlarge the amount of space dedicated for the additional children and if the property would have an off-street parking space for the employee. Commissioners tabled the request until the applicant could be present to answer questions. On December 16, 2008, the applicant appeared before the Commission requesting a modification to her

Conditional Use Permit in order to operate a preschool along with her daycare. City staff advised her that she needed to change her daycare hours of operation in order to accommodate the requirements of a preschool. The applicant intended to teach preschool during specific hours to her existing daycare children. The new business hours for daycare would be 7:00-9:00 a.m., Mondays-Thursdays, 11:00 a.m.-1:00 p.m. and 3:00-8:00 p.m., Tuesdays-Thursdays, and 7:00 a.m.-8:00 p.m., Fridays, with preschool from 9:00-11:00 a.m. and 1:00-3:00 p.m. Mondays-Thursdays. She would never have more than eight children for daycare or preschool. Her purpose for this modification was to transition from daycare to just preschool some time in the future. The Commission approved the request subject to all requirements of the Land Use Ordinance specific to daycare and preschool home occupations and the understanding that her business needed to meet the higher standards for home daycares. The applicant now listed her hours of operation as 7:30 a.m.-5:30 p.m. and wanted to increase her business to a family group license in order to add the eight children to her child care. Her husband would be the second provider, and their daughter, who was not a resident of the home, would also help. All of them had clean background checks. Their driveway could accommodate up to five vehicles, and the applicant would continue teaching preschool to her daycare children. Mrs. Larsen added that her husband would be a permanent second provider. She had a large driveway, and the children were brought to her daycare on staggered schedules.

Commissioner Pratt asked if her husband and daughter had to be licensed providers. Mrs. Larsen told him no. Commissioner Jensen asked if her modification would require new inspections. Secretary Merrill advised him that the City did not require any new inspections.

TYLER BODRERO MOVED TO GRANT TERESA LARSEN A MODIFICATION TO HER CONDITIONAL USE PERMIT IN ORDER TO PROVIDE DAYCARE AND TEACH PRESCHOOL TO UP TO 16 CHILDREN IN HER HOME, LOCATED AT 2497 SOUTH 900 WEST, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE LAND USE ORDINANCE SPECIFIC TO DAYCARES AND PRESCHOOLS. GARY PRATT SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Committee Reports

Commissioner Jensen reported on the Transportation Committee, stating that he had been waiting for UDOT's updated revisions to the west davis corridor routes before holding another committee meeting to address those changes, but it was not available as of earlier that day. Councilman Shingleton did not report on their Committee's progress with City Council on January 25 or discuss their presentation made during the last Planning Commission meeting.

Commissioner Pratt reported on the Antelope Drive Committee, stating that they renamed their Committee to the Syracuse City Center Corridor. He emailed a review of their last meeting to everyone so that he would not need to spend the time reporting on it in length in this meeting. They discussed their needs and purposes and created a list of potential retailers and types of retailers they believed would be most successful along that specific corridor based on setbacks, lot sizes, traffic volume, and predominant architecture as far as heights. Some retailers used very tall buildings or facades, and his Committee did not consider that a good fit in that area. Other retailers required certain colors schemes that they wanted the City to be able to approve. They would be developing some thematic requirements for this corridor as far as colors in an effort to create an attractive shopping environment and make that area a destination in the region. Chairman Hellewell suggested using an overlay zone instead. Commissioner Pratt stated that his Committee would be planning for retail of more soft goods, such as electronics, crafts, and medium-type stores with an entertainment component, such as a children's museum for the many families in this City. Right now, residents were traveling to Ogden and Kaysville. This type of use would also gain the support of the many caregivers here by allowing parents and business owners to get those kids out and enjoying such places more easily. It would also enhance the museum and tie it together. He then discussed the issue with parks and schools located so closely to these development areas, which created difficulties due to the restrictions on how close retailers can build. The City would need to make an amendment in order to fill those spaces.

Commissioner Bodrero reported on the 200 South Committee, stating that they would be holding their next meeting this Thursday, at 6:30 p.m., in the community center. They drafted an ordinance during their last meeting, which they would finalize in the upcoming meeting for City staff review as well as work

on the overly zone to add to Title X. Chairman Hellewell added that they collected ideas of what the Committee wanted in a business park zone and used Farmington's language as a template. They already had their recommendations ready for amendments to the General Plan.

6. Department Business

Chairman Hellewell reported on the last City Council work session and then reminded commissioners that the legislature was in session. He encouraged them to pay attention and provide comments to their representatives.

Director Eggett pulled up the newly revealed options from UDOT and reviewed the selected routes with commissioners, who discussed them at length. He then reminded commissioners that the new City Manager would start his first day later in the week and invited them to come in and meet him.

Director Eggett also reported on a meeting he had earlier that day with the Davis Area Convention and Visitors Bureau (DACVB) regarding tourism and events planning. Syracuse would be working more closely with them to help host events on Antelope Island, such as the Buffalo Roundup, bird festival, and moonlight bike ride, and have them help with Heritage Days and even the Easter Egg Hunt. They would be maximizing efforts to coordinate and advertise what the Island offered as well as Syracuse. The DACVB was a growing group with very desirable stakeholders that would greatly benefit Syracuse and bolster these activities and improve the City's following.

Director Eggett ended with a notification of a bill proposed to the legislature that commissioners might want to follow. It regarded removing any control from cities to regulate temporary signage for retailers on private property for up to a year. It would be going to committee the next day for discussion. The ULC&T lobbied against it, but the Bill's representative worked it back on to the docket.

Chairman Hellewell informed commissioners that the Mayor did approve the proposal to appoint an alternate to the Planning Commission. They received twelve applicants and would be choosing two commissioners and one alternate. The alternate would sit with the Commission but not vote unless absences required one. They would hopefully be appointed and present at the next Commission meeting.

7. Adjournment

TYLER BORDRERO MADE A MOTION TO ADJOURN AT 7:32 P.M.; ALL VOTED IN FAVOR.

Kenneth Hellewell
Planning Commission Chair