

Minutes of the Syracuse Planning Commission Regular Meeting March 7, 2023

Minutes of the regular meeting of the Syracuse Planning Commission, held in Council Chambers and accessible via Zoom on March 7, 2023, at 6:00 PM.

Commission Members Present: Kenneth Hellewell, Chair
Keeth Kennington, Vice-Chair
Lonn Hunter
Scott Shea
Dennis Johnson
Ivy Ruelan
James King
Alan Gallegos

City Employees Present: Noah Steele, CED Director
Royce Davies, Senior Planner
Micheal Kerswell, Planner
Brie Brass, City Attorney
Golden Barrett, Fire Marshal

City Council Liaison: Mayor Dave Maughan, Paul Watson

Visitors: Shelcee Bingham, Bruce Staley, David Brocious, Carolyn Staley, Duane Ralphs, Wayne Volk, Kaye Volk, David Volk, Jennifer Ralphs, Josh Ingles, Dallas Ingles, Tiffany Dickson, Bryan Dickson, Monica Hansen, Kelly Nielson, Steve Hicken, Terry Fredrickson, Karen Fredrickson, Michelle Nelson, Jeremy Bingham, Nobalee Rhoades, William Green, Challene Green

1. Meeting Called to Order

A quorum was present, as defined in Utah Code, Title 52, Chapter 4 – Open and Public Meetings Act. Chair Hellewell called the meeting to order at 6:00 PM as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the public and each commissioner. Commissioner Johnson provided an invocation and Commissioner Gallegos led the Pledge of Allegiance.

COMMISSIONER RUELAN MOVED TO ADOPT THE AGENDA FOR THE MARCH 7, 2023, PLANNING COMMISSION MEETING. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

2. Meeting Minutes

The following minutes were reviewed by the Planning Commission:

- Regular Meeting & Work Session for February 21, 2023

COMMISSIONER HUNTER MOVED TO APPROVE THE MINUTES FOR THE FEBRUARY 21ST REGULAR AND WORK MEETINGS. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

3. Public Comment

Longtime resident, Wayne Volk told of his family's history in Syracuse. He contrasted current operations and historic commercial enterprises on the land where Earthworks is located. He reported present-day nuisances resulting from the landscaping business.

Kaye Volk indicated that 300+ residents have signed a petition against a proposed change to the General Plan Map that would facilitate industrial zoning of the Earthworks property. She attested that the expanding company continues to produce increased nuisances and safety concerns for her and her neighbors.

Jennifer Ralphs reported on loud noises and detestable air pollution that are produced by Earthworks operations. She displayed video/audio evidence of noises coming from the business – even during nighttime hours. She read Syracuse City Codes 6.40.202 (J) “*Noise disturbance* means any sound that annoys or disturbs a reasonable person with normal sensitivities or that injures or endangers the comfort, repose, health, hearing, peace or safety of another person.” and 6.40.202 (K) “*Noise* means any sound that is unwanted by another person.”

Duane Ralphs informed that a proposed parking lot for the Earthworks complex will put vehicles (some, heavy equipment) as close as thirty-nine feet from his window. He read a letter, written by concerned citizens, that reflected on the significance of General Plan directives and listed hazards associated with the anticipated Earthworks expansion.

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Bryan Dickson commented on the mindset of employees as they enter their place of work. He contrasted the attitude of a neighborhood resident as they value the comforts of home. He asserted that an industrial environment is not appropriate next to/surrounded by a residential community.

David Brocius remarked on the purpose of a General Plan. He spoke of governmental transparency. He questioned the claim that Earthworks will not continue to expand if the proposed zoning is approved. He suggested that the growing business would find it advantageous to relocate – out of a residential area into an open space with commercial or industrial zoning. He contemplated industrial and/or commercial applications on his own property.

Terry Fredrickson referred to nondisruptive operations of the previous business that occupied the plot where Earthworks is located. He described hazards that have developed in recent years due to mounting traffic congestion.

Michelle Nelson commented on the safety of children that reside near the Earthworks complex. She asked that the requested General Plan Map designation change be denied.

Monica Hansen shared her concerns about deviating from the General Plan Map. She recommended that established zoning be maintained in the area in question.

4. Agenda Items

Public Hearing – Zoning Amendment: Request from William and Challen Green for a rezone (General Commercial to Mixed Use) on property located at app. 1942 S 2000 W comprising app. 0.526 acre.

Community and Economic Development Director, Noah Steele reported that the City has received an application to amend the zoning map. He indicated that the application has been noticed in accordance with Utah Open and Public Meetings Act and he described the proposed action as a change from General Commercial (GC) zoning to Mixed-Use (MXD) zoning. He gave an overview of the projected site plan provided by the applicant. He noted that there will be some adjustments to the plan to meet ordinance.

Chair Hellewell opened the Public Hearing.

No public comment was submitted.

Chair Hellewell closed the Public Hearing.

Commissioner King commented on the specific assignment of parking spaces associated with each proposed commercial unit and residential apartment.

Commissioner Hunter remarked on ADA provisions and fire safety requirements.

Project Architect, Kelly Nielson introduced the applicant, William Green. In response to Commissioner Kennington's query, Mr. Green described a two-story mixed-use building he would like to build on the property in question. He explained why he wants to include residential apartments in the development. He projected that professional offices and a chiropractic wellness center might occupy some of the commercial space on the ground level.

Commissioner Shea questioned if the MDX zone can be approved for land that is not adjacent to a state highway. He expressed his opinion that the proposed complex is a true example of a mixed-use scheme. He considered affordable housing aspects of mixed-use projects.

Chair Hellewell recommended that conditions related to mixed-use projects currently under construction in Syracuse should be assessed through completion before another MXD zone is approved.

COMMISSIONER HUNTER MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF THE PROPOSED ZONING AMENDMENT ON PROPERTY LOCATED AT APPROXIMATELY 1942 S 2000 W. COMMISSIONER RUELAN SECONDED THE MOTION. COMMISSIONERS KENNINGTON, RUELAN, JOHNSON, HUNTER, SHEA, AND GALLEGOS AND VOTED YEA. CHAIR HELLEWELL VOTED NAY. THE MOTION PASSED.

Public Hearing – Ordinance Amendment: Proposed changes to ordinances related to City Sewer Systems.

City Attorney, Brie Brass reported that on February 14, 2023, the City Council voted to amend Syracuse City Municipal Ordinance 4.10.130 updating regulations to non-gravity sewer systems allowed within the city. She advised that regulations in Title 8 and Title 10 work in correlation with the City's utility ordinances in Title 4, among them, the recently amended non-gravity sewer system regulation in 4.10.130. She indicated, due to the requirement that all subdivisions and any land uses or structures requiring sanitation work in accordance with Title 4, Staff is recommending there be a reference included in both titles to provide developers and property owners more clarity and transparency. She informed that the Planning Commission is the advisory body to the City Council for subdivision and land use text amendments.

Chair Hellewell opened the Public Hearing.

No public comment was submitted.

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Chair Hellewell closed the Public Hearing.

COMMISSIONER RUELAN MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF THE PRESENTED ORDINANCE AMENDMENT. COMMISSIONER SHEA SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Discussion/Motion – General Plan Map Amendment: Proposal by Earthworks, Inc. for an amendment to the Syracuse General Plan Map that will change Commercial and Low-Density Residential designations on approximately 1.08 acres at approximately 2751 S 1000 W to Industrial.

Noah Steele acknowledged that the Planning Commission held a public hearing for the item on February 21, 2023. He reported that the hearing was well attended with many residents expressing opposition to the action. He indicated that Staff and the Planning Commission discussed an alternative proposal which was to amend the map to commercial in anticipation of the Neighborhood Services (NS) zone rather than going Industrial. He explained that the Planning Commission tabled the item in order to understand more fully the new option of using the NS zone.

Noah Steele displayed an amended map, showing that the applicant proposes to expand the business' footprint by building a parking lot in the rear yard of the adjacent home to the south. The home would be subdivided off, retain the r-2 zoning, and be rented out. The existing business activities include retail sales of landscape material, tractor use to move and load materials, offices where administrative staff report, company truck parking, employee parking, salt storage, fuel storage, and snowplow storage. The snowplow portion of the business operates when the snow needs to be plowed which can occur at all hours of the day/night. He stated that Earthworks has been operating since 2017 on the site under the agriculture zone and the adjacent house is not zoned for these heavier uses. The agriculture zone is not a good fit for the expanding business. He surmised that the NS zone might be suitable.

Staff and planning commissioners reviewed the NS zone ordinance at length.

COMMISSIONER JOHNSON MOVED TO RECOMMEND THAT CITY COUNCIL DENY THE PROPOSED GENERAL PLAN MAP AMENDMENT. COMMISSIONER HUNTER SECONDED THE MOTION. COMMISSIONERS HUNTER, RUELAN, KENNINGTON, JOHNSON AND CHAIR HELLEWELL VOTED YEA. COMMISSIONERS SHEA, AND GALLEGOS VOTED NAY THE MOTION CARRIED.

5. Adjourn

AT 7:08 PM COMMISSIONER RUELAN MOVED TO ADJOURN AND PROCEED WITH THE WORK SESSION. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Planning Commission

City Staff

Date Approved: _____

Minutes of the Syracuse Planning Commission Work Session – March 7, 2023

Minutes of the work session of the Syracuse Planning Commission, held in Council Chambers and virtually via Zoom on March 7, 2023.

Present: Commission Members: Kenneth Hellewell, Chair
Keeth Kennington, Vice-Chair
Lonn Hunter
Scott Shea
Dennis Johnson
Ivy Ruelan
James King
Alan Gallegos

City Employees: Noah Steele, CED Director
Royce Davies, Senior Planner
Micheal Kerswell, Planner
Brie Brass, City Attorney
Golden Barrett, Fire Marshal

Chair Hellewell started the Work Session at 7:09 PM

1. Department Business

a. City Council Liaison Report

Councilmember, Paul Watson reported that the Council reviewed the Commission's recommendation for denial of a proposed rezone of UDOT surplus property along Antelope Drive in a work meeting.

b. City Attorney Updates

City Attorney, Brie Brass had nothing to report.

c. Upcoming Agenda Items

Staff and the Planning Commission reviewed upcoming agenda items:

- Mixed-use Development Preliminary
- Commercial Subdivision at 2000 W and Antelope Drive
- Site Plan – Kum & Go Fuel and Convenience Store
- Kennel Code Amendment
- Engineering Standards Update

2. Discussion Items

Cancellation of the Planning Commission meeting, scheduled for March 21st, was considered and approved. Senior Planner, Royce Davies conducted a ten-minute General Plan training session.

3. Commissioner Reports

Commissioner Ruelan reported that a Symphony Homes representative offered kudos to the Syracuse City staff and Planning Commission for exemplary service and planning comprehension.

4. Adjourn

AT 7:25 PM COMMISSIONER HUNTER MOVED TO ADJOURN THE WORK SESSION. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Planning Commission

City Staff

Date Approved: _____