

Minutes of the Work Session meeting of the Syracuse City Council held on January 28, 2020 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Lisa W. Bingham  
Corinne N. Bolduc  
Dave Maughan  
Doug Peterson  
Jordan Savage

Mayor Mike Gailey  
City Manager Brody Bovero  
City Recorder Cassie Z. Brown

City Employees Present:

Administrative Services Director Steve Marshall  
City Attorney Paul Roberts  
Police Chief Garret Atkin  
Fire Chief Aaron Byington  
Parks and Recreation Director Kresta Robinson  
Community and Economic Development Director Noah Steele  
City Engineer Brian Bloemen  
Administrative Intern Brittany Morgan

The purpose of the Work Session was to receive public comments, discuss the following Planning items:

1. Proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 1283 W. 1700 S.
2. Proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 817 W. 1700 S.
3. Request from Councilmembers Savage and Maughan to discuss component of the Mixed Use (MU) zone ordinance.
4. Request to open the Syracuse City General Plan for property located at approximately 2015 W. 1900 S., to change the General Plan land use designation from Commercial to Low-Density Residential.
5. Continued discussion of recommendation from Planning Commission to amend Syracuse City Code section 10.30.020 (B) pertaining to building materials.
6. Application for text amendment to Section 10.75 of the Syracuse City Code pertaining to Planned Residential Development (PRD) projects.

Discuss a proposed Paramedic Billing Agreement; continue discussion of the potential acceptance of District Three water shares for development within Syracuse City; discuss proposed amendments to Title Four pertaining to culinary water meters, fire service lines, storm water retention, and land drains for mixed-use development; discuss City Council assignments and the status of various committees; conduct the Parks and Recreation Department Biennial Review; hear public comments; and discuss future agenda items/Council announcements.

Councilmember Teague provided an invocation and Councilmember Bingham led the audience in the Pledge of Allegiance.

### **Public comments**

George Hosford commented on the proposed development of the Holt property for apartments; he supports apartments in Syracuse, but not at that location. His ideal location would be along the Legacy Parkway Corridor as it will offer proper buffers for existing homeowners. He compared his proposal to the development of apartments at Farmington Station and the new development on the old Swan Lakes Golf Course property in Layton, both of which have large open areas and bike paths to buffer apartments from single family homes. The developer of the Holt property have mentioned the construction of eight-foot concrete walls for screening and buffering, but that is a poor buffer between apartments and other residential uses. However, eight-foot concrete walls are good for amateur graffiti artists. The congestion that will come from apartments and new businesses will add more than 700 vehicles to the intersection of 1475 West and Antelope Drive. Children living in that area as well as other pedestrians will be at danger. The lot is not large enough to properly accommodate apartments and will create restricted access to Antelope Drive and 2000 West. The solution is a townhome development and with a 50-foot south side buffer, the developer can profit while protecting the quality of life for existing

residents. This is a viable compromise between the developer and Syracuse residents. He noted Councilmember Savage met with some of the homeowners in the area and spoke of holding his vote until the developer can move dumpsters from the south side to the east side of the development. This sends the message to residents that the Council has the ability to refuse rezoning until the developer provides two things: a 50-foot south side buffer for the existing homes and the requirement to build townhomes and businesses with no apartments. He asked that the Council support the residents who voted to elect them over the financial desires of developers.

Jim King stated he is a resident of Sunset Park Villas and he and a group of citizens are opposed to rezones for high density development, which the Council will be discussing under items two through five on their agenda tonight. They have previously sent emails and letters including numerous reasons to deny the rezone requests; these residents want the Council to have ample time to discuss those agenda items at length and, therefore, they have not shown up in mass tonight as they have chosen to have a few citizens voice the concerns expressed. He stated they request a Council vote to deny the rezone of 5.29 acres of property at 817 W. 1700 S. to allow mixed use development for the following reasons:

- 1000 West and Antelope Drive is already a high traffic area and allowing high density with ingress/egress onto Antelope Drive will only increase the number of auto accidents in the area. He has asked the Police Department for a report of traffic accidents in this area and there were 50 accidents in one year; 29 were at the intersection of Antelope Drive and 1000 West, seven were at 867 W. 1700 S. near McDonalds – the access for which will be joined to the access for the apartments.
- When there are accidents on 1700 South the injuries and damage are generally substantial as the speed limit on the road is posted at 45 miles per hour. There is a large amount of heavy vehicle traffic and there are two lanes of traffic in each direction. If high density apartments are approved, they will add more cars and trucks in the area.
- If the rezone request is approved, the added traffic on Antelope Drive plus the added flow of traffic through an already crowded parking lot in and around Smith's, will be problematic.

He concluded that for Syracuse City's first venture into high density housing, he wondered why they are considering the node surrounding 1000 West and Antelope Drive. This proposed use is not harmonious with surrounding uses and he wondered what image visitors entering the City coming west on Antelope Drive will have when they are welcomed by three story apartment buildings along an already crowded Antelope Drive.

Cathy Palmer stated she also resides at Sunset Park Villas and she has been a real estate broker for 32 years. She checked on apartment complexes in the area to determine affordability and she was shocked by the information she gathered. Apartment complexes are not the way to go if the City is trying to create affordable housing; the one car garage townhomes in Stoker Gardens that have three bedrooms, 2.5 baths, and are larger than any three bedroom apartments cited in the documentation she has provided to the Council are renting for \$1,350 to \$1,400 per month. Apartments rent from \$1,485 to \$1,666 per month. There is a townhome currently listed on the market for which she has provided the Council with three different loan scenarios: with 100 percent financing, the payment on the townhome would be lower than any of the rents she found for apartments. The rent problem is so bad that the Utah Legislature is seriously considering a legislative bill regarding rent control. She noted individual owners of townhome or single-family properties rent their units for far less than apartments; this can be because they cannot offer the same amenities as an apartment complex, but they also do not have high overhead fees. Corporations managing apartment complexes raise their fees and rents every year; some even raise their rents every season depending upon demand. She stated her own son owns two townhomes in Stoker Gardens; one has been rented to the same tenant for 4.5 years and he has never raised her rent. She finds that landlords keep their rents low if they have good tenants. She stated she recently spoke with Steven Anderson, West Haven City Engineer and Planner, about the 1,252 apartments built in their city over the last several years. All are properly buffered and on large main corridors that can handle the increased traffic. The best location for high density housing in Syracuse is along the State Road (SR) 193 Corridor or near the West Davis Corridor route. Those are the only places in the City that can handle a huge increase in traffic. If the Council approves this prospective project and other projects in the vicinity, traffic will be a nightmare. She noted that the Utah Department of Transportation (UDOT) does not have plans to widen roads in the area. The real problem with the proposed projects is the cost of the land; the builder must build the greatest number of units possible in order to pay the cost of the land asked by the owner. Over several years, several people have approached the property owners about developing, but they have not been able to pay the high cost of the land.

Judy Wimmer stated she lives in Sunset Park Villas and she has two very big concerns; it is her understanding that the complex on 1000 West and the complex on Antelope Drive will be sharing amenities. She is concerned about children living in the developments that want access to amenities at both projects because the only way to get between the other is through heavy traffic areas – specifically through the Smith's grocery store delivery area – and this is a tragic accident

waiting to happen. She then noted that she cannot imagine the City would consider building apartments on Antelope Drive; she begged that the Council not approve a project that will add to the congestion that already exists in that area.

Terry Palmer stated each time an apartment complex has been proposed in the City, he has been opposed to it. In the past the City fought against projects like the Davis Technology Economic Cooperative (DTEC) because of concerns over a high-density housing component. He stated he is still opposed to apartments and he does not like the idea of Antelope Drive being bordered by apartments, but he does like the idea of owner-occupied developments. This includes products like townhomes. A few years ago, the greatest housing density allowed in the City was five units per acre, but these proposals are seeking close to 50 or 60 units per acre. He is very disappointed in the Council for allowing those changes as he thinks they destroy the idea of what Syracuse is; it is a suburb and place to build a home without worrying about traffic congestion. He suggested the construction of more homes and townhomes to provide housing in the community.

John Cole stated that he is a Syracuse resident and also a lending officer at Weber State Credit Union. The Credit Union recently purchased lot two in the Shadow Point Subdivision and the new building will be located right next to the three-story apartment complex and pool according to the project renderings. He stated the Credit Union is extremely concerned about restricted visibility of their new facility given the height of the buildings and the fact that they will be built so close to the road; they also do not desire to be located next to a pool. As a citizen, he echoes the support for owner occupied units or townhome projects; rental units are currently not affordable, especially those that are larger. He added that a mixed-use project does not make sense in this area. He has children that cross Antelope Drive to get to Cook Elementary School and he is concerned about the potential increase in traffic on that road. He concluded home ownership benefits the community greater in the long run when compared to aiding developers to increase their bottom line.

Antoinette Hosford stated her greatest concern relates to traffic congestion; it is already difficult to get in and out of her neighborhood when kids are crossing Antelope Drive at 1475 West and added traffic will increase the danger for pedestrians crossing there. Some residents in her neighborhood have already put their home up for sale because they are concerned about the proposed development and allowing a three-story apartment building adjacent to existing single-family neighborhoods would be unsightly. She noted she moved to Syracuse because it was a nice beautiful town and if the City wants it to remain that way, they should be pursuing development that is aesthetically pleasing and welcoming. She is unsure that apartment buildings and businesses are appropriate for Antelope Drive and this type of project will lower property values for others in the area. The project will create more crime and traffic congestion and reduce safety for the children and others living in Syracuse.

Joshua Bowen stated he is a high school student who resides in Syracuse; he loves this community and wants to stay here as an adult and that means he needs to have access to affordable housing. The U.S. Census Bureau reported a near 40 percent housing cost increase since 2015 and in 2018 the national average cost of housing was \$229,000. The average housing cost in Utah is over \$300,000; this means that the cost of housing needs to be reduced if people in his generation want to reside in Syracuse. This means that more high-density housing is needed along with ownership options. Apartments are key in solving this issue and access to this type of product will allow him to stay in this community.

Dustin Robertson stated he lives southeast of the property where the apartment complex has been proposed. He is a young parent with two little kids and crossing Antelope Drive is already very difficult. Before long, his kids will be crossing that street and if for some reason – because someone wants to ‘make a bunch of money’ – his child is hit by a car, that will not ‘do well for him’. He stated he would appreciate if the Council votes to deny high density housing. He appreciates Mr. Bowen’s position on this issue; Syracuse is a great place to live and that is why he purchased a home here one year ago, but apartments should be placed in an area that can support the amount of traffic associated with such a project. He noted 1000 West is very congested and it can be very difficult to turn onto Antelope Drive during commute hours; if apartments are built where proposed, the additional traffic will travel through his neighborhood on residential streets and put the residents there in danger. He stated he would appreciate if the Council would avoid these problems.

Sam Peel stated he is a retired Master Sergeant in the U.S. Air Force; he chose to move to Syracuse when he retired because he considered it to be ‘suburbia heaven’; putting high density apartment complexes in the City will ruin property value for everyone present tonight. He urged the Council to vote to deny the proposed projects and think about citizens who voted to elect them. He urged the Council to base this denial vote on the dramatic increase in traffic that will negatively impact existing residents. He stated he would support townhomes, but not apartments. He understands Mr. Bowen’s position, but it would be more appropriate to locate apartments in another area of the City that can handle the traffic, such as near the West Davis Corridor route.

Keith Bourgeois stated he reviewed the updated General Plan document, entitled Vision 2050, and noted that his lot and others near him would qualify for Planned Residential Development (PRD) zoning if the minimum lot size were reduced. He encouraged the Council to maintain the existing regulation for a minimum lot size for PRD development to avoid future ‘headaches’ for the City.

Vern Madel stated he lives on Alison Way and when he built his home in 1986 he was told the first 500 feet setback on Antelope Drive would be reserved for commercial development. He has seen some development, but has often wondered why some of the property has not been utilized as it was originally intended. The City needs an infrastructure that will support continued growth, such as increased public safety staffing and resources, and he has concerns about what may happen in some of the areas where apartments have been proposed. He has seen stories on the news about issues that arise and he has seen graffiti painted on buildings; certain groups of individuals have no respect for people and their property and he believes there will be an increased crime rate based on the people that will be drawn to the area to try to profit from the people who live there. He urged the Council to stop and reconsider these applications and consider better options that would be better suited for the area. He asked Colleen Dahl why she did not sell her property for the liquor store because he would have personally preferred that use in his backyard as opposed to an apartment building.

Alan Clark stated he and his family moved to Syracuse when there were just 3,000 residents; it has changed dramatically since that time, 30 years ago. He served as a member of the Planning Commission and eventually the City Council when the Sunset Villas project was proposed and, ironically, there was just as much upheaval about that development as there has been about this new proposal. He noted the City Council and Mayor must recognize that change will occur in the City; regardless of the manner in which the properties in question will be developed, they will not remain vacant for much longer. He asked the Council to use their wisdom, knowledge, understanding, and their vision for the City to make sure that whatever is built on this property will benefit the City today as well as five, 10, 15, and 20 years into the future. There is so much that can be done and he is only asking that the Council is carefully considering the merits of the proposal rather than responding to frenzy; he asked the Council to lead the City and make those decisions that are proper and correct.

Mike Counsellor stated he lives just south of the proposed apartment project on 1475 West. The Council has heard concerns about traffic and that is his main concern; if 300 apartments are built on the subject property with no planned outlet onto Antelope Drive, vehicles will be forced to enter and exit the project on 1475 West. This would be a monumental catastrophe waiting to happen. He stands with others who have suggested relocating the proposed apartment use to other areas of the City that have greater ability to handle increased traffic. He also agrees that townhome projects would be more appealing and reduce potential traffic congestion implications. He referenced an ongoing project on 2000 West across the street from the Wendy's restaurant; this is a three-story apartment building that is located very close to the street and would give the Council a good idea of how the feeling of Antelope Drive would change if apartment buildings that are three-stories in height are allowed there. This would be an eyesore and a bad location and he urged the Council to use their wisdom and forethought to develop apartments in a place that is much more appropriate and will set the right tone for growth. The schools in the area also cannot handle the growth and this is an issue that should be investigated and considered in addition to the other negative implications that have been raised this evening.

Amy Durrans stated she lives on 1475 West and the project that has been proposed would be located in her backyard. She has many concerns and she understands that if the Council approves the requested zoning, the plan that has been submitted for the project will also be approved. She noted this plan has many components that are not acceptable, such as the minimal buffer between existing single-family homes, increased traffic, dangers for pedestrians crossing Antelope Drive, school overcrowding, and the potential for the commercial component of the project to be vacant given the lack of demand for commercial space in the City. She asked if the project must be high density and noted she agrees with others who have recommended a townhome project rather than an apartment project. She stated there is surely a better place for this project and she asked that the Council not approve the zone change tonight as doing so would also be approval of the proposed project plan.

Hildy Slocomb stated she agrees with those that have spoken before her regarding traffic concerns and noted she feels that the project plan does not include adequate parking space; this means that residents will be parking on the street. Schools are overcrowded and she wondered how that will be addressed as there is not space to build another school in the area. She agreed that apartments should be relocated to another area that has ample space for things like another school and improved infrastructure.

Rebecca Mann stated she is a mom of four kids and next year three of them will be attending Cook Elementary School; this project is very concerning to her because it is already scary for kids walking to school in the area. Next year Cook Elementary will be the most crowded school in Davis County and this project will add to that problem; the school is amazing and the staff is doing everything they can to handle their student population and she can not see how they can handle more. She appreciates Mr. Bowen's comments about the need for more affordable housing in Utah; she also wants her kids to live here when they are grown, but the subject properties are not the right area for this type of project.

Casey Durrans stated he lives next the Holt property and he wished to echo the concerns that have been raised by the residents who have spoken tonight and during previous Planning Commission meetings. He cannot speak for everyone, but

this project will impact him and his family in a very personal way; they moved to Syracuse because it is a wonderful community and when they moved to their home they assumed the Holt property would eventually be developed in a residential manner. However, they did not believe it would be used for this type of project. He does not want to move, but he feels his hand is being forced because they do not want to live next to a high-density development. He addressed the audience and indicated that this is a public hearing and their opportunity to voice whether they are for or against the proposed projects; if those opinions are not voiced, the Council does not know how the residents feel. City Council members were elected to work for the residents and if the residents do not tell them how they feel, the Council cannot know those feelings.

Dale Jensen stated he lives behind Cook Elementary School and he is concerned about the proposed density of the housing projects. When Antelope Drive was designed, it was not intended to handle this type of density. It was most likely planned for more single-family housing. He is a creature of habit and he does not want things to change, though he understands there are many others who are embracing change. He acknowledged there is a housing problem in the State of Utah and he thinks Syracuse should be part of solving that problem and providing housing for current and future generations, but that can be accomplished by providing more townhomes and other housing options. The developer is incentivized to pursue the highest density possible because that translates to higher profits. He does not fault the developer, but encouraged the Council to consider what is right for the whole community and determine the best atmosphere for Syracuse. The proposed development will create parking issues for the surrounding area; there is not enough parking on-site and residents and visitors will be forced to park on street in front of other homes. This has occurred in other communities and it has been very problematic.

Mike McBride stated he lives near the Glen Eagle Golf Course, which he developed and owns; he also developed 670 homes around the golf course dating back to 1995. Prior to that time, he served as a member of the Planning Commission for eight years in the 1980's; when he was a member of the Planning Commission and there are proposals for housing development in the community, many residents complained that development in general would ruin Syracuse. If the Planning Commission and City Council at that time had listened to the public clamor, most of the people in attendance tonight would not be living in this City because the land would have been preserved for farming. He urged the Council to consider all sides of an issue and the issue that he has heard repeated tonight is the need for the proposed projects to be well planned. The Council must consider the landowners needs and desires and compare that with what fits best in the area; the City has undertaken general planning efforts to determine how Syracuse should look in the year 2050 and the proposals that have been made for the two properties in question fit within that plan. He urged everyone to take a look at the General Plan and consider the studies that were conducted to inform that document. The Council should consider all input rather than the most vocal input; progress will occur and if planning is done right, the City will have adequate transportation and space in schools to handle growth. Many more people want to come live in Syracuse, just as existing residents chose to move here over the last 30 to 40 years.

Sue Larsen stated she recently moved to Syracuse and lives southwest of one of the proposed project areas. When she bought her home, she thought she was moving to a great community. It was her understanding that the vacant property would be used for commercial purposes and there was no information about these potential projects. She is very unhappy and believes this project will impact her property values, though she will likely pay more in property tax to pay for the increased public safety needs of the City due to this project. She cannot sell her home because she will take a \$20,000 loss and she would not feel right selling to someone that will be bordered by skyscrapers. The Council should be concerned about people that are already living in the community. Some people may already be in a situation where they cannot afford additional housing costs and they also cannot sell their homes because of these proposed projects; this means they are trapped in their situation. She has also heard that the proposed projects will be classified as Section Eight housing, which is accessible to low income individuals. She hopes that is not the case because that will dramatically reduce property values and that is unfair.

John Fisher stated he lives on Alison Way and the proposed project would abut his backyard. He moved to the City 30 years ago and at that time there was still a great deal of farmland; however, he moved to the City because of the quality of the community. He has watched the area be built in around him. He moved away to Okinawa and chose to come back because of the tight-knit community. He does not blame developers for wanting to build, but the Council needs to take the voice of the community into consideration. The master plan for the community should be adjusted for the benefit of all residents, not just a select few. He stated Joshua Bowen is a fine young man that lives in his neighborhood; he wants him to have a place to live when he is an adult and he thinks that if the community is planned well, there will be affordable housing. He stated he does not feel the proposal is a good fit for the area; it is not wise to place large apartment complexes right next to single family dwellings. He may be supportive of townhomes to achieve a reduced density. He does not feel the current plan is appropriate as the developer has not addressed appropriate buffering or screening.

Talen Lewenburg stated the proposed apartments would be constructed just up the street from his home. He feels there is a need for apartments in Syracuse, but this is not the right place. The subject property is too small and the plan does

not provide adequate parking; he does not want his neighborhood becoming a giant parking lot. Apartments should be built in other areas, such as along SR 193 or near the West Davis Corridor. The space on Antelope Drive should be used for commercial or lower density residential development; high density housing should not be placed there.

Paul Watson stated he will be speaking primarily about the development proposed for the property near Smith's grocery store, but many of his concerns would also apply to the development further to the west. He is concerned about traffic and after meeting with the developer, he has not been able to address those concerns. He lives on Bluff Ridge Drive and the traffic from the proposed project will infiltrate his neighborhood and become a safety concern. The City needs to look no further than its General Plan to determine how to respond to these proposals; the Plan states "the City's preference is to remain a predominantly bedroom community, maintaining the majority of housing stock as single family dwellings. The City acknowledges that as population increases, a broader of housing types will be needed and desired by residents. Basement apartments and backyard apartments, also known as accessory dwelling units (ADUs), are viewed as a preferred way of providing housing options while also giving a financial boost to homeowners. Townhomes are another acceptable option, but should be limited to locations along arterial roads and major intersections. Townhomes are generally preferred over apartments; apartments could be an appropriate use is allocated adjacent to existing commercial along State highways or the West Davis Corridor. Attached housing is not wanted unless it is designed well to match the architecture and building heights of surrounding developments." He noted that three story apartment complexes on Antelope Drive do not meet this statement. He noted he realizes this is not a project the City pursued, but rather one that was presented by a developer; the City must consider the purpose of the mixed use zone, which was "to provide traditional neighborhoods where residents can work, play, shop, and live and that are strategically designed to create a symbiotic relationship by allowing for a combination of commercial and residential uses. These neighborhoods are meant to boost the City's daytime population, which is anticipated to support local business and increase sales tax revenue. This zone will be the most urban atmosphere within the City and projects within the zone are anticipated to provide context sensitive architecture, art, entertainment, convenience, alternative housing types, affordability, and active lifestyles through recreation amenities on-site and improve sidewalk connections to destinations off-site. Residential uses may be applied to existing commercial areas or commercial uses inserted into existing residential areas if the goal is to increase jobs and/or increase sales tax and the development scale is compatible with its surroundings." He noted the proposed developments do not offer any of the components called for in the zoning regulations; they are multi-family projects with a sprinkling of commercial. Places where this project would be more suitable include locations near the West Davis Corridor or along State highways; in other communities, this type of project is anchored around public transit infrastructure. He concluded he does not feel the proposed projects will serve to bring the community together.

Melvin Glenn stated he has lived here since 1997 and is a retired Master Sergeant from the U.S. Air Force; he decided to move here for multiple reasons, but mainly because the community is a great place to raise children. He has seen Syracuse make a few mistakes; one was related to the construction of a Gold's Gym that eventually closed and the building is now being rehabilitated for use by another gym. He then noted that he is aware of many traffic and pedestrian accidents in the area and his own wife was hit by a car on Antelope Drive; he tries to avoid Antelope Drive when leaving his neighborhood because of the traffic and high rates of speed. He feels there is a hidden agenda behind these apartment projects and that relates to taxes; the City is losing R.C. Willey this year and there is an interest in replacing the tax revenue that will be lost. If 50 units are built on the subject properties rather than 10 or 20 townhomes, the City will receive greater tax revenues. He noted he retires from Hill Air Force Base (HAFB) in three years and he feels this area is turning into "California-east"; most of the people in the audience tonight will not be able to afford their taxes if Utah continues to develop as it has been recently. His taxes in Syracuse have nearly doubled since he moved here in 1997; it will only continue to increase. He stated there are very few places to eat in the City and too many fast food restaurants; businesses that have considered moving here, such as Costco and Home Depot, have gone elsewhere and the City has lost out. Now the City will approve apartment projects to increase tax revenue.

Tony Brown stated this project will impact him as others who have spoke tonight; he is concerned about how the City's infrastructure will handle this dramatic growth. He has a child that walks to Cook Elementary School and he is concerned about his safety. He will have a view of the projects from his front porch and that is also very concerning. He asked the Council to look at the proposed projects from all viewpoints and come to a conclusion as to whether this is good for the community.

Katie Bush stated the strong economy in the State of Utah is attracting new businesses and residents. She understands many who are concerned about this growth, but they should also ask themselves if they have friends and family who desire to move here who are contributing to the problem. She encouraged everyone to keep an open mind and asked the Council to look for projects that will house people who live and work in this community. She does not believe the Council wants to see a high-rise building built in this area and she encouraged them to consider the most efficient and appropriate

way to provide affordable housing options. She feels that this type of project would be more appropriate on streets that can handle the increased traffic and have open space that can be used for services to accommodate the growth. She noted other cities are allowing growth and they are thriving while Syracuse City is not thriving; the Council should determine the best use of undeveloped land and it is a fact that all of Davis County needs more high-density housing. The City must be thoughtful in planning the use of vacant land.

Ryan Christensen stated he lives on Alison Way and his biggest concern is the same as has been expressed by many others; this includes the lack of affordable housing in the community and he does not believe that the proposed apartment projects will provide affordable housing. However, they will increase the traffic congestion in the area. He does not think three-story apartment buildings are appropriate for Antelope Drive and if this type of product is needed, they would be more appropriate in other areas of the City. He stated he attended the Planning Commission meetings regarding these projects and the developer indicated that retail uses on the subject properties would generate more traffic than an apartment complex, but he does not accept that argument. The traffic associated with apartments would be during peak hours while retail uses would not generate traffic during commute hours.

Micah Price stated that he lives south of the proposed projects and his greatest concern relates to infrastructure. When the Tivoli Way project was completed, water pressure in the area decreased and traffic increased. He asked if roads will be widened and elevated pedestrian bridges built to accommodate kids walking to Cook Elementary. He added that he understands the draw to mixed use projects, but if businesses were interested in coming to this area, why have they not come already. He asked what Syracuse is offering businesses to locate here and why R.C. Willey is living. He asked why Costco and Home Depot chose not to move to the City. Planning has not happened well and this means that the City has not expanded as others have. He asked how infrastructure improvements will be funded. He has lived in Davis County his entire life and he will never move further south because of traffic congestion and he asked what plans Syracuse City has put in place to ensure that congestion does not occur here. He referenced existing businesses in the Shadow Point Shopping Center and indicated they do not get a great deal of business; there are many spaces that are vacant and he relates this to a lack of proper planning.

Trent Barney stated he likes the idea of younger generations moving to Syracuse when they are adults. His first home was in Syracuse and if he had lived in an apartment, he would not be in the situation he is in today, which has made it possible for him to sell his home and build a future home in Syracuse. The argument that a \$1,200 rent payment for an apartment is affordable is flawed. He moved here because he loves the small-town feeling; his first year in Syracuse he saw a person on a horse at the Ice Berg restaurant. If the apartment project is built by his home, he will be negatively impacted and he will do everything in his power to move it to another location.

Scott Gandy stated he has lived on 1475 West for about 12 years and since the closure of Alison Way he has noticed an exponential increase in traffic on his road. He would ask the Council to consider the manner in which the increase in population density will cause traffic conditions to worsen. He asked if studies have been done of the current traffic conditions and if traffic enforcement is available. He asked the Council to consider these issues before making a decision.

Mayor Gailey thanked the residents who spoke tonight and commented on the impact that public input has on the City Council. He clarified, however, that this was not a public hearing; rather, the Council entertains public input at each of its meetings regarding any subject. He stated that the projects that were reference throughout public comments will only be discussed briefly tonight by the City Council; this is the first time that the Council is being presented with information about these projects and they were only provided with documentation regarding the projects last Thursday. No decision will be made tonight as this is a work session meeting. He will facilitate discussion among the Council regarding these projects as well as the general regulations of the City's Mixed-Use Zone. He then stated that Councilmember Savage has asked that item c.4 be considered at this time out of courtesy for the applicant for that item.

**Request to open the Syracuse City General Plan for property located at approximately 2015 W. 1900 S., to change the General Plan land use designation from Commercial to Low-Density Residential.**

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the application:

Location: 2015 West 1900 South  
Current General Plan: Commercial  
Proposed General Plan: Low-Density Residential  
Total Site Area: 1.25 Acres

The applicant Trent Barney has requested that the City Council open the General Plan Map to allow a change from Commercial to Low-density Residential. The intent of the General Plan Map amendment would be to rezone the property from Professional Office to R-2 Residential and build two single-family houses.

According to the City Code, the General Plan Map is closed to modification except for during the amendment period as follows: (b) For general plan map amendments, commence on January 1st on odd-numbered years.

Because 2020 is an even year, the General Plan Map is closed which requires the City Council to consider the following: (3) The Council may, after proper notice, authorize the consideration of the applicant's amendment outside of the open amendment period only if any of the following apply:

- a. Significant changes to arterials or infrastructure by agencies other than the City, and which were contrary to the assumptions in the current general plan;
- b. Catastrophic events, such as natural disasters or conflagrations;
- c. The Council finds that the proposed development has the potential to confer a substantial benefit on the City; or
- d. The request for authorization was submitted to the Community and Economic Development Department prior to 5:00 p.m. on March 15, 2016.

If the City Council determines that the proposal to amend the General Plan Map meets the above criteria, the proposal will run concurrently with the rezone request through the approval process.

The current General Plan designation for this property is Commercial which allows for the following zones:

1. General Commercial (Retail-Focus)
2. Professional Office (Office Focus)
3. Mixed Use (Residential With Office or Retail Commercial Required)
4. Neighborhood Services (Low-Intensity Retail-Focus)

The General Plan designation of Low-Density Residential would allow for the following zones:

1. A-1 (Agriculture)
2. R-1 (Single-Family Residential at 2.3 Units Per Acre)
3. R-2 (Single-Family Residential at 3 Units Per Acre)
4. R-3 (Single-Family Residential at 4 Units Per Acre)
5. Cluster (Single-Family Residential at 2.3 Units Per Acre)
6. RPC (Single-Family Residential at 5 Units Per Acre)

The property is in the Professional Office Zone and the currently planned use for the property is the expansion of the Raintree Assisted Living center located to the east of the subject property. The project has had trouble taking off, and the landowner apparently is willing to sell.

Potential alternate uses in the Professional Office Zone include:

1. Administrative and executive offices
2. Animal Clinics
3. Churches, synagogues, and temples
4. Financial planning, investment planning, real estate, and general business offices
5. Marriage and family counseling services
6. Medical and other health facilities
7. Professional nonretail services
8. Professional offices (for lawyers, engineers, and architects)
9. Animal hospitals
10. Optical shops
11. Preschool centers
12. Public and quasi-public buildings
13. Temporary commercial uses

Most of these uses provide opportunity for daytime population, business investment, and a draw for visitors from outside Syracuse. This property is also located within the Town Center Overlay which normally requires a development theme for new buildings, but where two single-family houses are proposed, this would not be required. The proposed General Plan designation of Low-Density Residential only supports residential zones which eliminates the possibility of business investment on the property if the rezone is completed.

The proposal to create two single-family lots of over one-half acre in size is not in character with the surrounding neighborhood. The nearest lot over one-third of an acre is over 800 feet to the north and is a historic property on Antelope

Drive which has been subdivided down to its current size over several decades. Properties of the proposed size are much more in character with the periphery of Syracuse, not in the downtown area.

Mr. Steele reviewed the staff memo.

Councilmember Savage stated that applications for General Plan amendments outside of the open period are generally heavily scrutinized, but in this case, the applicant simply wants to build a single-family home on the property and he asked that the Council join him in supporting the application. Mr. Steele added that this action is considered a 'down-zone' which is typically less controversial as the use that is being pursued is less intense than what is allowed by the current designation.

Mayor Gailey polled the Council to determine whether there was support for forwarding this issue to the Planning Commission for their consideration and recommendation. Councilmembers Teague and Bingham supported moving the application forward. Councilmember Maughan stated he is not opposed to the use proposed by the applicant, but he does not feel that allowing the amendment during the General Plan closure period is allowed according to the rules in the City's ordinance. Mr. Steele stated he would recommend the Council rely upon the rule that allows for opening the General Plan based upon the development having the potential to confer a substantial benefit to the City. Councilmember Maughan stated he feels that is a liberal application of that rule; any person could claim that them residing in the community creates a substantial benefit. He stated that the General Plan change is very minor. Councilmember Bolduc agreed that the application is not allowed outside of the open period and this has caused her to question whether the ordinance should be amended. Councilmember Maughan agreed and stated that he would be supportive of considering an amendment to the rules that prohibit this type of amendment outside of the open period. Councilmember Savage agreed that the application is likely not permitted based upon the current rules. The Council ultimately concluded to consider an amendment to the rules in advance of considering the application outside of the open amendment period. Mayor Gailey asked that staff refer that matter to the Planning Commission and solicit a recommendation.

Councilmember Maughan asked that the Mayor move to item c.3 on the agenda to provide the Council with an opportunity to discuss the Mixed-Use (MXD) ordinance in advance of discussing applications for assignment of that zoning designation.

### **Request from Councilmembers Savage and Maughan to discuss component of the Mixed Use (MU) zone ordinance.**

Councilmember Savage explained he feels that a mixed-use zone makes great sense for the City and the zoning document that is currently in place has great potential, but he feels that it is vital for mixed-use developments to be well-planned in order for them to be successful. In talking with residents and developers he has discovered some areas of the zoning ordinance that are lacking. In talking with developers, there seems to be a sense that they are expecting the commercial or business component of a mixed-use development to fail or be vacant for at least a few years. To compensate for that matter, they have increased the density of the residential component of the project. He does not favor that approach and has expressed that to the developers. In response, the developers have communicated to him things that they would like to be allowed in a mixed-use development, including businesses with drive throughs, the creation of a vacant pad dedicated for future commercial use, or some credit for nearby commercial uses.

Councilmember Maughan added that the two MXD applications on tonight's work session agenda are the first two that the City has received since creating the zone and for these applications he does not see a true mix of uses. He would have a hard time preserving the current zoning ordinance if it does not accomplish what the City desires. Last week he attended International Builders Convention and there was a lecture regarding failed mixed-use projects resulting from people trying to force uses where they just do not fit. He stated he feels that some of the reason for the response the City has heard to these two applications is that uses are being forced where they are not appropriate. He would like for the Council to discuss those concerns further. If the Council feels that the type of product that has been proposed is suitable for Syracuse City, they should consider an actual apartment zone that does not require a commercial component. He stated he is not suggesting this is the best course of action, but approval of the projects that have been proposed would be creating more problems than would be solved. He stated he would like to review the City's MXD zone ordinance to determine if adjustments need to be made to address certain problems.

Councilmember Teague stated unfortunately he was not part of the discussions regarding the initial creation of the MXD ordinance. He agrees that continued review of that ordinance may be appropriate to address the issues that have been identified as a result of the two MXD applications. He needs more time to understand the intent of that zone and whether the

applications that have been filed reflect that intent. This type of project will have long term effects on the City and it is appropriate for the Council to take time to thoroughly vet these applications and determine whether adjustments to the zone are warranted before approving the applications.

Councilmember Bingham agreed with Councilmember Teague. She noted it was her opinion that the reason for creating an MXD zone was to incentivize increased commercial development; there is an understanding that roof tops are needed to support commercial development, but compelling a developer to build certain types of commercial uses may result in unintended consequences. She indicated she supports considered review of the zoning ordinance.

The Council and staff then engaged in philosophical discussion and debate regarding the type of commercial or retail uses that should be required in the zoning ordinance. This included discussion of the manner in which the MXD zone has been interpreted that led to the development of the two MXD zone applications. City Manager Bovero indicated it would be helpful for the Council to provide staff with a specific list of issues they would like for staff to research before the next discussion of this item. Feedback provided by the Council included design of the commercial space (whether it is vertical or horizontal in nature); the appropriate mix or ratio of commercial and residential uses; architectural standards; a definition of the term 'adjacent' for the purposes of requiring certain development criteria for buildings adjacent to differing land uses; address buffering and scaling requirements; and asking for feedback from developers regarding their experience with past successes in mixed use developments.

City Attorney Roberts briefly explained the legislative process in regard to zoning ordinance adoption or amendment and how that relates to action on a zoning application; if the Council were to approve a zoning application and then later adjust the zoning ordinance, the application would be entitled to proceed with the site plan that was approved. At this point, neither application is vested and the Council has the ability to consider amendments to the zoning ordinance before acting on the applications.

**Proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 1283 W. 1700.**

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the application:

Location: 1283 W. 1700 S. (West of Dollar Tree)  
Current Zoning: A-1  
Proposed Zone: Mixed Use Development (MXD)  
General Plan: High Density Residential  
Proposed Lots Original Plan: 16  
Proposed Lots Revised Plan: 390 lots

Applicant Logan Johnson with Wright Development is proposing a rezone to Mixed Use. Please consider the following items:

- The proposed change is consistent with the general plan map.
- Concept plans and building elevations have been submitted with application as required.
- Zoning map amendments are subject to the following approval standards found in ordinance 10.20.070(E) - match character of existing development, adversely affect adjacent property, adequacy of facilities and services.
- The Planning Commission held a public hearing for the item on 12/17/19. After receiving numerous comments from neighbors, the Commission tabled the item to give the applicant a chance to gather additional information and make changes to his plan. The concerns expressed were related to traffic, the school crossing on Antelope, buffering of light and noise, and mitigating other impacts the development may have to existing residents. The applicant returned with a modified plan that changed the orientation of buildings so no balconies faced the neighbors, additional trees along border, reduced density from 318 to 305, and added a pool. The PC further reviewed the item on January 7th and is forwarding a conditional recommendation for approval with a vote of 4-2. The recommendation for approval stands only if the developer can secure formal approval from UDOT for the direct entrance to Antelope, conduct a traffic study, strengthen the south border buffer with a cement wall, increased planting, and solve the 'alley' concern behind the garages. Also, to move the trash dumpsters away for Antelope, and away for the southern border, and lastly to reduce the 'adjacent' southern buildings to be 2 story max.

The memo concluded the goals of this discussion are to review the Planning Commission's recommendation and determine whether the proposed use is in keeping with the approval standards for a rezone.

Mr. Steele reviewed his staff memo.

Logan Johnson with Wright Development provided his response to the Council's earlier discussion regarding the viability of the City's mixed-use zone. He stated that it is his general attitude that no zoning ordinance is perfect, but he feels the proposed project can work and will be successful. The current plan may include some odd components, but that is the case with every mixed-use project he has ever completed. He is confident that if the Council proceeds with amending the zoning ordinance, there will still be unintended consequences that result in odd components being included in a qualifying project. He stated he believes the project will benefit the City and strengthen neighboring commercial uses; it will include commercial elements that will not be extremely strong, but he would not label them as failures or 'dead weight'. He has considered live/work units and soft commercial uses and he believes there is a clear path forward with the current zone, especially for the property he is developing. He feels the proximity to existing commercial will give the project a great chance to succeed. He would prefer that the Council provide him with feedback regarding necessary adjustments to the site plan rather than rewriting the zoning ordinance. He stated that Wright Development is committed to being a good partner with the community and existing residents. He then asked for permission to review his application and respond to issues raised during the public comment period. He addressed the need for buffering between the apartment building and the south property line and noted he feels that the design is consistent with the zoning ordinance. He feels that the current definition of 'adjacent' is somewhat ambiguous and his legal counsel agrees. He noted the density is 21 units per acre, not 50 as mentioned in the public comment period. He agreed with those who spoke about the need for different housing products that will give younger generations the ability to live close to home when they are grown. He stated the site plan does include an outlet onto Antelope Drive, though there seems to be some confusion about that. A traffic study has been completed and traffic counts were lower than he anticipated; the rating given to the level of service for the nearby intersection was "B" and the proposed development would not impact that rating.

Councilmember Savage asked if the Utah Department of Transportation (UDOT) has approved the access point on Antelope Drive. Mr. Johnson indicated final approval of the access will not be granted until the site plan has been finalized and approved by the City. He stated he would be extremely surprised if that approval is not granted. He then noted the parking ratio on the site is two stalls per unit, which is higher than any other project he has completed in a suburban market recently. He feels the site is a great candidate for the MXD zone because of its close proximity to a signalized intersection, public transit options, and other commercial uses. He then noted that he has adjusted the plan in response to the feedback provided by the Planning Commission.

Councilmember Maughan stated he does not believe the live/work commercial units satisfy the intent of the MXD; if this type of product is approved, a precedent will be set and he does not believe the City will see any future mixed-use project that includes traditional commercial uses. He desires commercial uses that serve the greater community.

Councilmember Bolduc stated she feels Wright Development can build a successful mixed-use project, but her greatest concern relates to the definition of the term 'adjacent' for the purposes of facilitating proper buffering between this type of project and existing single-family homeowners. Mr. Johnson stated that he is willing to comply with a more technical interpretation of the City Code; he could adjust the site plan to locate two story buildings in areas that are more acceptable by the Council and residents.

Councilmember Savage stated that the City has not seen interest from some of the large commercial retailers referenced during the public comment period and that is why the MXD zone was created; the Council saw a need to use vacant land wisely. However, he does not believe a multi-family residential complex complies with the zoning ordinance. He wants the project to include commercial uses that will benefit people that live outside of the project. He wants businesses that will provide jobs for people living in the community. He wants the developer to make money on their project, but he wants everyone living around the project to benefit as well. It is necessary for the City to wisely plan for the use of the property in a way that is responsible and meets the needs of the City. He likes the concept and believes that people living in the development will be great members of the community, but he would like for the plan to be adjusted to address the concerns that have been raised.

Councilmember Teague thanked Wright Development for their willingness to listen to the feedback of the community and adjust their plans accordingly. He noted there has been a lot of misinformation spread about this project and that has caused some concern among residents. He feels those concerns can be addressed, but noted that he would still like additional time to thoroughly consider the applications and to better understand the intent of the City's MXD zoning ordinance.

Councilmember Bingham stated the design of the townhomes are a welcome homage to the farmers and families of the City and she would like for that design to continue in the apartment complex to provide a more cohesive product. She

added that the commercial spaces in the project seem to be scattered and she would like for the plan to be adjusted to make those uses more central and easily accessible by visitors. She would also like appropriation transition between uses and building heights. A three-story building next to a single-family home is very jarring and the Council must protect existing residents against that type of scenario. However, a three-story building next to Antelope Drive can be problematic as well.

Councilmember Savage stated that many roads in the area, such as 1000 West, already have heavy traffic levels and it may be necessary for the City to consider how to address those issues before proceeding with consideration of this project.

Mr. Johnson stated he is willing to accept an action to table continued discussion of this application until the Council has the opportunity to participate in a thorough review of the MXD zone to determine if this proposed project meets the intent of the zone.

### **Proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 817 W. 1700 S.**

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the application:

Location: 817 W. 1700 S. (East of Smith's)  
Current Zoning: A-1  
General Plan: Commercial (allows MXD, GC, PO, or NS)  
Acres: 5.29

Applicant Nate Swain with Blacksmith Development is proposing a rezone to Mixed Use. Please consider the following items

- The proposed change is consistent with the General Plan Map.
- Concept plans and building elevations have been submitted with application as required.
- Zoning map amendments are subject to but not limited to the approval standards found in ordinance 10.20.070(E).

The Planning Commission reviewed the project and held a public hearing on December 3rd. After much opposition was expressed by the neighbors to the south, the project was tabled for further discussion. On Dec. 17, the discussion resumed and concerns about impacts to neighbors, buffering, traffic, utilities, schools, crime, and circulation were explored. The PC voted 5-2 to forward a recommendation for conditional approval to CC. The condition was that the north entrance onto Antelope drive be straightened out to more easily accommodate a fire apparatus. Since that meeting, the applicant has worked with the fire department to design an acceptable entrance configuration.

The memo concluded the goals of this discussion are to decide if the item needs more discussion in the next work session or if it is ready for a vote on the next business meeting.

Mr. Steele reviewed his staff memo.

Nate Swain with Blacksmith Development stated that one of the issues he is dealing with on his project relates to the size and shape of the property; it makes it difficult to lay out a mix of uses in a functional way. Additionally, the location of the access onto Antelope Drive is fixed and UDOT will not allow for it to be relocated. This forces the joint use of the access for McDonalds and the liquor store as an access point for the project. He stated one of the major concerns expressed by the residents of Sunset Park Villas is that the project will encroach on their privacy; he has gone to great lengths to change the orientation of the buildings so that the living spaces of the apartment uses – and specifically the balconies – do not look down into the adjacent single-family properties. He has also included additional landscaping that will provide a dense foliage buffer that will hamper vision and sound. He hopes that his design is viewed as meeting the intent of the ordinance, specifically the definition of the term ‘adjacent’ for the purposes of buffering. He then noted that one thing that is beneficial for his site is that is very close to existing commercial uses; this will encourage walkability. He feels the elements he has discussed are strong arguments for the project and its viability.

The Council expressed concerns regarding this project that were similar to the concerns regarding the previous application. Councilmember Maughan specifically addressed concern about the lack of traditional commercial uses in the project.

Councilmember Bolduc inquired as to the distance between the apartment buildings and the southern property line. Mr. Swain stated it is approximately 79 feet. Councilmember Bolduc stated that she appreciates Mr. Swain's efforts to change the orientation of the buildings on the site to protect the privacy of adjacent single-family homes.

The Mayor polled the Council to determine if they feel they can act the two MXD applications without adjusting the MXD zoning ordinance. All Councilmembers indicated they feel it is appropriate to first clarify the zoning ordinance before

providing the applicant with direction regarding adjustments that need to be made. This led to discussion of the timeline as the Council wished to the applicants with an expectation for when action may be taken on their application. The Council directed staff to include a discussion item on a special work session agenda for February 11 to allow for review/consideration of the MXD ordinance. City Attorney Roberts indicated that an adjustment of the ordinance would require a recommendation from the Planning Commission.

**Continued discussion of recommendation from Planning Commission to amend Syracuse City Code section 10.30.020 (B) pertaining to building materials.**

A staff memo from the Community and Economic Development (CED) Department explained David Lewis employee of homebuilder D.R. Horton has applied to amend our Brick Rock Stone ordinance. Currently, the ordinance says that the front of a home must be covered with either 75% brick, rock, or stone when accompanied with stucco, or 30 % brick, rock, stone when accompanied by cement fiber board. D.R. Horton argues that current styles such as the 'modern farmhouse' style is all cement fiber board and that their clients don't want brick, rock, or stone on those style homes. They also argue that our standards inflate the cost of homes.

Municipalities have the legal right to require certain materials and even colors as it is claimed that building materials can have a direct connection with health, safety, and welfare. Some cities choose types of materials strategically to create a unified brand. For example, Park City has wood beams. Centerville has grey rock. Midway has white stucco with wood beam giving a swiss theme. It has been argued that building materials have a direct connection to property values, protection from local climate patterns, economic development, and even intangibles such as 'making a nice place to live'.

D.R. presented the proposed amendment to City Council on Oct. 22 and not unanimously, it was decided to have Planning Commission provide a recommendation on this potential ordinance amendment. On November 5, Planning Commission reviewed the topic and held a public hearing. On November 19, A motion to approve the ordinance amendment was passed 6-1. However, there was some confusion expressed by two commissioners who mis-understood the vote. Even if those two would have dissented, the vote would have resulted in the same result, but instead with a 4-3 vote. On Dec. 10, 2019 City Council reviewed the item in their meeting and decided to table it for additional discussion. Much debate occurred about what materials would be required on the side of the home and if a 'return' or 'sweep' would be required and if yes, how many feet, etc. Please find attached the recommended ordinance, and an info packet from DR Horton.

The memo concluded the goals of this discussion are to review the proposed language and provide input to staff if any changes are desired and decide if the item should go on another work session or to the next business meeting for a vote.

Mr. Steele reviewed the staff memo.

Councilmember Teague stated he is not concerned about the implications of the Planning Commission's recommendation. Councilmembers Bingham agreed and stated she feels cementitious fiberboard is a high-quality product and she supports the use of it in construction in Syracuse.

Councilmember Maughan stated he attended a recent International Builders Conference and he actually learned that cementitious fiberboard is considered to be a medium-quality produce rather; it is used as an alternative to brick, rock, and stone because it is less expensive. If the Council chooses to allow cementitious fiberboard with the premise that they are lowering the current building standards, that is fine; however, he does not want the action to be based on a finding that cementitious fiberboard is a higher quality product than brick, rock, and stone.

Councilmember Bolduc discussed the three options for an ordinance amendment provided by the Planning Commission. She wondered if the reduction in the percentage requirements will serve to reduce the quality of a residential building. She feels option three is the best option and that all matters relating to building material percentages should be addressed in one section of the ordinance. Councilmember Savage agreed and stated that he is unsure why all design standards are being reduced. He is comfortable allowing cementitious fiberboard for home construction, but wondered why the is the only product that a builder would be required to wrap around the building when other products, such as brick, are not required to be wrapped around the side of a home for a specified return distance. He is not in favor of the current proposal provided by the Planning Commission as he feels the current design standards are being lowered, but he is in favor of allowing cementitious fiberboard. If it is true that faux brick, rock, and stone are of the same quality as cementitious fiberboard, the same standards should be applied to those products as are being applied to cementitious fiberboard. This led to high level discussion among the Council regarding appropriate standards for different building materials allowed for residential construction. Mr. Steele noted the Planning Commission was comfortable allowing cementitious fiberboard based on the fact that it is just as durable as faux brick, rock, and stone, but is less expensive and can contribute to measures aimed at providing more affordable homes in the community. Councilmember Bingham stated that she is not suggesting that the

percentage of certain building materials be dramatically reduced, but she feels that allowing cementitious fiberboard is responsive to development trends and will allow residents building a home in the community to design a custom home. She would support language that would allow 100 percent cementitious fiberboard on the front of a home with a two-foot wrap around corners of the building – or full wrap for homes on a corner lot. But, she does not accept the argument that a different style of home in a neighborhood would reduce the quality or value of that neighborhood. She can find million-dollar homes around the State of Utah that are fully wrapped in cementitious fiberboard. Councilmember Savage agreed and stated that he feels that the requirement to wrap a product around the corner of a building should be applied to all materials that are of a similar quality as cementitious fiberboard. Councilmember Maughan stated he can accept that standard as well. Mr. Steele stated he can use this feedback to adjust the proposed ordinance language provided by the Planning Commission and include an action item on the next business meeting agenda for further discussion.

### **Application for text amendment to Section 10.75 of the Syracuse City Code pertaining to Planned Residential Development (PRD) projects.**

A staff memo from the Community and Economic Development (CED) Department explained Nate Swain with Blacksmith Development has submitted an application to amend the city PRD ordinance. Specifically, in relation to ordinance 10.75.050 (B) that reads 'A planned residential development must have a minimum of 4.5 acres.' The City recently reduced the acreage requirement from 5 acres down to 4.5 in early spring of 2019. Mr. Swain is requesting that the acreage be reduced down to 3 acres. Not coincidentally, Swain is interested in developing an approximately three-acre site on 1000 W south of Smith's as townhomes. The applicant argues that the site is a good location for townhomes and that the acreage is sufficient for open space, parking, and the units. The general plan has designated this location for 'Medium Density Residential' which would allow PRD zoning following a rezone approval, which Swain has also applied for. A minimum project size restricts the number of locations that the PRD zone can be applied to. Perhaps this was the city's goal in the past to limit multi-family development. Another site that staff has been receiving inquiries about for townhomes is located west of Walmart that is approximately 3.5 acres. Prior to constructing any PRD development, a zoning application would need to be approved which is a legislative decision at the discretion of City council following a recommendation by Planning Commission. Also, after rezone, the PRD project would go through a site plan approval if rental, or a subdivision process if condominiumized. This text amendment would not be site specific as it would affect the PRD zoning ordinance regulations on the books and any rezone applications for a specific site would be considered independently.

On December 10, 2019 the City Council reviewed this item and decided that it would direct Planning Commission to take a closer look at this request. They expressed concern that removing or reducing the acreage would allow a townhome project to be approved in the middle of a single-family neighborhood. Staff clarified that if such an application were proposed, being a legislative act, could say no without fear of legal repercussions. Regardless, the Council would like to see 'location' qualifier language in the proposed ordinance. Planning Commission reviewed the item on December 17, 2019 and January 7, 2020. They are forwarding a unanimous (6-0) recommendation to adopt the attached language. Goals of Discussion Review the ordinance language being forwarded from Planning Commission. Decide if the item should come back in another work meeting for additional discussion, or be placed on the next business meeting for a vote.

Mr. Steele reviewed his staff memo.

Nate Swain of Blacksmith Development indicated that the property that spurred this application is located adjacent to the property for which he has applied for MXD zoning; the owner would like to sell both properties at the same time and he felt that PRD zoning would be appropriate for the three-acre parcel. It will provide buffering between commercial and four-pod single family residential uses in the development to the east. Without having an actual physical plan to consider, it is difficult to understand the implications of an action to reduce the minimum acreage to three acres; he presented a plan with his application for the text amendment in order to illustrate how the project will function on a three-acre property size. He feels there is good flow, the density is reduced, and the impact on the area is far less than if the project were developed for single-family residential or commercial uses. Even if the City decides to reduce the minimum acreage, the Council still has the authority to withhold assignment to the zone for properties upon which a PRD development would not be harmonious with its surroundings. This includes infill parcels in the middle of single-family residential neighborhoods. He stated he hopes his plan will communicate to the Council that a PRD product is acceptable on a property that is three-acres in size.

Discussion among the Council centered on connection between the amenities in both the PRD and MXD proposed projects. Mr. Swain stated that residents of the two communities will have access to the amenities in both developments as they will be operated and managed by the same property management company. Councilmember Bingham stated many residents have expressed concern regarding the lack of adequate connectivity between the two communities; they are

concerned about children walking across parking lots or alleyways to access the other community and she shares this concern. Mr. Swain stated that residents will not be permitted to use the alleyway behind Smith's; pedestrians will be asked to use the sidewalks in the area, but he anticipates that most people will drive between the two communities. There is adequate parking on both sites to accommodate increased visitor vehicles.

Councilmember Bingham stated that when the Council decided to set the minimum acreage for a PRD project at five acres, this was a compromise between some who felt eight acres should be the minimum size while others felt two or three acres was acceptable. Councilmember Maughan stated he is strongly opposed to reducing the minimum acreage; every time there is an attempt to complete a project like this on a small parcel of ground, the thing that is sacrificed is safety. He is concerned with the number of units in the two projects that would be using very small access ways. He noted that both access points are on 1000 West and if there were a catastrophe that rendered 1000 West impassible, the residents of these developments would be stranded. Mr. Swain stated that same argument could be made for any development that has just one access; if that is the basis of a denial of a text amendment, the subject property will be rendered undevelopable. Councilmember Maughan disagreed. Mr. Swain stated that if the project were used for commercial development, the traffic levels would be four times greater than what will be generated by a PRD project. Traffic safety is not exclusive to PRD or other multi-family projects. Councilmember Maughan stated the Council can only consider a plan that has been presented to them and he feels what has been presented is an unsafe plan and he is strongly opposed to considering the text amendment for that reason.

Councilmember Bolduc stated that residents in the area have expressed concern in the past when commercial projects have been contemplated for this property. She feels that a PRD project is more reflective of existing development in the area and, for that reason, it is a better option in her opinion.

Councilmember Savage stated that if the Council were to consider reducing the minimum acreage for PRD projects, it may be appropriate to require a reduced density per acre for smaller projects. He added that he feels that it is appropriate for the Council to consider what is being proposed because he wonders how the property will develop if the PRD zoning is not an option.

Councilmember Teague stated he would like to hear the opinion of professionals that can determine whether a project is safe before making decisions on the proposed text amendment. Mr. Steele stated there has not been an in-depth analysis of the concept plan provided by Mr. Swain given that this application is actually a request for a text amendment rather than consideration of an actual site plan.

The Council then discussed various types of development that could occur on the subject property, after which the Mayor polled the Council regarding their position on the request to reduce the minimum acreage for a PRD project. Councilmembers Bolduc, Bingham, Savage, and Teague indicated they are comfortable with a reduced acreage, with Councilmember Savage indicated he feels the density should be adjusted in a direct correlation with the size of the project. For example, as the acreage falls below five acres, the density for the project should be less dense. Mr. Swain stated that he is concerned about an adjustment in the density based on acreage for the project as he does not feel that a PRD project should be treated any differently than another type of residential project.

City Attorney Roberts advised the Council to try to consider appropriate regulations to be included in the PRD ordinance rather than focusing on the concept plan that has been provided by Mr. Swain for a specific property. Mr. Steele added that every site is unique and legislative decisions should be applied after evaluating the characteristics of each site. He understands the concern about certain projects, but the Planning Commission found there is no planning-centered reason to require a minimum acreage for the PRD zone. The Council has the ability to consider a zone application for any property in the City and deny zoning if they determine that the requested product is not right for the area. Mayor Gailey stated he supports that viewpoint and agrees with the Planning Commission that a minimum acreage is not necessary.

Councilmember Maughan stated that elimination of the minimum acreage will lead to the City receiving multiple applications for PRD projects on small properties; the Council can deny these applications over and over, but that could be avoided if a minimum acreage were in place.

Mayor Gailey asked Mr. Steele to bring the ordinance before the Council again in their next work session meeting for further discussion and debate regarding whether a minimum acreage of three or less should be included in the ordinance or if a minimum acreage should be completely eliminated from the ordinance. The Council indicated they would like to understand the number of properties in the City that could be developed for a PRD use if the minimum acreage were reduced to three acres. Mr. Steele stated he can provide the Council with that information; he suspects that PRD zoning would be applied for in areas that are designated for medium density land use in the City's General Plan.

The Mayor recessed the meeting and indicated it will reconvene in the Council conference room in City Hall.

### **Discuss Paramedic Billing Interlocal Agreement.**

A staff memo from the Fire Department explained Syracuse City bills for paramedic services on behalf of Davis County. This agreement determines a flat rate payment per paramedic transport to be paid to Davis County. The goal of this discussion is to review the interlocal agreement, provide an opportunity for questions and answers, and decide whether to add this item to the February 11, 2020 Council agenda for approval.

Chief Byington reviewed his staff memo. He noted that that negotiation of this agreement has been occurring over the last year since the City brought an ambulance on-line. He feels that the terms that have been negotiated are fair and reasonable. There was a brief discussion about dispatch practices and policies, after which the Council concluded they support execution of the agreement and advised staff to include it on the consent calendar for the next business meeting agenda.

### **Continued discussion regarding accepting District Three water shares for development within Syracuse City.**

A staff memo from the City Attorney explained the Syracuse City Code currently requires a developer to provide water shares to the City for its use in the secondary water system (SMC § 8.10.090(A)). Some land does not currently have water rights associated with it, although many parcels in the City or the City's annexation-planned area do have water rights. Acquiring water shares or rights from water companies is increasingly difficult. The Council discussed this matter on September 24, 2019 and December 10, 2019, and asked staff to further study the issue. Specifically, staff was asked to propose a percentage of a project for which an applicant could provide payment in-lieu, rather than an actual water share. Some changes in the ordinance from last time include:

- Including the known or estimated value of water shares in the City's calculation of the in-lieu-fee;
- An applicant's right to contest the calculated fee, if they believe that it is not roughly equivalent to the market value of the shares;
- Increases the number of years' fees that will be covered to 12 years, which renders the fee to be roughly equivalent to today's estimated market prices of Layton Canal shares.

A major change since the last draft is the removal of the requirement for two tiers of water users when those 12 years of payments run out. Instead, the users would be assessed the same fees as all users and the costs would be absorbed by the system. This is recommended based upon the small number of developments that will be utilizing this fee (less than 250-acre feet total), the administrative burden and cost of tracking and assessing the two systems, and the low burden that would result from absorbing the new users. Before enactment of this ordinance, staff will be required to coordinate with Weber Basin and ensure that the mechanism to acquire wholesale secondary water is adequate for these purposes. If it is not, then we would need to create a new agreement, which could take some time.

The memo concluded the goals of this discussion are to consider ordinance and overarching policy considerations and give direction to staff on whether to move forward with discussions with Weber Basin and whether to bring back the proposed ordinance amendment after doing so.

City Manager Bovero and City Attorney Roberts reviewed the staff memo and facilitated discussion among the Council regarding the concept of accepting District Three water shares; this included consideration of hypothetical situations whereby landowners or developers may try to sell traditional water shares independent of a property transaction in order to secure approval of dedicating District Three shares upon development of said property. Mr. Roberts indicated that the City would need to do due diligence to determine if the landowner had transferred water shares within the last five years in order to turn a profit and provide District Three shares at a lower cost. The Council indicated they are comfortable with the process provided in the staff memo and indicated they appreciate staff's efforts to address unintended consequences of this new policy. Mr. Roberts stated that before action should be taken by the Council, City Administration needs to work with the Weber Basin Water Conservancy District (WBWCD) to evaluate the implications of this ordinance and ensure that District Three water shares can be accessed.

Mike McBride suggested that assessment rates for District Three water shares be flexible rather than defined because it will be necessary for the City to respond to increased rates for access to the shares once they have been dedicated by the previous owner or developer.

The Council offered their support for Administration to work with WBWCD to determine a clear understanding between both parties dealing with the water shares before presenting an ordinance to the City Council for consideration.

**Discuss proposed amendments to Title Four pertaining to culinary water meters, fire service lines, storm water retention, and land drains for mixed-use development.**

A staff memo from the Public Works Department explained the recent enactment of the mixed-use zone creates some need to consider updates to water meters and fire lines. The State of Utah Division of Water Quality has a new requirement for storm retention that must be on ordinance by March 1, 2020 regarding retention of storm water on site. The engineering standards have had the requirement to install land drains in all developments that construct basements. This has been in the standards for several years. A resolution supports the standards. The ordinance does not specifically address this requirement. This was reviewed and approved by the Planning Commission on December 17, 2019.

The following outlines the goals of this discussion:

1. The ordinance for culinary water allows multiple users to be serviced by one service lateral and meter. This occurs in a few existing commercial and residential locations in the city. This makes it challenging for each tenant to know how much water they are using and the amount they should pay. If landlords choose to bill tenants a flat rate, they take a risk for not collecting on any high-water use. Users whose water bills are included in their rent and are not required to pay for their actual water usage, use on average 10 to 15 percent more water than those that pay for their actual water usage. Tenants that pay a flat rate to a landlord have no incentive to conserve water. Several states have passed legislation requiring all multifamily housing to be individually metered. There are also water purveyors offering rebates to customers to convert existing master meters to submeters. This ordinance change will also align with 5.2 of the City's Water Conservation Plan to adopt ordinances supporting the effort to conserve water by prohibiting waste.
2. Fire lines are installed with developments that require hydrants and building sprinklers on the private property according to fire code. The ordinance does not specify where ownership of the fire lines begin. Staff is also recommending requiring the owner of the fire line enter into a Fire Line Service Agreement with the City. This agreement will put in writing maintenance requirements and responsibilities of the owner so the City can continue to provide adequate fire service. An example of a Private Fire Line Service Agreement has been attached.
3. Utah Department of Water Quality (DWQ) requires all new developments to consider Low Impact Development (LID) techniques. An ordinance must be in place by March 1, 2020 requiring developments to retain the 80th percentile storm onsite, if conditions make it possible. To simplify this requirement, the City has created a Storm Water Quality Report (Attached) for the developers engineer to fill out to determine whether onsite storm retention would work and if so, what volume of retention is necessary and what methods can be used to achieve it.
4. Engineering standards currently require all homes with basements to connect to a land drain system. The ordinance does not specify the requirement, but resolution is in place that supports the engineering standards.

The following changes are proposed:

1. 4.15.250 Service lateral installation  
(F) ~~The service lateral shall supply water to no more than one buildingdwelling unit (meaning a building or portion thereof that provides separate and independent living, cooking, sleeping, and sanitation facilities for one family) or commercial unit (meaning a building or portion thereof that provides separate space for tenants operating independent from each other), except that where permission is obtained by the property owner from the City and as approved by the City Engineer. Connection of more than one building may be made to such a service lateral, if the property owner applying for the connection is the owner of all buildings connected to said service lateral. For the purpose of payment of fees required under the provisions of this chapter, each building which receives water service through a common service lateral shall be deemed to receive water service through a separate service lateral and the property owner shall be required to pay appropriate charges for each building receiving water service.~~
2. 4.15.250 Service lateral installation  
(I) Fire Lines servicing privately-owned land and buildings shall be considered service laterals. The city retains responsibility of the fire line from the main to the first valve. Beyond the first valve nearest to the main, is the responsibility of the property owner(s) that it serves. Developments proposing to install a fire line shall enter into a Private Fire Line Service Agreement with the city.

3. 4.40.110 Basic storm water management design criteria  
~~(C) General Policy. It is the general policy of the City to design storm water facilities as: Low Impact Development (LID) techniques shall be considered in developments. This includes consideration for storm water retention onsite at the 80th percentile storm event. Each development shall submit a Storm Water Quality Report completed and stamped by a licensed engineer to determine if conditions on the site can accommodate retention and to what level of retention is necessary. Any storm water that is not retained shall be detained prior to discharging storm water from the site into storm conveyances, or with approval of the City Engineer shall be conveyed by pipe the entire length from the development to the floodplain elevation. Any new storm drain outfalls to the floodplain must be approved by the City Engineer. Detention basins and piping shall be designed as follows:~~
  - (1) Storm water conveyance pipe at 10-year design standard.
  - (2) Detention basin capacity at 100-year design standard.

Local storm drainpipes and inlet structures shall be designed to convey the storm waters of a 10-year event totally within an underground pipe system. The storm water piping shall handle the 10-year event. All storm water calculations for detention shall be detailed to show that the entire area in consideration shall meet the requirement of 0.2 cfs discharge per acre developed. Some areas may be more restrictive based upon outfall capacities. Any storm water in excess of this requirement shall be detained.

(8) Low flows shall be considered in Low Impact Development techniques, but shall not create a health and safety risk to the public.~~designed to flow through the basin in a pipe, gutter, cobble, or similar material designed to carry a one-year frequency flow. The pipe size and material shall be a minimum 15 inches.~~
4. 4.45.020 Recognition of the land drain system  
~~(E) Any development proposing to install basements at an elevation lower than the nearest Top Back of Curb in that development shall be required to install a land drain system meeting City Engineering and Construction Standards.~~

Mr. Whiteley reviewed his staff memo. The Council indicated they are comfortable proceeding with formal consideration of the proposed ordinance amendments and directed staff to include an action item on the next City Council business meeting agenda.

### **Discussion regarding City Council assignments and the status of various committees.**

An administrative staff memo explained the process for considering annual Council appointments or assignments is defined in Syracuse City Code 2.45.030(C), which reads:

“Annual appointments shall be considered during a work session in January, followed by consideration of those presumptive appointees during the first regular Council meeting in February.”

The 2019 Resolution that was adopted to formalize Council appointments and assignments is included in the packet for reference. Mayor Gailey also sent this resolution via email to all Councilmembers encouraging them to review current assignments and determine if there are others they would be interested in being appointed to.

Additionally, the City makes appointments to local districts: North Davis Sewer District, Mosquito Abatement District, and Wasatch Integrated Waste Management District. Section 2.45.060 of the Syracuse City Code defines the process for considering these appointments as follows:

“(A) Prior to appointing individuals to any local district, the Council shall discuss the appointment in a work meeting, and schedule a public hearing to consider the issue at its next regular Council meeting or a special meeting.

(B) After conducting a public hearing, the Mayor shall open the issue to discussion among Council Members. At the conclusion of discussion, the appointment shall be made by motion, which must be supported by a majority vote. The Mayor may participate in the appointment action as a voting member.”

Councilmember Maughan is currently serving as the City’s appointee to the North Davis Sewer District. Councilmember Bolduc is currently serving as the City’s appointee to the Mosquito Abatement District. It is time for the Council to consider updated resolutions for these two appointments.

Mayor Gailey is currently serving as the City’s appointee to the Wasatch Integrated Waste Management District. The term of this appointment runs concurrent with his Mayoral term and, therefore, consideration of this appointment is not necessary at this time.

The following items outline the goals of this discussion:

- Review the 2019 assignments resolution to determine any changes that should be made for 2020.
- Discuss the City’s current appointments to local districts and determine who should be appointed to the North Davis Sewer District and Mosquito Abatement District Boards.

Mayor Gailey summarized the staff memo and facilitated discussion among the Council regarding the assignments and positions that have traditionally been held by Councilmembers. Each Councilmember voiced their desires to be appointed to various positions and Mayor Gailey directed staff to formulate a resolution for consideration during the February 11 business meeting to formalize the appointments.

**Parks and Recreation Department Biennial Review.**

This item was tabled until the February 11, 2020 meeting; a work session will be held following the regularly scheduled business meeting to accommodate the review.

**Public comments**

Cathy Palmer stated that she was somewhat frustrated during the business meeting discussion of the applications to assign the mixed-use zoning designation to two parcels of property; specifically, for the property on 1000 West, she interpreted the Council’s discussion of the application to mean that they do not believe there are any other good uses for that three-acre parcel. She stated that professional office land use would be ideal for that location because it does not create significant traffic levels. She then expressed concerns regarding the proposed apartment development specific to traffic flow through the McDonalds and liquor store parking lots. This could eventually lead to the closure of Smith’s grocery store. She added she was also frustrated by the fact that the public only had the opportunity to comment before the Council’s discussion of the applications and that is why she stayed late tonight to provide additional comments. She reiterated she has spoken with the planner from West Haven City and she visited apartment sites there; in that City as well as in Farmington, apartments are located next to large corridors or even Interstate 15. They have a walkway to public transit stations as well. This is not an option for development along Antelope Drive. She is a realtor and she is very familiar with the demand for high density development, but it should be located in an appropriate location, such as near SR 193 and West Davis Corridor. The root problem with the two parcels near Smith’s grocery store is that the asking price is too high and the only way a developer can turn a profit is to pursue high density development. Either the owner should be forced to hold on to his ground until the market catches up to his asking price, or he should lower his price for what the market can bear.

**Discussion of future agenda items/Council announcements.**

The Council briefly discussed their desire for future agenda items. There were also a few announcements regarding to upcoming community events.

The meeting adjourned at 9:30 p.m.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: March 10, 2020