

Minutes of the Syracuse Planning Commission Regular Meeting April 4, 2023

Minutes of the regular meeting of the Syracuse Planning Commission, held in Council Chambers and accessible via Zoom on April 4, 2023, at 6:00 PM.

Commission Members Present: Kenneth Hellewell, Chair
Keeth Kennington, Vice-Chair
Scott Shea
Dennis Johnson
James King

City Employees Present: Noah Steele, CED Director
Royce Davies, Senior Planner
Micheal Kerswell, Planner
Brie Brass, City Attorney
Brian Bloemen, City Engineer

City Council Liaison: Paul Watson

Visitors: Anna Willie, Ron Willie, Mark Scadden, Lisa Scadden, Jacob Briggs,
Lauren Szilagyi, Carol Szilagyi, Jessica Szilagyi

1. Meeting Called to Order

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

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

2. Meeting Minutes

The following minutes were reviewed by the Planning Commission:

- Regular Meeting & Work Session for March 7, 2023

COMMISSIONER SHEA MOVED TO APPROVE THE MINUTES FOR THE MARCH 7, 2023 REGULAR AND WORK MEETINGS. COMMISSIONER KENNINGTON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

3. Public Comment

None offered.

4. Agenda Items

Public Hearing – Conditional Use Permit: Revocation or suspension of a Conditional Use Permit for SwimKids home business at 738 West 2525 South in the R-2 Zone.

Senior Planner, Royce Davies reported that on December 7, 2021 the Planning Commission approved a major conditional use permit for Swimkids. The business would require use of 35.45% of the first floor (business are limited to 30% of any given floor of a dwelling) and up to 10 vehicles present at one time (only five driveway parking spaces were available). It was anticipated that there would be more than two customers per hour (the limit was two for a home business, unless otherwise approved by the Planning Commission).

He informed that after deliberation, the Planning Commission approved the conditional use permit with the following conditions:

1. The business must be reviewed in July, 2022.
2. The business may only have two customers per hour.
3. Customers and employees must only park in the driveway of the subject property or in front of the subject property. No business parking is permitted in front of neighboring houses or residential lots.

He indicated that during the follow-up review/Public Hearing, neighbors stated that the business was in violation of the conditions but no evidence had been collected by Staff to this effect. There was also some confusion about the process for revocation of a conditional use permit. The Planning Commission voted five in favor and one against the continuation of Swimkids in that meeting. An additional, annual review was scheduled at that time.

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1 In February of 2023, Staff received several complaints from neighbors of the business; as a result, staff
2 checked the parking during the months of February and March, finding that the business was in violation of their
3 Conditional Use Permit agreement.

4 He gave a rundown of the revocation process and affirmed that the business owner has been notified in writing
5 per City Code of the Planning Commission meeting to review the conditional use permit. He stated that it is the
6 purview of the Planning Commission to review the history of the conditional use permit for the Swimkids major
7 home occupation and determine if the conditions of the permit have been observed or violated - if Swimkids is
8 in compliance, the Commission may approve continued operation. If the business is in violation, they may
9 revoke the permit which would prevent re-application for the same use on the same property for one year from
10 the date of revocation. They may also suspend the permit which would cease business operations until a date
11 defined by the Commission.
12

13 Chair Hellewell opened the Public Hearing.
14

15 A neighbor to the east of the Swimkids location, Mark Scadden, indicated that he sent pictures of the unsafe,
16 on-street parking situation to Staff. He described hazards on his block attributed to constant business traffic.
17

18 Anna Willie echoed Mark Scadden's safety related concerns. She mentioned parking difficulties on personal
19 property due to the congested roadway. She reported littering by Swimkids students and their parents. She
20 noted ongoing noise nuisances in the neighborhood because of the business.
21

22 Lauren Szilagyi told of community coordination with the City toward a resolution of the matter at hand. She
23 contrasted the peaceful environment of her neighborhood with the relative chaos that ensues when Swimkids is
24 in session.
25

26 Chair Hellewell closed the Public Hearing.
27

28 Royce Davise read a letter from the property owner (from March 23, 2023):
29

30 Dear Council at Syracuse City,

31 I wanted to submit a statement for the upcoming meeting on our property, 738 W 2525 S, as I may not
32 be available.
33

34 Though specific data wasn't shared with me, the City recently brought to my attention that there have
35 been many complaints by several neighbors about the parking situation with Swim Kids. I did not know
36 the volume of the complaints. In fact, previously I had talked with many of the neighbors and while it
37 had been an issue for one in particular, many said it was not a problem, some even said they
38 appreciated the availability of the service for the kids. In consideration of the one neighbor, I tried to
39 make accommodations/changes so that I thought we had resolved the main issue that they were
40 having.

41 Over the last year I have received a couple of phone calls from the City and perhaps two or three from
42 neighbors. Two of the of the communications were about matters other than parking. In each situation
43 I spoke with Swim Kids or fixed the issue myself and believed those issues to have been handled at
44 the time. Understanding that never having a complaint would probably be unrealistic, I had hoped that
45 trying to be responsive to fix the issues as they arose would help.

46 I recently spoke with the Swim Kids management, and they were unaware that there were any
47 significant problems. They also thought they had resolved them as they came up to a satisfactory
48 level. They offered their apology.

49 Additionally, I, as well as everyone else involved, had been informed by Swim Kids several times that
50 their facility was near completion and that they would be leaving, so I thought the nature of the
51 situation was limited. However, the date continued to be pushed until the end of last month. The Swim
52 Kids have now discontinued operations at our property.

53 I now understand that it has been too much and too long for some of our neighbors, and it was never
54 my intent to be a nuisance. I want to offer my sincerest apologies and, as such, I don't personally want
55 to contest the permit, leaving that decision to the community.

56 My hope had been to let Swim Kids move on, let things rest for a long while, and then maybe do some
57 of our own lessons from time to time. But the scope of the traffic and parking patterns would be very
58 different from how it's been working with Swim Kids.

59 Previously, we had lessons for a couple of weeks during the summer from a teacher that had people
60 parking off the streets, over at the school, since school is out of session then. To my knowledge this
61 hasn't been an issue. I know that my wife would very much like to continue those as her relationship is
62 with that teacher and they trained our children. At the same time, she feels even more frustrated at the
63 current situation and does not wish to cause contention. I don't want to try to speak on her behalf any
64 more than I already have but feel some obligation to voice her thoughts. She may wish to do so more
65 on her own.

66 Again, sincerest apologies to any who have felt frustrated by the situation.

67 Respectfully,

68 Aaron Thornock
69
70

1 COMMISSIONER KENNINGTON MOVED TO REVOKE THE CONDITIONAL USE PERMIT FOR A MAJOR
2 HOME OCCUPATION CALLED SWIMKIDS, LOCATED AT APPROXIMATELY 738 W 2525 S – BASED ON
3 FINDINGS OF NON-COMPLIANCE WITH LICENSE AGREEMENTS AND CITY CODE NUISANCE
4 ORDINANCES. COMMISSIONER KING SECONDED THE MOTION. THE MOTION PASSED
5 UNANIMOUSLY.
6

7 **Public Hearing – Zoning Amendment:** Request from Boyer Development Company for a rezone (A-1 to
8 industrial) for property located at approximately 2500 W & SR-193, containing approximately 35.5 acres.

9
10 Royce Davies explained that the City has received an application to amend the established Zoning Map. He
11 acknowledged that the application has been noticed in accordance with Utah Open and Public Meetings Act
12 and conform to guidelines of the General Plan Map.

13
14 Community and Economic Development Director, Noah Steele outlined the purpose and intent of the rezone.
15 He confirmed that a traffic signal light will be installed on SR-193 at the access point of the site. He explained
16 how a future hospital development might align with the proposed industrial complex. He commented on
17 updates to the Transportation Master Plan that are underway. He indicated that a more detailed design will be
18 provided by the applicant when they submit for site plan approval.

19
20 Chair Hellewell opened the Public Hearing.

21
22 Jacob Briggs stated that he lives and farms on land to the southwest of the planned industrial project. He
23 voiced appreciation for ongoing efforts by the City to curtail the impact of traffic on his home and livelihood. He
24 requested that plans for future developments in the area be designed with attentiveness to maintain a rural
25 environment.

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27 Chair Hellewell closed the Public Hearing.

28
29 Chair Hellewell expressed his opinion that more information about the intended use, layout of structures and the
30 expected access configuration is needed before the zoning amendment can be adequately considered.

31
32 Noah Steele briefly described the applicant's premise for the development.

33
34 Commissioner Kennington commented on the access point into the intended industrial complex. He
35 contemplated segregating egress/ingress provisions for residential property that is located south of the project.

36
37 Commissioner Shea suggested that action on this application be taken in good faith - that appropriate zoning
38 requirements are in place and will be adhered to by the developer. He pointed out that the site plan will be
39 reviewed and subject to approval by the Commission prior to advancement.

40
41 Commissioner King reviewed General Plan Map guidelines associated with the parcel(s) in question.

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43 COMMISSIONER KENNINGTON MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF THE
44 PROPOSED ZONING AMENDMENT. COMMISSIONER SHEA SECONDED THE MOTION.
45 COMMISSIONERS KENNINGTON, SHEA, KING AND JOHNSON VOTED AYE. CHAIR HELLEWELL
46 VOTED NAY. THE MOTION CARRIED.
47

48 **Public Hearing – Engineering Standards Update:** Proposed changes to Syracuse City Engineering Standards.

49
50 City Engineer, Brian Bloemen conveyed and clarified the proposed amendments:

- 51 1. Added requirement the minimum pressure requirements in Utah Administrative Code
52 R309-105-9 per the Utah Division of Drinking Water requirements.
- 53
54 2. Updated bonding information to refer to City Code 4.05.070 Excavations.
- 55
56 3. Updated the sewer/land drain/storm drain video inspection requirements to conform to
57 current industry best practices and to make it easier for city staff to review videos.
- 58
59 4. Added Section 18.13 Street Signs. This section will require a 10-year warranty from
60 manufactures for street signs installed in the City.
- 61
62 5. Standard Drawing 21A, "Typical Secondary Pressure Irrigation Service", updated the
63 meter box, ring and cover part numbers to the most current model.
- 64
65 6. Standard Drawing 21B, "Typical Secondary Pressure Irrigation Service Connections
66 Larger Than 1-inch", updated the meter box, ring and cover part numbers to the most current
67 model.
- 68
69 7. Standard Drawing 23, "Street Light Installation Detail", updated the street light model to
70 the most current model number. Added a solar streetlight model to be used at the discretion of
71 the City Engineer. These streetlights are dark sky compliant.
- 72
73 8. Standard Drawing 24, "Culinary Water Sampling Station Detail", updated the sampling
74 station model to be all stainless steel to increase longevity. Changed the stop and waste to a
75 meter pit to better track water losses and install a back flow prevention device.
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Chair Hellewell opened the Public Hearing.

No comment was made.

Chair Hellewell closed the Public Hearing.

COMMISSIONER SHEA MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE THE PRESENTED ENGINEERING STANDARDS UPDATES. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

5. Adjourn

AT 6:58 PM COMMISSIONER JOHNSON MOVED TO ADJOURN AND PROCEED WITH THE WORK SESSION. COMMISSIONER SHEA SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Planning Commission

City Staff

Date Approved: _____