

Minutes of the Work Session meeting of the Syracuse City Council held on October 9, 2018 at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Dave Maughan
Doug Peterson
Jordan Savage

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

City Employees Present:

Finance Director Steve Marshall
City Attorney Paul Roberts
Public Works Director Robert Whiteley
Police Chief Garret Atkin
Fire Chief Aaron Byington
Parks and Recreation Director Kresta Robinson
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to accept citizen feedback regarding parking restrictions in the Gailey Farms Subdivision; and hear a request to open Syracuse City General Plan for property located at approximately 1600 West 300 South, applicant: Ninigret Construction Company.

Accept citizen feedback regarding parking restrictions in the Gailey Farms Subdivision.

A staff memo from the City Manager explained The City recently instituted parking restrictions within the Gailey Farms subdivision to address issues related to large volumes of automobiles parked within the neighborhood, mostly by students attending Syracuse High School. The restrictions in place include:

- No parking on the street on Monday-Friday during school hours in the months of August 20-June 10. All other times/days do not have the restriction.

The City also painted the curbs on corners to emphasize the legal parking distance from an intersection. The purpose of this agenda item is to receive citizen feedback on how they feel the restrictions are working.

Mr. Bovero reviewed his staff memo, after which Mayor Gailey invited public input from the residents of the Gailey Farms Subdivision.

Several residents commented to express their appreciation to the City for installing signage and painting their curbs red to prohibit on-street parking in front of their homes; however, there were some concerns expressed about the language on the sign, because it does not specify that on-street parking is allowed outside of school hours or on weekends/holidays.

Several additional residents expressed their frustration with the lack of notification they received from the City relative to the action to pain the curbs red and prohibit on-street parking; one resident indicated that an occupant of his home relies upon home health care and the professionals that come to his home to provide that service were confused by the new signs and red curbs. He indicated that they are required to park on the street by their employer. City Attorney Roberts indicated that the City has issued a certificate to allow on-street parking for this type of situation where a reasonable accommodation is warranted.

Discussion among the Council centered on potential improvements to the measures that have been taken by adjusting the language on the signs of possibly issuing permits allowing residents or their visitors to park on the street in front of their home. Mayor Gailey concluded that staff will research those options and provide any pertinent updates to the Council.

Request to open Syracuse City General Plan for property located at approximately 1600 W. 300 S., petitioner: Ninigret Construction Company.

A staff memo from the Community and Economic Development (CED) Department explained Ninigret Construction Company is requesting that the general plan map be amended from Business Park to R-3. The current zoning map designates the property as A-1 and would also need to be amended if this application is approved. The memo provided the following information about the application:

Location: 1600 W. 300 S.
Current Zoning: A-1
Current General Plan: Business Park
Requested General Plan: R-3
Property Area: 10.326 acres

Property Information:

The applicant, Ninigret, owns parcel 12-025-0027 which is 13.626 acres including the right of way for a portion of 1550 W. The northern 3.3 acres was recently rezoned to Business Park which is consistent with the general plan. In addition, the city has received a concept subdivision plan application to build on the northern 3.3 acres a two-lot commercial subdivision with a dead-end street stubbed to the west. It is anticipated that a mortuary will be built on the soon to be created corner lot. The remaining approximately 10.326 acres in question is what is being requested to go to R-3 General Plan and then subsequently R-3 zoning with the intent to build an 8th phase of Ivory Homes' Monterrey Estates. The neighboring parcel 50-acre parcel to the west possesses strong retail/commercial potential.

Zone Information:

The R-3 zone is a single-family residential zone that allows a minimum lot size of 8,000 square feet. If the property is developed as R-3 then there would likely be around 35 homes built which there is an immediate and strong demand for housing. However, single family housing may not be the highest intensity of investment that the property could attract. The Business Park zone is a zone designed to provide employment centers along high volume arterial streets and 'buffer the impacts of these streets from less intensive land uses'. General Plan Closed The general plan map is closed, and to make an amendment outside the open amendment period the council must find, by way of a super majority of four votes, that any of the following apply:

- significant changes to infrastructure by agencies other than the city,
- catastrophic events,
- or the development 'confers a substantial benefit to the community'.

If the council finds that any of the above applies, then the Planning Commission will review the application and forward a recommendation back to the City Council where a final vote will be made.

Significant changes to infrastructure:

SR-193 opened a few years ago but the designation of the property to Business Park zone was determined with that already in mind. The extension of 193 to 3000 W would qualify as a significant change to infrastructure, but the justification between the extension of 193 and changing from BP to R3 is weak. Usually, with increased traffic and road capacity the intensity of development increases, resulting in what is called an 'up zone' or changing zones that allow more building mass and density. BP to R3 would be considered a 'downzone'. The West Davis Corridor is another significant change to infrastructure but the same rationale could be applied to the downzone.

Catastrophic events:

Does not apply

Development 'confers a substantial benefit to the community':

This qualifying criterion could be defined a number of ways. One benefit to the community could be defined as filling a need for housing. There is no doubt that there is a need for housing based off the current market conditions. However, the site could attract more dense housing that would make the adjacent site more attractive for retail, or with time and if the city holds out, a flex office/warehouse use may be built with the BP zone.

No r-3 = no mortuary?

The developer has claimed in our previous meeting, the lower 10 acres is directly related to the upper 3 acres. We are told that the utilities of the southern portion are needed to service the commercial subdivision to the north. To further the assumption, if the southern R-3 infrastructure (roads, sewer, etc.) is not allowed by the city, the proposed mortuary allegedly would not be feasible. The proposal for a mortuary on the northern 3 acres will undoubtedly have benefits to the community because it will create jobs, property tax, and sales tax. The coffins and other items sold are required to pay sales tax and a small portion of that will be divided up and returned to the city. The building will be taxed by the county assessor and the city will receive money from that as well. The exact amounts are unknown, but the actual influx of tax dollars is most likely to be in the tens of thousands of dollars annually based off rough estimates. Number of jobs are likely to be in the range of 3-5. If the assumption that the mortuary would be built only if r-3 is allowed, then those benefits would be moderately attractive to

the city and would be at risk to losing. Some questions to consider are: If the city 'gives away' the B.P. for the mortuary, is there still enough space on the vacant land to the west to build the desired commercial uses? What are the chances that the mortuary will build regardless of what happens to the south of them? To the first question, please see the following paragraph. To the second, there is a chance that the project wouldn't happen if the needed infrastructure isn't available. If the mortuary has to spend the extra money to extend the needed infrastructure, then the quality of the building's finished may be reduced as a way to make up some of the un-anticipated expenditures which may reduce the property's tax value.

Can BP be relocated to the west undeveloped parcel?

If the city 'loses' the BP, is there still an opportunity to fit the use on the neighboring land? Staff has provided some scale analysis of commercial and BP uses (please see attached to this packet) The analysis pointed out that most non-regional shopping centers require around thirty acres, leaving another 20 acres for other development. Therefore, there is indeed enough space to fit a neighborhood retail center and BP or office or other uses. Staff does not recommend planning for additional single family into the adjacent property as this use occupies a lot of acreage and will limit its future commercial potential.

Why not BP?

The developer has claimed (see attached letter) that 'market condition realities' are not conducive to additional business park development on the 10.3 acres in question and points out that a newly built 17-acre Antelope Business Park located a half mile to the east is capturing current market demand. The developer also explains that the property has been marketed for the last four years as business park without success. The letter is included in the packet for your reference.

Alternatively, if the city were to keep the general plan as business park, the market demand for the use may take an unknown number of years before business park is developed. One thing to consider with the construction of a business park on the site, is that the daytime traffic could potentially create a conflict with the elementary school across the street. The geometry and acreage of the site may be the limiting factor in its ability to development as business park. Staff has provided some scale analysis into local business park properties and found that the geometry and size of the subject property is smaller than comparable business parks. It may need to be combined with the undeveloped property to the west that is owned by the LDS church to be feasible. Creating a partnership or purchasing additional land from the church could take years. The adjacent church property is prime real estate on the corner of two state highways and the city should take consideration to frame surrounding land uses to position ourselves for the highest and best investment for the site.

Staff recommendation:

Staff is in agreeance with the applicant that the market demand for business park on the subject 10 acres is not high. However, staff does not feel that R-3 is the highest use of the property in framing future development and attracting the intensity of development that the site is capable of. It is recommended, to consider entitling the property to a use that will attract the immediate infrastructure investment that will make the mortuary feasible. One such option is the PRD zone. Recognizing that the applicant is not asking for the PRD zone and also that the city prefers to keep the Business Park designation, but the market demand may not be there currently, a PRD zone designation is a compromise that may allow development with the same potential buyer while providing the needed infrastructure that will attract the desired commercial economic development opportunities.

Mr. Steele reviewed his staff memo and the Council accepted input from applicant, Gary McEntee with Ninigret. The Council then debated the merits of the request with a focus on the history of the zoning and General Plan designations for the property; the Council ultimately concluded they were not willing to consider the amendment at this time as doing so would reduce the City's ability to secure sales tax revenue generating opportunities for the community and also with the finding that the City currently has a significant amount of R-3 residential development.

The meeting adjourned at 6:57 p.m.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: November 13, 2018