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ORDINANCE NO. E 2020175 B 3632 P 324
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 SEP 27 11:16 AM FEE .00 DEP MJW
REC'D FOR SYRACUSE CITY

AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE 1700 SOUTH STREET REDEVELOPMENT PROJECT AS THE OFFICIAL REDEVELOPMENT PLAN FOR THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA.

WHEREAS, acting pursuant to the Utah Neighborhood Development Act, as amended (the "Act"), Utah Code Annotated, the Syracuse Redevelopment Agency ("Agency"), in consultation with the Syracuse City Planning Commission (the "Planning Commission"), and the Agency's staff and consultants, has caused to be prepared a Proposed Redevelopment Plan for the 1700 South Street Project (the "Proposed Redevelopment Plan");

WHEREAS, the Planning Commission has prepared and submitted to the Agency its Report and Recommendations on the Proposed Redevelopment Plan for the 1700 South Street Redevelopment Project (the "Planning Commission Report");

WHEREAS, the Agency has caused to be prepared and has approved the Agency's Report to Accompany the Redevelopment Plan for the 1700 South Street Redevelopment Project (the "Agency Report");

WHEREAS, the Planning Commission has been given the opportunity to consider the proposed changes in the Proposed Redevelopment Plan and the Agency Report;

WHEREAS, the City Council has considered the Agency Report, the Planning Commission Report, the matters contained in the record of the Hearing, and all evidence and testimony for and against the adoption of the Proposed Redevelopment Plan submitted to it at or prior to the Hearing;

WHEREAS, the Agency has determined in its Report that the Project Area is a blighted area and that the Project Area is restricted to buildings, improvements, or lands which are detrimental or inimical to the public health, safety, or welfare;

WHEREAS, the Syracuse City Council ("City Council") concurs in the findings of the Agency that the Project Area is a blighted area and that the Project Area is restricted to buildings, improvements, or lands which are detrimental or inimical to the public health, safety, or welfare;

WHEREAS, the Planning Commission and the Agency have recommended the adoption of the Proposed Redevelopment Plan with the modifications, if any, that have been incorporated by the Modification Resolution and the Agency has submitted the same to the City Council for action;

WHEREAS, the City Council has concurred in the modifications, if any, recommended by the Agency and the Planning Commission in the Proposed Redevelopment Plan, has made the recommended modifications in the Proposed Redevelopment Plan, and has overruled all objections to the adoption of the

Proposed Redevelopment Plan received by the City Council at or prior to the Hearing, whether written or oral, except insofar as such objections are the basis for the modifications recommended by the Agency and subsequently made by the City Council;

WHEREAS, the City Council has determined that the owners of less than forty percent (40%) of the area of the property included within the Project Area proposed in the Proposed Redevelopment Plan as modified (the "Official Redevelopment Plan"), excluding property owned by public agencies or dedicated to public use, made objections in writing prior to or at the hearing;

WHEREAS, the City Council finds and determines that the Official Redevelopment Plan would redevelop the Project Area in conformity with the Utah Neighborhood Development Act, as amended; that it would further the interests of the public peace, health, safety and welfare; that the adoption and carrying out of the Official Redevelopment Plan is economically sound and feasible; and that a number of other appropriate reasons call for the adoption and implementation of the Official Redevelopment Plan for the 1700 South Street Redevelopment Project (the "Redevelopment Project");

BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH

SECTION 100 Adoption of the Plan

The Syracuse City Council hereby approves and adopts the Official Redevelopment Plan for the 1700 South Street Redevelopment Project Area, which is the Proposed Redevelopment Plan as modified by the City Council to incorporate changes recommended by the Agency, if any.

SECTION 200 Legal Description

The legal description of the boundaries of the 1700 South Street Redevelopment Project ("Project Area") are as provided in Exhibit A to this ordinance, which Exhibit A is attached hereto and incorporated herein by this reference.

SECTION 300 Purpose and Intent of City Council

The purpose and intent of the City Council with respect to the Project Area are as follows:

- A. To reduce and eliminate existing blight and to prevent further deterioration within the Project Area;
- B. To facilitate new development of types and quality desired by the community;
- C. To encourage the businesses already located in Syracuse to renovate and beautify;
- D. To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, surrounding areas) and to prevent further deterioration within the Project Area.

SECTION 400 The Redevelopment Plan

The Official Redevelopment Plan, which incorporates modifications to the Proposed Redevelopment Plan recommended by the Agency made by the City Council, and the final Report to Accompany the Redevelopment Plan for the 1700 South Street Redevelopment Project, including the Report and Recommendations of the Syracuse Planning Commission on the proposed Redevelopment Plan for the 1700 South Street Redevelopment Project, are incorporated herein by this reference.

SECTION 500 Designation of the Redevelopment Plan as the Official Redevelopment Plan for the Project Area

The proposed Redevelopment Plan as modified and approved by the City Council is hereby adopted and approved by the City Council and is designated as the Official Redevelopment Plan for the 1700 South Street Redevelopment Project (the "Official Redevelopment Plan").

SECTION 600 Findings and Determinations of City Council

The City Council hereby makes the following findings and determinations:

A. Conditions of the Project Area.

1. Blight. In view of the various existing conditions described in the final Agency Report, and in light of the various findings made in and on the basis of the Agency Report, the Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes of the Act.
2. Detrimental or Inimical. In view of the various existing conditions described in the Agency Report, and in light of the various findings made in and on the basis of the Agency Report, the Project Area is restricted to buildings, improvements or lands which are detrimental or inimical to the public health, safety, or welfare.
3. Findings Not Exhaustive. Nothing herein shall be construed to imply that the Agency Report exhaustively describes all the facts and conditions that are the basis of the findings in the foregoing two paragraphs, and other additional justification for these findings may exist which have not been expressly noted.

B. Conformity with Utah Neighborhood Development Act and Other Public Purposes. The Official Redevelopment Plan will redevelop the Project Area in conformity with the Act, and in the interests of the public peace, health, safety and welfare in that:

1. It will enable the Agency to make financing alternatives available to parties electing to become participants in the Redevelopment Project and to developers, thereby providing necessary assistance for investment, redevelopment,

rehabilitation, and the elimination of blight within the Project Area;

2. It will help to prevent erosion of Syracuse City's economic base;
 3. It will help attract desirable businesses to locate and expand within the Project Area;
 4. It will facilitate revitalization and beautification of the Project Area;
 5. It will enable the Agency to help meet some of the infrastructure needs of the City of Syracuse which are important for revitalization of the Project Area; and
 6. It will contribute in a variety of other ways to the redevelopment of the Project Area in conformity with the Act, and to the furthering of the interests of public peace, health, safety and welfare.
- C. Feasibility. The adoption and carrying out of the Official Redevelopment Plan is economically sound and feasible in that the Official Redevelopment Plan, states that proposed pursuant to and in furtherance of the Official Redevelopment Plan will proceed and be carried out only if and when financing becomes available, and the financing of projects is primarily based upon the willingness of public and private entities to invest and develop in the Project Area.
- D. Conformity to Comprehensive Plan. The Official Redevelopment Plan conforms to the Syracuse City Master Plan, as amended, as more particularly shown in the Agency and Planning Commission Reports.
- E. Effects of Carrying Out the Redevelopment Plan. The carrying out of the Official Redevelopment Plan will promote the public peace, health, safety and welfare of the community, and will effectuate the purpose and policy of the Act in that it will promote and facilitate:
1. The elimination or reduction of blight in the Project Area:
 2. Measures which will prevent further stagnation, deterioration, and/or fragmentation within the Project Area:
 3. The attraction of desirable businesses into the Project Area;
 4. The revitalization and beautification of the Project Area; and;
 5. Other measures which will promote the public peace, health, safety and welfare and which would be consistent with the purposes of the Act.

- F. Relocation. The Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area in the event that the Redevelopment Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area, in that the Redevelopment Plan specifies that the Relocation Rules and Regulations for Implementation of the Utah Relocation Assistance Act for the 1700 South Street Redevelopment Project ("Relocation Rules") shall govern relocation of persons, businesses, and other entities displaced by Agency action. The Relocation Rules specify that "no person shall be required to move from his dwelling on account of any project of the Agency unless the Agency Governing Board is satisfied that replacement housing is available to this person."

SECTION 700 Availability of Replacement Housing

The Syracuse City Council is satisfied permanent housing facilities will be available within three years from the time occupants of the Project Area may be or are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. Moreover, the Relocation Rules, which govern relocation and persons displaced from the Project Area under the Official Redevelopment Plan as indicated in Section F hereof, impose a more stringent requirement. They provide that "no person shall be required to move from his dwelling on account of any project until the Agency and if the Agency Governing Board is satisfied that replacement housing is available to this person." Persons may not be displaced from property pursuant to the Official Redevelopment Plan unless or until this condition is met, and meeting this requirement assures (and shall be construed to require) that replacement housing be available in substantially less than three years.

SECTION 800 Participation Rules

This Official Redevelopment Plan shall operate subject to the Rules Governing Participation and Preferences by Owners, Operators of Businesses, and Tenants in the 1700 South Street Redevelopment Project.

SECTION 900 The Agency's Governing Board

As required by the Utah Neighborhood Development Act, as amended, and as specifically provided for in the Agency's bylaws, the governing body of the Syracuse Redevelopment Agency shall be of the same individuals who constitute the legislative body of the City of Syracuse.

SECTION 1000 Public Hearings

The Agency shall hold a public hearing on any proposed development within the Project Area with respect to which the Agency proposes to enter into a legally binding agreement (e.g., a participation agreement or a development agreement) that will obligate the financial resources of the Agency, including but not limited to tax increment financing. Prior to such public hearing, the Agency shall give such general public notice as the City would normally provided in connection with a hearing on a proposed zoning

change by Syracuse City Planning Commission. In addition, the Agency shall give notice to landowners whose property is located within 300 feet of proposed development in the Project Area covered by this Section 1000. This notice shall be provided in the same manner that individualized notice is given prior to making any zoning changes in the City.

SECTION 1100 Severability

If any one or more provision, section, subsection, sentence, clause, phrase or word of this Ordinance or the application thereof to any person, property or circumstance is found to be unconstitutional or otherwise contrary to law, the same is declared to be severable and the balance of this Ordinance shall remain effective. The City Council hereby declares that it would have passed this Ordinance, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more provision, section, subsection, sentence, clause, phrase or word be declared unconstitutional or otherwise contrary to law.

SECTION 1200 Effective Date


This Ordinance shall become effective on the 9th day of March, 1993, or, if a summary of this Ordinance is required, on the date said summary of this Ordinance is posted.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH this 9 day of March 1993.

ATTEST:



City Recorder



Mayor

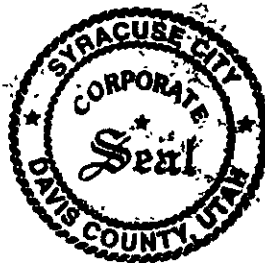


EXHIBIT A

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The boundary description for the proposed redevelopment project area are as follows:

Beginning at the Northeast corner of the intersection of 1700 South and 2000 West in Syracuse and continuing North 263 feet more or less along the East right-of-way of 2000 West, thence East 123 feet, thence North 60 feet thence West 183 feet more or less to the West right-of-way of 2000 West Street; thence North 430 feet more or less to the South property line of parcel 12-048-0063, thence West 847 feet more or less to the Southwest corner of parcel 12-048-0048, thence South 730 feet more or less to the North right-of-way of 1700 South, thence West along the North right-of-way of 1700 South to the East right-of-way of 2500 West Street, thence South 80 feet more or less to the South right-of-way of 1700 South Street, thence East along said right-of-way 1965 feet more or less to the West property line of parcel 12-092-0024, thence South along said property line 800 feet more or less to the Southwest corner of parcel 12-092-0025, thence East along the South property line of said parcel 12-092-0025, 400 feet, thence North 200, thence East 233 feet more or less to the West right-of-way of 2000 West Street; thence East to the East side of 2000 West Street, thence North 210 feet more or less to the South property line of parcel 12-085-0014, thence East along said South property line of 660 feet more or less, thence North 350 feet more or less to the South right-of-way of 1700 South Street, thence West along said right-of-way 185 feet more or less to the East property line of parcel 12-085-0041, thence South 206 feet, thence ^{West} 329.7 feet, thence North 87.85 feet, thence East 29 feet more or less, thence North 118.15 feet, to the South right-of-way of 1700 South Street, thence North across 1700 South Street, to the North right-of-way of 1700 South, thence West 140 feet more or less to the point of beginning. Excepting there from parcel 12-092-0009.