



## PLANNING COMMISSION MINUTES

**Santaquin City Council Chambers  
January 14, 2016**

**Commission Members Present:** Chair Elizabeth Montoya, Arthur Adcock, Kyle Francom, Kylie Lance, Troy Peterson, Austin Smith, and Trevor Wood.

**Others:** City Council Member Nick Miller, City Manager Ben Reeves, Assistant City Manager Dennis Marker, Ben Calder, Jon Chisholm, Brittany Calder, Gale Charlesworth, Dave Cleveland, Joe Davis, Merelda Davis, Susie Gull, Josh Godfrey, Dave Johnson, Inez Lund, Brian Rowley and other unidentified individuals.

Commissioner Montoya called the meeting to order at 7:00 p.m.

### **INVOCATION / INSPIRATIONAL THOUGHT**

Commissioner Adcock offered an invocation.

### **PLEDGE OF ALLEGIANCE**

Commissioner Smith led those present in the Pledge of Allegiance.

### **AGENDA**

No changes were made to the order of the agenda.

### **PUBLIC FORUM**

Commissioner Montoya opened the Public Forum. No comments were addressed to the Commission. Commissioner Montoya closed the Public Forum.

### **DISCUSSION AND POSSIBLE ACTION ITEMS**

#### **Conditional Use permit for a proposed mixed use development at 351 Main Street**

Mr. Marker presented a power point concerning the proposed mixed use project at 351 West Main, a currently vacant parcel which is just under an acre. (See attachment A). The project would occupy approximately 2/3 of the block, and include 5700 square feet of commercial space, 8 commercial units, and 28 one and two bedroom residential units. Under the current zoning a conditional use permit is required for this type of project. Conditional use permits, by state code, must be approved if reasonably anticipated detrimental effects can be reasonably mitigated. If they cannot be substantially mitigated, the permit may be denied. Mr. Marker said the purpose of this meeting is to identify possible reasonable detrimental effects, and to see what reasonable mitigation measures can be put in place.

A Public Notice was sent out to property owners within 300 feet of the project. Response to this petition included concerns about traffic around the school, the height of the building blocking mountain views, crime increase, and how the project would blend into the neighborhood.

# PLANNING COMMISSION MINUTES

January 14, 2016 – Page 2

## **Proposed mixed use development at 351 Main Street, continued:**

Mr. Marker said he had spoken to Dr. Jon Chisholm, the owner of the dentist office next to the property, who expressed his concern about children's safety in his parking lot. The elementary school has some concerns about only one access point into the project.

The City has additional standards of review for a conditional use permit, including the harmony of the request with the general plan, harmony with existing uses, development adjacent to the site, suitability, economic impacts, aesthetic impacts to the neighborhood, noxious emissions, and impacts on the health, safety, and welfare of city, area and persons owning or leasing property in the area. Mr. Marker said traffic movements on 400 West would need to be carefully considered, and suggested the applicant provide a traffic study. School officials have indicated they have prepared designs for additional drop off areas north and east of the school, although funding is not yet available. The General Plan outlines goals for Main Street which are furthered by this proposal. Mr. Marker said concerns about changing of the community character must be balanced against increased prosperity and viability.

Dave Johnson addressed the Commission. Mr. Johnson said he is the chief financial officer for Tewksbury, LLC, and gave some background on the investing firm. He said the firm has a lot of flexibility, and their driving factor is to produce a quality facility that is a long term investment. In answer to the concerns submitted by the public Mr. Johnson said the development will be the most expensive project per square foot south of Provo, and target a specific demographic, young single and newly married professionals. The apartments will be cutting edge in energy efficiency. In regard to concerns about increased crime, Tewksbury's vetting process for tenants includes criminal background checks. In regard to traffic issues with school children, Mr. Johnson said their residents will typically leave for work before children are going to school, and will not return until after the children have gone home. He said a traffic study, which they plan to do, will show this.

In regard to safety during construction, the developers will provide full fencing during that time. In regard to the building being too tall, a three story building is needed to be economically viable. Mr. Johnson said the view of the mountains will change dramatically over the next few years. There will be a lot of population growth in Genola and Goshen, and housing will be needed to accommodate that growth. He said they hope to be good neighbors and develop a project the City can be proud of. They plan on a seating area in front of the shops, with heaters for the colder months. The stores closest to the seating area will be café, ice cream shop types of places.

Commissioner Lance asked about upkeep of the projects, such as tree trimming. Mr. Johnson said they are creating a property management company that will include rapid repair in their contracted services. In response to a question regarding project phasing, Mr. Johnson said they plan to do it all at once, with a projected timeline from 8 months to a year. Commissioner Peterson asked about a right turn only from the parking lot onto Main Street. Mr. Johnson said most offices will be professional, and the volume of traffic will park behind the building. In response to a question, Mr. Johnson said the price point on the apartments will be \$800 to \$1200 for the one bedroom.

## **PLANNING COMMISSION MINUTES**

**January 14, 2016 – Page 3**

### **Proposed mixed use development at 351 Main Street, continued:**

Commissioner Smith asked about balconies being used for storage, which can be unsightly. Mr. Johnson said they will put something about this in the lease agreements. Commissioner Adcock said he is concerned about sufficient parking. Mr. Johnson said they have 63 spots, almost two per residence, and most residents will be gone when the retail stores are open.

Commissioner Adcock asked about access off 300 West. Mr. Marker said the applicant would have to work that out with property owners. Commissioner Adcock said two accesses would mitigate some traffic issues. Commissioner Montoya asked about emergency access. Mr. Marker said the fire marshal does not require a second access unless there is a grave concern of obstruction. Fire hydrants will be needed within 150 feet of the building to ensure coverage. New developments do need to provide access to commercial property, so the developer will need to provide an access to Dr. Chisholm's office if Dr. Chisholm desires one.

Commissioner Montoya opened the public hearing. Joe Davis addressed the Commission. Mr. Davis asked if the businesses would be too close to the school. Mr. Marker said some businesses, such as adult businesses and bars, are not allowed within so many feet of a school.

Merelda Davis addressed the Commission. Ms. Davis said the City at one time was concerned about a taco place being too close to the school and enticing students away from class.

Dave Cleveland addressed the Commission. Mr. Cleveland said he lived at 380 West Main. He said a three story building would cast a shadow all winter and would keep pathways icy. Kids are hard to keep on the walkways, and they often do things like open his mailbox. He expressed his concerns that a 5 year old child with an ice cream cone would dart in and out of traffic, and said there was a big problem with safety for the children. He added that everything about the project was ridiculous, and he could see a child being killed, as the congestion was already bad.

Gale Charlesworth addressed the Commission. Mr. Charlesworth said a three story development was going in behind the city office, and another one across from the park, and the area would have too much traffic. He said the project is a beautiful building but Santaquin doesn't need it.

Inez Lund addressed the Commission. Ms. Lund said we did not need any more businesses that caused congestion, such as a gymnastics or ballet studio. Mr. Johnson responded that part of the review for the businesses they accept will be their traffic requirements. Ms. Inez said people would come in at random hours for food, and there is not a great plan for the school drop offs.

Susie Gull addressed the Commission. Ms. Gull said she represented the PTA, and they had met with the developer and City Manager today to get their fears and concerns on record. She felt their concerns are being considered and reviewed.

## PLANNING COMMISSION MINUTES

January 14, 2016 – Page 4

### **Proposed mixed use development at 351 Main Street, continued:**

Ms. Gull said ideally she would like to see a second access for tenants and business patrons of the development, and that Santaquin Elementary School principal Mr. Argyle is looking to streamline traffic. Ms. Gull said the PTA would like to see the outcome of the traffic study, and their number one concern is the safety of children.

Brian Rowley addressed the Commission. Mr. Rowley said just because a project meets City code does not mean it is right for the City. He said it is never a bad thing to get more information. Commissioner Montoya closed the public hearing.

Commissioner Montoya asked what the process would be to have UDOT reduce the speed limit on Main Street. Mr. Marker said UDOT has indicated they will not go below 35 MPH. However, 'friction' can be created on a street which gives drivers the perception that they need to slow down. As stop lights are installed on Main Street, this will also naturally cause a slowdown.

Commissioner Adcock asked about widening Main Street. Mr. Marker said the street is now widened to 300 East, with the design for widening done to 100 East. The long range transportation plan shows Main Street at 5 lanes as far west as 500 West in five years. Funds for designing this have been applied for. Commissioner Wood asked if parking on Main Street would continue when it is five lanes. Mr. Marker said the City has an agreement with UDOT to allow this. UDOT will narrow their lane striping design to accommodate the parking.

Commissioner Francom asked about a third elementary school and its catchment area. Mr. Marker said the school district owns 12 acres of ground around 400 East. They have funding to build an elementary school either in Santaquin or Payson. Ben Reeves said there are several criteria for where they will build and what the catchment area will be. Later in the meeting Commissioner Francom asked how much input the city had with the school district for catchment areas. Mr. Marker said the City is notified during the public hearing time period and are able to be at table.

Icy sidewalks were discussed. There have been some issues with snow melting very slowly in front of a tall building. Commissioner Adcock suggested heating the sidewalk. Ben Calder said the initial cost was not much, but a heated sidewalk added continual expense each year. Mr. Johnson said a reasonable measure would be to contract for snow removal.

Commissioner Smith asked if the large machinery work would be done during the summer. Mr. Calder said it would be close to that time frame, and student hours would be worked around. It was felt a reasonable request would be to work with school leadership during construction.

Mr. Marker said he had spoken to two engineering firms regarding a traffic study. Costs can range from 5 to 15 thousand dollars, depending on the scope of the work. The study would take at least three weeks.

## PLANNING COMMISSION MINUTES

January 14, 2016 – Page 5

### **Proposed mixed use development at 351 Main Street, continued:**

Commissioner Francom asked the developer what had appealed to him about Santaquin. Mr. Johnson said his clientele were looking for a less urban feel, and Santaquin captures the coming high population to the west, and has a good interstate connection. Santaquin is a good crossroads. Mr. Reeves said Santaquin is the same size Lehi was 25 years ago.

Commissioner Montoya addressed those present. She said the Planning Commission did consider what was brought before them, and reviewed concerns presented and public input. She encouraged those attending to keep in mind that this project fit within the parameters of the General Plan. She said there is no guarantee when the school will do a traffic change, but she trusted City staff to make the best decision when the traffic study results came in.

Mr. Reeves said the project will now be required to go through the DRC process, where it will be reviewed by many on the City staff. Commissioner Peterson asked if a traffic study had been done for the development south of the public safety building. Mr. Marker said it had not, and the developer was currently talking about making the project into an assisted living center.

Commissioner Adcock said he has a lot of concerns he does not believe the developer can mitigate. He has a single family home on a lot the same size as this property. He does not think the property is big enough for this complex, has concerns about congestion, believes that the parking is not adequate, that two accesses are needed, and that tenants will not want to live on a 5 lane state road. Mr. Johnson said they have an eight story, 30 unit development on a quarter acre in Provo, and they consider this a big lot for development. Commissioner Montoya said in updating the General Plan a lot of time and thought went into planning for future growth. She said a lot of millennials are attracted to Santaquin.

Mr. Marker said a neighborhood meeting could be held when the results of the traffic survey are in. Commissioner Smith said he had some concerns with construction traffic. In response to a question regarding animals, Mr. Johnson said a policy on pets has not been determined as yet.

Mr. Marker said the City Council may ask the Planning Commission to revisit the standards for the Main Street zones, but reconsideration will not apply to this project, which is already vested in the current standards.

Commissioner Francom made a motion to grant a conditional use permit to the Ben Franklin mixed use development at 351 Main Street, based on the following findings: that the proposed use is in harmony with objectives of the general plan and the Main Street Residential zone; that the review criteria for conditional uses has been considered and public comments have been received in order to identify reasonable impact associated with the proposed project; that reasonable impacts have been considered and reasonable mitigation measures have been proposed to address those impacts; and under the following conditions: that all city zoning and development standards must be met before a building permit will be issued and business operations begin;

# PLANNING COMMISSION MINUTES

January 14, 2016 – Page 6

## **Proposed mixed use development at 351 Main Street, continued:**

that the applicant present to the city a proposal for handling problem tenants with the development in order to limit any City identified negative impacts on public health, safety and welfare of project residents, neighboring businesses and property owner. (Such proposal should include, as a minimum, a time sensitive provision and specific criteria for determining a problem tenant); fencing for the safety of the elementary school children during the construction process; snow removal on the north side of the building; and that a traffic study be completed.

Commissioner Smith seconded the motion. The vote to approve the conditional use permit for the Ben Franklin mixed use project was as follows:

Commissioner Adcock	Nay
Commissioner Montoya	Yea
Commissioner Francom	Yea
Commissioner Lance	Yea
Commissioner Peterson	Yea
Commissioner Smith	Yea
Commissioner Wood	Yea

The motion carried by a 6 to 1 vote.

## **Minutes**

Commissioner Lance made a motion to approve the minutes of November 12, 2015 as written. Commissioner Montoya seconded the motion. The vote to approve the minutes of November 12, 2015 as written was unanimous, with Commissioner Adcock abstaining from the vote.

## **Reports of Officials and Staff**

Mr. Marker said the City has a Facebook page for the 2012 General Plan update, which is now being utilized for information on the implementation of the plan. As part of the implementation, updates to the Parks and Recreation Master Plan are being made. The most recent update shows concepts for new and refreshed parks for the next ten years, including a 150 acre park of which a portion will be used for flood control. The Commission was encouraged to review the Facebook page and provide feedback.

Commissioner Lance asked whether the last parcel needed for the grocery store had been purchased. Mr. Marker said offers had been made. Commissioner Lance asked about the proposed RV sales and storage area. Mr. Marker said the owner had been discouraged about the improvements which would be required. The city they currently reside in has made them some offers in an effort to retain their business.

Mr. Marker said the City has received an application from the North Orchards group asking to revise the concept plan for the overall development. The current development plan has townhomes east and west side of Center Street, and the developers would like to move all the high density housing to the west side. A public hearing regarding the plan will be on the next Planning Commission agenda.

# **PLANNING COMMISSION MINUTES**

**January 14, 2016 – Page 7**

## **Reports of Officials and Staff, continued:**

Commissioner Lance asked about Bella Vista, the proposal for the property adjacent to 400 East. Mr. Marker said the school district was looking at an elementary school in the area, and the Bella Vista developer was hoping to move forward at the same time and share costs on running the sewer lines.

## **Planning Commission Business**

### **2016 Planning Commission Schedule**

Commissioner Adcock made a motion to approve the proposed 2016 Planning Commission Schedule. Commissioner Francom seconded the motion. The vote to approve the 2016 schedule was unanimous.

## **Elections of 2016 Planning Commission Chair and Vice Chair**

Commissioner Montoya opened the floor to nominations for Commission Chair. Commissioner Lance nominated Commissioner Montoya for the Chair position. Commissioner Francom seconded the nomination. Commissioner Montoya accepted the nomination. No other nominations were received. By a unanimous vote, Commissioner Montoya was elected as Planning Commission Chair for 2016.

Commissioner Francom nominated Commissioner Peterson for Vice-Chair. Commissioner Lance seconded the nomination. Commissioner Peterson accepted the nomination. No other nominations were received. By a unanimous vote, Commissioner Peterson was elected as Planning Commission Vice-Chair for 2016.

## **Architectural Review Committee Representative**

Mr. Marker said architectural standards had been set up by the City Council for some City zones. Originally determining if these standards had been met was left up to the zoning administrator, but after some time it was felt that an Architectural Review Committee would be a better fit. The Committee consists of a City Council representative, a Planning Commission representative, the City planner, an architect, a project designer and a local citizen. Commissioner Lance volunteered to act as the Planning Commission representative for the Architectural Review Committee.

## **Adjournment:**

Commissioner Smith made a motion to adjourn the meeting. The meeting adjourned at 9:03 p.m.

