

Minutes of a Planning Commission meeting held at City Hall on August 13, 1985, at 8 P. M.

Present were commission members Lynnette Neff, Ione Anderson, Dave Smith and Sherman Jones. Also present were City Councilman Art Adcock and Dale Nichols, with minutes recorded by Ramona Rosenlund. Helen Kester entered the meeting at 8:35 P. M. *Steve Jasson*

Meeting was called to order at 8:05 P. M. and prayer was by Sherman Jones. Minutes of the meeting of July 23, 1985 were approved.

Mr. Nichols was here to ask for re-zoning of a property on which to build a grocery store. Mrs. Neff asked if he has purchased the property and Mr. Nichols said no but he has an option to buy to lots. Mrs. Neff explained the property is presently zoned RA-2 and Mr. Nichols would like it to be C-1 which is commercial as grocery stores are not allowed in a residential zone.

Mr. Nichols said he had looked at other lots available on Main Street but they are all too small to allow for expansion as the town grows. He said he has done a study of the feasibility of building a store here and it is feasible and could be profit making. He wants to start with 14 people on the payroll. It will be an independent store and will be 12,000 square feet to start. He feels the town will continue to grow and he will need to expand in about five years. He said he will have to depend on Genola, Goshen and Elberta as well as Santaquin. He will have adds every week and will compete with Maceys or Smiths and will carry an economy line but no generics as 9 times out of 10 brand name products can be found which compare.

Mrs. Neff asked if he would be open on Sunday and he said no, not as long as he owned the store. Mrs. Neff said there would have to be a public hearing for changing the zone and was told it was on the agenda for the city council meeting to be held on August 20, 1985, which would be the public hearing.

There was a discussion of various other properties in town on Main Street which might be a possible location but Mr. Nichols rejected all of them as being too small for what he wants. It was suggested that Sorenson's orchard at the top of Main Street might be for sale which would give frontage on both highways. Mr. Nichols said it would probably be more expensive than he can afford because of the orchard on it. Mr. Jones said he thought this would be a good place as it is right off the freeway and could be seen from there.

Mr. Adcock asked about truck traffic, parking and so on. He said there are residences accross the street from where he wants to put the store and also some which would be on the back end of the property plus one on the corner west of the front. However, some of the homes are not occupied at this time. He went on to ask if anyone would like a large store like this accross from their home. Mr. Nichols said the city would have to decide if they want the store and where they want it. He said there would be probably three semi-trucks per day plus potato chip, bread and milk trucks.

Mr. Nichols asked for the name of the people who own the Sorenson property. Mr. Jones told him this property is not in the city but is contiguous and can be annexed and he then explained about the two shares of water per acre necessary for annexation for commercial purposes. Mr. Nichols asked about utilities to this place and Mr. Adcock said they are all in with a new 8 inch water line.

Mrs. Kester said she was on the Planning Commission when it was originally organized and the people from Mountainland Association of Governments who helped them said that if spot zoning is allowed, it sets a precedence to allow anything going in any where in town. There^{was} a number of two and three acre lots in town owned by elderly ladies which will probably go up for sale when they are gone and if this zone change is allowed, there is nothing to prevent such things from going up any where in the city. She also said the public hearing is not to be set until after the Planning Commission makes its recommendation to the City Council. She said our town is basically a residential family type community and if this were allowed it would be a full block from the existing Commercial Zone. If this zone were changed it would open up the city to spot zoning everywhere. The present ordinance allows for home industries and home occupations and a lot of people have animal rights so maybe they would be too near a business and so other peoples property rights would be taken away. She said she realizes the town needs a wider tax base with industry or something to create jobs but she pointed out that the Red Rooster Cafe, Paginos Pizza and Jolleys market have all closed and that the majority of the people in Santaquin do not shop in town and so the mark-up of products is high. Probably only the elderly who have no way to go out, shop in town.

Mr. Adcock said it would be convenient for older people but he realizes prices must be competitive or they are out of business. Mr. Nichols said he will have to completely change the shopping habits and he feels he can and he will make money. It is up to the city to decide if the location is good and he is not twisting any arms.

Mrs. Neff explained the Planning Commission can not make any decisions but only recommend to the City Council who will make the final decision. The main job of the planning commission is to make sure proposals are in accordance with the ordinances and to make plans for the city.

Mrs. Kester said she feels he will have to have a large store like Safeways. She said she has lived here 20 years and has all the statistics. The growth rate in Santaquin came when interest rates were low and it had not grown for many years before that and she does ~~not~~^{not} think it will grow. Mr. Nichols said he did not expect it to grow at that rate but more slowly and he feels that ten years down the road it will have grown and he wants to have a size store that will handle it and have adequate parking space.

Mrs. Kester said she feels the property where he wants to build should remain residential zone and if it were proposed for accross the street from her she would yell even louder and she thinks others would not want it either.

Mrs. Kester asked if he had considered the commercial zone along the frontage road and he said he did not want to build the store there. Mr. Jones asked if he had considered the McMullin property above the freeway interchange which is in the process of being annexed. Mr. Parsons pointed out he would need water shares to annex anything which is not already in the city limits. Mr. Nichols asked where he could get water shares and Mr. Jones said he knew of some that might be for sale. Mr. Parsons said if the store were built up there he would probably get some traffic from the freeway as it would be visible from there. He said there is no store close to the freeway until Levan on the south and maybe Spanish Fork on the north.

Mrs. Neff asked what they should recommend. She asked Mr. Nichols how soon he

needed to know and he said he had a very limited time to exercise the option on the property and so it was contingent on what they decided to do about the zoning as there is someone else waiting to buy if he does not. If the commission does not think this is a good location, they must say no and if they say yes he will have to go the city council and if they turn him down he will have to look for other property.

Mr. Jones said he agreed with Mrs. Kester that it might create a bad situation. Mr. Adcock asked if they should check with the city attorney to see if it would create a problem. Mr. Jones said there is no way anyone could sue the city but it might make for bad feelings. ~~If the Planning commission turned it down and the city council approved it, there would be problems.~~ Mrs. Kester said that if spot zoning is allowed and someone else in future wants the same ~~and~~ and are turned down, they can sue as they are not given the same privilege as that is favoritism. Mr. Jones agreed that this was probably right. Mrs. Kester asked why the neighbors of the property were not notified of this meeting and Mr. Adcock said it was posted ~~and she found out~~. She said some of them are elderly and do not get out to see the posting.

Mrs. Neff asked if they could have a motion. Mr. Smith said he would like to see the store but thinks commercial should stay in commercial zones. Mr. Jones said he also would like to see the store in but does not feel good about this location. Mr. Parsons said if he wanted to look further for other property they could have a special meeting in two days for their recommendations. Mr. Nichols said it may ~~spoil~~ ^{two} his plans for a store in Santaquin as he feels he needs room for future growth. Mrs. Neff said she teaches school in Goshen and they have dropped two classes and Santaquin has dropped ~~one~~ ^{two} this year. She said the people from Genola go through the quarry to other towns to shop and so may not stop here. Everyone thought the I.P.P. would impact us but it has not done so.

Mr. Nichols said he does not want to open a Pandora's Box. You have to feel good about having the store here. Mr. Smith said they would like to have it here and not have him go to another town. Mr. Parsons asked if he would consider the area where the Red Rooster cafe building is as there is open property behind it and Mr. Nichols said no it would be too expensive with buildings on which would have to be bought and then torn down for the new one to go in. Mr. Smith asked where Mr. Nichols came from and he said his parents were in the navy so he has been all over and has been in the grocery business for 12 years.

* Mr. Nichols left the meeting at 9:25 P. M.

Mrs. Neff said the subdivision they have been asked to approved is for Sandra Peterson and is a minor one as it contains less than 9 lots. Mr. Adcock said Mrs. Peterson is moving to Kanab and dividing the property to sell the lot with the home and give a lot to each of her children, which makes 4 lots. Mrs. Neff read the requirements for a minor subdivision from the ordinance. Mr. Smith said it appeared that all the lots had the required area, depth and frontage and he made a motion that they recommend approval of this subdivision. Mrs. Anderson seconded the motion and it passed.

Mr. Adcock suggested they have the sign ordinance read that major billboards must have input received from the surrounding neighbors by the Board of Adjustment. He said the building inspector had suggested this to him.

A motion to adjourn this meeting was made by Mrs. Neff and seconded by Mr.

* It was the concensus of the commission that they want a store but did not want to re-zone for it.

Smith. Motion passed and meeting adjourned at 10:00 P. M.

Henry M. Parsons
Chairman

10 Sept 1985
Date approved

Ramona Rosenlund
Secretary