

## PLANNING COMMISSION

MEETING AGENDA

Tuesday April 28, 2020

<u>All Santaquin City Public Meetings Will Be Held Online Only</u> (Temporary order - while responding to Coronavirus public gathering restrictions):

• YouTube Live - All Santaquin City public meetings will be shown live on the **Santaquin City** YouTube Channel, which can be found at:

<u>https://www.youtube.com/channel/UCTzZT\_yW2H2Hd-58M2\_ddSw</u> or by searching for Santaquin City Channel on YouTube.

- <u>Public Comment & Public Hearing Participation</u> As with all City Council and Planning Commission Meetings, we will continue to invite the public to provide "Public Comment" (30-minute duration, maximum of 5-minutes per comment). We will also continue to hold Public Hearings, as needed and required on specific issues. We invite the public to provide comment in the following ways:
  - By Email Comments will be accepted by email up to 5:00 P.M. on the date of the meeting. Comments will be read during the meeting and made part of the official record of the city. Comments should be submitted to PublicComment@Santaquin.org
  - O <u>By Telephone</u> For those who would like to have their own voice heard during the Public Comment or Public Hearing periods, please submit an email to <u>PublicComment@Santaquin.org</u> providing us your <u>Telephone Number</u>. When it is your turn to speak, a Santaquin City staff member will call you and put you on speakerphone so that you can personally share your comments within the meeting.

#### 7:00 p.m. REGULAR SESSION (Held in the Court Room, upper level of the Santaquin City Offices, 275 West Main Street)

- 1. Welcome
- 2. Invocation / Inspirational Thought
- 3. Pledge of Allegiance
- 4. Order of Agenda Items
- 5. Public Forum
- 6. DISCUSSION AND POSSIBLE ACTION ITEMS
  - a. PUBLIC HEARING-Ordinance Amendment to Clarify the Criteria Used in Consideration of a Rezone.

The Planning Commission will review a proposed amendment to Santaquin City Code Section 10-7-6 which would clarify the criteria used in consideration of a rezone.

### b. PUBLIC HEARING-Heelis Farm Townhomes Concept Review

The Planning Commission will review a concept plan for a proposed 20-unit townhome subdivision located at approximately 200 N. and 400 E.

#### c. PUBLIC HEARING-Three Four One Townhomes Concept Review

The Planning Commission will review a concept plan for a proposed three-unit townhome subdivision located at 341 E. 100 S.

#### 7. PLANNING COMMISSION BUSINESS

Approval of minutes from March 24, 2020 April 14, 2020

8. **ADJOURNMENT** 

### **CERTIFICATE OF POSTING**

Upon	Request,	in	compliance	with	the	Americans	with	Disabilities	Act,	reasonable	accommodations	for
indivi	duals with	dis	sabilities will	l be p	rovic	led. For assi	istanc	e, please call	754-	3211.		

This ag	genda is l	iereby j	properly	advertise	ed this	13 <sup>th</sup>	day	of A	April,	2020	through	n posting	g of copies	of this
agenda	in three	public 1	places w	ithin the	city, r	namel	ly Ci	ty ]	Hall,	Zions	Bank,	and the	Santaquin	branch
of the I	United St	tates Po	st Offic	ee										

Kira Petersen, Deputy Recorder	

## **PUBLIC MEETING ETIQUETTE**

(Please remember that all public meetings are recorded)

- All comments must be recognized by the Chairperson and addressed through the microphone.
- When speaking to the body conducting the meeting, please stand at the podium, state your name and address for the record, and speak slowly and clearly into the microphone.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become public record.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. The doors must remain open during a public meeting.

## **Public Hearing vs. Public Meeting**

If the meeting includes a public hearing, the public may participate during that time and may present opinions and/or evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a public meeting, but there is no right to speak or be heard. The public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

## **Legislative Decision vs. Administrative Decision**

Legislative decisions create, amend or repeal laws. After a public hearing, the Planning Commission provides a recommendation to the City Council for a legislative decision. The City Council makes the final decision on legislative decisions. Both bodies have some discretion on legislative decisions. Public comments offered at a Public Hearing are relevant to the discussion when considering a legislative action.

Administrative decisions apply the law. When making an administrative decision, the land use authority applies existing laws to facts. If the application complies with the code, the land use authority must approve it regardless of personal or public sentiment.

#### ORDINANCE NO. DRAFT

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO CLARIFY THE CRITERIA USED FOR CONSIDERATION OF A REZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

**WHEREAS**, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

**WHEREAS**, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

**WHEREAS**, the City Council desires to amend Santaquin City Code Title 10 Chapter 7 Section 6 to clarify the criteria used for consideration of a rezone; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on April 28, 2020, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in a newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

**WHEREAS,** after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Santaquin City, State of Utah, as follows:

#### **Section I. Amendments**

Title 10 Chapter 7 Section 6 is amended as follows: (underlined text is added, stricken text is deleted)

- C. Requirements For Approval: In order Prior to granting an approval for the rezoning of property, the planning commission and city council must find that should consider the following criteria:
  - 1. The rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
  - 2. The rezoning will not adversely affect surrounding properties; and
  - 3. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

#### Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair of invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

#### Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

#### Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

#### Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, May 6<sup>th</sup>, 2020. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 5th day of May 2020.

	Kirk Hunsaker, Mayor	
	Councilmember Elizabeth Montoya Councilmember Lynn Mecham Councilmember Jennifer Bowman Councilmember Nick Miller Councilmember David Hathaway	Voted Voted Voted Voted
ATTEST:		
K. Aaron Shirley, City Recorder	-	

STATE OF UTAH	) ) ss.
COUNTY OF UTAH	)
declare that the above and for	r, City Recorder of Santaquin City, Utah, do hereby certify and regoing is a true, full, and correct copy of an ordinance passed uin City, Utah, on the 5 <sup>th</sup> day of May, 2020, entitled
USED FOR CONSIDERATION	NG SANTAQUIN CITY CODE TO CLARIFY THE CRITERIA ON OF A REZONE, PROVIDING FOR CODIFICATION, NER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE CE."
IN WITNESS WHERE Seal of Santaquin City Utah th	OF, I have hereunto set my hand and affixed the Corporate nis 5 <sup>th</sup> day of May, 2020.
	K. AARON SHIRLEY
	Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING
STATE OF UTAH )
) ss. COUNTY OF UTAH )
I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 5 <sup>th</sup> day of April, 2020.
The three places are as follows:
<ol> <li>Zions Bank</li> <li>Post Office</li> <li>City Office</li> </ol>
I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.
K. AARON SHIRLEY Santaquin City Recorder
The foregoing instrument was acknowledged before me this day of, 20, by K. AARON SHIRLEY.

Notary Public

# **MEMORANDUM**



To: Planning Commission

From: Ryan Harris, Staff Planner

Date: April 24, 2020

RE: <u>Heelis Farm Townhomes Subdivision Concept Review</u>

Zone: MSR Size: 1.68 Acres Units: 20

The Heelis Farm Townhomes Subdivision is located at approximately 200 N. and 400 E. The proposal consists of 20 townhomes on approximately 1.68 acres and is 11.9 units per acre. There is 24,448 square feet of landscaped area, which is 33% of the entire site. The project has 21 parking stalls (not including garages) for residents and guests. The amenities that they are proposing include a tot lot, pavilion, and a basketball court.

This is a subdivision concept review. This review is for the Planning Commission to give feedback to the developer. The review of the concept plan shall not constitute an approval of any kind. After the concept review, the developer will need to submit preliminary plans. Preliminary plans will be reviewed by the Development Review Committee (DRC) and a recommendation will be forwarded to the Planning Commission. The Planning Commission will forward a recommendation to the City Council and the City Council will be the land use authority for preliminary plans. The subdivision has vested rights once it receives preliminary approval by the City Council.

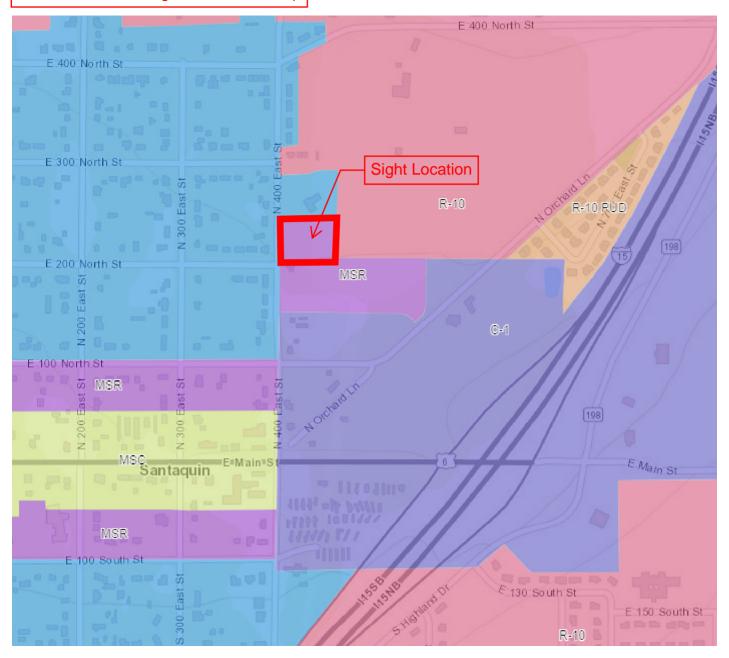
After preliminary approval, the DRC will need to approve the final plat before any lots will be recorded. The DRC may only approve a plat submittal after finding the that the development standards of subdivision title, the zoning title, the laws of the State of Utah, and any other applicable ordinances, rules, and regulations have been or can be met prior to the recordation or construction beginning (Santaquin City Code 11-5-6B).

The Architectural Review Committee (ARC) will review architectural renderings when provided by developer.

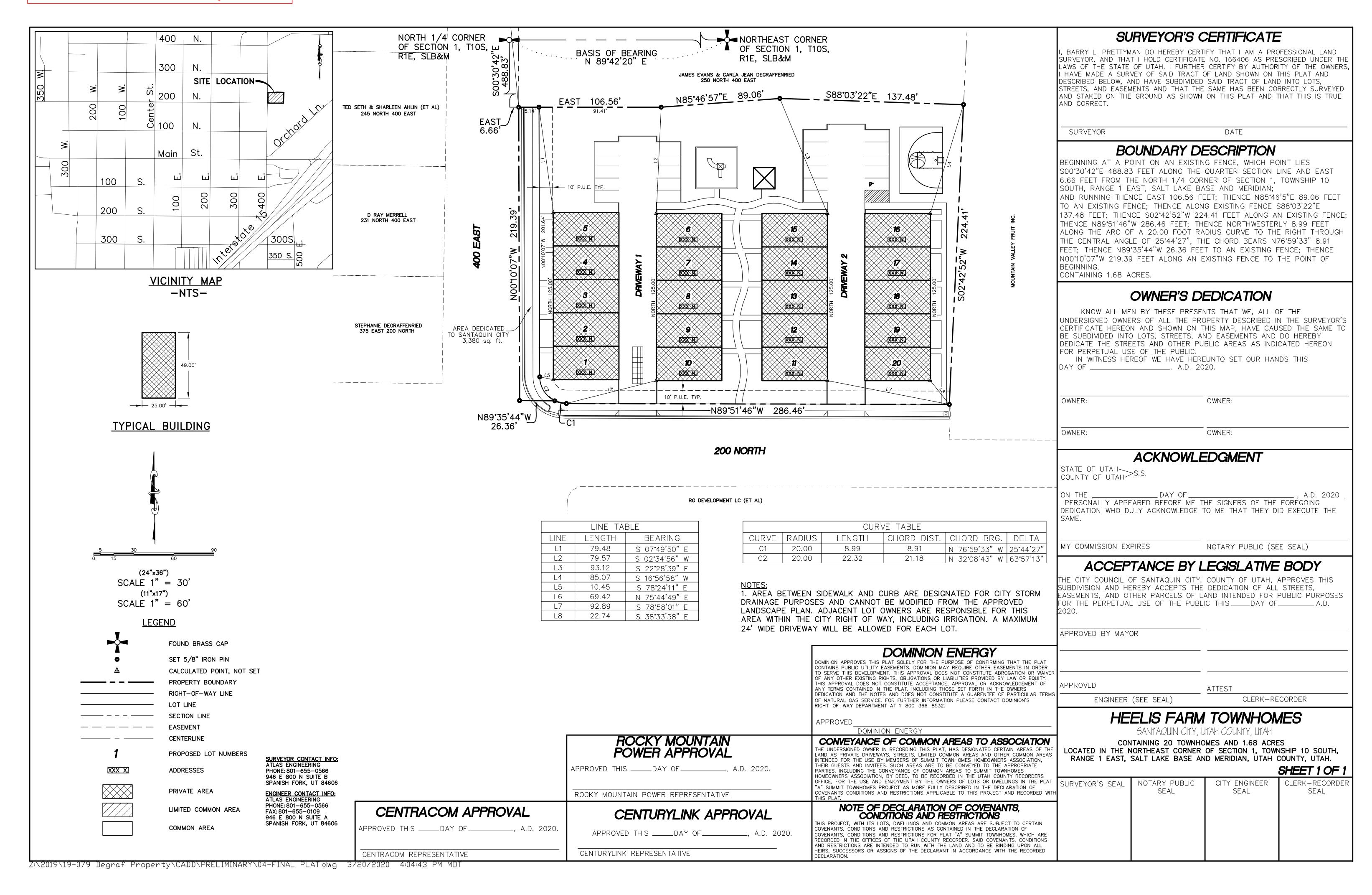
#### **Attachments:**

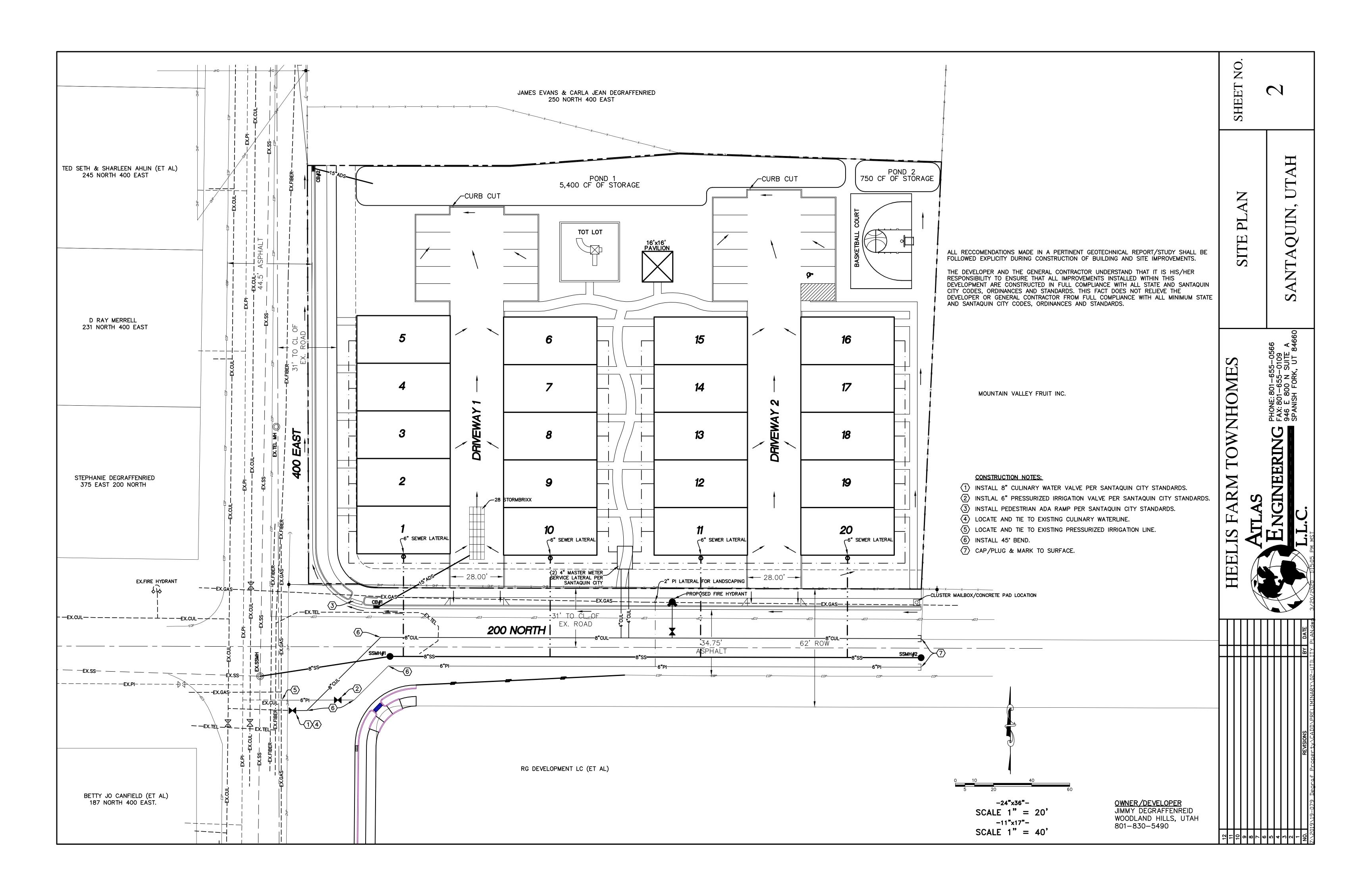
- 1. Zoning and Location Map
- 2. Concept Plans

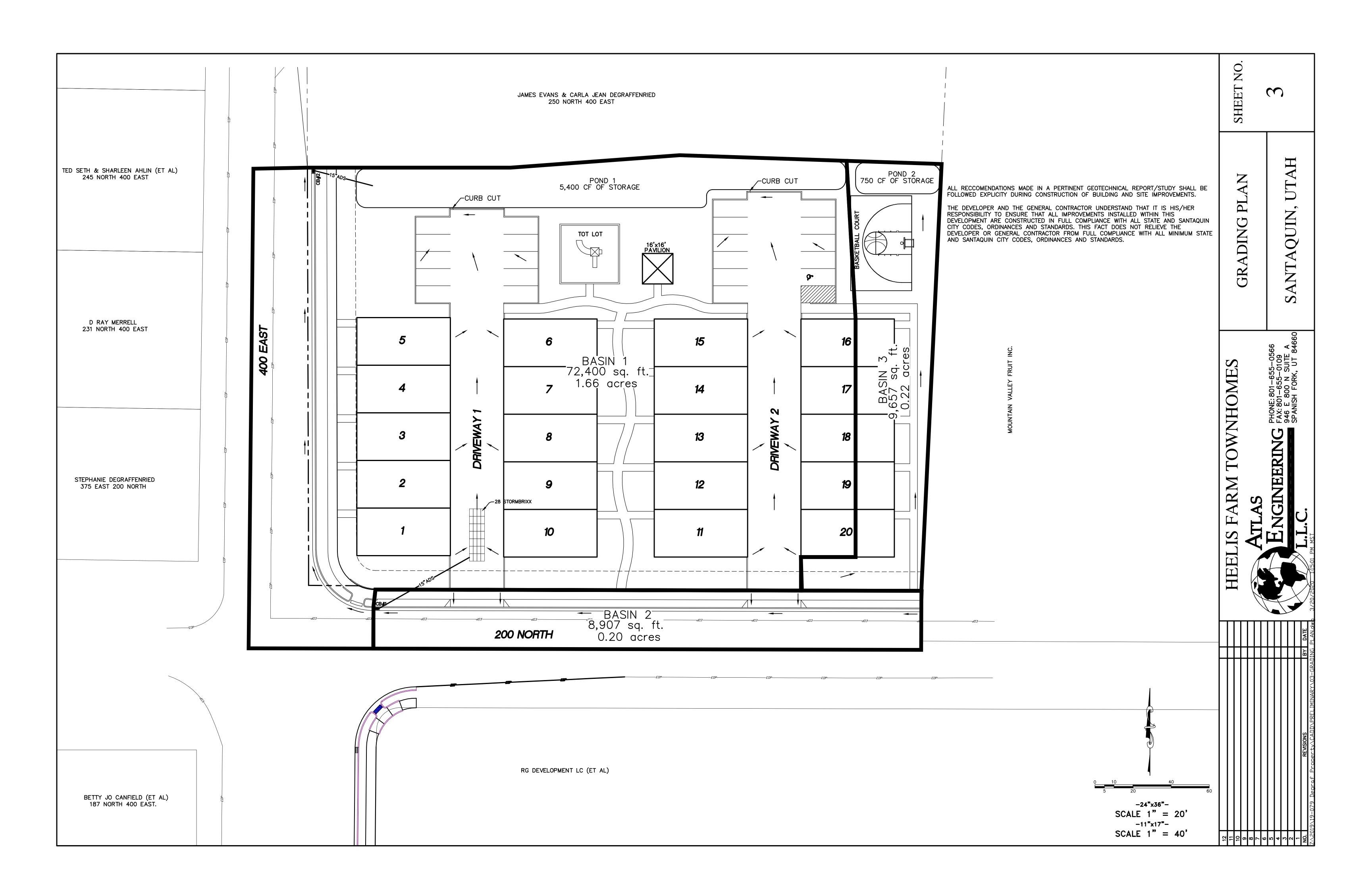
### Attachment 1: Zoning and Location Map



# Attachment 2: Concept Plans









# **MEMORANDUM**



To: Planning Commission
From: Ryan Harris, Staff Planner

Date: April 24, 2020

RE: Three Four One Townhomes Subdivision Concept Review

Zone: MSR Size: .27 Acres Units: 3

The Three Four One Townhomes Subdivision is located at approximately 341 E. and 100 S. The proposal consists of 3 townhomes on approximately .27 acres and is 11.1 units per acre. There is 4,446 square feet of open space, which is 37% of the entire site. The project has 4 parking stalls (not including garages) for residents and guests. The garages will be 24' x 24' and will count as two parking spaces. They applicant is also proposing a tot lot in the northeast part of the property.

This is a subdivision concept review. This review is for the Planning Commission to give feedback to the developer. The review of the concept plan shall not constitute an approval of any kind. After the concept review, the developer will need to submit preliminary plans. Preliminary plans will be reviewed by the Development Review Committee (DRC) and a recommendation will be forwarded to the Planning Commission. The Planning Commission will forward a recommendation to the City Council and the City Council will be the land use authority for preliminary plans. The subdivision has vested rights once it receives preliminary approval by the City Council.

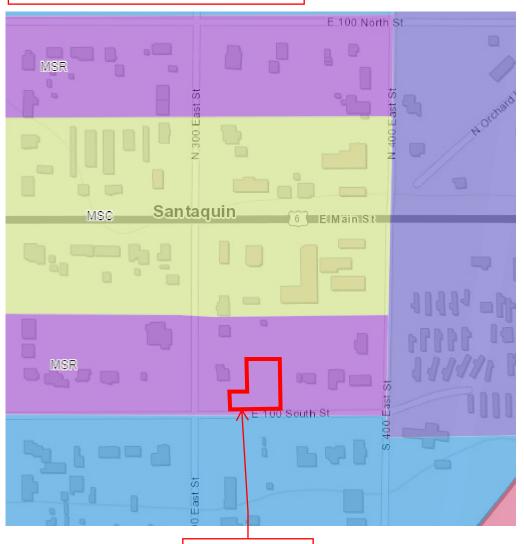
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#### Attachments:

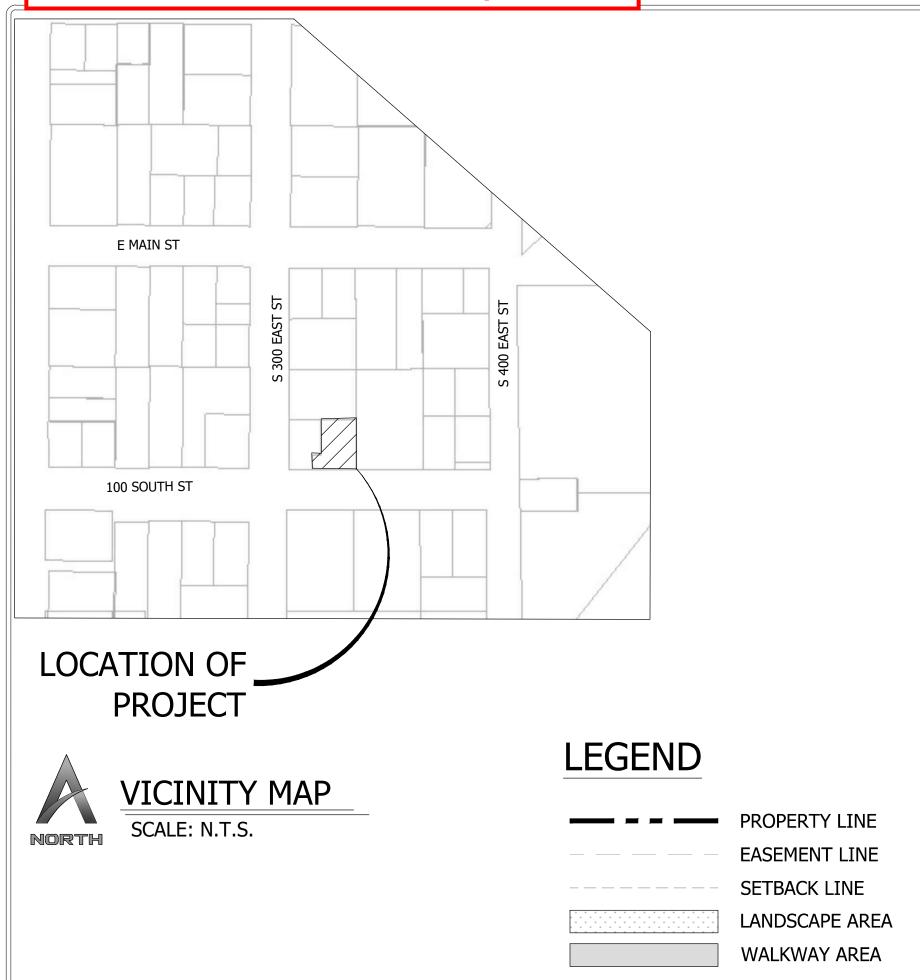
- 1. Zoning and Location Map
- 2. Concept Plans

Attachment 1: Zoning and Location Map



Subject Property

# Attachment 2: Concept Plan



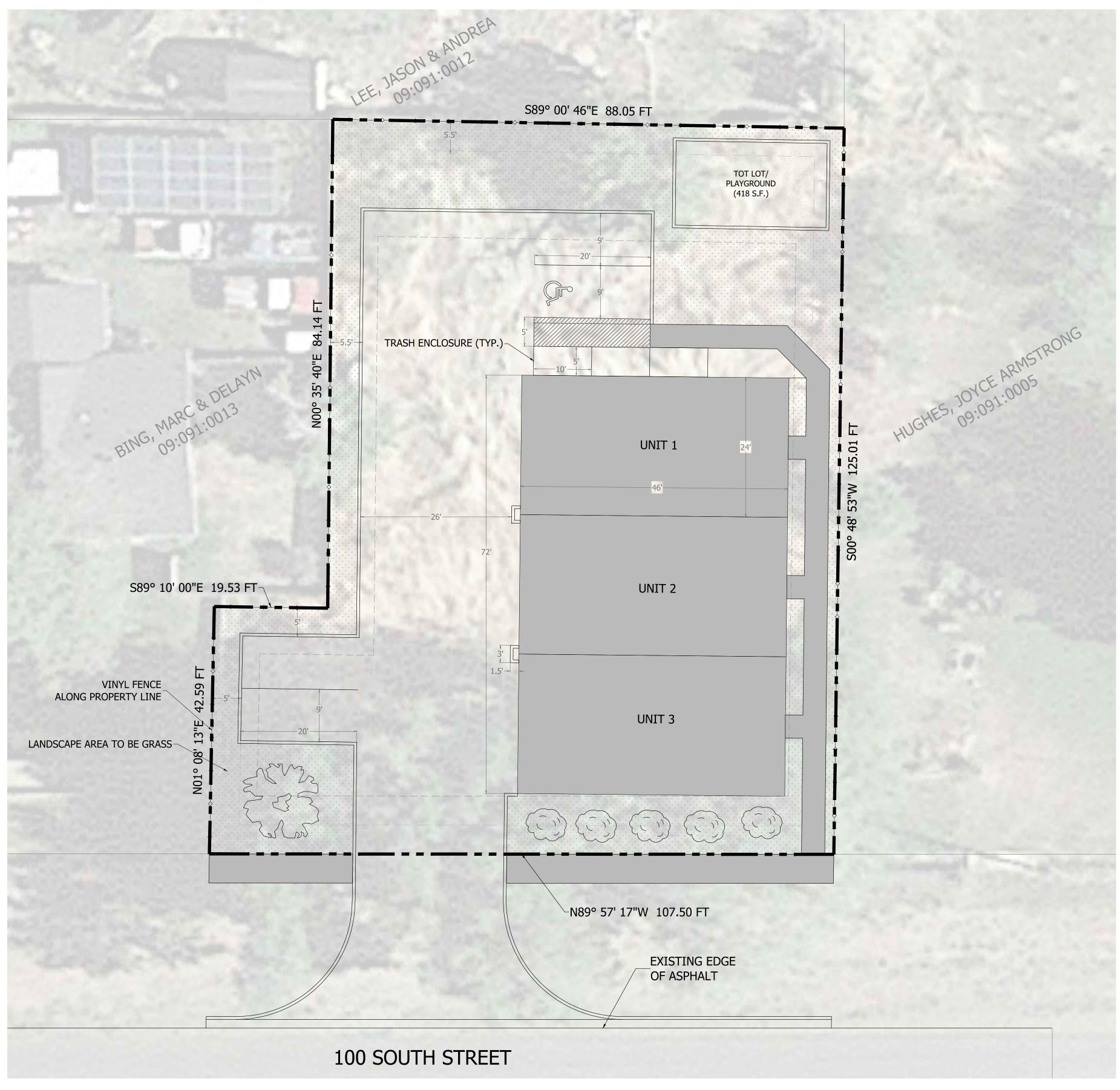
# **AREA TABLE**

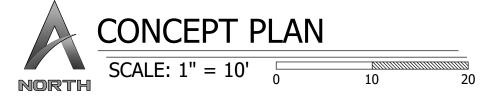
ITEM	AREA (S.F.)
PARCEL SIZE	11,877
BUILDING GROUND FOOTPRINT	1104
MAIN FLOOR LIVING (EACH UNIT)	528
2ND FLOOR LIVING (EACH UNIT)	1152
GARAGE (EACH UNIT)	576
SIDEWALK AREA	842
DRIVEWAY ASPHALT	3146
PARKING AREA	720
LANDSCAPE	5365

# BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT LIES SOUTH 89°57'17" WEST 57.50 FEET FROM THE SOUTHWEST CORNER OF LOT 3, BLOCK 22, PLAT "B" SANTAQUIN SURVEY OF BUILDING LOTS, THENCE ALONG A FENCE LINE THE FOLLOWING 5 COURSES, (1) NORTH 01°08'13" EAST 42.59 FEET; (2) SOUTH 89°10'00" EAST 19.53 FEET; (3) NORTH 00°35'40" EAST 84.14 FEET; (4) SOUTH 89°00'46" EAST 88.05 FEET; (5) SOUTH 00°48'53 " WEST 125.01 FEET TO THE NORTH SIDE OF 100 SOUTH STREET; THENCE NORTH 89°57'17" WEST 107.50 FEET ALONG SAID NORTH SIDE OF SAID STREET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11,877 SQUARE FEET IN AREA OR 0.273 ACRES MORE OR LESS.

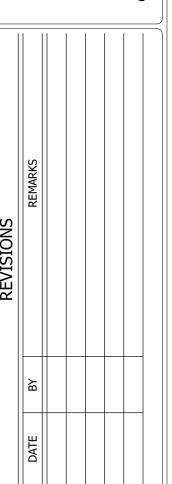




NOTES:

1) LOCATION OF PROJECT IS IN THE MSR ZONE (MAIN STREET RESIDENTIAL)





TOWNHOMES

CONCEPT PLAN

FOR: JOHN MONEY

AWING: CONC.

BAHL

#### Planning Commission Meeting Minutes Tuesday, March 24, 2020



**Planning Commission Members in Attendance:** Trevor Wood, Kylie Lance, Brad Gunnell, Jessica Tolman, Kody Curtis, Art Adcock, Michelle Sperry and Kyle Francom.

Other's in Attendance: Community Development Director Jason Bond, City Manager Ben Reeves.

Commission Chair Wood called the meeting to order at 7:01 p.m.

Invocation or Inspirational Thought: Commissioner Lance shared an inspirational thought.

Pledge of Allegiance: Commissioner Wood led the Pledge of Allegiance.

#### **Public Forum:**

Mr. Bond explained that in response to the Covid19 Pandemic, public comments will now be given via email or phone. Tonight's meeting is being streamed via Zoom and only a few Staff members are participating at the City Offices.

City Manager Reeves shared the Following Public comment received from Tod Rowley representing South Ridge Farms (See Attachment 'A'). Mr. Rowley's comments were regarding South Ridge Farms and their opposition to the Mehlhoff Property Rezone.

Commission Chair Wood closed the Public Forum at 7:08 p.m.

## DISCUSSION AND POSSIBLE ACTION ITEMS

#### **Mehlhoff Property Rezone**

The Planning Commission will review a proposed rezone of approximately 35.39 acres from the Commercial (C-1) zone to the Residential R-10 Planned Unit Development (R-10 PUD) zone, located at approximately 300 W. and 1000 S.

Mr. Bond explained that he spoke with the applicant earlier today, letting them know of provisions in code that would require changes to their proposed subdivision; if it were to be rezoned. He stated that in coordinating with the applicant, they requested that this item be tabled at this time. They would like to provide another plan that better reflects the code requirements at the next meeting, which will be held on April 14<sup>th</sup>.

**Motion:** Commissioner Wood motioned to table the Mehlhoff Property Rezone until the next meeting. Commissioner Lance seconded. Roll Call:

#### PLANNING COMMISSION MEETING TUESDAY March 24, 2020 PAGE 2 OF 8

Commissioner Wood	Aye
Commissioner Lance	Aye
Commissioner Curtis	Aye
Commissioner Tolman	Aye
Commissioner Gunnell	Aye
Commissioner Adcock	Aye
Commissioner Sperry	Aye
The vote passed 7 to 0.	

#### **Conditional Use Permit Request**

The Planning Commission will review a Conditional Use Permit Request for a Major Home Occupation Preschool, located at 66 E. 780 S.

Mr. Bond explained that the applicant, Ms. Kristin Wilson will be participating via phone. He indicated that this proposed preschool qualifies as a major home occupation; because it exceeds the maximum of 8 children per day as outlined in the minor home occupation code (10-12-5). He explained that they have proposed to have two classes with 12 children each for a total of 24 children per day (10-12-6). City code regarding major home occupations outlines the maximum number of children per day at 24 for a Preschool or Daycare.

Commissioner Wood clarified that a major home occupation is an allowed use and it is the Planning Commissions job to help mitigate possible impacts. Mr. Bond showed the location of the proposed preschool he noted that it is located within the R-10 zone.

Commissioner Francom asked what times these classes would begin and end. Ms. Wilson explained that the first class would be held from 9:15-11:45 a.m. and the second session would be from 12:30 -3:00 p.m.

Commissioner Gunnell asked if City Staff has received any feedback on this conditional use application. Mr. Bond answered that notification letters were sent, but no feedback has been given to staff. Commissioner Wood noted that both of his girls went to a similar preschool in his neighborhood and he didn't notice much of an impact. He stated that he doesn't see any significant impacts to the area. Commissioners Lance and Francom agreed.

**Motion:** Commissioner Wood motioned to approve the conditional use permit for Ms. Kristin Wilson at 66 E. 780 S. Commissioner Lance seconded. Roll Call:

Commissioner Wood Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye

Commissioner Adcock Aye Commissioner Sperry Aye The vote passed 7 to 0.

#### **Parker View Subdivision Final Review**

A final review of a 3 lot commercial subdivision located at the corner of Main Street and Highland Drive.

Mr. Bond called the applicant Colton Petersen. He explained that the Planning Commission is the land use authority for this subdivision, as it is 3 lots (See Attachment 'A'). Mr. Bond clarified that this property includes the existing Big O Tires, and two additional lots. He noted that this subdivision doesn't have a right of way dedication so it doesn't need to be approved before the City Council. He noted that they are proposing to build a carwash on lot one, and it will be discussed separately.

Commissioner Gunnell asked if there were any changes made to this proposal from last meeting Mr. Bond explained that there are a few DRC redlines regarding the ingress and egress that need to be addressed. Mr. Petersen explained that they haven't included any changes, other than addressing the redlines provided by the DRC at previous meetings.

**Motion:** Commissioner Gunnell motioned to grant final approval for the Parker View Subdivision with the condition that all redlines be addressed. Commissioner Sperry seconded. Roll Call:

Commissioner Sperry
Commissioner Adcock
Commissioner Gunnell
Commissioner Tolman
Commissioner Curtis
Commissioner Lance
Commissioner Wood
The vote passed 7 to 0.

#### **PUBLIC HEARING- Zoning Amendments Related to Car Washes**

The Planning Commission will review a proposed amendment to the following sections in Santaquin City Code: 10-2-2 (including car washes as an accessory use in the definition of automotive service repair); 10-14-6 (addressing queuing lanes for automotive service bays); and 10-7F-3 (adding carwashes as a permitted use in the C-1 Interchange Commercial Zone).

Mr. Bond explained that upon receiving an application for a car wash, it was discovered that code doesn't have clear language regarding car washes as a commercial use. He noted that there is another applicant interested in developing a car wash in another area of town, as well as Mr. Petersen's proposed Carwash within the Parker View Subdivision.

PLANNING COMMISSION MEETING TUESDAY March 24, 2020 PAGE 4 OF 8

Mr. Bond explained that he has worked with the City Attorney to amend language for this use (See Attachment, 'B'). He outlined the proposed changes with include; Modifying the definition for a car wash; as well as the definitions for automotive service and repair, both major and minor. Mr. Bond clarified that current code only allows carwashes as an accessory use to an automotive service station. The proposed language would allow them to be an accessory use to major and minor automotive service and repair stations.

An additional change is proposed in 10-14-6 stating that 'A business may apply for a conditional use permit to queue contrary to the provisions of 10-14-6. Each application shall establish that queuing does not conflict with the use of required parking stalls, fire code, building code, does not and will not result in queuing on a public street, and does not or will not interfere with any public rights of way.' Mr. Bond explained that this language would allow a conditional use tie to queuing to both protect the City and provide more options for the applicant than current code allows.

Mr. Bond explained the final proposed change which would allow car washes to be a standalone use within the Commercial C-1 zone. He clarified that it would be listed as a conditional use so that provisions regarding queuing etc. can be considered.

Commissioner Francom asked what the reasoning is behind the proposed queuing change. Mr. Bond explained that the current queuing language is making it difficult for a proposed car wash service coming to an existing building in town. He stated that the intent of changing the queuing language is to work with the applicants, while addressing the concerns in a matter that would place the responsibility on the owner if there are any problems.

Commission Chair Wood opened the Public Hearing at 7:39 p.m.

Mr. Reeves explained no members of the public are in attendance and no feedback was received for this item.

Commission Chair Wood closed the Public Hearing at 7:39 p.m.

Commissioner Adcock asked if this means that a standalone car wash can't be located on Main Street? Mr. Bond clarified that the proposed language only grants conditional use for standalone carwashes within the C-1 Commercial zone. He explained that the Planning Commission could choose to include this in their recommendation to the City Council.

Commissioner Gunnell suggested that in the proposed language under 10-2-2 'Terms Defined' that 'or obtains a conditional use permit thereunder' is added to make it clear that the conditional use permit allows the use to differ than the standards in 10-14-6.

Commissioner Curtis asked if an allowance should be made in code to allow carwashes as a standalone use within the C-1 zone. Mr. Bond explained that this is one of the intents of this code change to make a car wash an appropriate standalone use in this zone. He clarified that carwashes are still not listed as a standalone use in the MSC zone. But explained that it could be added as a recommendation to the Council if the Commissioners would like. Commissioner Wood stated that he thinks it makes sense to just clarify in the C-1 zone for now.

**Motion:** Commissioner Lance motioned to forward a positive recommendation to the City Council for the 'Zoning Amendments Related to Carwashes', with the change to definitions recommended by Commissioner Gunnell. Commissioner Tolman seconded.

#### Roll Call:

Commissioner Wood
Commissioner Lance
Commissioner Curtis
Commissioner Tolman
Commissioner Gunnell
Commissioner Adcock
Commissioner Sperry
The vote passed 7 to 0.

Aye
Aye
Aye
Aye

#### PUBLIC HEARING-Ordinance Amendment 'Acceptable Ground Cover' in PUD's

The Santaquin City Planning Commission will review a proposed amendment to consider modifying Santaquin City Code Section 10-7K-4-E to clarify acceptable ground cover in a Planned Unit Development (PUD).

Mr. Bond explained that homes built within a Planned Unit Development 'PUD' require front and side yard landscaping prior to the issuance of a C of O. Currently code states that the side and front of the lot must be finished including 'grass or acceptable ground cover.' He explained that the term 'acceptable ground cover' has caused confusion for some developers. Mr. Bond stated that several developers have indicated that they have had home owners request a gravel parking area on the side of their garages. He referenced a previous discussion regarding the Foothill Development Agreement setbacks, and the proposed solution of providing additional gravel parking areas on the sides of the garages.

Mr. Bond presented to the proposed language that would clarify that acceptable ground cover may include a gravel parking area on the side of a garage ('See Attachment 'C'). He noted that it must be constructed in accordance with Santaquin City Standards and include weed barrier, etc.

Commission Chair Wood opened the Public Hearing at 7:54 p.m.

Mr. Reeves explained there is no public in attendance, and no input was provided via email or phone.

Commission Chair Wood closed the Public Hearing at 7:54 p.m.

Commissioner Tolman indicated that she sees this in Summit Ridge already, and doesn't see an issue with this. Commissioner Gunnell asked if the standards and specifications already require a weed barrier. Mr. Bond expressed that the intent is to make it clear in code, and that the Standards and Specs may need to be updated in the process. Commissioner Wood asked if the Standards and Specs should be clarified along with this code amendment. Mr. Bond indicated that it can be done separately and can't be done tonight as it isn't on the agenda.

Commissioner Lance asked if corner lots with garages that face the road could potentially landscape the entire side of the yard. Commissioner Wood suggested that the width of the proposed gravel parking pad be limited. Mr. Bond stated that currently there is no clarification regarding side yards in corner lots. Commissioner Lance indicated that she would like to see a maximum width for gravel specified within code. The Commissioners discussed different width requirements. Commissioner Curtis stated that he would like to see the width at 16 feet. Commissioner Tolman suggested a 12-foot width. Commissioner Gunnell explained that he has a trailer in his side yard, and that he would like to see at least 16 feet as he feels it gives enough room to work. Commissioners Sperry and Adcock indicated that they are ok with 16 feet.

Mr. Bond updated the language to include the Commission's recommendation that the gravel shouldn't exceed a width of 16 feet.

**Motion:** Commissioner Lance motioned to forward a positive recommendation to the City Council for the 'Acceptable ground cover in PUD's' ordinance amendment; with the recommendation that the width of the gravel parking area on the side of the garage can't exceed 16 feet. Commissioner Gunnell seconded.

#### Roll Call:

Commissioner Wood
Commissioner Lance
Commissioner Curtis
Commissioner Tolman
Commissioner Gunnell
Commissioner Adcock
Commissioner Sperry
The vote passed 7 to 0.

Aye
Aye
Aye

# **PUBLIC HEARING-Ordinance Amendment Clarifying the Subdivision Process for 3 Lots or Less**

The Santaquin City Planning Commission will review a proposed amendment to consider modifying Santaquin City Code Section 11-1-4 to clarify the land use authority for subdivisions including 3 lots or less.

Mr. Bond explained that this proposed amendment would clarify the approving body for three lots or less (See Attachment 'D'). He indicated that there is a discrepancy between the flow chart in

section 11-1-4 which appoints the Planning Commission as the approval body for 3 lots or less; while the code states that the City Council is the approval body. This proposed amendment would clarify that the Planning Commission is the approval body.

Commission Chair Wood opened the Public Hearing at 8:14 p.m.

Mr. Reeves indicated that no Public Comments were provided for this issue.

Commission Chair Wood closed the Public Hearing at 8:14 p.m.

Commissioner Wood asked if the original lot in a subdivision is counted towards the total lots in the subdivision. Mr. Bond explained that a subdivision counts the total lots remaining after the subdivision takes place. He clarified that any right of way dedication would still needs to be approved by the Council regardless of the subdivision size.

**Motion:** Commissioner Curtis motioned to forward a positive recommendation to the City Council for the 'Ordinance Amendment Clarifying the Subdivision Process for 3 Lots or Less.' Commissioner Sperry seconded.

Roll Call:

Commissioner Wood Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye
Commissioner Adcock Aye
Commissioner Sperry Aye

The vote passed 7 to 0.

#### PLANNING COMMISSION BUSINESS

Approval of minutes from:

February 25, 2020

March 10, 2020

Motion: Commission Tolman motioned to approve the minutes from February 25, 2020. Commissioner Gunnell seconded.

Commissioner Wood Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye
Commissioner Adcock Aye
Commissioner Sperry Aye

The vote passed 7 to 0.

### PLANNING COMMISSION MEETING TUESDAY March 24, 2020

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Motion: Commissioner Adcock motioned to approve the minutes on March 10, 2020.

Commissioner Sperry Sec	onded
Commissioner Wood	Aye
Commissioner Lance	Aye
Commissioner Curtis	Aye
Commissioner Tolman	Aye
Commissioner Gunnell	Aye
Commissioner Adcock	Aye

Commissioner Sperry The vote passed 7 to 0.

Mr. Bond noted that necessary precautions are being taken at the City Offices. He clarified that there are no plans to shut down operations at this time. Mr. Reeves clarified that the Community Development Office door office is closed, but Community Development personnel has moved downstairs to assist residents through the glass. And that appointments can be scheduled in the office upstairs.

#### **ADJOURNMENT**

Commissioner Lance motioned to adjourn at 8:31 p.m.

Aye

Trevor Wood, Commission Chair	Kira Petersen, Deputy Recorder

#### Planning Commission Meeting Minutes Tuesday April 14, 2020



**Planning Commission Members in Attendance:** Trevor Wood, Art Adcock, Jessica Tolman, Kylie Lance, Brad Gunnell, & Kody Curtis.

Other's in Attendance: Community Development Director Jason Bond, City Manager Ben Reeves, Trent Mehlhoff and John Dester.

Commission Chair Wood opened the meeting at 7:00 P.M.

Invocation / Inspirational Thought: Commission Chair Wood offered an inspirational thought.

**Pledge of Allegiance:** Commission Chair Wood led the Pledge of Allegiance.

**Public Forum:** Commission Chair Wood opened the Public Forum at 7:02 p.m.

Mr. Reeves read a public comment provided by the Rowley's South Ridge Farm regarding their opposition to the Mehlhoff Property Rezone (See Attachment 'A').

Commission Chair Wood closed the Public Forum at 7:05 p.m.

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

#### **Mehlhoff Property Rezone**

The Planning Commission will review a proposed rezone of approximately 35.39 acres from the Commercial (C-1) zone to the Residential R-10 Planned Unit Development (R-10 PUD) zone, located at approximately 300 W. and 1000 S.

Mr. Trent Mehlhoff explained that he bought this property roughly 5 years ago, with the intent of moving his RV sales business from Springville to Santaquin. He noted that when he purchased the property it wasn't financially feasible to install the required improvements and move his business here. Mr. Mehlhoff stated that he was then introduced to John Dester and his company Georgetown Developments; together they have proposed to develop a residential area behind a commercial frontage on Mr. Mehlhoff's property. Mr. Mehlhoff stated that believes that John Dester offers the best development in the State.

Mr. John Dester showed his proposal for the residential zoning (See Attachment 'B'). He noted that he has provided adjustments to his proposal, in order to meet zoning and other code requirements. Mr. Dester explained that the project would include 4 different types of housing including 2 types of single family housing, and two different types of townhomes. He highlighted the ample amount of open space in this development. Mr. Dester stated that the proposed parking

PLANNING COMMISSION MEETING TUESDAY April 14, 2020 PAGE 2 OF 7

would provide 4 parking stalls per unit. He added that they are also proposing to install a concrete wall around the entire project.

Mr. Bond asked that more details be provided regarding the proposed amenities. Mr. Dester explained that they are proposing to install a club house, and pool or splash pad. They also plan to install outdoor pavilions with picnic tables.

Commissioner Curtis asked why the future plat to the South is no longer included in the proposal. Mr. Dester explained that homes that are adjacent to an agricultural use require a 150-foot setback. They plan to address that phase later if the adjacent use or ordinance changes. He noted that another alternative could be to install a park and meadow setback area and redistribute the housing to other areas of the project.

Commissioner Gunnell asked if the General Plan that is on the City website from 2012 is the most recent. Mr. Bond confirmed this and explained that it will be updated in the near future. Commissioner Gunnell explained that he has no complaints regarding the quality of this residential development. Instead, his issue is rezoning a large commercial area to residential. He also expressed concern regarding the Rowley's who neighbor the property and their opposition to this rezone. Commissioner Gunnell referred to the City Code 10-7-6 regarding the Planning Commissions role in zone changes. He noted that he doesn't feel that the rezone should be granted due to the fact that the neighboring property owner is in opposition to it.

Commissioner Gunnell stated that he would like to see plans to subsidize the commercial zones within the City prior to or in conjunction with any rezones taking place. Commissioner Wood pointed out that this rezone would create an island of residential zoning that would be surrounded by commercial, industrial and agricultural uses. He echoed Commissioner Gunnell's thoughts that if this area is to be rezoned a comprehensive rezone should be considered in order to protect commercial zoning. Commissioner Tolman indicated that she is against this rezone.

Commissioner Curtis asked for clarification regarding a PUD including a development agreement in order to ensure that the project that was originally presented is what is ultimately built. Mr. Bond explained that if this rezone is approved, a development agreement could be tied to a rezone rather than a PUD to ensure that the project would be developed as presented. Commissioner Lance indicated that while she doesn't want to adversely affect neighbors, currently any commercial business could be built on the property and potentially impact the neighbors in a worse way. She explained that as a realtor she has seen and likes the Georgetown Developments, and that the community needs low maintenance senior housing.

Commissioner Lance pointed out that high density housing is often used as a buffer between commercial uses. She noted her support of farmers in town; but indicated that she wouldn't like to turn away commercial businesses, and a nice residential project. Commissioner Curtis pointed out that granting this proposal would bring new commercial businesses to the City in the near future.

Commissioner Tolman stated that she feels granting this rezone would restrict future commercial developments by rezoning commercial area as residential.

Commissioner Gunnell explained that it is his understanding that City Code indicates that all of the guidelines listed in 10-7-6 must be met in order for a rezone to be granted:

'Requirements For Approval: In order to grant an approval for the rezoning of property, the planning commission and city council must find that:

- 1. The rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
- 2. The rezoning will not adversely affect surrounding properties; and
- 3. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.'

Mr. Bond explained that a legislative decision is ultimately up to the City Council and the Code is meant to guide those who have the legislative authority to make a decision. Mr. Reeves clarified that the Planning Commission does not usurp the City Council's legislative right to make decisions as elected leaders. He explained that if there is a conflict in City code the developer is always sided with. Commissioner Gunnell stated that he would like to hear the City Attorney's thoughts on this.

Commissioner Wood believes that if a rezone were to take place for this property, it should take place as a comprehensive effort with everyone involved. Commissioner Gunnell stated that he thinks that rezones are intended to be difficult in order to protect property rights. Commissioner Curtis disagreed, and stated that he thinks the zoning was decided when it was unclear where different uses would be located. Commissioner Adcock agreed with Commissioners Gunnell and Tolman that this significant piece of commercially zoned property should be protected.

**Motion:** Commissioner Curtis motioned to forward a positive recommendation to the City Council for a rezone of the proposed area to an R-10 PUD, conditioned upon a development agreement. Commissioner Lance seconded.

#### Roll Call:

Commissioner Adcock
Commissioner Tolman
Commission Gunnell
Commissioner Lance
Commissioner Curtis
Commissioner Wood
Nay

The motion failed with 2 aye votes to 4 nays.

**Motion:** Commissioner Gunnell motioned to forward a negative recommendation to the City Council, against the proposed Mehlhoff property rezone. Commissioner Adcock seconded.

#### PLANNING COMMISSION MEETING TUESDAY April 14, 2020 PAGE 4 OF 7

#### Roll Call:

Commissioner Adcock Aye
Commissioner Tolman Aye
Commission Gunnell Aye
Commissioner Lance Nay
Commissioner Curtis Nay
Commissioner Wood Aye

The motion passed with 4 aye votes to 2 Nay.

#### **Summit Ridge Towns Preliminary Plan**

A preliminary review of a 434-unit multifamily subdivision located at approximately Summit Ridge Parkway and 1200 W.

Mr. Bond explained that the applicants will be participating via Zoom. Nate Walters with LEI Engineering, Adam Losser, and Curtis Leavitt with DR Horton all joined the meeting.

Mr. Bond reported that the DRC recommended that this item move forward, with the condition that the Summit Ridge Development Agreement be complied with. He explained that a second amendment to the development agreement has been proposed and is in the process of being finalized. Mr. Bond clarified that the point of the amendment is to give the developer credit for providing private open space, while also requiring public open space to benefit the entire Summit Ridge Development. He noted that the amendment hasn't yet been signed; and that any approval granted, would need to be conditioned upon this amendment being signed and passed.

Mr. Curtis Leavitt presented the preliminary plan for the Townhomes at Summit Ridge (See Attachment 'C'). He recognized the proposed future commercial area of the development and noted the importance of bringing the required rooftops to justify the commercial use. Mr. Leavitt stated that the proposed amenities include a pool, changing area, dog park, tot lot and hammock grotto. Mr. Walters showed the phasing plan, color pallets and architectural renderings which have been approved by ARC.

Commissioner Tolman asked if the road to the West of the development will be public or private. Mr. Bond answered that Oakdale and Nettle Drive would be private roads or access roads for the alley loaded units. Harvest View Drive, that boarders the park will be a public road. Mr. Reeves explained that according to the pending amendment to the development agreement; the HOA Park would count as 80% of the developments open space credit. The remaining 20% would need to be improvements coming outside of the development. The Developer will be installing additional parking and playground equipment at the City's Harvest View Park.

Commissioner Tolman expressed concern with cars parking on Harvest View Drive. Mr. Reeves stated that he doesn't anticipate any issues with parking on this road because it is a wider collector

PLANNING COMMISSION MEETING TUESDAY April 14, 2020 PAGE 5 OF 7

road. Mr. Leavitt noted that the DRC has asked that both sides of Harvest View Drive be red curbed and that no parking signs are provided.

Commissioner Lance asked if the units will be owner occupied or rentals. Mr. Bond explained that the units will be subdivided so they can be owner occupied. Mr. Leavitt clarified that the units may be owner occupied, however the CC&R's will provide rental guidelines as homeowners can rent their homes.

Commissioner Curtis asked if there is anything in code that can restrict this project. He stated that he doesn't know of anyone in the community who is in favor of this development. Commissioner Curtis stated that he sees the need for this type of housing, but doesn't think it is needed on this scale. Mr. Bond explained that the Summit Ridge development agreement was made in 2000 and allows for this development. Mr. Reeves pointed out that DR Horton has worked with the City and made allowances that they haven't been required to, in order to work with and benefit the City.

**Motion:** Commissioner Gunnell motioned to recommend approval to the City Council for the Summit Ridge Townhomes with the following conditions: That the second amendment to the Summit Ridge Development agreement be executed. That the plans are in compliance with the Summit Ridge Development agreement as amended. And that all redlines be addressed. Commissioner Lance seconded.

#### Roll Call:

Commissioner Adcock Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Wood Aye
The motion passed 6 votes to 0.

#### **Conditional Use Permit Request**

The Planning Commission will review a Conditional Use Permit Request for queuing on a site along Main Street which is proposed to be a car wash.

Mr. Bond explained that applicants of a proposed car wash to be located on Main Street, are requesting a Conditional Use Permit to provide queuing between the building and the public street. He noted that they are requesting this as a provision since the building was built prior to this ordinance being written (See Attachment 'D'). Mr. Bond clarified that the recent code amendment states that a conditional use permit may be granted for queueing, as long as it doesn't interfere with parking, or fire and building code.

Commissioner Adcock asked if the applicant would be negatively affected when Main Street is widened. Mr. Bond explained that there will be no more infrastructure improvements to their

frontage. He added that the site plan, and building permit process will all take place separately from this conditional use permit.

Commissioner Wood asked what would happen if cars spill out onto Main Street. He suggested that instead the cars que and enter from the North. Mr. Bond explained that staff met with the applicant onsite, and considered using the North as an entrance. He stated that ultimately it was decided that the radius wouldn't work to the North as an entrance. Mr. Bond recognized the difficulty of enforcing code. He noted that if queuing were to happen on Main Street it would be recognized quickly and addressed. Commissioner Wood asked if the applicant has addressed ways to mitigate queuing from taking placing in the street. Mr. Bond stated that the applicant is planning to use a strategy to get cars moving as quickly as possible.

Commissioner Gunnell asked what type of carwash this would be. Mr. Bond stated that it would be a touchless automatic car wash. Commissioner Gunnell stated that he is generally in favor of this proposal. The applicants Josh and BreAnna Nixon called in to answer questions regarding their plan to get cars through quickly and avoid queuing from spilling onto Main Street. Mr. Nixon stated that if business warrants it, a third bay could become an additional car wash.

**Motion:** Commissioner Gunnell motioned to approve the conditional use permit for queuing to happen between the Classic Car Wash of Santaquin and Main Street. Commissioner Adcock seconded.

#### Roll Call:

Commissioner Adcock Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Wood Aye
The motion passed 6 votes to 0.

#### Parking Reduction for Ace Hardware LPG Tank

The Planning Commission will review a proposed parking reduction for the grocery store development in order to make room for an LPG tank.

Mr. Bond explained that the grocery store is proposing to put a Liquid Propane Gas tank on the North East side of the building and parking lot (specifically for the Ace Hardware store). He stated that if approved, the parking would be reduced by 3 parking stalls to accommodate the LPG tank.

Mr. Bond noted that this proposal has been ran by the building Official, Fire and Fire Chief who haven't indicated any concerns.

**Motion:** Commissioner Curtis motioned to approve the 3 stall Parking Reduction for the Ace Hardware LPG Tank. Commissioner Tolman seconded.

#### PLANNING COMMISSION MEETING TUESDAY April 14, 2020 PAGE 7 OF 7

Roll Call:

Commissioner Adcock Aye
Commissioner Tolman Aye
Commissioner Gunnell Aye
Commissioner Lance Aye
Commissioner Curtis Aye
Commissioner Wood Aye
The motion passed 6 votes to 0.

#### PLANNING COMMISSION BUSINESS

Approval of minutes from February 25, 2020 March 10, 2020

The agenda listed minutes that have been previously approved at a prior meeting. Because of this no minutes were approved at this meeting.

#### **ADJOURNMENT**

Commissioner Adcock motioned to adjourn at 9:56 p.m.

a Petersen, Deputy Recorder
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