



# PLANNING COMMISSION

## MEETING AGENDA

Tuesday February 11, 2020

**6:30 p.m. WORK SESSION**

Review of agenda items.

**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- Countryside Estates Plat E**

The Planning Commission will review a preliminary plan for a proposed 3 lot subdivision located at approximately 200 E. and 820 S.
7. **PLANNING COMMISSION BUSINESS**

Approval of minutes from:  
January 28, 2020
8. **ADJOURNMENT**

Upon Request, in compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided. For assistance, please call 754-3211.

**CERTIFICATE OF POSTING**

This agenda is hereby properly advertised this 7<sup>th</sup> day of February, 2020 through posting of copies of this agenda in three public places within the city, namely **City Hall**, **Zion's Bank**, and the Santaquin branch of the **United States Post Office**

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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.

# MEMORANDUM



To: Planning Commission

From: Ryan Harris, Staff Planner

Date: February 7, 2020

RE: **Countryside Estates Plat E Subdivision Review**

Zone: R-10
Size: 0.95 Acres
Lots: 3

The Countryside Estates Plat E subdivision is located at approximately 211 East and 820 South. The proposal is to subdivide 0.95 acres into 3 single family lots. Single Family lots are a permitted use in the R-10 Residential Zone. Each lot is required to be a minimum of 10,000 sq. ft. and have a minimum lot frontage of 80 feet. The proposed subdivision meets these minimum lot requirements.

The Development Review Committee (DRC) reviewed Countryside Estates Plat E on April 23, 2019. At the DRC meeting it was determined that the development didn't meet the access requirement in the code. Only 10 lots were allowed for one access and this subdivision would add more than 10 lots to one access. The applicant applied for a code amendment to change the access requirement to a distance requirement. The code amendment was passed by the City Council on September 17, 2019. One of the requirements in the new code required City Council approval if there was one access and that access was over 500' long. The City Council gave the approval for the access on November 19, 2019. Due to the project being over 500', a turnaround is required. The applicant submitted updated plans with the turnaround and it was reviewed by DRC on January 28, 2020. At the meeting, DRC recommended approval of Countryside Estates Plat E.

This review is for the Planning Commission to determine whether the proposed subdivision complies with the Santaquin City's Code and make a recommendation to the City Council. A 3-lot subdivision review is usually an expedited process and the Planning Commission is the land use authority. Due to there being right-of-way dedication, the City Council will be the land use authority.

**Staff Recommendation:** It is recommended that the Planning Commission make a recommendation to the City Council for approval of the Countryside Estates Plat E Subdivision with conditions.

**Recommended Motion:** "Motion to recommend approval of the Countryside Estates Plat E Subdivision with the following conditions:

- All Planning, Zoning and Engineering redlines be addressed.

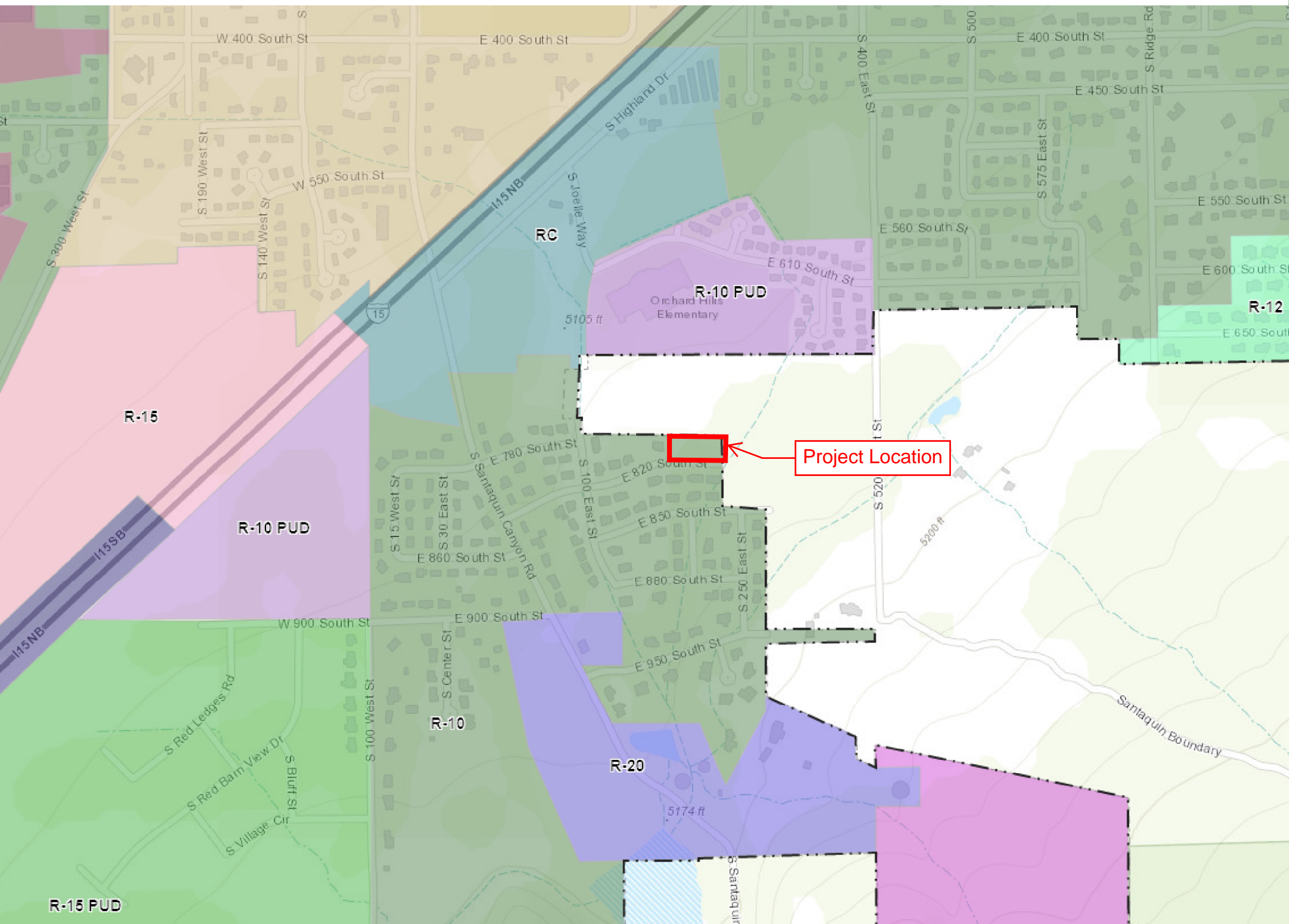
**Staff Recommendation:**

- Address all Planning, Zoning and Engineering redlines.

**Exhibits:**

1. Zoning and Location Map
2. Subdivision Plat

## Exhibit 1: Zoning and Location Map









**Planning Commission Meeting Minutes**  
**Tuesday, January 28, 2020**

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

**Other's in Attendance:** City Manager Ben Reeves, Community Development Director Jason Bond, Randall Ercanbrack, and Jackie Ercanbrack.

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

**Invocation / Inspirational Thought:** Commissioner Tolman offered an inspirational thought.

**Pledge of Allegiance:** Mr. Bond led the Pledge of Allegiance.

**Public Forum:** Commission Chair Wood opened the Public Forum at 7:02 p.m. and closed at 7:03 p.m.

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **Work Meeting**

*A Discussion with Randall Ercanbrack regarding the zoning of his property located at approximately 580 W. Main Street.*

Mr. Bond explained that a few years ago there was a proposed zone change on Main Street; with the goal of preserving the commercial frontage. When this happened, Mr. Ercanbrack brought to light a development agreement he had entered into with the City from 2002-2012. As Staff discussed Mr. Ercanbrack's property the idea of retrofitting his existing building for a City recreation center was discussed. This was eventually put on the ballot and voted down by residents. Now the City is concerned about maintaining the highest and best use of Mr. Ercanbrack's property, while maintaining his property rights.

Mr. Bond expressed the different options moving forward, one option discussed was a zone change that would combine the Main Street Commercial (MSC) and Main Street Residential (MSR) zones. He noted Mr. Ercanbrack's desire to maintain flexibility within the zoning. Another option is to enter into a new development agreement between Mr. Ercanbrack and the City. This would give both parties an expectation of what the property could be used for in the future. Mr. Bond explained that the land is currently in the Residential Commercial (RC) zone, and could be amended to refine the allowed uses. He noted the challenges of amending the RC zone including impacting the other areas located within that zone.

Mr. Bond shared his recommendation which would be to amend and refine the RC zone, while concurrently entering into a new development agreement with Mr. Ercanbrack.

Mr. Randall Ercanbrack explained that he originally entered into a development agreement with the City in 2002 when his property was annexed into Santaquin. He expressed his intent to protect the value of his property while being a good neighbor in the community. Mr. Ercanbrack explained that he could easily sell his land to be currently developed as storage units or multifamily housing, but that isn't his desire. He communicated that he doesn't want to be put in a zone that won't work for him in the future. Mr. Ercanbrack indicated that his legal counsel has advised him to have the property rezoned to a new zone. He stated that he would like to retain the areas that front Main Street for Commercial use while balancing residential uses.

Mr. Ercanbrack explained that commercial uses may not be coming to his end of Main Street for 10 plus years, and he wants the ground to be protected for his grandson and the future. He noted that the demographics of Cities that attract lots of commercial companies, are the Cities provide amenities for their residents. Mr. Ercanbrack acknowledged the heavy cost to install 500 West which will be necessary to develop his property. He expressed his need for flexibility that current zoning doesn't provide. Mr. Reeves explained that high density residential will allow for the cost of the infrastructure needed to be installed. Mr. Ercanbrack stated that he would like to enter into a development agreement with the City so things can be figured out in the future.

Commissioner Adcock explained that he likes the idea of maintaining the commercial use while having residential uses near it. Mr. Ercanbrack stated that he would like to have a higher density buffer between the commercial and residential uses. Commissioner Adcock indicated that he likes the idea of keeping the zoning flexible. Mr. Ercanbrack reiterated that he doesn't want specific zoning so things can be designed in the future. Commissioner Lance noted her desire to see the frontage preserved for commercial, specifically because of the limited commercial property in the City. Commissioner Gunnell stated that he thinks a development agreement is the best option. He noted concerns of what happens in the interim while working toward a development agreement. Commissioner Gunnell suggested that the zone is changed to allow commercial and residential development while requiring any residential to have a setback from Main Street. Commissioner Wood stated that this sounds reasonable solution to protect the City without boxing Mr. Ercanbrack in.

Mr. Bond asked if the Planning Commission and Mr. Ercanbrack are ok with Staff creating a hybrid zone and working on a development agreement between the City and Mr. Ercanbrack. Mr. Ercanbrack expressed his desire to provide input to the zone and development agreement.

Commissioner Tolman asked if it makes sense to provide an access road on the wedge of land to the East West that UDOT owns. Mr. Ercanbrack explained that there are railroad tracks and elevation issues on that property. Commissioner Tolman expressed concern with too much commercial development concentrated in one area. She asked if the road could be moved further West to avoid access issues. Mr. Bond explained that UDOT wants to limit access off of the highway. He noted the railroad and utilities in that area that would further prohibit development of a road in that area.

Commissioner Lance provided the direction for staff that she wouldn't like to see storage units or mobile home parks in the new zone. Commissioner Tolman noted that she would like to see a zone that requires a larger amount space of open space for multifamily development. Mr. Ercanbrack explained that he can't develop the road, while maintaining commercial and maintain open space.

Commissioner Gunnell stated that he would like to see a new zone that is based off the RC zone. Mr. Bond reassured the Planning Commissioners that the proposed rezone and development agreement will come back for their review in a future meeting.

## PLANNING COMMISSION BUSINESS

Approval of minutes from:  
January 14, 2020

**Motion:** Commissioner Adcock motioned to approve the minutes from January 14, 2020. Commissioner Tolman seconded. The vote was unanimous in the affirmative.

Mr. Bond explained that D.R. Horton purchased the Foothill Development from Salisbury Homes. He described their proposal to change the setbacks, in order to better fit their product to the approved lots. Mr. Bond stated that while this proposal requires City Council legislative action, staff feedback is wanted prior to City Council review.

Mr. Bond outlined the currently approved setbacks which are; a 25-foot rear setback, a 30-foot front setback with 10-foot side setbacks. He presented their proposed setbacks which are: a 20-foot rear setback, an 18-foot setback to the house, with a 20-foot setback to the driveway. The proposed side setbacks would be 5 feet on one side and 10 feet on the other.

Mr. Bond explained the Council's concerns that 20-foot driveways are too small for larger vehicles. Despite this concern, D.R. Horton is still proposing 20 foot driveways, but have offered to provide compacted road base material on the side of the home where larger vehicles could be parked. This extra driveway would be setback 22 feet 9 inches. Mr. Bond explained that homes with a third car garage will already have a longer third driveway to accommodate larger vehicles. He clarified that these setback modifications would only apply to lots that are 110 feet or less in depth, this would include roughly 80 lots that are a part of the Foothill development.

Mr. Reeves noted DRC member's comments which included installing concrete up front rather than hard pack surfaces. Commissioner Lance asked how many lots this would affect. Mr. Bond stated that it would apply to between 70-80 out of the 400-500 lots. Mr. Reeves explained the City's desire to work with D.R. Horton and see the Frontage Road connect from the North freeway interchange to the South freeway interchange which is required per the development agreement. He clarified that they are working with the developer in good faith to reconfigure the Highland Drive and Canyon Road intersection, which isn't required per the development agreement. Because of this, the City is open to working with them on the setbacks.



Commissioner Tolman expressed concern that the houses will be too large for the smaller lots. Commissioner Adcock stated that he isn't comfortable with such a small setback in the front. Commissioner Tolman also noted concern that the City will be giving the developer too much; and asked for clarification that these tradeoffs would be exchanged for the intersection improvements off of Highland Drive. Mr. Reeves explained that D.R. Horton and the City would be working in good faith together. The developer would provide the offsite improvements up front and be reimbursed by transportation impact fees from the City in the future. Mr. Bond clarified that the Canyon Road and Highland Drive intersection would provide a third access point for the Frontage Road and be better for the community as a whole.

#### **ADJOURNMENT**

Commissioner Lance motioned to adjourn at 8:42 p.m.

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Trevor Wood, Commission Chair

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Kira Petersen, Deputy Recorder