



PLANNING COMMISSION

MEETING AGENDA

Tuesday January 28, 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. **Work Meeting**
A Discussion with Randall Ercanbrack regarding the zoning of his property located at approximately 580 W. Main Street.
7. **PLANNING COMMISSION BUSINESS**
Approval of minutes from:
January 14, 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 24th day of January, 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**

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.



**Planning Commission Meeting Minutes
Tuesday, January 14, 2020**

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

Other's in Attendance: Community Development Director Jason Bond, City Engineer Jon Lundell, Matt McMullin, Candi McMullin, Dale Rowley, Clint Ercanbrack, Jill Peterson Snell, and Joell Peterson.

Commission Chair Wood opened the meeting at 7:02 p.m.

Invocation / Inspirational Thought: Commissioner Curtis offered an invocation.

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

Public Forum: Commission Chair Wood opened the Public Forum at 7:04 p.m.

Dale Rowley representing Cherry Hills Farms expressed concern regarding the extension of 200 N. and 400 E. through Orchard Lane. He asked if the Planning Commission has anything to do with roads, specifically the height and depths. He noted that the new road is located 5-6 feet above their adjacent property which will cause difficulty for them in the future. Mr. Rowley wants to know why the road was installed so high and asked that the height of the roads is considered in future developments.

Mr. Rowley asked who approves high density housing locations. Mr. Bond explained that the Planning Commission makes recommendations, but the City Council is the approving body for multifamily developments and zoning. Mr. Rowley recommended that the impact of the number of units, and the resulting families are considered in the various locations where multifamily housing is approved.

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

City Engineer Lundell addressed Mr. Rowley's concerns regarding road elevation. He explained that a certain cross slope is required in order to balance the fill of the road. He described that there is a considerable slope moving South to North in that area (of the new road Mr. Rowley referred to), and that the City does their best to minimize the impact to the properties that are located adjacent to roads.

DISCUSSION AND POSSIBLE ACTION ITEMS

Appoint a Planning Commission Chair and Deputy Chair for 2020

Motion: Commissioner Lance nominated Commissioner Wood to be the Commission Chair. The Planning Commission Members unanimously agreed to appoint Commissioner Wood as the Commission Chair for the year 2020.

Motion: Commissioner Lance nominated Commissioner Gunnell to be the Deputy Chair. The Planning Commission Members unanimously agreed to appoint Commissioner Gunnell as the Deputy Commission Chair for the year 2020.

PUBLIC HEARING- Bastian 3-Lot Infill Subdivision

The Planning Commission will review a concept plan for a proposed 3-lot subdivision located at approximately Center Street and 300 N.

Mr. Bond explained that since this property is located in the core area of town, it qualifies for the infill standards, meaning the frontage can be 64 feet long instead of 80 feet (See Attachment 'A'). He noted that this proposal meets the infill requirements. Commissioner Lance asked if there are redlines from the DRC that need to be addressed. Mr. Bond explained that the DRC will provide redlines to the applicant, when this project goes to preliminary review. He also noted that the applicant is aware that they can apply for a deferral agreement from the City Council which if granted, would allow them to defer curb and gutter improvements in the right of way.

Ms. Jill Peterson Snell (the property owner) asked if she can change her proposal to include only one additional lot instead of currently proposed two. Mr. Bond explained that since this is a concept review and the applicant can change their plans as they wish, prior to the preliminary review with the DRC.

Commission Chair Wood opened the Public Hearing at 7:20 p.m.

Joell Peterson asked if a twin home could be developed on this lot. Mr. Bond explained that a recent ordinance amendment has prohibited multi-family housing as a permitted use in the R-8 zone. He stated that high density is currently a hot topic within the City, but it's something that could change in the future.

Commissioner Wood closed the Public Hearing at 7:22 p.m.

PUBLIC HEARING- Ercanbrack 3-Lot Subdivision

The Planning Commission will review a concept plan for a proposed 3-lot subdivision located at approximately 605 E. and 400 N.

Mr. Bond explained that this subdivision proposal includes the creation of 3 new parcels (See Attachment 'B'). The applicant is also proposing to extend the West property line of the existing home to the East of his property. Mr. Bond illustrated that parcel three has the appropriate frontage to the South, but the owner has left a gap between lot two and the existing home to the East. He suggested that the applicant include the gap in parcel two and instead, create an access easement

to be used for farming. Commissioner Adcock asked if the gap could become a prescriptive easement. Mr. Bond explained that since it's private property it wouldn't apply in this case. He noted that if the gap is left between parcels a private road wouldn't be permitted. Mr. Bond also clarified that flag lots are only allowed within the core area of town, and wouldn't be allowed for a future lot.

Commission Chair Wood opened the Public Hearing at 7:34 p.m.

Clint Ercanbrack the owner of this property explained like he would like to provide land for his grandkids to build homes on. He shared his hope to access lot three off of a future back road, if a school is built on adjacent property. Mr. Bond confirmed that Nebo School District owns what will one day become 500 E. but, emphasized that the timing of when that road will be built is unknown. Mr. Ercanbrack asked if this project can move forward. He also asked for a letter to provide to the bank, stating that the part of the property he will retain for his home, meets zoning requirements. Commissioner Wood stated that from a Planning standpoint his proposal looks good. Mr. Bond clarified that there are other engineering factors that need to be considered, City Engineer Jon Lundell is in attendance to review those requirements.

Commissioner Curtis pointed out that if 500 E. is installed by Nebo School District, there is neighboring property located in between Mr. Ercanbrack's property and the road. This means that 400 N. would be the only access point for parcel three. Mr. Bond suggested that the applicant layout their future plans in order to plan for access requirements, etc.

Mr. Ercanbrack asked why the future curb and gutter needs to be called out on the preliminary plans if it isn't currently existing. Mr. Lundell explained that code requires any new subdivision to provide all the required improvements including curb, gutter and sidewalk. He informed the applicant that they may apply for a deferral agreement from the City Council. If granted, this would allow them to defer the improvements, but not eliminate them.

Mr. Bond addressed the letter Mr. Ercanbrack requested, and explained that he can provide a letter stating what code will allow, but he can't say that it's approved before the approval process is completed.

Mr. Ercanbrack asked if his project can move forward regarding the dead end waterline. Mr. Lundell explained that any new development needs to meet current City code, which allows a maximum of a 750 feet dead end waterline, with Council approval. He noted that the current waterline servicing Mr. Ercanbrack's property exceeds 1,000 feet. Mr. Lundell expressed his understanding that a waterline being out of compliance isn't something that can be deferred. He described the reasons for this code requirement which include water quality issues, fire flow, etc. Mr. Bond clarified that the current use is fine, but any improvements to the property must be brought up to current City Code.

Matt McMullin explained that this code will prohibit this subdivision for being developed because bringing the waterline up to code will cost roughly \$100,000. He expressed his opinion that this code is prohibitive, and he is saddened that it will keep Mr. Ercanbrack from developing his land and helping his grandchildren.

Mr. Ercanbrack explained that with this review he was looking to see if this project was feasible. With the waterline code restrictions, he expressed his disappointment that this project probably isn't possible.

Commissioner Lance asked if the City Council could waive the code requirement. Mr. Lundell explained that the maximum length of waterlines was recently discussed between the City Council, Fire department, and the City Engineering department. He explained that the 750-foot standard is actually less restrictive than the previous code and is more in line with industry standards.

Mr. Ercanbrack asked if the existing fire hydrant has adequate flow. Mr. Lundell stated that he can have it tested. He also clarified that the applicant has a right to petition the City Council for a code change, but it isn't likely given the recent code amendment.

Commission Chair Wood closed the Public Hearing at 8:12 p.m.

Commissioner Lance asked if the whole future road needs to be engineered. Mr. Lundell explained that a 5,000-foot view of the proposed subdivision, including asphalt, and where the curb, gutter and utilities would tie into needs to be engineered. Mr. Bond clarified that the whole road doesn't need to be engineered, just the frontage of the proposed new lot.

PLANNING COMMISSION BUSINESS

Approval of minutes from:

November 12, 2019

Motion: Commissioner Adcock motioned to approve the minutes from November 12 2019. Commissioner Lance seconded. The vote was unanimous in the affirmative.

Commissioner Lance asked where the access points to the grocery store will be. Mr. Lundell explained that the grocery store will front 100 N. which is a private road, that can be accessed off of 400 E. and 500 E.

Commissioner Tolman indicated that in order for the recreation board to further design Harvest View Park in Summit Ridge; they need more information regarding the future D.R. Horton Townhome development. Mr. Bond discussed the influx of projects and developments that will be developing around the City in this calendar year. He noted that the D.R. Horton Townhomes development has had a concept review, and will next be moving to the preliminary stage.

Commissioner Gunnell asked if the potential rezone for Randall Ercanbrack's property on Main Street needs to be revisited. He suggested that the Main Street Commercial (MSC) zone wouldn't stop Mr. Ercanbrack from developing his property the way he would like; but instead ensure that there are commercial uses fronting Main Street, not multifamily. Commissioner Lance indicated that she would like to see the land rezoned prior to it being sold. Commissioner Wood asked that Mr. Bond communicate with Mr. Ercanbrack and determine whether or not to include this item on next meeting's agenda.

Commissioner Lance explained that multiple people from the North East side of town are under the impression that the Bella Vista proposal is moving forward. She asked for clarification that a PUD designation would have to be approved for the proposal to move forward. Mr. Bond confirmed that this is correct and clarified that a PUD designation is done concurrently with plan reviews.

Commissioner Lance brought up Nebo School District's recent acquisition of land on 300 E. She suggested that 300 East should be installed while all the neighboring development is happening and being planned. Commissioner Lance noted that 400 E. has a 50 foot right of way, where 300 E. has a 100 foot right of way. She believes that this would help alleviate traffic concerns, and is worried that this road won't be installed in the future. Mr. Bond explained that 300 E. is included in the master plan, and noted that the Junior High and High School won't be developed for a long time. Mr. Lundell clarified that 300 E. is a standard 55 foot right of way road. He also stated that the master plan portrays 400 E. as the arterial road. Commissioner Lance expressed her desire to focus putting weight on other roads besides 400 E.

ADJOURNMENT

Commissioner Adcock motioned to adjourn at 9:04 p.m.

Trevor Wood, Commission Chair

Kira Petersen, Deputy Recorder