



**MEETING OF THE
TAYLOR PLANNING & ZONING COMMISSION
ON TUESDAY OCTOBER 2, 2012
AT 7:00 P.M. AT
TAYLOR TOWN HALL
425 W. PAPER MILL ROAD**

Commission Members Present: Vice-Chair Ralph Schreiber, Loretta Whitlow

Commission Members via Conference Call: Chairman Eric Ritz, Jack Babb

Commission Members Absent: Merry Nutter

Staff Present: Town Manager Eric Duthie, Planning & Zoning Director Jeff Johnson,
Administrative Assistant Kathy Hancock

Attorney Present: Sterling Solomon

Visitors: See list.

Public Hearing: The purpose of this hearing is to take public comment on a Site Plan review request by the owner of Pad 1 at Silver Creek Crossing, parcel #202-58-001, located between the 600 & 700 blocks of North Main Street in Taylor.

- 1. Open Public Hearing:** Vice-Chair Ralph Schreiber opened the public hearing at 7:10 p.m.
- 2. Public Comments:** Mr. Sean Lake is representing the Wal-Mart Store in connection with the site plan that has been submitted. He explained that this has been on hold due to the economy but they are now ready to move forward and town staff has reviewed the site plan. The building is about 100,000 sq. ft. and will contain a garden center, pharmacy, groceries and general merchandise. There is plenty of parking and he believes this will be an asset to the community. We have been working with Mr. Brimhall who owns adjacent parcel's # 5 and #6 and we will continue to work together as this project moves along. Wal-Mart requests approval from the commission so they can move to the next stage which will be preparation of construction drawings.
- 3. Close Public Hearing:** Vice-Chair Ralph Schreiber closed the public hearing at 7:12 p.m.

Public Hearing: The purpose of this hearing is to take public comment on a Site Plan review request by the owner of Pad 6 at Silver Creek Crossing, parcel #202-58-006 located between the 600 & 700 blocks of North Main Street in Taylor.

- 4. Open Public Hearing:** Vice-Chair Ralph Schreiber opened the public hearing at 7:12 p.m.

- 5. Public Comments:** Administrator Jeff Johnson mentioned that the parcel number for parcel 5 had inadvertently been left out of the advertising so Mr. Brimhall will come back next month to have parcel 5 approved. Kirk Brimhall gave a history of the naming of the site which is "Silver Creek Crossing". It was named after his grandparents who had to cross the Silver Creek in order to see each other before they were married. He noted that all 6 parcels are part of the same development: parcel 1 is owned by Wal-Mart, parcel 2 is where the gas station is located, then there's parcels 3 & 4 with 4 being owned by Burger King and 5 & 6 is what will be presented tonight and at the next P&Z meeting.

Taylor Town Manager Eric Duthie reported that in March 2012 the town sent out a survey on the water bills asking the Taylor residents if Wal-Mart would be beneficial to Taylor. Out of the 231 respondents 82% replied said "yes" with 18% answering "no". In May we asked the residents if they buy more in Taylor then out of town and 49% replied "yes" and 51% "no". With Wal-Mart moving in, that percentage should change and from the towns' standpoint, that is critical.

- 6. Close Public Hearing:** Vice-Chair Ralph Schreiber closed the public hearing at 7:20.
- 7. Regular Meeting Called to Order:** Vice-Chair Ralph Schreiber called the regular meeting to order at 7:20 p.m.
- 8. Open Call to the Public:** There were no comments from the public at this time.
- 9. Approval of Minutes: Motion made by Ralph Schreiber, seconded by Loretta Whitlow to approve the minutes of the August 7, 2012 Planning & Zoning Commission Regular Meeting as read. Voting was unanimous
Action; Approve, Deny, or Table**
- 10. New Business: Discussion and Possible Approval of Site Plan review request by the owner of Pad 1 at Silver Creek Crossing, parcel #202-58-001, located between the 600 & 700 blocks of North Main Street in Taylor.** Chairperson Loretta Whitlow declared a conflict of interest in this matter and recused herself since she is employed at the Wal-Mart in Show Low.

Wal-Mart representative Sean Lake spoke on behalf of Wal-Mart stores and said they appreciate becoming part of the community. They are bringing this site plan before the Commission and it complies with the Town's standards. He believes it is a good project and requests the Commission's approval. They have also submitted a copy of the elevations. This store is about 100,000 sq. ft.; it is smaller than Show Low's but offers a broad range of goods and services.

Mr. Babb noted that the plans show an 8" water line and he believes that is sufficient for the required fire flow, but is the needed fire flow available? Mr. Lake replied saying on the northeast side of the property there is a water tank and pump that is size sufficient for the needed fire flow.

Eric Ritz pointed out that we are approving two site plans tonight that are adjacent to each other and wanted to know if there is any conflict that might cause the development to not flow properly. Johnson said the difference between the two plans is Mr. Brimhall's shows an entrance from the Wal-Mart property to his property and Wal-Mart's does not show that on their plan.

"Our site plan shows a cross access point on the west side" said Lake. We discussed having an access in front of the store and Wal-Mart said no because they do not like traffic right in front of the store. They prefer it away from the store to protect pedestrians and also feel it would cause problems with the drive-through pharmacy. He believes Mr. Brimhall and Wal-Mart can work together to come up with a plan concerning this access.

Mr. Ritz asked how this would affect the Silver Creek Crossing site plan if we are forced to approve or deny the Wal-Mart plan, or is there an option to approve the plan with changes. Attorney Solomon said this can be approved contingent on the two parties working it out amongst themselves.

"I am sure we can work this out" replied Brimhall. This Wal-Mart plan is almost identical to Show Low's only there is a lot more traffic on the road in Show Low and they have an entrance in front of that building. In this plan the garden center is on the south side of the entrance and there are not as many pedestrians. This entrance is not a road way, it is a connection between parcels 5 and 6. On parcel 6 there are six proposed small retail buildings and most of them will likely be rented by local businesses, they are hoping for a national client to move into the large building on the back of the lot. Wal-Mart does not want this access but Brimhall feels like they could be approached again because this is not a road; it is basically a connecting driveway and makes a better traffic flow for the benefit of the shoppers that are visiting the various stores. He recommends that the commission approve parcel 6 with the understanding that Wal-Mart will do the best they can to try and cooperate.

From a procedural standpoint, Mr. Brimhall is suggesting a private property access between two private property owners and he is asking the town to get involved on a decision of granting cross access between two private property owners, said Lake. That is not something towns usually get involved in. We are willing to go on the record that we will work with Mr. Brimahll but would request our site plan be approved and if Wal-Mart and Mr. Brimhall can reach an agreement, it would be a minor change. Lakes' concern is that if the town approves any site plan other than what is presented without all the needed documents, we are putting the cart before the horse. We are willing to work in good faith with Mr. Brimhall but would not want a conditional approval and this should not be the responsibility of a staff member of the town.

Attorney Solomon explained that we are dealing with two individual site plans and they are only a concept. An approval of a site plan in no way binds the entity asking for approval. They can always seek to amend that or if there is a private party issue,

that can be worked out as well. It can be approved as is with a possibility to be amended later.

Motion made by Ralph Schreiber to approve the site plan for Pad 1, Silver Creek Crossing parcel #202-58-001 as discussed this evening. Motion seconded by Jack Babb.

Mr. Babb added that he believes it would be beneficial to both properties to have access between the two properties to help alleviate any congestion that may come up in the future for whatever reason.

Mr. Ritz appreciates that this is a private access and the town should not get involved but is still at a loss as to how we can approve both plans. If both plans are approved where does that leave the petitioners as it relates to working out the conflict, and if we approve Wal-Mart's site plan, does that mean that we cannot approve Mr. Brimhall's submission?

Mr. Solomon answered saying because it is a private party issue it doesn't mean you can't approve Mr. Brimhall's, but it does mean that those two parties are going to have to work something out. The motion that has been made and seconded doesn't include a condition; it is for Wal-Mart's site plan as presented. If we go to the next item and it is approved and if this cannot be worked out between the two parties, then his site plan would be inaccurate. This is up to the commission but if Mr. Brimhall can't get the access he is presenting, then he would have to come back and ask for an amendment.

Jack Babb and Ralph Schreiber voted yea. Eric Ritz voted nay. Motion passes.

Action; Discuss, Approve, Deny, or Table

11. New Business: Discussion and Possible Approval of Site Plan review request by the owner of Pad 6 at Silver Creek Crossing, parcel #202-58-006, located between the 600 & 700 blocks of North Main Street in Taylor. Chairperson Loretta Whitlow returned to the meeting. Mr. Babb needed to be excused from the conference call so a motion was called for.

Motion made by Eric Ritz to approve the site plan review requested by the owner of Pad 6 at Silver Creek Crossing, motion seconded by Loretta Whitlow.

Included in this packet is a proposed sign that will be presented next month when parcel 5 is reviewed, but it also benefits parcel 6 since it will list the anchor tenants as well as the 6 smaller rental tenants located on that parcel. There will also be a water feature on parcel 6 said Brimhall, which includes waterfalls on both sides and water that comes from underneath the sign that flows into a pond then circulates back up. This needs to be included as part of the approval of parcel 6. If approved they will start with the landscaping and waterfall features. There is also an artist's conception of the 6 smaller suites which will probably be local businesses.

Mr. Johnson said the sign and the water feature are part of the site plan so if approved this is part of the motion.

Motion passed unanimously.

Action; Discuss, Approve, Deny, or Table

12. Discuss, instruct staff to add future agendas items. Pad 5 will be on the next agenda.

11. Adjournment: Motion to adjourn the meeting made by Ralph Schreiber, seconded by Loretta Whitlow. Motion Passed.

Meeting Adjourned at 8:00 p.m.

Certification of Minutes: I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Planning/Zoning Commission Public Hearings and Meeting held October 2, 2012. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 2nd day of October, 2012

Kathy Hancock
Administrative Assistant