

MEMO



To: Planning Commission

From: Ryan Harris, Senior Planner

Date: September 8, 2023

Re: Discovery Bear Daycare Major Home Occupation Conditional Use Permit

Jane Ledesma submitted an application to have a daycare in her home located at 607 East 130 South. The applicant proposes to have 1 class with 12 children. Any child-oriented home occupation that has more than 8 children is required to get a major home occupation permit and must follow Santaquin City Code (SCC) 10.40.060. Major home occupations are subject to Conditional Use Permit approval from the Planning Commission and requires a public hearing.

This review is for the Planning Commission to determine whether or not all requirements found in SCC 10.40.060 are being followed and a Conditional Use Permit can be granted. A business license will still need to be acquired and all required departments will need to review and approve the business license before it can be issued.

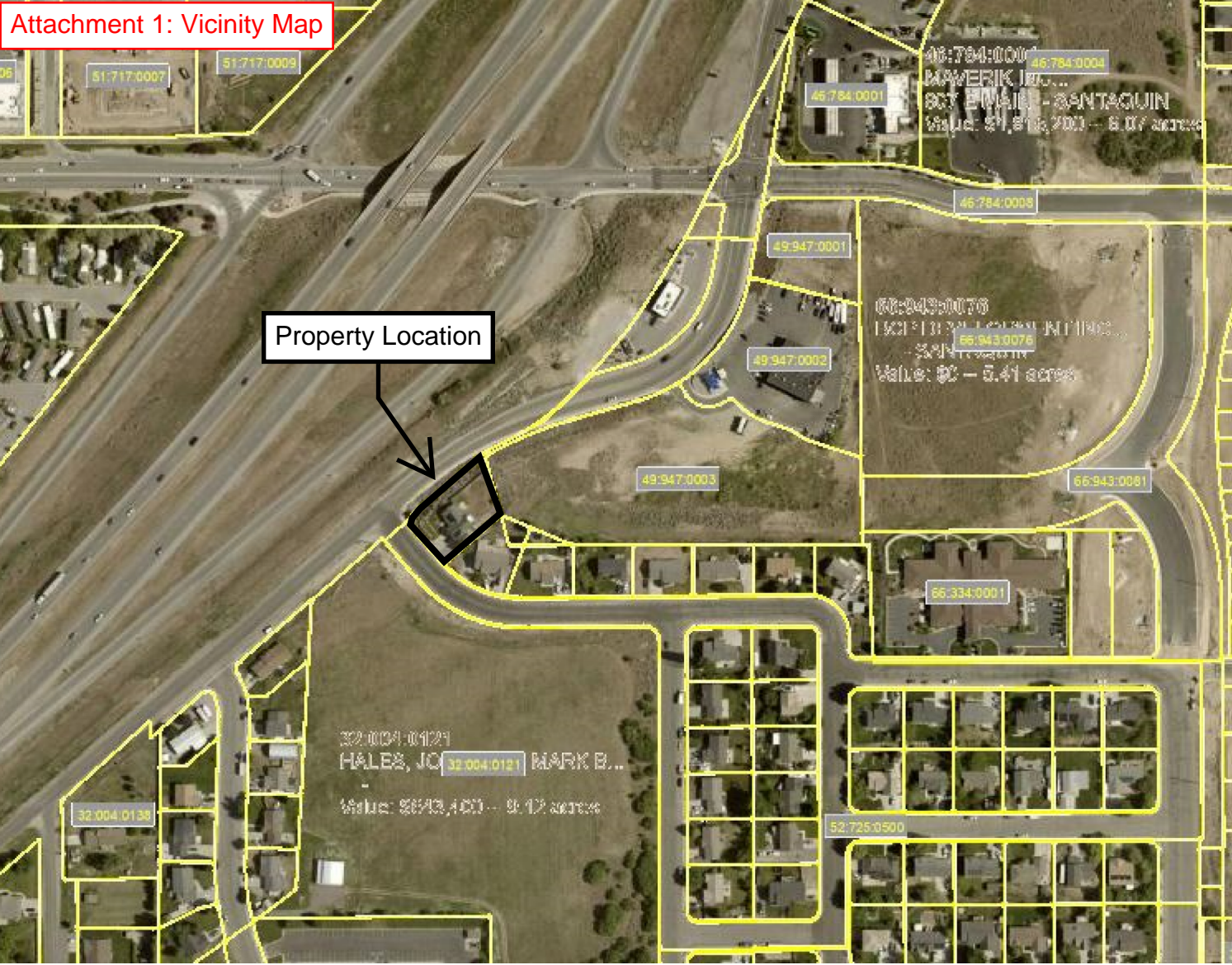
Recommended Motion: “Motion to approve a conditional use permit for the proposed *Discovery Bear Daycare* with the following conditions:

- All code requirements in Santaquin City Code 10.40.060 be met.
- A business license be obtained.

Attachments:

1. Vicinity Map
2. Applicant’s Application
3. Santaquin City Code 10.40.060

Attachment 1: Vicinity Map



Property Location

51:717:0007

51:717:0009

46:784:0001

46:784:0000

46:784:0004

MAWERIK, JR...
801 E MAIN - SANTIAGO
Value: \$1,515,000 - 8.07 acres

46:784:0008

49:947:0001

49:947:0002

49:947:0003

66:943:0076

12211 N 34th Street, Phoenix, AZ 85018
Value: \$2 - 5.41 acres

66:943:0078

66:943:0081

66:334:0001

32:004:0138

32:004:0129

HALES, JO 32:004:0121 MARK B...

Value: \$543,400 - 0.12 acres

52:725:0500

Santaquin City Corporation Conditional Use Permit Application

45 West 100 South, Santaquin, Utah
(801) 754-1011
www.santaquin.org



Notice: All submitted proposals shall be reviewed in accordance with the Santaquin City Code. Submission of a Conditional Use Permit Application in no way guarantees placement of the application on any agenda of any City reviewing body. It is *strongly* advised that all plans be submitted well in advance of all agenda deadlines.

Meetings: Planning Commission meetings are held the 2nd and 4th Tuesdays of each month. The meeting is held in the City building, located at 275 W Main in Santaquin. All meeting dates are subject to City-observed holidays, scheduling necessities and each reviewing body's approved yearly meeting schedule.

Project Information (if applicable)			
Project Name: <u>Discovery Bear Daycare and Preschool</u>		Utah County Parcel Number:	
Project Address, City, State, Zip: <u>607 E 130 S Santaquin UT</u>		Zone: <u>84655</u>	
Applicant Information			
Applicant/ Company: <u>Jane Ledesma/Discovery Bear</u>		Application Date: <u>08/15/23</u>	Date of Meeting Request: <u>August 28th</u>
Address, City, State, Zip: <u>607 E 130 S Santaquin UT 84655</u>			
Telephone:	Alternate Phone: <u>—</u>	Fax: <u>—</u>	Email: <u>discoverybeardaycare@gmail.com</u>
Property Owner Information (if different)			
Property Owner Name/ Representative: <u>N/A</u>			
Property Owner/ Representative Address, City, State, Zip: <u>N/A</u>			
Telephone: <u>N/A</u>	Alternate Phone: <u>N/A</u>	Fax: <u>N/A</u>	Email: <u>N/A</u>
Nature of Conditional Use Permit Request			
<input checked="" type="checkbox"/> "Major" Class Home Occupation <input type="checkbox"/> Premises Occupation <input type="checkbox"/> Child Day Care Facility <input type="checkbox"/> Multiple-Unit Dwelling <input type="checkbox"/> Commercial-Industrial Conditional Uses <input type="checkbox"/> Other		Explanation of Request: <u>I, Jane Ledesma have experienced and seen the need for daycare and preschool in my community. I would like to provide this vital service for the families around me.</u>	
Certification			
I/We, the undersigned, swear and say that I am/we are the owner(s) of record on the Tax Rolls of the property involved in this application, or am/are otherwise qualified to initiate this application under Santaquin City Code; that the information on the attached legal description(s); all plans, drawings, and sketches attached hereto and all of the statements and answers contained herein are in all respects true and correct to the best of my/our knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.		SUBSCRIBED AND SWORN TO before me this <u>15</u> day of <u>August</u> , 20 <u>23</u> . My Commission Expires: (Seal)	
<u>Jane Ledesma</u> Property Owner <u>Marco Ledesma</u> Property Owner		_____ Notary Public	

Santaquin City Corporation New Business License Application

275 West Main, Santaquin, Utah 84655
(801) 754-3211 Fax (801) 754-3526
www.santaquin.org



HOME OCCUPATION BUSINESS LICENSE APPLICATION

It is **strongly** advised that all business license applications be submitted well in advance of all deadlines. All business licenses must be reviewed and approved by the appropriate City Departments prior to operation of the business. State law requires all business names be registered with the Utah Department of Commerce. Business licenses expire on December 31st of each year.

Applicant's Information				
Name: <u>Jane Ledesma</u>		Home Phone Number: <u>None</u>		Date of Birth:
Home Address: <u>607 E 130 S</u>		City: <u>Santaquin</u>	State: <u>UT</u>	Zip Code: <u>84655</u>
Email Address: <u>discoveryebeardaycare@gmail.com</u>		Cell Phone Number:		Fax Number:
Title or Agent (as applicable):		Driver License Number:		Social Security Number:
Business Information				
Business Name: <u>Discovery Bear Daycare</u>		Business Property Address (if different):		
Business Mailing Address: <u>607 E 130 S Santaquin UT</u>		Business Phone Number:		Tax ID Number:
City: <u>Santaquin</u>	State: <u>UT</u>	Zip Code: <u>84655</u>	Department of Commerce Entity Number:	
Property Owner Information: If the applicant is not the property owner, provide written approval from the property owner for the business to be conducted at the proposed location.				
Owner's Name: <u>Jane Ledesma</u>		Phone Number:		
Home Address: <u>607 E 130 S</u>	City: <u>Santaquin</u>	State: <u>UT</u>	Zip Code: <u>84655</u>	
Business License Requested				
Please Check One	<input type="checkbox"/> Temporary Business License (120 days) <input checked="" type="checkbox"/> Home or Premises Occupation <input type="checkbox"/> Other (explain)			
Description of Home Occupation. (Attach additional description if needed.)				
Number of Employees: <u>0-3</u>				
Operational Hours: <u>Monday-Friday 6-6PM</u>				
Detailed Description of Business Activities: <u>This is Discovery Bear Daycare will provide for the needs of children while their parents are working.</u>				

Impact Information

Estimated number of patrons visiting the home hourly and daily (if any):

2-10

Floor area size devoted to business:

1,600 sqft

Number and type of vehicles used in the business (if any):

0

Storage area devoted to business (if any):

400 sqft

Possible Environmental Impacts

- ☒ Noise
- ☐ Dust
- ☐ Fumes
- ☐ Vibration
- ☐ Smoke
- ☐ Electrical Interference
- ☐ Hazardous Material
- ☐ Flammable Material
- ☐ Unsafe Materials
- ☐ Unsafe Equipment

If you would like your business information displayed on the Santaquin City website and other City social media accounts, please mark which information you would like included.

- ☒ Business Name
- ☒ Business Address
- ☒ Business Contact Information
- ☒ Brief Business Description

☐ I would not like my business information shared.

For Staff Purposes Only

Application Review & Certification (for City use only)

DATE:

License Fee:

☐ Planning: _____

☐ Building Inspection: _____

☐ Fire Inspection: _____

☐ Police: Rodney S. Hunt

☐ City Manager: _____

☐ Business License Admin: _____

6/21/22
06/19/2023

Payment Date:

BL-Number:

***Applicant's Signature** - By signing this application, you certify the information provided is complete, accurate and is in compliance with Title 10 Chapter 12 of the Santaquin City Code.

Signature: _____

Date of Application: _____

Santaquin City Planning Commission

September 12, 2023

I, Jane Ledesma, am applying for a conditional use permit for my new daycare and preschool business in the Santaquin East Bench area. The daycare and preschool name will be Discovery Bear Daycare, L.L.C. I will be teaching 1–5 year olds following the state standards for preschool education.

Following Santaquin City Municipal Code 10.40.060 for major home occupations, section B Child Oriented Home Occupations:

1A: n/a (I'm not doing a family group daycare)

1B: I will not exceed 12 children at one time or 24 different children per day.

2A: We have no nonbusiness related structures in our yard other than a shed that is inaccessible to children and will always be locked during business hours.

2B: We have installed a fence more than 5 feet high to enclose our backyard. The fence has a lock on the gate so no children can leave unsupervised.

3A: All vehicular stops for dropping off or picking up children will be done with the passenger side of the vehicle towards the residence. This is shown by our traffic plan. We also have a large gravel area making it so that most parents will be able to park on our property to drop off children.

3B: I have included a traffic safety and circulation plan.

3C: Our Street and the adjacent street, S Highland Drive, are both wide enough to accommodate increased ADT caused by the business.

3D: The number of business related vehicle stops will not exceed 24.

4: As far as I know, we are not within 300 feet of another child oriented home occupation operating under a conditional use permit.

5: I have included my state license in this application.

I have spoken with most of our neighbors within 300 feet of our home and I have their written acknowledgment included in this application. Daycare is a huge need in our community. We know of only one other daycare in the area. I already have a waiting list after only three weeks of opening my website. I think we are in an ideal location for our

neighborhood. My husband is currently a school teacher and I've taught school for the last three years. We are both passionate about education and are excited to provide this vital service of early childhood development and education for our community. We both love children. I would like for as many kids as possible to be able to have this very necessary early childhood education.

This property located at 607 E 130 S is owned by my husband, Marco Ledesma, and I. My husband is very supportive of my opening a preschool and starting a business in our home. If needed, you can call me at (435) 233-6539 or Marco at (801) 616-6949.

Sincerely,

Jane Ledesma

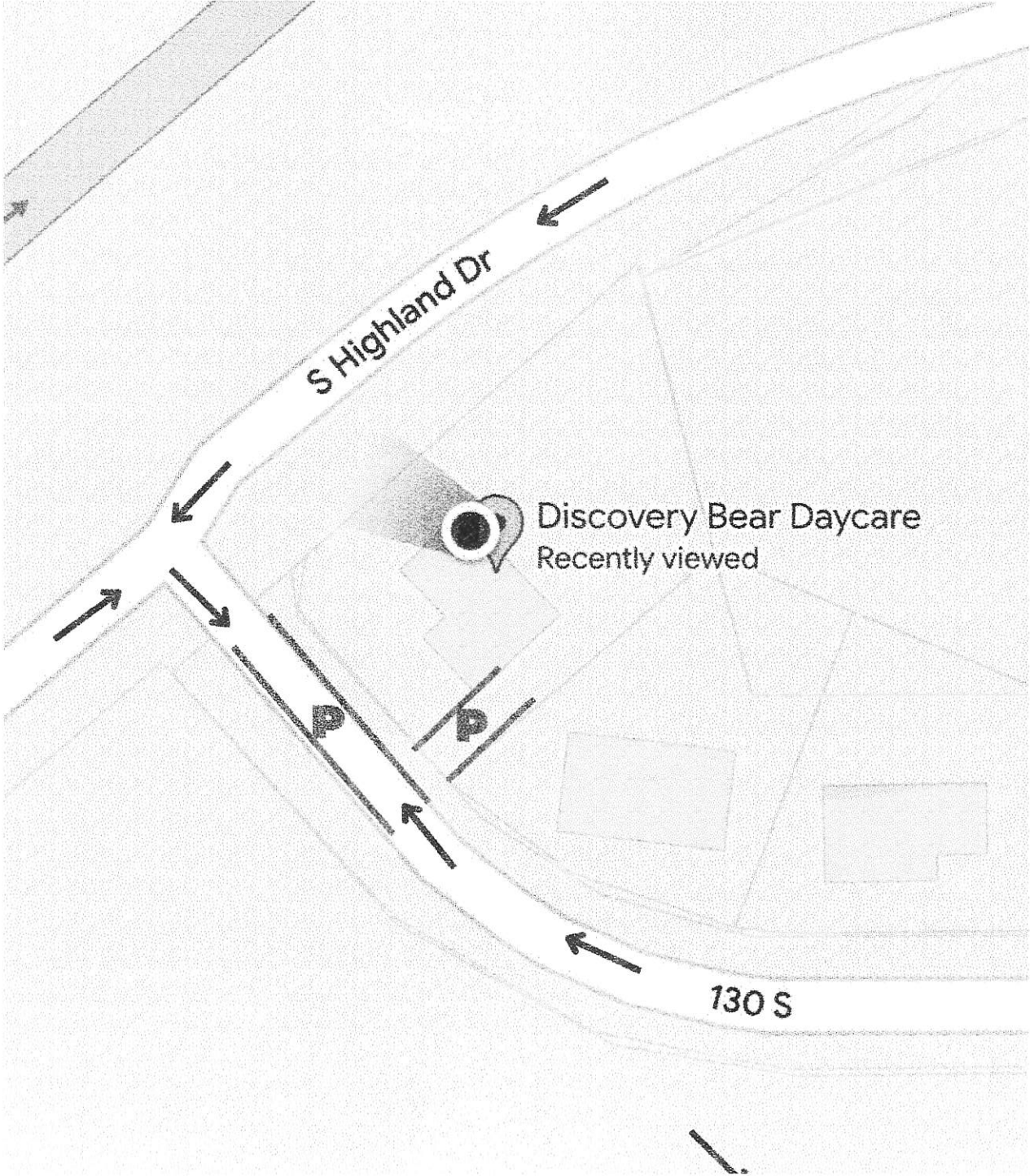
Our home that we would like to use for the daycare is 2,984 sqft.

The space we would like to use for the daycare is 724 sqft.

Our outdoor play area is 1500 sqft.

Neighbor Consent Form August 18, 2023

Name	Address	I currently have no concerns with a daycare opening up on our street.
BECK - ANDREW B	643 E 130 S	Andrew Beck
BULLOCK - TESSINA & NICHOLAS T	3973 S 2900 W 149 S 580 E	Mike Bullock
FIELDS - JARED (ET AL)	657 E 130 S	Ronda Suggs
GOLD COUCH PROPERTIES LLC	1757 W STATE ST	X
HALES - JOAN B & MARK B	225 S HIGHLAND DR	X
VAZQUEZ - VALENTIN	621 E 130 S	Valentin Vazquez
WOODRIVER DEVELOPMENT INC (ET AL)	2696 N UNIV AV	X
ZOULIN - MARK & MARK	679 E 130 S	Mark Zoulin



10.40.060 MAJOR HOME OCCUPATIONS

Major home occupations must comply with all of the standards outlined in SCC 10.40.040 and where possible the qualifications of SCC 10.40.050. Major home occupations must be reviewed by the planning commission and granted a conditional use permit before pursuing a business license through the city. Each major home occupation is subject to the pertinent conditions listed below:

A. General conditions for all major home occupations:

1. Major home occupations may only be conducted from property having a detached single-family dwelling,
2. The conditional use permit and the home occupation business license shall be maintained in good standing for the entire period that business is being conducted,
3. Conditional use permits can be revoked based upon unresolved legitimate complaints as determined by the city zoning administrator.

B. Child oriented home occupations shall comply with the following conditions:

1. Maximum Children Permitted: The following maximum numbers include the licensee's and any employees' children if they are under twelve (12) years of age and are under the care of the licensee at the time the home occupation is conducted:
 - a. Family group daycares may not exceed twelve (12) children at one time or eighteen (18) different children per day.
 - b. Child group activities may not exceed twelve (12) students/children per session and a maximum of twenty four (24) students/children per day. A maximum of two (2) sessions per day may be permitted.
2. Yard Requirements:
 - a. All nonbusiness related structures or on premises hazards are to be made inaccessible to the children attending the daycare facility.
 - b. All outdoor play areas must be enclosed by a fence at least five feet (5') in height.
3. Traffic:
 - a. All vehicular stops for the dropping off or picking up of children shall be done with the passenger side of the vehicle toward the residence.
 - b. A traffic circulation and safety plan must be submitted to, reviewed and approved by the city.
 - c. At least one adjacent residential street must be of sufficient width to accommodate the increased average daily vehicular traffic (ADT) counts caused by the business.
 - d. The number of business related vehicle stops at the home per day shall not exceed twenty four (24) (e.g., dropping off and picking up a child would count as 2 vehicle stops).
4. Location Requirements: No child oriented home occupation, which requires a conditional use permit, may be operated within three hundred feet (300'), as measured from property line to property line, of another child oriented home occupation operating under a conditional use permit.

5. Licensure: Copies of all licenses required by the state shall be provided to the city for verification of compliance with all state standards.

C. Businesses not conducted within a home, which must obtain a conditional use permit and which may include welding, carpentry, sheet metal work, furniture manufacturing, upholstery and other similar manufacturing activities, must comply with the following:

1. Machinery Operation: No machinery may be operated between the hours of seven o'clock (7:00) P.M. and eight o'clock (8:00) A.M.

2. Noise Levels:

a. No power equipment which emits a sound pressure level in excess of seventy four (74) dB, as measured at a distance of fifty feet (50') (15 m) from such machinery, shall be used.

b. No equipment shall cause a noise disturbance for a consecutive period longer than fifteen (15) minutes or for more than thirty (30) minutes per hour.

c. Business machinery noise levels are not to exceed fifty five (55) dB when measured at the closest property boundary.

3. Storage Qualifications: All storage qualifications listed in SCC 10.40.050 must be met.

4. Designated Areas: The applicant shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation and, if approved, the home occupation may be conducted only in the designated areas. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

D. Businesses having more than four (4) business related vehicles parked or stored at the home at one time or which utilize a commercial vehicle that exceeds the maximum height, weight or length requirements established in SCC 10.40.050, must comply with the following conditions:

1. All business related commercial vehicles are to be parked on the property and behind the front of the home when parked on the property.

2. The vehicles and attachments are to be located behind a six foot (6') tall opaque fence, or other obstruction, so as to minimize their view from the front property line.

3. Proof of proper CDL licensing must be provided with each license renewal.

4. No maintenance of vehicles exceeding sixteen thousand (16,000) GVW may occur at the home unless conducted within a fully enclosed permanent structure compliant with building codes. (Ord. 02-03-2017, 2-1-2017, eff. 2-2-2017)

E. Businesses entailing food or beverage preparation, storage or catering must comply with the following conditions:

1. Obtain all authorizations required by a state or county department or agency prior to approval of a business license and maintain all such authorizations for the duration of the business.

2. Compliance with all business related vehicle qualifications listed in SCC 10.40.050 must be met.

F. Businesses which have operating hours past eight o'clock (8:00) P.M. and before six o'clock (6:00) A.M. must comply with the following:

1. Applicants must show that any operation conducted after eight o'clock (8:00) P.M. and

before six o'clock (6:00) A.M. will be compatible with like uses and operations found in the residential neighborhoods between such hours.

2. All business activities are to be conducted within closed doors between eight o'clock (8:00) P.M. and six o'clock (6:00) A.M. unless shown to be compatible with like uses and operations found in the residential neighborhood between such hours.
3. Any business lighting shall be shielded and directed downward away from adjoining properties or contained within the building from which it emanates. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

HISTORY

Amended by Ord. 02-03-2017 on 2/1/2017