

SANTA CLARA CITY PLANNING COMMISSION
Tuesday, May 10, 2016
MINUTES

SANTA CLARA CITY PLANNING COMMISSION met for a meeting on Tuesday, May 10, 2016, at 6:00 PM in the Santa Clara Town Hall located at 2603 Santa Clara Drive, Santa Clara, Utah.

Present:

Curtis Jensen (Chair), Jason Lindsey, Marv Wilson, Leina Mathis, James Call, Todd Jacobsen, Michael Day

Absent: Adam Butterfield

City Staff:

Corey Bundy: Building Official
 Jack Taylor: Public Works Director
 Bob Nichol森: City Planner
 Matt Ence: City Attorney
 Todd Olsen: City Engineer

Audience:

Joe Platt, Patrick Manning, Deborah McPherson, Phillip Gubler, Larry Ogden, Judy Ogden, RJ Hughes, Doug McArthur, Gary Lamph, Jill Lamph, LuJuanna Hafen, LeGrande Hafen, Peggy Leavitt, Ferron Leavitt, Jaqueline Lerner, Jeff Lerner, Victor Frei, Gwendolyn Frei, Ramona Hafen, Matthew Sprang, Dustin Gough, Logan Blake, Charity Gough, Ben Hagamann, Steve Lang, Eric Drake, Chris Howard, Jeremy Call, Nathan Muno, Laine Frei, Don Graf, Marsha Gubler, Keith Gubler, Brandon Anderson, Stan DeMille, David Frei, Ed Coombs, Vicki Lasswell, Barbara Renouf, Kelly Heaton, Fred Fage

1. **Call to Order:** Curtis Jensen called the meeting to order at 6:05 PM
2. **Opening Ceremony:** James Call led the Pledge of Allegiance and Opening Comments (Invocation).
3. **Communications and Appearances**

A. General Citizen Communications

None.

4. Working Agenda

4A. Public Hearings:

- 1. Hearing to receive public input for request of zone change from R-1-10/RA-Mixed Lot Size to Planned Development Residential on 9.89 acres, located at Gates Lane and Clary Hills Drive. Split Rock Holdings & Kyle Hafen, Applicant.

Bob Nichol森:

The staff report for this item is as follows:

Agenda Items: (1) Public Hearing on Zone Change Request from R-1-10/RA to Planned Development Residential on 9.89 acres located at the south end of Gates Lane on the south side of Clary Hills Drive.

(2) Consider a Conditional Use Permit request to use the proposed dwelling units for Short-term Residential Rental units.

(3) Consider approval of density bonus request to exceed 8 d.u./acre.

Applicant: Split Rock Development Group, Patrick Manning & Kyle Hafen, reps

General Plan: Medium Density Residential (MDR)

Acres: 9.89 acres

Project location: South end of Gates Lane on the south side of Clary Hills Drive

Total # of Units: 112 units **including** the “lockout units” which are within a main dwelling unit)

Number of buildings: There are 7 proposed multi-story buildings with 16 units / building.

Density: 112 units on 9.89 acres = 11.3 units / acre

Summary of Changes made since the previous public hearing held on March 8, 2016

- 1. **Decreased # of potential dwelling units from 219 to 112, including the ‘lockout units’.**
- 2. **Added additional parking, including 45 spaces along Clary Hills Drive.**
- 3. **Provided a landscape plan.**
- 4. **Provided a Traffic Impact Analysis prepared by Sunrise Engineering.**

Purpose for requesting the PD-Residential Zone: To allow for a 112 unit condominium project on 9.89 acres which translates to a density of 11.3 dwelling units per acre including the lockout units which can divide a main or “mother” unit into sub dwelling units. Note that the Density Bonus criteria must be met in order to have a density over 8 units / acre. In addition, the applicant is requesting approval to use the proposed dwelling units for short-term rental purpose, which use is listed in the PD-Residential zone as a Conditional Use.

The lockout units can be sold separately from the rest of the unit, creating a more affordable one or two room unit within the “mother” unit. **The applicant states the maximum number of units including the potential lockout units will not exceed 112 total units, down from the previous request of 219 potential total units including the lockout units.**

Parking: The base requirement is 2 parking spaces per unit, and the applicant proposes a parking ratio of 2.26 spaces per unit, which includes 45 on-street parking spaces on Clary Hills Drive which will require additional street right-of-way, **as on-street parking does not count toward meeting the minimum parking requirement.**

This equates to a total of 254 parking spaces for 112 dwelling units. The additional parking spaces will be used for guest parking.

The goal is to set a parking requirement that meets the typical of average demand. Neither any excess parking nor inadequate parking is desired. **Staff recommends an initial parking requirement of 2.26 spaces per dwelling unit as proposed by applicant for the first phase of the project (i.e., 1-2 buildings) and then based on actual parking demand adjust the parking requirement for the future phases as needed, either increased parking or a parking reduction.** The site plan shows 27 underground parking spaces within each building's basement parking garage. Seven buildings X 27 parking spaces = 189 total spaces within the basement parking areas. In addition to the basement parking garages, the site plan shows two surface parking lots with 22 spaces, **and 45 on street parallel spaces on Clary Hills Drive** for a total of 254 identified parking spaces in the plan submittal. Note that the on-street parking is subject to further review and may not be permitted unless additional road width is provided.

Short-term Rental Use / Conditional Use Permit Request: The main requirements in the zoning code for short-term rentals are 1) the property owners written approval that short-term use is proposed, 2) that a local Property Management company is managing the property, 3) that recreational amenities are provided for guest use sufficient for the size of the project, and 4) the project obtains a city business license for the short-term rental use, and pays the required transient room taxes. The PC must determine if the proposed amenities are adequate for the size of the project.

The amenities proposed for the project include a clubhouse and 2 swimming pools with a "lazy river" located above the pools.

Density & Density Bonus criteria: The project proposes 112 dwelling units in seven 16-plexes on 9.89 acres which equals a density of 11.3 d.u.'s / acre (including the lockout units).

Density Bonus criteria: The proposed building design incorporates balconies/decks with landscaping, varied roof lines and other features which provide architectural interest. The exterior materials appear to be stone / masonry with significant portions of windows. All four sides appear to be finished with similar materials. A landscape plan has been provided which shows a variety of trees, shrubs and various grasses and other ground covers around the building(s). The project amenities include a clubhouse, 2 pools and a lazy river according to the concept site plan. Based on the concept plans provided it appears the project merits the criteria for a density bonus.

Building Height: The Zoning code state the height limit is 35' or as approved by the City Council upon considering the PC's recommendation. The applicants have not provided a detailed building elevation to determine the building height, but have stated that the proposed building height will not exceed 35'.

Common Open Space: The Zoning code requires a minimum of 30% of the project area to be in useable open space. A landscape plan has been provided as part of the PD-Residential zone submittal requirements. The landscape plan and site plan show that at least 30% or more of the site is in landscaped open space.

Traffic Concerns: At the public hearing held on March 8, 2016 many residents expressed concern about the traffic impacts which the project would generate. Sunrise Engineering prepared a "Level of Service Analysis" for the proposed Sycamore Condominium project dated April 19, 2016. The study evaluated two different levels of development activity; a 70 unit project and a 300 unit project which could include the proposed 112 Sycamore Condo project plus anticipate another 188 housing units on surrounding vacant land which could contribute to traffic on Gates Lane and at the intersection with Santa Clara Drive. The comments below will only address the analysis done for 300 units which includes the proposed Sycamore Condominiums along with other potential housing development along Clary Hills Drive and Gates Lane.

1. The existing level of service at the intersection of Gates Lane and Santa Clara Drive is LOS 'A'. With an additional 300 dwelling units in the subject area the LOS remains at 'A'. This assumes the current stop signs remain and the intersection is not signalized.
2. Average delay at the intersection at the PM peak period (5-6pm) increases from 0.9 seconds to 3.0 seconds with the additional units.
3. The intersection capacity utilization for the PM peak period increases from 39.8% to 47.4% with the project.
4. Sunrise Engineering concludes "that the level of service remains essentially the same during the peak periods studied". (i.e., existing LOS and with the proposed project)

Based on the Santa Clara City Master Transportation Plan and Impact Fee Analysis, traffic on Santa Clara Drive near Gates Lane is expected to increase from 10,000 cars per day in 2012 to 15,000 cars per day by 2025. The traffic increase is due mainly to the expected growth to occur in the area west of central Santa Clara, including the Ivins, Kayenta, and Gunlock areas. The proposed project will have a relatively small impact on Santa Clara Drive traffic when compared to overall projected growth on Santa Clara Drive.

Second Bridge / Crossing of the Santa Clara River: To meet the Fire Code standards and for overall public safety concerns, the City recognizes that a second access over the Santa Clara River is needed, in addition to the Gates Lane Bridge. Within the Impact Fee Facilities Study is the plan for a "low flow river crossing" at the end of Chapel Street. South of the Santa Clara River, the plan is to connect Chapel Street to Clary Hills Drive and connect to Gates Lane. This access would provide the needed second access to developments on the south side of the River.

Curtis Jensen: Is there anything from the applicant?

Kyle Hafen: I will wait to respond until a later point.

Corey Bundy: A little bit of history on this property is that at one point in time around 2006, this property was originally supposed to be Sun Ridge and the property was at that time zoned PDR (Planned Development Residential). This property has been sold a few times and changed ownership. At a later point, the Hills at Santa Clara acquired the property and created their project. This parcel was acquired by another owner. Before the economic slowdown, the road and bridge were put in place. It was approved to change to R1-10 zone of which it is current. The first development of Sun Ridge was designed to be townhomes and when the Hills at Santa Clara picked up the project, it was changed to Mixed Use Residential. This request would change the zoning back to PDR with the current owner.

Marv Wilson: The company I am employed with, Sunrise Engineering, did the traffic study for this project. I was not involved in this specific project, but would like to state any potential conflict of interest.

Curtis Jensen: The Public Hearing is now open.

Steve Lang: I am a resident of the Hills at Santa Clara development and appreciate the original PD zoning and it was a great idea at that time. However, the largest concern is that once this area was put in as residential, it was cast in stone and should stay as such.

Ben Hagamann: What is the financial interest of City Council members profiting from this? I was under the impression that one the City Council members is the mother of the developer.

Matt Ence: Being a small town, there are some relationships and it is left to the City Council to declare their own conflicts. As for the Planning Commission, the potential conflicts of interest have been declared.

Jeff Lerner: This matter will go before City Council when and not if?

Curtis Jensen: City Council makes the final determination. We are just a recommending body for any land use issues that come before the city.

Jeff Lerner: I have been researching traffic studies. The traffic will be increased with its' wait time. There will be more cars stopping to turn. It will be a big mistake to address all issues rather than take the word of a traffic study for determination of approval.

Ferron Leavitt: I would expect as much, if not more than anyone. I am an owner of surrounding area land. When it was changed to allow homes, it was a big change, and perhaps we should have fought that change harder at that point. This would be a mistake. There are also issues such as the increase of traffic that will be on top of the increased traffic now.

There will also be issues of increased crime, water run-off and storm drainage. There is also going to be agricultural conflicts in the area. Property values will go down. I feel as if we as local farmers will be forced out of the area.

Keith Gubler: As a land owner to the west of this project, we feel as if the first answer to this request of "no" should stay as "no." We do not want any high density or rental units in this area. Once the brand new feelings fades, those units will become blighted and suffer in the long run.

Kelly Heaton: I am also opposed to the zone change being done for this area. I understand progress will happen, but not for this area and it should stay single family homes. I think the most important item in weighing a decision is seeing what the neighbors want. I would like to see a poll from the audience by a raise in hands how many oppose this project (*Majority of audience raised hands to show opposition*).

Eric Drake: I live in this area and still think that this is not a good idea. This is the gateway to what the South Hills area will be. It should stay as residential. A project of this nature would be better served at the edge of the city. Santa Clara City has always been strict in allowing 8 units per acre and this is requesting 11 units per acre. It needs to be denied.

Logan Blake: As a resident of Santa Clara, I have been watching the dealings in the community to see changes that are presented. It seems other developers would like a project such as this. It is a good idea and shows good progress of the city and its' future. The revenue seems like it would be a good thing for the city. I am actually in favor of the change of this zoning.

Nathan Munro: I see the developer trying to make things work for the surrounding owners and would like to show I am in favor of this project. If the developer has a specific plan and it is a good design, it should be allowed. Property owners will see their property values go up and not down. This is not an apartment complex, but a condominium project that is on the higher end of the scale.

RJ. Hughes: I have some additional such as additional parking, and what portion of the first phase will the parking be located? I am also wondering about this second bridge - where it will be located and when will it be put in? I would like to indicate that I am opposed to vacational rentals in this area.

Jack Taylor: I will answer the question for the City about the bridge. It is in the upcoming budget to start with the design and engineering. It will be a low water crossing bridge. We have collected impact fees from different building projects and that money will be what pays for the low water crossing bridge.

Larry Ogden: I am newer to this community but am against this kind of project being put in. Property values will not increase, but will decrease. A community this size does not need another vacation rental facility.

Phillip Gubler: With regards to the two people that are in favor of this project, it does not really affect them as they do not live close to this project. This will adversely affect property values. We will not know the neighbors because they will be short-term. The city really needs to look past the money aspect that they might get with the revenue tax.

The study that was done in regards to the traffic should have involved the other projects surrounding this property. Any vacation rental properties should be at the other end of the city and stay in those areas. I would ask this be denied and not allowed to become high density.

Ferron Leavitt: I have an additional question. Instead of a bridge, that bridge will actually will be a low water crossing with a narrow road? Shouldn't the road be put in first and then the low water crossing? I am against the low water crossing.

LeGrande Hafen: I am probably closer in proximity than anyone here as my property is about a block north of this here is a big difference between the 2012 traffic and the 2016 traffic that exists. We do not want our community to be considered something along the lines of Ogden City or Park City. The city officials need to listen to what the concerns of the residents are. What about this Southern Corridor parkway?

Jack Taylor: The Southern Corridor is planned to go past the power lines and go behind the hills and there will be an access to go up and over the hill and down to Sun River in St. George. It could be anywhere between 20-40 years in the making.

Marsha Gubler: The lots are 1/10th of any acre? And are they slabs or are they homes.

James Call: It is going to be one project with 16 units on one acre and is considered to be a higher density.

Doug McArthur: Years ago, trailers were not allowed and this should be considered to be the same type of thing.

Deborah McPherson: I would not have built in this area if we had known that this project would eventually come. We would like to have the developers ask the questions that were not really answered from last time. I also would like to know who would be able to use the land behind the project. Where will the trailer and ATV parking be located?

Corey Bundy: That will still be accessible as it is BLM land.

Jack Taylor: That area will be a fully improved road at some point. The City has been working with the BLM and a parking spot has been created at the top of the hill by the water tank.

Lainee Frei: Most of the people that have moved here came to this city because of the quiet town feel as well as the unique features the community has to offer. Santa Clara will be changed forever if this project happens.

Joe Black: I am part of the developer and we appreciate the comments from the residents. Every property owner has rights to do things with their property and as long as it is with the zoning requirements within the city, it should be allowed and respected from other. When we started the Entrada project, we were told that if it was something different than what was around, it would fail. We felt it could be successful and it has proven itself to be such.

This is an appropriate use for the property. The highest level that it can be done will be considered. The character will not really change no matter the density use per acre. It will be quality vs. quality. Our developers are also intending to live next door and it will be delightful to live next to.

Curtis Jensen: You have heard the comments about the parking concerns. Do you have any comments of your own to add? And why this area for this project?

Joe Black: I will let the architect answer those questions. Changes come, anyone knows that. We are attracted to Santa Clara because of the uniqueness. It does however need to be considered as other things rather than what is already here. The change that is happening is going to be good for the community. If we thought this would diminish anyone's property values, we would not have even considered this.

Jeremy Call: For clarification, does the Planning Commission enforce the zoning ordinance? This should be a conditional use allowance under the current zoning ordinance. The pro shop would be a conditional use as well.

Curtis Jensen: City staff does and Planning Commission considers Public Hearings for land use issues.

Jeremy Call: There is one space per bedroom for parking. There could be planters placed for pedestrian safety. The road would be safer with a division between the lanes. The zoning ordinance allows for parking on the street in a nightly rental situation. It is an allowed use. There would also be delivery trips and there is a large zone that is designated manufacturing. The Planned Development zone encourages creativity. The wash and bike trails will be preserved.

Patrick Manning: Every statement has been taken to heart. I would like to address some of the questions that have been asked. We came back to Planning Commission rather than appeal first to City Council to be respectful and to answer within a Public Hearing for the public.

Phase 1: Our intention is to have a check in facility, parking lot, and the first pair of buildings next to it. Completing is the intended Phase 1.

I have done quite a bit of projects and if we were purposing this project somewhere else, we probably would not be looking into doing this anywhere else in Santa Clara. We believe this to be a good spot this. With the comments about the zone change, the General Plan first called it a PD (Planned Development). The residential zoning was only put in place about 1 ½ years ago.

The road will be paved. The trailer parking will be adequate for large trailers on the south side. The parking on Clary Hills Drive probably does not need any parking there. We would like to wait and see and see what the parking needs may be. It could be there but not necessarily would it be.

If a bad development of any kind will affect property values. This will not be the case as it will not adversely affect surrounding properties. The Inn at Entrada guests provide more real estate sales than other marketing sources around. A high end rental creates a real estate market while a low end rental does not.

Curtis Jensen: In the studies that have been done, what is the occupancy levels and how much yearly traffic?

Patrick Manning: This is similar in price point to the Inn at Entrada. It has been around for about 10 years and is usually 50% occupied.

Ed Coombs: I was always under the understanding this would be single family homes and the fact that the request is to have three-story condos there, just does not fit the area.

Larry Ogden: Change is necessary but the property values will be impacted, no matter what anyone says. There just does not need to be a zone change for this area.

Curtis Jensen: If there is no more comment, we will close the Public Hearing and move to the General Business item for this issue.

4B. General Business

1. Recommendation to City Council for request of a zone change from R-1-10/RA- Mixed Lot Size to Planned Development Residential on 9.89 acres, located at Gates Lane and Clary Hills Drive, consideration of a request for Density Bonus, and consideration of a Conditional Use Permit request for short-term rentals of Sycamore Condos. Split Rock Holdings, Applicant.

Jason Lindsey: What about the concerns of possible run off and storm drainage conditions?

Todd Olsen: Right now it is a zone change, but that will be addressed once there is approval and all requirements would need to be complied with.

Curtis Jensen: The Public Hearing was on the zone change and that has been closed and now into the General Business and that would need to have some of the conditional use issues and density will need to be addressed.

Jack Taylor: The developer will be installing a storm drainage and that is planned to handle water that comes from the development. Their own run-off will be retained.

Bob Nicholson: Because the units will be sold and are not apartments, it will need to come back before the Planning Commission to deal with Preliminary Plat and Final Plat and those issues as well as details can also be dealt with then.

Michael Day: This is unique because this involves more than just a zone change. A planned development includes about what the looks are going to be like layouts, improvements, and all are important to consideration of the project.

I do have questions for the developer. Looking at the layout of the units and seeing the new number of 112 units vs. the previous plan; I am interested in the reasoning of the reduction of the number of units.

Patrick Manning: The interior units have been eliminated to remove the look of hotel rooms. They are now part of larger units.

Michael Day: That was a huge issue of 219 units and the reduction to 112 units. As well as parking concern and one other concern is the on street parking and how would a vehicle travel up Clary Hills Drive?

Patrick Manning: Perhaps a turn can be created, but we don't see Clary Hills Drive as a problem. Or it could not be used at all. If occupancy was 100% full, there would only be 8 cars on Clary Hills Drive. We just do not think that will be necessary to use Clary Hills Drive.

Michael Day: The open space exceeds 30%, is that considered an amenity?

Bob Nichol森: Not under the bonus density criteria. The quality of the landscape is under that category. The architectural is important with visual interest such as the pool, clubhouse and lazy river.

Patrick Manning: The meandering path is intended to mimic Santa Clara Drive. The trees and shrubs will create a hammock type of effect. It will be positive to have that kind of interface rather than exclusive.

Curtis Jensen: What about the concerns of the public regarding crime and things of that nature?

Patrick Manning: Sometimes with a greater population, there is problems like that. This project will be as good as the Inn at Entrada and there has not been any crime problems. These units will be in the higher end of rental stay per night and that brings higher end clients. There will also be a professionally managed project with consistency among the units. All of the inside will be maintained in the same way. The well-known, national hotel operator will diminish crime and people not wanting to adhere to the rules.

Curtis Jensen: A comment that was made earlier mentioned that the amenities would be usable for all. Is that correct?

Patrick Manning: Not for the entire city of Santa Clara,

Curtis Jensen: What is the time frame for construction?

Patrick Manning: 12 months with the 2 buildings having staging and that will be off the south side and up far into the middle of the project.

Todd Jacobsen: What was the prior recommendation?

Curtis Jensen: There was not a recommendation because it was denied at that time.

Jason Lindsey: One concern that has been repeated is traffic. A second and larger concern is parking. It is appreciated that the developer has taken the time to address and come back to the Planning Commission rather just appeal to the City Council.

Curtis Jensen: What are the conditions for the Conditional Use? Have those issues been addressed and satisfied?

Bob Nichol森: The Conditional Use request is for the short-term rentals. You can act on the zone change and do as you feel comfortable. The units have been reduced to 112. The idea is that the owners could put them into a rental pool. The number of owners to do that is unknown at this point. The density bonus criteria needs to be met as well. The way the building has been designed is functional and their exhibits would become the plan if this is approved to adhere to the requirements for the conditional Use and Bonus Density.

Jason Lindsey: Should we do the Conditional Use request at a later time? Is there enough information to consider at this time?

Matt Ence: The three issues that are being requested can be separate, even though they are together on the agenda. The Conditional Use request is unique. The question would be: does the plan presented meet those conditions for a Conditional Use?

Bob Nichol森: The criteria is laid out in the ordinance. Written approval of the owners involved, a local property management company is needed, the amenities within the project as well as City business license and the appropriate transient room taxes paid.

Curtis Jensen: Does any of the zone change need to be addressed in General Business or Public Hearings?

Matt Ence: A zone change is the only thing that requires a Public Hearing.

Todd Jacobsen: I have never seen people coming back with comments stating that the concerns were a problem. Those concerns tend not to happen. Time and effort have been done in preparing this project and I can see this project being a positive thing and seems to fit within the area.

Curtis Jensen: Being able to maintain the appearance of Santa Clara is great, however, residential is not always the answer. Something that looks good and is new can help the balance of the change.

James Call: When zoning and the General Plan is changed, the burden of proof is on the applicant. This is an awesome project. I empathize with the neighbors not wanting the project in there to where it will change the zoning. As a property owner, perhaps the thought of this being the lesser of two evils and this project is a nice project and look at it with an open mind.

Marv Wilson: A lot of worry has been there since the beginning of the idea of this project. After built out, you will not see a difference of the traffic compared as to what is seen with the continual growth.

Leina Mathis: I reviewed the General Plan along the river and to the south of it, and the citizens and were given opportunity for suggestions and input for the plan. In 2013, it was listed as mixed use, with medium density. Part of the plan reads mixed use as townhomes, small retail stores and so forth. This meets the requirements for the General Plan and it does have the appearance of a nice project.

Michael Day: The concept of a mixed use is a new one to me. I understood this to be medium density in the General Plan. If this project does not go in, something else will be there.

Corey Bundy: When Kent Frei came into the City with this project, he wanted to change to Medium Density. The General Plan showed it as Mixed Use. Council at that time determined it to be a better use as Medium Density at the top of Gates Lane and Mixed Use more appropriate closer to Santa Clara Drive. It is actually zoned Medium Density Residential on the General Plan.

Michael Day: It is a great developer and a wonderful design. I still struggle with the idea of picturing Medium Density Residential in this area and don't really think this is the area for it. I would divide this into three sections for a possible motion. The Conditional Use portion is built into the ordinance and the motion for recommendation it be granted subject to the requirements being met. If I were to be dealing with just the Bonus Density, I would look at amenities, architecture and landscape, I would recommend approval for that. But the hang up is the zone change. I am not convinced this is the place for this development.

Curtis Jensen: This was a higher density when the plan was changed.

Michael Day: I still struggle with the zone change in this area. I struggle with a three-story structure and do realize it will be within height restrictions. It is not consistent with the character.

Jason Lindsey: I am satisfied with the issues being addressed from the last meeting.

Motion to recommend to the City Council for approval of a zone change for the parcel located at Gates Lane and Clary Hills Drive, from R-1-10 to Planned Development Residential. The consideration of a request for Density Bonus be granted and consideration of a Conditional Use Permit, subject to the ordinance conditions be complied with for short term rentals be granted for the Sycamore Condos Project.

Made by: Jason Lindsey, Seconded by: Todd Jacobsen

Voting Aye: Todd Jacobsen, James Call, Jason Lindsey, Leina Mathis

Abstained: Marv Wilson

Voting Nay: Michael Day

Motion Carried 4:1

4B. General Business

1. Recommendation to City Council for Amended Final Plat for Paradise Village, Phase 2. Merrill Properties, Applicant, Jared Bates with Rosenberg & Associates, representing.

Bob Nichol森: The staff report for this item is as follows:

Item: Amended Final Plat approval for Paradise Village at Zion, Phase 2

Applicant: Merrill Properties

Zoning: PD-Residential

Engineer: Rosenberg Associates, Jared Bates, PE

Background: Phase 2 of Paradise Village subdivision contains 16 units on 2.82 acres and is zoned Planned Development – Residential which allows a base density of up to 8 dwelling units/ acre, but density is based on the approved concept plan for the project. The project has also been approved for short term rentals through a Conditional Use Permit process.

Site Improvements: The units in this phase all front on Paradise Village Circle, a public street with nearby access to North Town Road. This phase has townhome units in a duplex, tri-plex or four-plex arrangement. The purpose of the plat amendment is to change unit 51 to a tri-plex as formerly planned, and make unit 59 a four-plex, also as originally planned, as staff understands the request.

Planning Commission Action: Since the plat is recorded, all current owners must provide written consent for the plat amendment **or** a Public Hearing is required. Staff understands that no units in this phase have been sold. If any have been sold then written consents must be provided to the city verifying all owners agree to the plat change.

James Call: Why did this change?

Corey Bundy: Probably with the sales and requests of property owners.

Bob Nichol森: This is back to original plan and should be the last change.

Motion to recommend to the City Council for approval of recommendation to City Council for Amended Final Plat for Paradise Village, Phase 2.

Made by: Todd Jacobsen Seconded by: Marv Wilson

Abstained: Marv Wilson

Voting Aye: All

Voting Nay: None

Motion Carried.

5. Discussion Items

- A. Requiring a business license for long-term rentals.
- B. Grand opening signs and signs prohibited within the right of way.
- C. Allow an owner-builder-developer to obtain a building permit for a model TH building with up to 6 units prior to plat recording.

Corey Bundy: These are just changes that we would like to put on future agendas for Public Hearings. All are pretty cut and dry. The Grand Opening sign issue wording needs to be clarified to avoid any other issues like what Harmon's did with their grand opening. The final item is to have the owner-builder-developer to allow it to use one unit as a model home for the town home project.

6. Approval of Minutes

Motion to approve Planning Commission minutes from April 12, 2016

Made by: Marv Wilson, Seconded by: Leina Mathis

Voting Aye: All

Voting Nay: None

Motion Carried.

7. Adjournment

8:45 p.m.

Respectfully submitted;

Melodie B. Hayes,
May 10, 2016

Melodie B. Hayes

Melodie B. Hayes, Recording Secretary