

SANTA CLARA CITY PLANNING COMMISSION
Tuesday, July 12, 2016
MINUTES

SANTA CLARA CITY PLANNING COMMISSION met for a meeting on Tuesday, July 12, 2016, at 6:00 PM in the Santa Clara Town Hall located at 2603 Santa Clara Drive, Santa Clara, Utah.

Present:

Michael Day (acting chair), Jason Lindsey, Marv Wilson, Adam Butterfield, Leina Mathis

Absent: Curtis Jensen, Todd Jacobsen, James Call

City Staff:

Ed Dickie City Manager
Corey Bundy: Community Development Director
Bob Nichol森: City Planner
Matt Ence: City Attorney
Todd Olsen: City Engineer

Audience:

Fran Meldrum, Barry Thomson, Mathew Mansfield, Cindy Frei, Leo Biasi, Dave Biasi, Bart Skrbec, Allison Williams, JoAnn Lindsey, Pat Graf, Lisa Gubler, Jennifer Kohler, Richard Kohler, Sydney Creer, Don Graf, Allen Hall, Chris Potter, Clayton Leavitt, Richard Fischer, Kalli Potter, Dean Berryessa, Travis Gates

1. **Call to Order:** Michael Day called the meeting to order at 6:03 PM
2. **Opening Ceremony:** Leina Mathis led the Pledge of Allegiance and Opening Comments (Invocation.).
3. **Communications and Appearances**

A. General Citizen Communications

None.

4. Working Agenda

A. Public Hearings:

1. Hearing to receive public input for a request to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.
2. Hearing to receive public input for a request to amend the City Zoning Map by changing the zoning designation from R-1-10 to Planned Development Commercial, on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.
3. Hearing to receive public input for a request to extend the boundaries of the City Historic District eastward to include the Town Hall property and 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive. 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Michael Day: We will be conducting the first three hearing items as separate hearing items, although they are for one parcel/project. They have different items to address. After each hearing, we will proceed to the General Business section for that item. Let's open the first Public Hearing for this evening regarding public input for a request to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

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

1. **Amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 0.6 acres located on the SE corner of Santa Clara Drive and Heights Drive.**
2. **Amend the City Zoning Map by changing the zoning designation from R-1-10 to Planned Development Commercial.**
3. **Extend the boundaries of the City Historic District eastward to include the Town Hall property and the Kohler property on the southeast corner of Santa Clara Drive and Heights Drive.**

Background: The City has received an application from Mr. Richard Kohler, property owner, to 1) amend the City General Plan Land Use Map by changing the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), 2) Change the zoning from residential R-1-10 to Planned Development Commercial, and 3) to extend the Historic District boundaries eastward to include the Town Hall property and the Kohler property (0.6 acre) located on the SE corner of Santa Clara Drive and Heights Drive. The property is located just east of City Hall, with Heights Drive separating the two properties.

Purpose of the Requested Change to the City General Plan, and Zoning Map: The applicant seeks a change in the General Plan to a Commercial use designation, rather than a Residential designation in order to allow for a zone change to PD-Commercial for a small 18 room inn to be known as the Santa Clara Inn. There are four buildings proposed and a farm style 24' tall silo structure which would have one guest room. Two of the buildings would be 2-story and two buildings would be one story, with an outdoor lap swimming pool on the top of the eastern most single-level building. The pool is rather small with a proposed dimension of 6' X 40' which would accommodate lap swimming for a few guests at a time. The above details are needed for the requested PD-

Commercial zone. The building designs represent historical architecture and all four of the buildings are in scale with typical single family dwellings in the general area.

The applicant and City Council feel that an extension of the Historic District boundaries to include this property is in the best interests on the city.

General Plan considerations: The property fronts on Santa Clara Drive, and is just east of the City Hall. The property is just outside the current boundary of the Santa Clara Historic District, and also just outside the Neighborhood Commercial designation on the General Plan Land Use Map. Neighborhood Commercial extends through the Historic District and presently ends at Height Drive. The request is to extend the “Neighborhood Commercial” land use designation eastward to include this lot. Commercial use of the property makes sense from a traffic standpoint as the large (0.6 acre) parcel can be accessed from Heights Drive, rather than an access off/on Santa Clara Drive which poses a traffic safety concern.

Rezone Considerations: The requested rezone from R-1-10 to Planned Development Commercial would allow for the proposed Santa Clara Inn, an 18 guest room development which would not generate significant traffic and therefore would be a good use for the property based on traffic generation. Also the proposed building scale and design with one and two-story buildings fits the surrounding area. The buildings are designed similar to single family homes typical of the early 20th century with “Dixie dormers” and exterior appearances typical of historic homes in the area.

Staff Recommendation: Staff believes the proposed use of the property is in harmony with the goals of the City General Plan and in scale with the surrounding neighborhood. The 18 room guest inn will not generate significant traffic and the proposed historic design of the buildings and silo will be an attractive addition to Santa Clara Drive and the city in general. Mr. Kohler has modified his original plan slightly to extend a wood privacy/noise wall (i.e., parapet wall) up to 7’ tall along the south and east edge of the roof (i.e., pool level) on the ‘east’ building. This will provide privacy to the adjoining neighbor, Mr. Gubler, as well as reduce any noise generated from the roof top pool and sundeck. Therefore staff recommends approval of the change to the General Plan map, and also a change to the City Zoning Map to accommodate the proposed project.

Previous PC Action: The PC held a public hearing on this request on April 12, 2016 with a significant neighborhood presence. The public comments were generally opposed to the idea of an inn or bed & breakfast at this location due to noise (from outdoor pool) and traffic. The PC recommended denial of the General Plan amendment at that time.

The applicant has since modified his plans to add a privacy wall on the south and east side of the eastern most building to reduce noise and help with privacy concerns from the adjoining neighbor (Mr. Gubler). The applicant has also developed computer simulations showing the building mass of the proposed Santa Clara Inn compared with the two single family homes located to the south of the Kohler property.

CC Action: The City Council considered the General Plan amendment request on June 22, 2016 and was generally in favor of the proposed project. The City Council requested that the matter be returned to the PC for consideration of three requests concurrently. Those requests are 1) changing the General Plan to designate the subject property as Neighborhood Commercial rather than Low Density Residential, 2) rezoning the property from R-1-10 to PD-Commercial, and 3) extending the Historic District boundaries to include the Kohler property. These 3 requests require a public hearing prior to the PC taking action on the requests.

The Heritage Commission has recently recommended the approval of extending the historical district to include this parcel. The Santa City Hall would be included in the extension and includes Mr. Kohler’s property.

Richard Kohler: I am the architect and one of the family property owners. This is a family owned property. We will live on site in one of the units for sleeping purposes with the lobby be used as living area. There is one unit for onsite managers, which be myself and my wife. Family will sometimes be the people that stay at the inn.

With regards to the site study, the neighboring properties have been super imposed over the proposed projects to show that they are smaller and will fit within the overlay of the neighboring existing homes.

Santa Clara Drive is a busy street, so it not designed to allow single family homes accessing the street. We believe this to be a good use for this property and be compatible with Santa Clara City's Historic District.

There will not be much more traffic than currently runs on Santa Clara Drive and the traffic will not go into surrounding neighborhoods. The swimming pool has been redesigned as a reflecting pool with just a landscape feature added.

Building D is across from the City Hall and has the Dixie dormers and is similar to 1870's era architecture. It will be 1 ½ stories high. The barn is mimicked to be an old barn and is smaller than surrounding homes. The cottage will be red and mimics an adobe style home. The single story building is called the Arrowhead Trail Building. It is designed to function as a reception area.

The parapet wall will hide viewing into neighboring homes, and the large Sycamore tree will remain in front. The parking lot will have fruit or fruitless trees and maybe be paved with a special type of fake grass that looks like real grass and functions well when driven on.

This project is a prime example of why the Historic District should be extended as this project shows what the Historic District is designed to represent. From a Master Plan standpoint, this project is appropriate to the Master Plan.

Jason Lindsey: Where are the neighborhood meetings?

Richard Kohler: We have been in contact with the City Council, but because of timing, no neighborhood contact has been made.

Michael Day: I was not in attendance for the last Planning Commission meeting, but do you feel all of those concerns have been addressed?

Richard Kohler: Yes. Some of the questions were where maid carts would be and where the garbage cans will be located. Those types of things are not really required right now because of the style of the building and business as well as onsite managers. There was also a question of an eating facility. There is no onsite restaurant, but a corner of the reception area will have a continental breakfast section.

Another question of what if the business venture does not work, what would happen thereafter was asked. If the business doesn't work, then it will be a family retreat as this project has been designed and will be done with family money.

Michael Day: How long has your family owned the property?

Richard Kohler: Approximately four years.

Michael Day: If we have no other public comments, we will open the Public Hearing for the following:

A. Public Hearings:

- 1. Hearing to receive public input for a request to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC) on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.**

Travis Gates: As a neighboring property, I still have concerns that are the same from the previous meeting. I am concerned of future congestion that could take place when city events happen. The project is a good idea, but not right for this area. I also have concerns of what if I sell my property and how that would impact a future sale.

Clayton Leavitt: When the streetscape was planned in the General Plan, it was planned for a low density residential project. If the General Plan is changed, an issue would be the commercial corridor for Santa Clara City would be impacted. This area is not deigned to handle that kind of activity. This area really needs to remain people, pedestrian friendly.

I would also like to quickly mention the zone change part of these hearing for this project. There will be 18 rooms and will have much higher impacts than new single family homes because this is trying to be re-zoned as a higher density.

With only one entrance of Heights Drive, that will be a problem. The traffic problem no matter what will be increased, no matter what is said. Heights Drive is only about 50 feet wide and this project will require a bigger road to accommodate emergency vehicles. I am appreciative of the design and idea, however the use and density suggested is going to be such a drastic change.

Lisa Gubler: This is a nice project, but when comparing the two homes affected to a project that will have an increase of people rather than 8-10 people in a single family home, does not work. There would be an increase. I am at the second home directly behind this project.

It is going to be right there behind my property and that project will be visible into my property. As with the other neighbors, I still have the same concerns as addressed before.

Marv Wilson: In regards to this issue and the General Plan amendment proposal, I felt comfortable in voting no last time because it did not follow the General Plan. If the people in attendance tonight were involved with the previous General Plan amendment, those comments could have been addressed at that time with the comments taken into consideration for any changes.

However, this project is exactly what has been desired to attract people to the area and fits well with the Historic District plan. It does accomplish the intent of the Historic District. I realize this other General Plan change did not include that parcel, but the new plan change should change should include this.

Dave Biasi: As Marv Wilson expressed, this type of a project will help the downtown area businesses flourish.

Michael Day: Seeing no other comment, we will close the Public Hearing for Item 4A1. We will now move onto the next Public Hearing item for this project (Item 4A2) and it is now open for public comments. It is described as follows:

A. Public Hearing(s):

- 2. Hearing to receive public input for a request to amend the City Zoning Map by changing the zoning designation from R-1-10 to Planned Development Commercial, on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.**

Herb Basso: As a nearby neighbor, it is a difficult view. But my viewpoint is being a distant neighbor, I feel the traffic is not a burden. But because the property faces Santa Clara Drive, it will be different for the surrounding neighbors. This can be a good development with the entrance on Heights Drive and be good for the Historic District for the City. I would like to see this lot developed. This will help eliminate dust and congestion from that lot when events in the city happen. It is a good project, but also I understand how the surrounding neighbors feel.

A suggestion for a change could be to have the project entrance for the Santa Clara Inn, come from Santa Clara Drive and not Heights Drive.

Chris Potter: If I was sharing a property line, it would be a concern. I would have questions though of conformity. Will it match the surrounding area? What about renters? What about property release values? However, with the property owners managing the project it does make a big difference in the way this will be managed.

I believe this can be a positive thing for the city, but then again I am not sharing property line. I do think the architecture and design does conform to the City Historic District. In thinking more about the placement of the entrance, it perhaps will be better suited to be on Heights Drive.

Allison Williams: I live next to this project. I am wondering what the changes have been since the last meeting. The only change I am seeing is the wall by the pool. What about the parking issues? There were previously less spaces than what was required. I thought they would have scaled this down a bit.

When comparing it to two single family homes, there is no real comparison. It is just not a good fit.

Michael Day: If there is no other comment for this section, we will close the Public Hearing for this item and move to the next Public Hearing for this issue (Item4A3). It is described follows:

A. Public Hearing(s):

- 3. Hearing to receive public input for a request to extend the boundaries of the City Historic District eastward to include the Town Hall property and 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive. 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.**

Michael Day: Do any of the Planning Commission have comments before we begin the Public Hearing?

Adam Butterfield: The developer gets to develop their property in the way they choose and is legal and conforms to the code. I see this as a viable use for the property. If there would be a residential homes placement, it could be a worst case scenario. The type of buildings being presented is above and beyond the typical plan. I see long term good probability. The property values should reflect positive.

Jennifer Kohler: I am Richard Kohler's wife and we own this as a family partnership. I do agree that if I was a neighbor, I would be nervous of what would happen on the corner. I suggested that if we pretended we bought a historical district problem and gave it a modern twist. The rooms are high end, while the exterior looks historic.

One difference is that we will live on the property. We are selling our other home and this will be my responsibility to take care of the property and give it the attention I like in my home. I would also be willing to scale the project back a bit to make it easier on myself for maintenance purposes. I will just have a home in different pieces.

Sometimes our family will be there and not all the rooms will be rooms that will be rented out. The pool could also go away if desired. It is not designed for a lower end market of vacationers, it will be a higher end type of facility. We are taking the maintaining of this project very seriously.

Travis Gates: I would like to ask if the property owners can meet with us, the surrounding neighbors, and allow input for design, possible downsize, and more compatible for all. It could then be a viable project.

Michael Day: We can make those recommendation to the City Council.

Herb Basso: I would like clarification about the historical areas. Will the area stop at the edge of the project or extend?

Corey Bundy: Yes, it would extend to the edge of this project and not back further onto Vineyard Drive.

Bob Nicholzen: We need to read the email from Logan Blake, who is a Santa Clara resident into the minutes:

To the Mayor, members of the City Council and Planning Commission,

My name is Logan Blake and I live at 1248 Heights Drive. When I first heard about the Inn at Santa Clara I was excited. I thought what a perfect thing to bring to Santa Clara. A small scale hospitality establishment would be perfect for the historic downtown area. I've read many times in the Mayor's monthly message about how the businesses in Santa Clara struggle to stay open. With this type of business in town it would bring what the other businesses need; people. I feel that the patrons of the Inn at Santa Clara would be more likely than the residents to visit the local restaurants and shops, because they are here on vacation. I am much more likely to eat and buy things when I am on vacation than when I'm home, and I believe others vacationers would have the same habits. Plus, it would continually be occupied with new patrons and thus continue to have a positive effect on business in Santa Clara.

I made an extra effort to fill out a GRAMA request to find out more information on the project. After obtaining the renderings and the site plan for the Inn of Santa Clara, I love the way this project was designed, and I would be pleased to live near it and drive by it every day. I like the way that all the buildings are a different style, while still having a historic architecture. To me it will look like a small town on its own. I love that the parking area won't be visible from the street and that it will be made of grass and not an ugly asphalt heat island.

I feel that this project meets the applicable policies of the General Plan for the Historic Downtown Core in the following ways:

Policy 4.1- This will bring variety, as there isn't another hospitality establishment in the downtown area. The traditional architecture will compliment the exiting historic buildings in the downtown area.

Policy 4.3- Being adjacent to the City Hall and within 700 feet of the next business it will encourage walking from one store to the next.

Policy 4.4- The Inn at Santa Clara will have the feel of a traditional boarding house where patrons would rent rooms in the family home. This will be a traditional type of business as it would not look or feel like a hotel chain.

Policy 4.5- With the buildings being placed along the frontage, and hiding the parking in the rear this will maintain the atmosphere of our beautiful Santa Clara Drive. Santa Clara Drive, with its large landscape strips and traffic calming planter boxes already make the street feel safe to walk down. With the access off of Heights Drive, it won't affect the safety of pedestrians.

Policy 4.7-This is being developed on a vacant lot located on a side street.

In closing, I feel this Inn will attract the kind of clientele that will appreciate our city. I have two small children and I believe this type of small establishment will not negatively impact my quality of life or the safety of my children. The debate should not be about whether or not the neighbors will like it, but what is best for the future of our town as a whole.

Sincerely,

Logan Blake

Clayton Leavitt: Some of the issues are there will be a higher density and more traffic. If there was less of a negative impact for traffic, it might work. Maybe the recommendation should be to talk with the neighbors and table the issues pending discussion.

Michael Day: If there are no other comments for this matter, we will close the Public Hearing for this section and move to the General Business item for these matters.

B. General Business:

- 1. Recommendation to City Council to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), amend the City Zoning Map by changing the zoning designation from R-1-10 to Planned Development Commercial, and to extend the boundaries of the City Historic District eastward to include the Town Hall property; located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.**

Michael Day: I think it might be more instructive to City Council to deal with each item separately and ask for motions for each section, and would like to jump to the Historical District item.

Adam Butterfield: If this project does not go through, would it make sense to make it historical?

Marv Wilson: There would still need to have things comply with such as color and style.

Michael Day: Maybe the simpler way would be to go in order, so we will go back to the first section of Recommendation to City Council to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Jason Lindsey: A question for Bob, is about parking. Is the parking adequate?

Bob Nichol森: One space per guest room and one space for managers. The managers will live on site and the 18 spaces for each room will be enough.

Marv Wilson: Mrs. Kohler mentioned she and Mr. Kohler are planning to live there. What about extensions for living spaces.

Richard Kohler: One bedroom for us for sleeping and in the lobby is where the living and dining areas will be. We will only require one parking space and the units will only be reduced from 18 to 17; with us living in one unit. The pool has been changed as a reflective pool and no swimming.

Marv Wilson: If the zoning is changed, is the 17-18 units locked in with this zoning?

Michael Day: I believe because it is planned development, it is locked in as presented for the plan, and not the number of rooms.

Jason Lindsey: What is the square footage?

Richard Kohler: Approximately 6800 square feet total.

Marv Wilson: If that parcel was included in the General Plan change before, this would not be an issue to consider tonight. It is really not a desirable lot for anything residential. I would also like to see the property owners of this project meet with the adjacent property owners to discuss options.

Jason Lindsey: If this was purchased as a residential lot, would the elevations be an issue?

Richard Kohler: The storm water would be an issue and need to be raised about 7 feet.

Michael Day: When would this go before City Council?

Bob Nichol森: Not until at least July 27, 2016.

Michael Day: I would like to see a motion.

Marv Wilson: I will recommend approval to City Council to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), with the condition the property owners for this project contact the surrounding neighbors of Travis Gates, Tom Gubler, Mitch Cloward, and Allison Williams to discuss any options such as downsizing the project, and parking concerns.

Leina Mathis: I would like to suggest an alternative motion of approving the General Plan change with it being a requirement of a prior meeting with surrounding property owners prior to the next scheduled City Council meeting and compile a report of results.

Adam Butterfield: I will second the motion.

Motion to recommend to City Council for the approval to amend the City General Plan Land Use Map to change the land use designation from Low Density Residential (LDR) to Neighborhood Commercial (NC), located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Made by: Leina Mathis, Seconded by: Adam Butterfield

Voting Aye: All

Voting Nay: None

Motion Carried.

Michael Day: Moving to the second General Business item for this matter of amending the current zoning map. It is as follows: Amend the City Zoning Map by changing the zoning designation from R-1-10 to Planned Development Commercial, located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

I think we understand the approval of this plan will lock in the plan.

Marv Wilson: I am hopeful there will be changes that occur with the applicant and the surrounding neighbors.

Matt Ence: The City Council is not bound by the Planning Commission changes.

Leina Mathis: I will make a motion to approve the zoning designation from R-1-10 to Planned Development Commercial, located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive, with the condition of City Council reviewing the report of the meeting with the applicant and surrounding property owners.

Adam Butterfield: I will second the motion.

Motion to recommend to City Council for the approval of the zoning designation from R-1-10 to Planned Development Commercial, located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive, with the condition of City Council reviewing the report of the meeting with the applicant and surrounding property owners.

Made by: Leina Mathis, Seconded by: Adam Butterfield

Voting Aye: All

Voting Nay: None

Motion Carried.

Michael Day: We will now move to third General Business item for this matter. It is as follows: Extend the boundaries of the City Historic District eastward to include the Town Hall property; located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Adam Butterfield: It does not make sense to not approve this item if the others have been approved. I lean to approve this matter if the other matters are considered by the City Council. I will make a motion to approve to extend boundaries of the City Historic District eastward to include the Town Hall property; located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Jason Lindsey: I will second the motion.

Motion to recommend to City Council for the approval to extend the boundaries of the City Historic District eastward to include the Town Hall property; located on 0.6 acres located at the SE corner of Santa Clara Drive and Heights Drive.

Made by: Adam Butterfield, Seconded by: Jason Lindsey

Voting Aye: All

Voting Nay: None

Motion Carried.

Michael Day: We will now move to the next item on the Public Hearing section for tonight's agenda.

4. Working Agenda

A. Public Hearing(s):

4. Hearing to receive public input to amend Santa Clara City Zoning Ordinance, Title 17, Section 17.68.110; Application, Procedures and Requirements for a PD zone project.

Bob Nichol森: The item is as follows:

Proposed amendment to the Santa Clara City Zoning Regulations

Section 17.68.110: Application Procedures and Requirements (for a PD zone project):

17.68.110. B (new wording is in bold and underlined)

2. Rezoning Application: In addition, the applicant shall provide a complete rezoning application and a cover letter requesting review of the project plan. The project plan shall be reviewed by staff and discussed in an informal meeting with the applicant to examine potential areas of nonconformity. Staff, upon review of the plan, will determine whether the project meets the intent of the district and includes the required elements. If the project does not meet with the intent or lacks required elements, staff may reject the project plan and notify developer of where deficiencies exist so corrections may be made. However, should the plan meet the intent and contain the required elements, staff will accept the project plan and provide the applicant with suggestions for changes and modifications, if any that will prepare the applicant for the submittal of phase plans. While the applicant may ask for more than one project plan review, at least one review is mandatory.

3. Review of Project Plan by Planning Commission: After staff officially accepts the project plan (completed application submitted and full review by staff completed), the plan will be placed on the planning commission agenda provided that the date the plan is officially accepted by staff is two (2) full weeks (14 days) prior to the planning commission meeting. The planning commission shall **hold a public hearing on the proposed plan** ~~review the project plan~~ and make a recommendation on the plan and the rezoning of the property. The planning commission shall review the plan for the following elements: how the proposed project meets the purpose of a

planned development as provided in section 17.68.010 of this chapter; how the proposed project meets the purpose of the specific planned development district; the overall project density as well as the density of land use components; land use mix and percentages; general vehicular and pedestrian circulation including the location and capacity of the facilities and connections internally and externally; and open space type, amount and location. Other site and project design criteria shall be reviewed at the phase plan stage.

4. Review of Project Plan by City Council: Upon receiving a recommendation from the planning commission and before enacting an amendment to the zoning ordinance, the city council shall ~~hold a public hearing thereon~~ **make a determination that the requested rezoning and project plan is in the public interest considering the community as a whole.** If approved, the rezoning becomes effective and the project plan becomes the official plan of the district, which will determine how phase plans are developed.

Michel Day: We will now open the Public Hearing for comment. Seeing there is no public comment, we will close the Public Hearing and move to the General Business section for this item.

4B. General Business:

2. Recommendation to City Council to amend Santa Clara Ordinances, Title 17, Section 17.68.110; Application, Procedures and Requirements for a PD zone project.

Motion to recommend to City Council to amend Santa Clara Ordinances, Title 17, Section 17.68.110.

Made by: Jason Lindsey, Seconded by: Marv Wilson

Voting Aye: All

Voting Nay: None

Motion Carried.

4. Working Agenda

A. Public Hearing(s):

5. Hearing to receive public input to amend Santa Clara City Ordinance, Title 16, Section 16.24.060; Street Improvements.

Bob Nicholzen: This matter is as follows:

- A. All streets within the city shall be improved with streetlights and pavements bounded by integral concrete curbs, gutters and sidewalks.
- B. All streets shall be designed in accordance with the city design standards, AASHTO, or other approved standards.
- C. The arrangement of streets in new subdivisions shall make provision for the continuation of the streets in adjoining areas insofar as such continuation of access is determined necessary by the city. All access roads leading to the subdivision shall be improved as required by the city council. Wherever feasible, local streets shall be laid out to ~~discourage through traffic~~ provide connectivity to adjoining residential areas.

Do we need “local streets shall be laid out” removed from our ordinance?

- D. The owner shall provide traffic control and street name signs, conforming to the city's design specifications and approved by the city.
- E. All subdivision lots shall have frontage on a dedicated public street improved to city standards unless the lot is approved as a flag lot under the city's flag lot ordinance, or is approved by the City Council under some other provision. Private streets, alleys, or ways shall not be approved except as may be approved as a part of a planned development project under the city planned development ordinance or when because of hazardous slopes, soils, floodplains, or other conditions that are determined by the city council as to not being in the best interest of the city. The Technical Review Committee (TRC), or the Planning Commission may recommend to the city council that private roadways, utility improvements, or other improvements be approved. In any event, private streets and any utility construction will conform to the construction standards required for dedicated streets and utilities regarding quality of construction whether dedicated or not.
- F. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities and where such continuation is in accordance with the general plan. If the adjacent property is undeveloped and the street must be a temporary dead end street, the right of way shall be extended to the property line and a temporary turnaround shall be provided. All permanently dead ended streets shall end in an approved cul-de-sac or other improved turnaround unless otherwise approved by the city council.
- G. Intersections shall be designed in conformance with AASHTO standards to provide adequate sight distance and other performance and safety needs as approved by the city.
- H. No subdivision shall be approved which does not have access to an improved and dedicated city street. Where a subdivision obtains access from a street which does not meet minimum city standards, the access road shall be improved to a minimum width of twenty five feet (25').
- I. Where a subdivision abuts a master planned road, utility or drainage system, the owner shall complete their portion of such improvements the full length of their project in conformance with the official city master plan unless otherwise approved by the City Council.

Michael Day: We will now open the Public Hearing for this matter and seeing no public comments, we will close the Public Hearing and move to General Business for this matter.

B. General Business:

3. Application, Procedures and Requirements for a PD zone project and to amend Title 16, Section 16.24.060; Street Improvements.

Motion to recommend to City Council to amend Santa Clara Ordinances, Title 16, Section 16.24.060; Street Improvements.

Made by: Adam Butterfield, Seconded by: Jason Lindsey

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

4. Review request of purposed variance for the width of the flag lot stem, at 3177 Santa Clara Drive, Lanyle Brown Subdivision. Fran Meldrum, Applicant. Barry Thompson with Pratt Engineering, representing.

Corey Bundy: The proposed lot split at 3177 Santa Clara Drive in the R-1-10 / Historic District would create a 2 lot single family subdivision. The lot split includes a flag lot to access the rear portion of the lot off Santa Clara Drive.

Applicant: Fran Meldrum, and Lanyle Brown, property owners
Project Engineer: Barry Thompson, Pratt Engineering, project representative.

The proposed lot split would create a flag lot to access the home on the proposed rear lot located to the rear of an existing single family home which fronts on Santa Clara Drive. The front lot would be 10,945 square feet, and the rear lot would be 18,549 square feet. Fran & Howard Meldrum want to purchase the home on the proposed rear lot. Mrs. Meldrum is currently the care-taker of Mrs. Brown who lives in the front home. In order to create the rear lot with access from Santa Clara Drive, a variance is needed for 1) the width of the rear lot stem (access way).

The Subdivision ordinance requires that a flag lot stem be at least 25' wide and can be utilized by two dwellings. The applicant proposes a width of 18.4' which would be a shared access drive for both properties. Staff feels that an 18.4' wide access way is wide enough to provide a safe access for both properties. Other variance is needed for the side setback for the rear dwelling (originally a garage- workshop). The existing side setback meets the fire code requirement but less than the 8' required by the Zoning code in the R-1-10 zone.

Staff supports both the lot split request and the variance requests because it has been there for years and is existing.

All surrounding properties within 500 feet have been notified as per City ordinance.

Marv Wilson: It makes sense to finalize and solidify this.

Michael Day: Where would the access be?

Richard Fischer: I am the general contractor for this project and it will be a shared driveway.

Matt Ence: This is a prime example of why a variance should be granted and meet the criteria for variances.

Motion to grant approval for a variance for the width of the flag lot stem, at 3177 Santa Clara Drive, Lanyle Brown Subdivision. Fran Meldrum, Applicant.

Made by: Marv Wilson, Seconded by: Jason Lindsey

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

5. Consider variance request for an awning built in violation of front yard setback, located at 1620 Gubler Drive, Mathew & Dana Mansfield, owners and applicants.

Corey Bundy: This is a variance request for an awning that was built in violation of the front yard setback. The owner wanted to extend the existing shade structure and the contractor did not realize until after the awning was installed and they were contacted by the City that the awning extension violated the front yard setback and was not in compliance with City regulations or had an approved building permit.

The contractor has notified all property owners within 500 feet as per City ordinance requirements.

Staff is recommending the variance not be granted and the awning be removed as not to set a precedence for front yard setback violations.

Bart Skrbec: I am with The Awning Company and we were the contractor for this project. The original awning was about a third of the new size. There is a five foot difference from where the setback was and where the new awning is. The owners want to reduce the house heat, lower bills, create desert landscape for the front yard in order to reduce landscape watering costs. I have signatures from neighbors stating they are in approval of the awning.

The owners have also placed a nice, small block wall in the front yard. I also drove through the neighborhood and noted many other homes that do not meet the front yard setbacks. This really will not set a precedence we think because this is a unique situation.

Corey Bundy: Half of the original setback for the front yard is gone. The setbacks for front yard is 25 feet back from the sidewalk to the house.

Michael Day: This is a really a self-imposed hardship, based on the criteria. We want to be helpful, but we are in a position that we need to comply with the Utah State law in regards to variance approvals. Some of those other properties are corner houses and this is really directed for this house as it was a new addition to the home.

Bart Skrbec: We are asking for the variance for this awning because the owners had hardships with the lack of shade. We would not like to see this family penalized for the awning that was installed. We, as the contractor and new to this area, were not aware there were setback violations or a permit would be needed.

Matt Ence: The State law is pretty clear on this kind of situation.

Marv Wilson: So now the setback is about 15 foot back of the sidewalk?

Corey Bundy: Yes.

Mathew Mansfield: I am the property owner. There was an awning there previously and we just wanted to extend it further for shade from the sun onto the house. We hired the contractor and had the work done, and then the City drives by and said it was not allowed and the awning would need a variance to have the awning stay in place. When the sun hits the house, it is unbearably hot and the red dirt blows and bombards the house when the wind blows. An awning will help subdue both of those things.

Michael Day: We as the Planning Commission are understanding the law and the member responsibility and we have to adhere to those requirements.

Adam Butterfield: We have no choice other than to make the motion to deny variance request for an awning built in violation of front yard setback, located at 1620 Gubler Drive, Mathew & Dana Mansfield, owners and applicants.

Leina Mathis: I will second that motion.

Matt Ence: As the City Attorney and an advising body to the Planning Commission, I will let you know to appeal the Planning Commission decision, you will need to go to City Council and get with Corey Bundy in the Community Development department within ten days and they can assist in getting the appeal set up. With all due respect, we cannot approve this variance because the statute states this is hardship that was self-imposed and the contractor should have known that they needed to apply for a building permit. Had they done that, this would not be an issue because the building permit would not have been allowed because the front yard setback violation.

Motion to deny approval for a variance for an awning built in violation of front yard setback, located at 1620 Gubler Drive, Mathew & Dana Mansfield, owners and applicants.

Made by: Adam Butterfield, Seconded by: Leina Mathis

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

6. Recommendation to City Council for amending a Final Plat for Paradise Village at Zion, Phase 2. Merrill Properties, Applicant, Jared Bates with Rosenberg & Associates, representing.

Corey Bundy: The staff report for this matter is as follows:

Paradise Village, Phase 6:

The request to amend the Final Plat for this phase is as follows:

Only some small changes to this plat are that lot 51 has been changed from a 4-plex to a single large unit.

Lots 59-62 have changed from a duplex to a 4-plex.

Staff recommends approval as what is noted on the plat.

Michael Day: I will note the motion should include the notes that have been added to the amended plat with what has changed from the previous version.

Marv Wilson: I will make a motion to recommend approval to City Council or amending a Final Plat for Paradise Village at Zion, Phase 2. Merrill Properties, Applicant.

Motion to recommend approval amending a Final Plat for Paradise Village at Zion, Phase 2. Merrill Properties.

Made by: Marv Wilson, Seconded by: Adam Butterfield

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

7. Recommended to City Council for Final Plat of Sycamores at Santa Clara, Phase 1A. Clara Land LLC, Applicant, Allen Hall with Rosenberg & Associates, representing.

Corey Bundy: The staff report is as follows:

Planning Commission agenda report for 7/12/16: Revised Final Plat for Sycamores @ Santa Clara, and Hillside Review Board recommendation

Project: Revised Preliminary Plat for the Sycamores @ Santa Clara, a 36 lot single family subdivision on 27.4 acres in an R-1-10 zone located east of Gates Lane, south of the Santa Clara River, and generally between the hillside to the south and the Santa Clara River to the north.

Applicant: Clara Development LLC, Kyle Hafen, Rep.

Project Engineer: Rosenberg Associates, Allen Hall, representing

Total Area: 27.4 acres, with 36 proposed lots. (Density of 1.3 lots per acre)

The Gubler property along the Santa Clara River has been added to this proposed subdivision bringing the total number of lots to 36.

The proposed subdivision extends from the Santa Clara River floodplain on the north to the hillside on the south. Most of the property has slopes under 15%, but lots 31 thru 36 extend up the hill and have slopes between 25-40%. A wash exists between lots 34 and 35 and extends southward up the slopes. The wash is a significant drainage area and the applicant proposes to create a detention basin just south of lot 34. From the detention basin storm water will be piped underground along the public street to near the Santa Clara River where the storm water will enter the river.

Hillside Board Recommendation: The Hillside Review Board met twice to consider this project, on August 20 and 25, 2015, with the second meeting held on site to review the project staking and consider the drainage issues. After considerable discussion and revisions made by the Project Engineer, the Hillside Review Board recommended approval on 8/25/15 with the following conditions; (1) Lots 35 and 36 will be re-considered later when grading plans are submitted for those lots, therefore no approval is given at this time for lots 35 & 36, and (2) an updated and full drainage report be submitted to the City for review with the prelim plat.

Other Issues: To protect the subdivision against flooding and erosion the developer will be required to place rip-rap along the back of lots 1 thru 9. FEMA's 100-yr floodplain line runs through lots 3 -9, and the developer proposes to place fill on those lots in order to remove them from the 100-yr floodplain. That fill proposal must be subject to review & approval of the City and by consulting engineer Todd Olsen, PE, Bowen & Collins Engineers (acting as the City Engineer). Also, the developer is required to place the necessary rock rip rap for erosion protection along the river. An easement for river maintenance (flood control maintenance) **and trails** is needed

along the south side of the Santa Clara River and possibly within the proposed private lot area. Also landscaping (trees, etc.) should be placed along the frontage with Gates Lane, either by the developer (preferably) or by each individual home owner as each home is built.

Subject to the above concerns & conditions, the revised final plat is ready for approval.

Allen Hall: We used that report from the Preliminary Plat because staff was not available to write the report for the Final Plat. The only real change has been that the development has been shrunk down to 29 lots. Nothing else has changed with the exception of the number of lots being changed. That is the only requirement left for approval.

Marv Wilson: I will make the motion for recommending approval to City Council for Final Plat of Sycamores at Santa Clara, Phase 1A. Clara Land LLC, Applicant. The approval will be for lots 1 through 29.

Jason Lindsey: I will second that motion.

Motion to recommend approval of Final Plat of Sycamores at Santa Clara, Phase 1A. Clara Land LLC, Applicant.

Made by: Marv Wilson, Seconded by: Jason Lindsey

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

8. Recommendation to City Council for Final Plat of Andrea's Garden minor subdivision, MBA Properties, LLC, Applicant, Allen Hall with Rosenberg & Associates, representing

Corey Bundy: The staff report is as follows:

Project: The proposed project would create a 3 lot single family subdivision called Andrea's Garden in the R-1-10/ Historic District zone located north of the Santa Clara River on the west side of Vernon Street. The 3-lot subdivision includes a flag lot to access a rear lot off Vernon Street.

Applicant: Marv Blosch

Project Engineer: Rosenberg Associates, Allan Hall, PE

The proposed 3-lot subdivision would create one flag lot (lot #2) located to the rear of lot number 1 which fronts on Vernon Street. Proposed lot #3 also fronts on Vernon Street and is a deep lot with an existing single family home. The flag lot is proposed with a 25' wide access 'stem' which meets the city requirement of 25' width (section 16.24.080 of the Subdivision Ordinance). All three lots exceed the minimum lot size requirement of 10,000 square feet. The flag lot appears to be a reasonable access solution for the rear property behind lot number 1.

Staff recommends approval of the proposed 3 lot subdivision.

Motion to recommend approval of Final Plat of Andrea's Garden minor subdivision, MBA Properties, LLC, Applicant.

Made by: Adam Butterfield, Seconded by: Leina Mathis

Voting Aye: All

Voting Nay: None

Motion Carried.

B. General Business:

9. Recommendation to City Council for Final Plat of Snow Canyon Estates, Phase 2, Kent Frei, Applicant, Allen Hall with Rosenberg & Associates.

Corey Bundy: The staff report for this project is as follows:

Background: The applicant, Mr. Kent Frei, property owner, has decided to plat 6 single family lots at the NE corner of Lava Cove Drive and Little League Drive, rather than pursue townhome units as previously proposed. The property is zoned R-1-10 and all lots meet the 10,000 square feet minimum lot size requirement.

Hillside Review Board Recommendation. The rear portion of the lots have an uphill slope and these lots were part of the Hillside Board consideration when the entire project was considered by the Board in 2015. The developer, Mr. Frei will need to provide a storm drainage solution similar to the phase 1 subdivision to prevent uphill lots from draining water onto the lower lots. This may require a retaining wall along the rear property line of the 6 lots in this proposed phase 2 (?).

Storm Drainage: See the separate report on storm water drainage for the phase 1 area prepared by Todd Olsen, Bowen & Collins Engineers, and contract City Engineer.

Other Issues: To the east of Lot 1 along Little League Drive is small stretch of sloping property that will be difficult for any owner to use due to the slope. It is recommended that the property (or at least a portion of it) be included in Lot #1 to the west since it seems more likely that the lot 1 owner will be more likely to utilize and maintain the property than the lot owner uphill.

Also, the street improvements (curb, gutter, and sidewalk) must be made along the north side of Little League Drive to the city boundary with St George City.

Allen Hall: The only change is what was required when Preliminary Plat was submitted and those required changes have been made.

Michael Day: Has the flood plain issue been resolved?

Allen Hall: Yes.

Corey Bundy: When they come in for building permits, they will need a flood plain elevation certificate.

Allen Hall: There is a portion of Little League Drive that is not dedicated and will need to be addressed at some point.

Motion to recommend approval of Final Plat for Snow Canyon Estates, Phase 2, Kent Frei, Applicant.

Made by: Adam Butterfield, Seconded by: Marv Wilson

Voting Aye: All

Voting Nay: None

Motion Carried.

5. Discussion Items

A. General Plan Amendment and set joint work meeting with BLM and SITLA. Also set dates for public open house.

Corey Bundy: City Council has asked Planning Commission member to look at General Plan amendments and south Hills area. We want to have meetings with the BLM to see what lands they are looking to and are willing to dispose of. A procedure needs to be developed and public open house meetings created to where the discussion items. This will be on the agenda for August 9, 2016 for Planning Commission meeting to begin the processes.

6. Approval of Minutes

Motion to approve Planning Commission minutes from June 14, 2016

Made by: Adam Butterfield, Seconded by: Marv Wilson

Voting Aye: All

Voting Nay: None

Motion Carried.

7. Adjournment

9:45 p.m.

Respectfully submitted;

Melodie B. Hayes,

July 12, 2016

Melodie B. Hayes

Melodie B. Hayes, Recording Secretary