SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, September 12, 2019

Present:  Leina Mathis, Chair
          James Call
          Jason Lindsey
          Curtis Whitehead

Staff:    Corey Bundy, Community Development Director
          Devin Snow, City Attorney
          Selena Nez, Planning Commission Secretary

Excused:  Michael Day
          Mark Weston
          Marv Wilson
          Mark Hendrickson

1.       Call to Order.

Chair Leina Mathis called the meeting to order at 5:30 p.m.

2.       Opening Ceremony.

Jason Lindsey led the Pledge of Allegiance and offered the invocation.

Curtis Whitehead was welcomed as the newest member of the Planning Commission.

3.       Communications and Appearances.

   A. General Citizen Communication.

   There were no citizen comments.

4.       Working Agenda:

   A. Public Hearings.

   1. Public Hearing to Receive Input to Consider a Zone Change Request from Residential R-1-10 to Planned Development Commercial Zone on 1.0 Acre, located at 2600 Santa Clara Drive (across the street from City Hall).  
       Santa Clara City, Applicant.

   Community Development Director, Corey Bundy presented the staff report and stated that the purpose of the requested zone change was to allow for the construction of a hotel of Swiss chalet or Tudor style design.  The City is interested in selling the one-acre parcel to a developer who intends to develop a historic Swiss-style hotel on the property.  Currently, possible uses include a City Park or
a hotel. If the sale of the property does not occur, the property will remain as a public park, which is the property’s current use. Mr. Bundy stated that the Heritage Commission should review any proposed building design as the property is within the Historic District. The property is currently zoned R-1-10 and is proposed to be rezoned to Planned Development (PD) Commercial. The parcel was identified on a site map displayed. Mr. Bundy explained that the City purchased the property and created a park that is utilized for Swiss Days. If sold, another location would have to be found for Swiss Days.

Chair Mathis clarified that the potential purchaser is not looking to buy the adjacent properties. If they only own the one property they will be restricted by setbacks and required to provide parking. Mr. Bundy stated that the details will be worked out as part of the site plan.

Chair Mathis opened the public hearing.

Logan Blake gave his address as 1248 Heights Drive and felt that all of the information needed for the PD Commercial Zone was presented. It was confirmed that the request will be required to come back before the Commission. Mr. Bundy explained that only the zone change was being considered tonight. The building will come back as part of the site plan approval process. Procedural issues were discussed.

City Attorney, Devin Snow reported that the applicants will come back and present a site plan. At that time, the Commission can choose to conduct another public hearing. Mr. Blake was not opposed to a hotel but wanted more information on the potential size and scale of it. Mr. Bundy explained that the City’s intent is to rezone the property and then set a price and see if the potential buyer is interested. Whatever is developed will be required to meet the density requirements of the PD zone, which allows for a maximum of two stories and a height no greater than 35 feet.

Pam Graff gave her address as 2518 Vineyard Drive was concerned that adequate information was not being provided on which to make a decision. She also serves on the Heritage Commission and was interested in what is envisioned for the property. She loves Swiss Days and was concerned about where it will be held if the property is sold. Ms. Graff stated that the nearby neighborhoods will also be impacted by the change.

Mr. Bundy recognized the concerns of the citizens and suggested that if the Planning Commission wishes to make a recommendation, they should include a public hearing when the project comes back. He explained that there is no developer to provide a site plan and address the details since he chose not to prepare a site plan for a property that is zoned Residential. It was clarified that if rezoned, the allowable uses for the property would be a hotel, a park, a bank, a convention center, a restaurant, retail sales, or a trade shop.

Mr. Snow commented that the request will need to come back again regardless because there is no plan to consider at this point. Any future plan can be reviewed by the Commission. In this case, the City is asking for a zone change to PD Commercial and because there is no plan, another amendment process will be required at which time the applicants can come back and give more concrete details. In essence, the Commission was granting the zone change contingent upon the applicants submitting a plan that will be approved by the Heritage Commission, the Planning Commission, and the City Council. Mr. Snow clarified that through the plan development process the City retains the decision-making authority.
Janice Kirkham gave her address as 2565 Peach Circle and stated that the rezone will impact the southwest corner of her property where there is a cleanout. She expressed concern because water runs down the hill through her property. Mr. Bundy stated that there is a stormwater easement at the back of the property that will be addressed during the design portion of the process.

Allison Williams gave her address as 2501 Arrowhead Trail and stated that her main concern was traffic as a result of development taking place nearby. She was worried about more commercial development and the impacts it will have on the neighborhood.

In response to a question raised by James Call, Mr. Bundy stated that anything in the Historical District can request a Historical Mixed-Use designation. In this case, staff considered that but determined that PD Commercial gives the City more control than Mixed Use.

There were no further public comments. The public hearing was closed.

2. **Consider Public Comment on a Proposed Amendment to the City Sign Code, Chapter 17.44 to Modify the Regulations Dealing with Political Campaign Signs.**

Mr. Bundy presented the proposed amendment to the City’s Sign Code. Mr. Snow explained that they prohibited private persons from posting signs on City property. The second change involved political and other signs. One temporary sign is allowed per lot with the exception of election season when an additional three commercial signs are allowed. Mr. Bundy commented that the most current draft specifies that temporary signs are not allowed on City property.

Chair Mathis asked about the limit of three temporary signs and whether it will create a policing issue for the City. Mr. Bundy stated that originally, they planned to leave it unlimited but three seemed like a reasonable number. James Call agreed that it would be difficult to enforce.

Chair Mathis opened the public hearing.

Jared Bates from Rosenberg Associates commented that one alternative was to base the number of signs on the amount of frontage.

Logan Blake liked Mr. Bates’ suggested but stated that it would still require enforcement. He suggested that the limit be three signs per frontage. He did, however, think three was a low number.

In response to a question raised, Mr. Bundy stated that real estate signs are exempt. Chair Mathis pointed out that a temporary sign advertising a subdivision housing project cannot be in place for more than one year. Mr. Snow stated that typically the concern is about clutter. If that is not an issue, the number of signs can be increased accordingly. If it is a concern, a limit should be set.

Mr. Bundy indicated that political signs cannot be treated differently from a temporary sign. Chair Mathis was concerned about enforcement, specifically with respect to election signs. Commissioner Lindsey did not support any number restriction but suggested the length of time be limited. Commissioner Call agreed. Chair Mathis commented that outside of elections and yard sale signs, she does not see large numbers of signs in yards.
Mr. Snow warned that if there are no limits, some may take advantage. He stated that clutter is the issue. Mr. Bundy stated that one temporary sign is allowed on any one parcel. The exception is during the 60 days prior to an election where more would be allowed.

There were no further public comments. Chair Mathis closed the public hearing.

B. General Business.

1. Recommendation to City Council for Zone Change Request from Residential R-1-10 to Planned Development Commercial Zone on 1.0 Acre, located at 2600 Santa Clara Drive (across the street from City Hall), Santa Clara City, Applicant.

Curtis Whitehead asked if there are any ramifications in the current zone if it is switched to commercial or if they will have to vacate the property that is currently being rented. Mr. Bundy explained that a property can be zoned PD Commercial and still have a residential dwelling on it. The rental property can remain until the City sells the property.

James Call asked if it is the City’s objective is to eventually sell the property. Mr. Bundy explained that the City purchased the property because it became available at a fair price and they wanted to make the park better. Nothing has happened in the five years since it was purchased so the City made the decision to prepare it for sale with a PD Commercial designation. Once that is done, the property will be appraised. If the potential buyer is not interested in purchasing the property, it will be offered to other buyers. Changing the zoning creates an opportunity.

The current buyer contacted the City about three years ago about a Swiss-themed concept. He has done similar projects in Midway with a Swiss flair. The City Council is enthused about that type of design and believes it would be advantageous to bring Swiss design to the downtown area.

James Call asked what the potential value is to the City and whether it is worth selling. He questioned whether a piece of property in front of City Hall will be more valuable over time as the City grows for events that take place. Mr. Bundy stated that the City has spoken to the property owners on both sides and at some point, in the future the City may want to purchase the properties and develop them as a park.

Chair Mathis asked if there had been discussion about Swiss Days if the parcel is sold. Mr. Bundy stated that Swiss Days has always been beneficial to the City and has grown over time. If the property is sold, the Swiss theme would be incorporated into the property. In terms of the physical location for Swiss Days, Mr. Bundy stated that booths may have to be moved to the City Hall parking lot or along the street. He noted that there are several options. If Swiss Days becomes too big it can be moved to Gubler Park.

Ms. Graff was asked to share her thoughts on the proposal. She stated that Swiss Days makes the community unique. Everyone loves Swiss Days and the parade is the largest in Washington County. If a hotel is built on the subject property, Swiss Days will have to relocate. She understood that the park on the hill could be used but stated that the quaintness of the current site makes this location
ideal. She understood that Santa Clara will grow over time and needs a tax base but did not think this was the right place for it.

James Call thought that to make the project work, the potential buyer will have to purchase the adjoining properties as well. He questioned the wisdom in selling the property and was unsure that the City needs the money. He also did not support the idea of moving Swiss Days to another location.

Jason Lindsey doubted that granting the rezone will change anything. He questioned whether a project like the one described would be feasible on a one-acre parcel. If remarked that if he were the developer, he would want to acquire the adjacent properties as well. If granted, the zone change will not prohibit continued use by the City.

James Call agreed but stated that if it is changed to PD Commercial the site will accommodate a 10 to 20-room single-story hotel. Commissioner Lindsey stated that if the adjoining property owners were to request a zone change, he would not be opposed to it.

Commissioner Whitehead agreed with Commissioner Lindsey and Mrs. Graff and was disappointed to hear that a hotel was possibly being proposed in the heart of the City. He realized that just because the zoning is changed does not mean that a developer can do whatever they want. There will still be a process and the Heritage Commission, the Planning Commission, and City Council will make the final determination. The rezone simply gives the City options and allows for future opportunities. He expressed his support for a zone change. James Call agreed and would also be supportive if the restrictions were adequate.

Commissioner Lindsey moved to recommend approval to the City Council of the zone change request from R-1-10 to Planned Development Commercial on 1.0 acre, located at 2600 Santa Clara Drive subject to the following condition:

1. The future plan must go through the proper approval process consisting of the Heritage Commission and Planning Commission. A public hearing will be required at that stage.

James Call made a friendly amendment to specify that the only use that would be allowed on the property in the future would be a City Park or a hotel.

Mr. Bundy stated that the staff report specifies that it be a historic Swiss-style hotel.

Commissioner Lindsey accepted the friendly amendment and added the following condition:

2. The architecture shall be a Swiss chalet or Tudor design and the use shall be a hotel or a park. Any other use shall require Planning Commission approval.

Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.
2. **Recommendation to City Council for a Proposed Amendment to the City Sign Code, Chapter 17.44 to Modify the Regulations Dealing with Political Campaign Signs.**

Mr. Snow clarified that State-owned property is exempt from the ordinance.

Commissioner Call moved to accept the amendments to the City Sign Code with the addition that up to five temporary signs be allowed for every 100 linear feet of lot frontage. Jason Lindsey seconded the motion. The motion passed with the unanimous consent of the Commission.

3. **Recommendation to City Council of Amended Final Plat for Ocotillo Springs Phase 2, located South of North Town Road and East of 400 East Street. Jared Bates, Representing.**

Jared Bates from Rosenberg Associates was present on behalf of the applicant. He reported that in the northwest corner of Phase 2 there is an existing building where four of the units would become two. Building 1 was originally designed to have six units and they are proposing to reduce it to four based on a request from a buyer. The exterior of the building will remain the same. Only the interior walls will be moved to create larger units.

Mr. Bundy stated that a permit was issued for a six-plex but the change was made without notifying the City, which created an issue. Also, because they combined two townhomes into one, they are required to fire sprinkle the unit. The amendment is needed so that the property pays property tax for one unit rather than two.

Commissioner Call moved to recommend to the City Council the changes to the final plat for Ocotillo Springs Phase 2, as presented. Commissioner Lindsey seconded the motion. The motion passed with the unanimous consent of the Commission.

In response to a question raised, Mr. Bundy explained that fire sprinkling was required because the unit was enlarged and fire walls were removed. He stated that anytime there are more than five rooms, fire sprinkling is required because they are short-term rentals.

5. **Discussion Items.**

6. **Approval of Minutes.**

   A. **Request Approval of August 8, 2019 Regular Meeting Minutes.**

Commissioner Lindsay moved to approve the minutes of August 8, 2019. Commissioner Call seconded the motion. The motion passed with the unanimous consent of the Commission.

7. **Adjournment.**

Commissioner Whitehead moved to adjourn. Commissioner Lindsey seconded the motion. The motion passed with the unanimous consent of the Commission.
The Planning Commission Meeting adjourned at approximately 7:03 p.m.

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Corey Bundy
Community Development Director

Approved: October 10, 2019