

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, October 26, 2023**

Present: Logan Blake, Vice Chair
Shelly Harris (via Zoom)
Kristen Walton
Mark Weston

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, Building Official
Selena Nez, Deputy City Recorder

Excused: Ryan Anderson
Curtis Whitehead

1. Call to Order.

Vice Chair Logan Blake called the meeting to order at 5:31 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: Mark Weston.

B. Opening Comments (Invocation): Mark Weston.

3. Working Agenda.

A. Public Hearing.

i. None.

4. General Business.

A. Recommendation to the City Council.

i. Recommendation to the City Council for a Preliminary Subdivision Plat for the Pioneer Pointe Subdivision. The project is located at 400 East/Patricia Drive and Pioneer Parkway. Clayton Leavitt, applicant.

Planning and Economic Development Manager, Jim McNulty presented the staff report and stated that the applicant, Clayton Leavitt from Oak Creek, was requesting Preliminary Plat Approval for the Pioneer Pointe Subdivision, which includes a total of 133 units on 18.09 acres of property. Mr. McNulty noted that the Property Rezoning and Project Plan was approved by the City Council

on July 12, 2023, as was City Ordinance #2023-15. That approval allowed for 82 single-family units/lots with 51 multi-family townhome units. City staff determined that the Preliminary Subdivision Plat is consistent with the Project Plan for the Pioneer Pointe Project. The following items need to be addressed:

1. Residential Unit Count. The Preliminary Plat Plan includes a total of 133 units on 18.09 acres of property, which equates to a density of 7.35 units/acre. A total of 82 single-family lots/pad lots are proposed along with 51 multi-family townhome units.
2. Project Phasing Plan. A total of seven phases are proposed by the developer. Phase 1A includes 14 single-family lots with a detention basin area. Phase 1B includes 21 single-family pad lots, amenity area parking, and project amenities such as restrooms with changing areas, a large pool, a hot tub, and an outdoor seating (covered and uncovered) area for the community. Phase 2 includes 11 single-family pad lots with project amenities such as three pickleball courts, a green court/open space area with walking paths, and a pavilion. Phase 3 includes 11 single-family pad lots. Phase 4 includes 19 single-family pad lots with project amenities, such as a large green court/open space area with walking paths. Phase 5 includes 26 multi-family townhomes units in five buildings and visitor parking. Phase 6 includes 25 multi-family townhome units in six buildings with project amenities such as a large green court/open space area with walking paths and a large pavilion.
3. Building Design/Materials/Height/Setbacks. The Preliminary Subdivision Plat includes both single-family homes and multi-family townhomes, as follows:
 - Single-Family Home Lots/Wide Pad Lots: Both one-story and two-story traditional home designs are proposed for these single-family lots, with home sizes from 1,500 to 3000 square feet. There are four to five different models with varying elevations and materials, including multiple brick and stone options, along with stucco and tile roof options. Rambler homes will be approximately 20 feet in height, with two-story homes being 27 feet in height. Lots 1 - 14 (traditional single-family lots) will have a 20-foot front yard setback, with 8-foot side yards, and a rear yard of 10 feet. Wide Pad Lots (23, 25, 29, 33, 37 – 46, 48 – 69, 71, and 74) will have a front yard setback of 15 feet to the living space, with 20 feet to the garage. The side yard setback will be 16 feet between each building, with a rear setback of 10 feet.
 - Single-Family Pad Lots/Narrow Homes: The smaller/narrow pad lot single-family homes will include a two-story design. Home sizes will range from 1700 to 1850 square feet. There are four different models with varying elevations and materials, including multiple brick and stone options, along with Hardie board, stucco, and tile roof options. The two-story homes will be approximately 25 feet to 27 feet in height. Narrow Pad Lots (15 – 22, 24, 26 – 28, 30 – 32, 34 – 36, 47, 70, 72, 73, 75, 76 – 82) will have a front yard setback of 15 feet to

living space, with 20 feet to the garage. The side yard setback will be 16 feet between each building, with a rear setback of 10 feet.

- One-story townhomes: These units include two-bedroom and two-bathroom homes with a one-car garage and two-car driveway. The proposed units would be approximately 985 to 1,100 square feet in size. Two different color palettes with a variety of building materials, including brick and stone, Hardie board, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22 feet in height. Units 94-114 will have a front yard setback of 15 feet to the living space, with 20 feet to the garage. The side yard setback between buildings will be 12 feet, with a rear setback of 10 feet.
 - Two-story townhomes: These units include 3 and 4 bedrooms and 2.5 baths, with a two-car garage and two-car driveway. The proposed units will be 1400 to 1600 square feet in size. Two different color palettes with a variety of building materials, including brick and stone, Hardie board, stucco, and tile roof options, are proposed. The two-story townhomes will be approximately 27 feet in height. Units 83 through 93 will have a rear/front yard driveway depth of 20 feet, with a side yard setback of 12 feet and 15 feet between buildings. The front yard will include a courtyard patio that fronts onto a green court area. Units 115 - 133 will have a rear yard/front yard driveway depth of 20 feet along Tuscany Drive, with a side yard setback of 15 feet between buildings. The front yard for these units is approximately 20 feet to the face of the building; however, an 8-foot courtyard patio will be allowed in the setback area, allowing for 12 feet from the back of the sidewalk to the courtyard.
4. Open Space. Chapter 17.68 requires at least 30% of a project area to be in common open space. The Preliminary Plat includes approximately 34.83% (6.30 acres) of open space being proposed for the overall project. The applicant is required to work with City staff during both the Preliminary and Final Subdivision Plat review to verify these calculations.
 5. Public Trail Access. An 8-foot asphalt public trail along 400 East has been shown on the Preliminary Subdivision Plat. This trail is required as per the 2018 Trails Master Plan. This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscany project, which provides a connection to other trails in the area.
 6. Landscaping & Water Efficiency. Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with City Ordinance #2022-05 (Water Efficient Landscaping & Conservation Standards). A secondary water connection will be required for outdoor water use. The applicant has provided a preliminary landscape plan; however, a more thorough review with additional details (final landscaping and irrigation plan) will be required with each Final Plat submittal.

7. Public Road Cross-Section. The Preliminary Plat includes a required 45-foot public road cross-section within the interior of the project. This includes 30 feet of asphalt and 2.5 feet of curb and gutter on either side, with a 5-foot sidewalk on each side of the road allowing for good pedestrian access and movement. Additionally, improvements such as, but not limited to, curb and gutter, park strip, sidewalk, and trails will be required along Patricia Drive (50-foot public street), Pioneer Parkway (70-foot public street), and 400 East (66-foot public street).
8. Private Driveway Cross-Sections. The Preliminary Plat includes two private driveways at 26 feet. Each private driveway would provide access to two single-family pad lots (Lots 38-39, and 59-60).
9. Parking. The Preliminary Plat includes 203 parking spaces for the 51 multi-family townhome units. This equates to 4.0 parking spaces per unit. An additional 20 surface parking spaces have been provided adjacent to the project amenities in Phase 1B and within Phase 5. Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots has been designed to include a two-car garage with a two-car driveway. The project parking will be reviewed during both the Preliminary and Final Subdivision Plat review process.
10. Project Utilities. Utilities (e.g., water, sewer, power, gas, etc.) are required for the project. The applicant is required to work with City staff and comply with all department recommendations during both the Preliminary and Final Subdivision Plat review process.
11. Soils Report: A Geotech Report (Subsurface Investigation) done by Applied Geo-Tech was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north and south); however, the site is suitable to support residential slab-on-grade construction provided that the report recommendations are implemented during construction. The applicant will be required to work with City staff during both the Preliminary and Final Subdivision Plat review process to determine compliance.
12. Traffic Study. A Traffic Impact Study (TIS), done by Hales Engineering, was submitted for the property. Two project accesses were assumed, which resulted in an acceptable LOS at intersections; however, a third access was also considered on Patricia Drive. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been redesigned to include a row of single-family lots along Patricia Drive without access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. Access to the site will be gained off Pioneer Parkway and 400 East.

13. Block Privacy Wall. A six-foot solid block privacy wall will be required along Pioneer Parkway and 400 East. A block wall detail and color sample have been included with the Preliminary Plat. City staff would recommend that more specific details be required at the Final Plat submittal.
14. Owner Occupancy. City Ordinance #2023-15 (adopted July 12, 2023) requires that a minimum of 50% of all units in the Pioneer Pointe Project be owner-occupied. This requirement must be included in the CC&Rs to be recorded for the project and enforced by the HOA.
15. Project CC&Rs. A copy of the project CC&Rs is required for City staff and legal counsel review when an application for Final Plat approval is submitted to the City.
16. Dust Control. A Dust Control Plan is required for review and approval by City staff before a grading permit can be issued allowing for site work. The health, safety, and welfare of adjacent residents must be considered.

Mr. McNulty reported that no comments from residents had been received by City staff as of the writing of the Staff Report. Staff suggested that the Planning Commission consider recommending Preliminary Plat Approval for the Pioneer Pointe Subdivision to the City Council, subject to the conditions set forth in the Staff Report.

Vice Chair Blake questioned the access point and stated that it seemed like there would be a fair number of units with only one access point. He commented that it would be better to have the second access in place a bit sooner than in Phase 4. A fire truck or other emergency vehicle would then be able to enter if the other access points were blocked. Vice Chair Blake added that for public safety reasons, usually when there are more than 30 units there should be another access point and there will be more than 30 units after Phase 2. He asked if a temporary access from Phase 1 to Tuscany Drive will be built. The Applicant, Clayton Leavitt thought an additional access point for construction would be added somewhere off of Tuscany Drive or 400 East that would also allow for secondary access, if needed.

Vice Chair Blake suggested a condition be added requiring second access to the interior units be provided once 30 lots are platted. Mr. Leavitt agreed to a temporary access. For Phase 1B that round would just extend into Tuscany Drive so there would be a temporary access from 1B to Tuscany.

Commissioner Weston asked how the 50% occupancy will be enforced. Mr. McNulty explained that City Attorney, Matt Ence has indicated that it must be enforced by the Homeowners Association (“HOA”). It will be required to be documented in their Covenants, Codes, and Restrictions (“CC&Rs”). He stated that the City will reach out, most likely a few times each year, to see if they are meeting that threshold.

Commissioner Weston asked if all of the homes in the subdivision will be able to use the amenities. Mr. McNulty confirmed that they will.

Commissioner Walton asked when the roads will be installed and how quickly the phases are usually developed. Mr. McNulty explained that it is on a case-by-case basis and depends on what the development team wants to do. Some development teams put in the public improvements and then start building homes but with the current market changes, they more frequently do it one phase at a time. Vice Chair Blake agreed and explained that developers do not want a lot of empty inventory so they need to be able to pay for it as they go. He appreciated that for this project the amenities are being built in the first phase so there will be access to those amenities right away.

Commissioner Weston moved to recommend APPROVAL of the Preliminary Subdivision Plat for the Pioneer Pointe Subdivision at 400 East/Patricia Drive and Pioneer Parkway as it is documented in the application subject to the following conditions:

- 1. That the applicant be required to comply with the recommendations from all City reviewing departments for each project phase.**
- 2. That the applicant be required to install public street improvements that meet City standards.**
- 3. That the Phasing Plan be approved for the overall project. That the Phasing Plan be reviewed for compliance with each project phase.**
- 4. That the building design/materials/height/setbacks comply with the information in the staff report as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**
- 5. That at least 30% of the project area be in common open space. The Preliminary Plat includes approximately 34.83% (6.30 acres) of open space.**
- 6. That the project amenities be provided and put in place as per the approved Phasing Plan.**
- 7. That the required public multi-purpose trail along 400 East (2018 Trails Master Plan) be put in place as per the Preliminary Subdivision Plat.**
- 8. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. That a final landscape and irrigation plan is required at Final Plat submittal. Also, secondary water connections are required for outdoor water use.**
- 9. That a 45-foot public road cross-section per the Preliminary Subdivision Plat be required for the interior streets within the project. That a 26-foot private driveway be allowed to access Lots 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East meet City requirements and be improved as indicated in the Staff Report.**

10. That 203 parking spaces for the 51 multi-family units be provided along with 20 surface parking spaces adjacent to the amenity area in Phase 1B, and within Phase 5 as per the Preliminary Subdivision Plat and Phasing Plan
11. That the Geotech Report for the project be implemented during site construction.
12. That the Traffic Impact Study (“TIS”) for the project be implemented except for a third access to Patricia Drive.
13. That a six-foot solid block privacy wall be required along Pioneer Parkway and 400 East. That more specific details be provided at Final Plat submittal.
14. That 50% of all units in the project be owner-occupied. That this requirement be included in the CC&Rs and enforced by the HOA.
15. That a copy of the CC&Rs for the project be submitted to City staff and legal counsel for review at Final Plat submittal.
16. That a dust control plan be required and submitted to City staff for review and approval before a grading permit is issued or site work commences for the overall project or any phase.
17. A temporary access shall be provided.

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

B. Planning Commission Approval.

- i. **POSH Blow Dry Bar Wall Sign located at 3687 Pioneer Parkway, Suite #3. Bradley Salay with Rainbow Signs, applicant.**

Mr. McNulty presented the Staff Report and stated that the applicant, Bradley Salay, is requesting Wall Sign Approval for POSH Blow Dry Bar to be located at 3687 Pioneer Parkway, Giovengo Building #2. There are four retail tenants in Giovengo Building #2 and three are on the agenda tonight for wall signs. Mr. McNulty stated that the Santa Clara City Sign Ordinance, Chapter 17.44, states that wall signs are allowed in the Planned Development Commercial, PDC Zone subject to Planning Commission approval.

Mr. McNulty reported that one wall sign is proposed for this business. Section 17.44.090(C) of City Code states that wall signs may not exceed 10% of the total square footage of the wall on which the wall sign is placed. The applicant provided calculations that indicate that 10% will allow for a sign of up to 72 square feet on the east building elevations. This wall sign includes internally illuminated white letters flush mounted to the building. The east building elevation wall

sign facing the parking lots is proposed at 37.2 square feet. The proposed wall sign meets the standards for wall signs as per Chapter 17.44 of City code.

Staff recommended that the Planning Commission approve the proposed Wall Sign for POSH Blow Dry Bar located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the conditions enumerated in the Staff Report.

Vice Chair Blake asked about the signs being turned off at 10:00 PM. Mr. McNulty stated that it does not apply to this project because they do not have a sign on the west elevation. This sign is only facing east and will not impact the neighbors.

Commissioner Walton moved to APPROVE the POSH Blow Dry Bar Wall Sign located at 3687 Pioneer Parkway, Giovengo Building #2 subject to the following conditions:

- 1. That the east building elevation wall sign (facing the parking lot) be allowed at 37.2 square feet with internally illuminated white letters on a backer flush mounted to the building.**
- 2. That a Building Permit be applied for and obtained prior to placement of the wall signs on the building.**

Commissioner Weston seconded the motion. The motion passed with the unanimous consent of the Commission.

ii. THRIVE Drip Spa Wall Signs at 3687 Pioneer Parkway, Suite #1. Bradley Salay with Rainbow Signs, applicant.

Mr. McNulty reported that the applicant, Bradley Salay, is requesting Wall Sign Approval for THRIVE Drip Spa located at 3687 Pioneer Parkway, Giovengo Building #2. The Santa Clara City Sign Ordinance, Chapter 17.44, states that wall signs are allowed in the Planned Development Commercial, PDC Zone subject to Planning Commission approval. Two wall signs are proposed for the business. Section 17.44.090(C) of City Code specifies that wall signs may not exceed 10% of the total square footage of the wall on which the wall sign is placed. Mr. McNulty reported that the applicant has provided calculations that indicate that 10% will allow for a sign of up to 73.5 square feet on the east building elevation with a sign of up to 70.82 square feet on the west building elevation. This east wall sign includes internally illuminated letters flush mounted to the building. The east building elevation wall sign that faces the parking lot, is proposed at 28.7 square feet. The west building elevation wall sign includes a halo light illumination flush mounted to the building and is proposed at 28.64 square feet. Mr. McNulty reported that the proposed wall signs meet the standards for wall signs as per Chapter 17.44 of City Code.

Staff was concerned with the wall sign on the west side of the building as it includes internal illumination. This side of the building faces a single-family residential neighborhood. He recalled that the wall signs for the Giovengo Building #2 (south building elevation) were required to be turned off nightly at the close of business or no later than 10:00 PM. Staff recommended that this be required for all wall signs on the west elevation of Building #2.

Staff recommended that the Planning Commission approve the proposed Wall Signs for THRIVE Drip Spa located at 3687 Pioneer Parkway, Giovengo Building #2, subject to conditions set forth in the Staff Report.

Vice Chair Blake asked if one of the signs is on the back of the building and if it will be visible. Mr. McNulty confirmed that it is on the back of the building and will be visible from a couple of homes. In addition, people driving by the sign on the west will see it as they drive on Pioneer Parkway. Mr. McNulty noted that some homes may only be about 50 feet away from portions of this building, They are behind a wall but are still quite close. Vice Chair Blake expressed support for the condition that the sign be turned off at night.

Commissioner Weston moved to APPROVE the signage for the THRIVE Drip Spa at 3687 Pioneer Parkway, Suite #1 as described in the plans subject to the following conditions:

- 1. That the east building elevation wall sign (facing the parking lot) be allowed at 28.7 square feet with internally illuminated letters flush mounted to the building.**
- 2. That the west building elevation wall sign be allowed at 28.64 square feet with a halo light illumination flush mounted to the building.**
- 3. That the wall sign on the west side of the building which is illuminated be turned off nightly at the close of business or no later than 10:00 PM.**
- 4. That a Building Permit be applied for and obtained prior to placement of the wall signs on the building.**

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

iii. Jersey Mike's Wall Signs at 3687 Pioneer Parkway, Suite #2. Shauna Gappmayer with YESCO Signs, applicant.

Mr. McNulty reported that the applicant, Shauna Gappmayer, is requesting Wall Sign Approval for Jersey Mike's located at 3687 Pioneer Parkway, Giovengo Building #2. Two wall signs are proposed for the business. Section 17.44.090(C) of City Code specifies that wall signs may not exceed 10% of the total square footage of the wall on which the wall sign is placed. The applicant has provided calculations that indicate that 10% would allow for a sign of up to 72 square feet on the east and west building elevations. The east and west wall signs include internally illuminated letters on an aluminum backer flush mounted to the building. The east building elevation wall sign (facing the parking lot) is proposed at 57 square feet. The west building elevation wall sign is also proposed at 57 square feet. Mr. McNulty reported the proposed wall signs meet the standards for wall signs as per Chapter 17.44 of City Code.

Staff was concerned with the wall sign on the west side of the building as it includes internal illumination. This side of the building faces a single-family residential neighborhood. Staff recommended that all wall signs on the west elevation of Building #2 be turned off nightly at the close of business or no later than 10:00 PM.

Staff recommended that the Planning Commission approve the proposed wall signs for Jersey Mike's located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the conditions enumerated in the Staff Report.

The applicant, Shauna Gappmayer asked what part of the Code requires the sign to be turned off by 10:00 PM. Mr. McNulty stated that it was part of the original site plan approval for the PDC Zone and the Project Plan because it was expected that there would be an impact. He added that it applies to other retailers that abut this residential neighborhood and is a matter of turning off a switch at night at the close of business, which other retailers have agreed to be good neighbors. Turning the signs off at night is a condition of the Planned Development Zone approval. Commissioner Walton asked how it is enforced. Mr. McNulty stated if there is a complaint about the signs not being turned off at night, the owner will be contacted.

Commissioner Harris moved to APPROVE the Jersey Mike's wall sign as presented, located at 3687 Pioneer Parkway, Giovengo Building #2. Approval was subject to the following conditions:

- 1. That the east building elevation wall sign (facing the parking lot) be allowed at 57 square feet with internally illuminated letters on an aluminum backer flush mounted to the building.**
- 2. That the west building elevation wall sign be allowed at 57 square feet with internally illuminated letters on an aluminum backer flush mounted to the building.**
- 3. That the wall sign on the west side of the building which is illuminated be turned off nightly at the close of business or no later than 10:00 PM.**
- 4. That a Building Permit be applied for and obtained prior to placement of the wall signs on the building.**

Commissioner Walton seconded the motion. The motion passed with the unanimous consent of the Commission.

iv. Election of Planning Commission Chair and Vice-Chair for Remainder of 2023.

Vice Chair Blake stated Commissioner Hendrickson needs to be replaced as Chair of the Planning Commission for the remainder of the year as he recently resigned from the Planning Commission. Commissioner Weston suggested Vice Chair Blake serve as he is already Vice Chair. Mr. McNulty noted that Commissioner Whitehead, who could not attend tonight also expressed

support for Vice Chair Blake becoming Chair. Commissioner Harris agreed. Vice Chair Blake suggested Commissioner Curtis Whitehead serve as Vice Chair.

Commissioner Walton moved that the Planning Commission APPOINT Commissioner Logan Blake to serve as Planning Commission Chair and Commissioner Curtis Whitehead to serve as Vice Chair for the remainder of 2023. Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

5. Discussion Items.

A. None.

6. Approval of Minutes.

A. Request Approval of the Regular Meeting Minutes – September 28, 2023.

Commissioner Walton moved to APPROVE the minutes of the September 28, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Weston seconded the motion. The motion passed with the unanimous consent of the Commission.

7. Adjournment

The Planning Commission Meeting adjourned at 6:19 p.m.

Jim McNulty

Jim McNulty
Planning Manager

Approved: _____ November 9, 2023