

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL SPECIAL MEETING
Wednesday November 18, 2020
Time: 5:00 p.m.

AGENDA

NOTICE is hereby given that the Santa Clara City Council will hold a Special Meeting on the 18th day of November 2020, in the City Hall located at 2603 Santa Clara Drive, Santa Clara, Utah, which meeting will begin at 5:00 p.m.

The Meeting will be available to view live stream on the YouTube link: <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>. Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

1. Call to Order

2. Opening Ceremony

- Pledge of Allegiance: Jarett Waite
- Opening Comments: Jarett Waite

3. Communications and Appearances:

4. Conflicts and Disclosures:

5. Working Agenda:

A. Consent Agenda:

1. Approval of Claims and Minutes
 - Oct. 28, 2020 Regular City Council Meeting Minutes
 - Nov. 4, 2020 Work Meeting Minutes
2. Calendar of Events
 - Nov. 25, 2020 Regular City Council Meeting (Cancelled)
 - Nov. 26, 2020 Thanksgiving Day
 - Nov. 26 & 27, 2020 Offices Closed



- Dec. 2, 2020 City Council Work Meeting

3. Desert Village Townhomes Ph.1 Final Plat approval.

B. General Business:

1. Consider a zone change request from Residential R-1-10 and Residential Agricultural to Planned Development Residential. On 5.43 acres generally located east of Gates Lane and south of Santa Clara Drive. The rezone along with a requested Conditional Use Permit would allow for a proposed Assisted Living Facility and approve Ordinance 2020-15. Applicant Kyle

Hafen, Patrick Manning, & Anthony Jeffers. Presented by Bob Nicholson, City Planner/Corey Bundy, Building & Zoning Official.

2. Consider an amended Planned Development Residential zone and Project Plan for a proposed residential development (Regal Living) on 19.46 acres in the Black Desert Project located north of Pioneer Parkway and generally east of Red Mountain Drive and consider a request for a conditional use permit for short-term (vacation) rentals for the proposed dwelling and approve Ordinance 2020-16. Presented by Bob Nicholson, City Planner/Cory Bundy, Building & Zoning Official.
3. Consider approval of state required Affordable Housing Report. Presented by Corey Bundy, Building & Zoning Official.
4. Consider approval of a Project Plan for a proposed Mo' Bettahs restaurant and Swig drive-through in a Planned Development Commercial Zone located approximately at 3510 Pioneer Parkway in front of Harmons store. The project consists of the site plan and building elevation drawings. Applicant, Kristen Voros. Presented by Bob Nicholson, City Planner/Corey Bundy, Building & Zoning Official.
5. Consider approval of Resolution 2020-17R for the Steel Solar Project to cover some power resources we are losing and to approve the Steel Solar Firm Power Supply Agreement. Presented by Jack Taylor, Public Works Director.
6. Audit Update. Presented by Brock Jacobsen, City Manager.

6. Reports:

7. Adjournment

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodation during this meeting should notify the city no later than 24 hours in advance of the meeting by calling 435-673-6712. In accordance with State Statute and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting.

Zoom Meeting Participants: Participants on the Zoom call are limited to City Staff, Council Members, and applicants on the Agenda. E-mail calendar invitations will be sent out in advance of the meeting. Instructions for each meeting will include the meeting link, ID, and password to join. When joining the meeting your screen name must show your Full Name. Each applicant will be accepted into the meeting when their item is up for discussion. Submissions from this form will be sent directly to the City. Please contact Chris Shelley at (435) 673-6712 Ext. 203 with any questions regarding Public meetings.

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 16th day of November 2020 at Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2018 meeting schedule was also provided to the Spectrum on January 1, 2020.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL SPECIAL MEETING
WEDNESDAY, NOVEMBER 4, 2020
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Special Meeting on Wednesday, November 4, 2020, at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah.

Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. **The Meeting will be available to view live stream on the You Tube link:** <http://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA> Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

Present: Mayor Rick Rosenberg
Council Members: Ben Shakespeare, Wendell Gubler, Jarett Waite, Denny Drake and Leina Mathis
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director (via Zoom); Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Randy Hancey, Fire Chief; Matt Ence, City Attorney; Bob Nicholson, City Planner; Kristelle Hill, Staff; Officer Briggs; Mike Seely; Brooke Seely

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. and introduced himself and the City Council. He welcomed everyone to the meeting.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Jarett Waite
 - Opening Comments: Jarett Waite
3. **Communications and Appearances:** None.
4. **Conflict and Disclosures:** None.
5. **Working Agenda:**
 - A. General Business:
 1. BMX update. Presented by Brooke & Mike Seely.

- Brooke Seely said they came to the meeting to give the Council and update and answer

any questions they might have. She said they are setting records at USA BMX that they have never seen before. She said all the tracks are synced together and every single week they have to do a rider update. It is downloaded and put into the program and if any riders move up or are new members it gets put into the system so that way when people come to sign up they pull up their name and they are able to sign them up. Every person has their own ID number and they only award tracks a hundred numbers at a time. Once they go through those hundred numbers you have to call USA BMX and ask them for new numbers, and they have to log into the computer remotely. She said that within two weeks they went through 100 numbers, so she called USA BMX and told them that they need more numbers and USA BMX told her that wasn't possible, but they give her a log in. Two weeks later she called them again and told them they are through another one hundred numbers, so they logged into the computer remotely again. Then two and a half weeks later she called in again because they needed more numbers and USA BMX gave them the code so they can do the numbers themselves. They told them that they have never had a track produce that many numbers in that short amount of time. He told them that Santa Clara BMX is talked about daily at USA BMX. She said that every track has track points and they are all kept track of by USA BMX and each track is ranked throughout the year. This track has been opened for 12 weeks and in those 12 weeks this track is ranked Number 2 out of the tracks in Utah. This ranking goes off new rider count and rider move-ups. She said she doesn't think that after next year any other track will be able to touch Santa Clara BMX. She said that in the region this track is ranked 28th out of 107 tracks. She said the overall rank for the track is 91. She said they take pride in building good riders and good human beings. They have a "No Bullying" policy. They have 3 USA BMX certified coaches. Every Monday night after practice and every Thursday night after the races they hold clinics for \$15 and the coaches train the kids. She said that usually the riders have all year long to qualify for State but since COVID hit they did five qualifiers one week after the other. There were 15 families that started on opening day and did every single Monday and Thursday clinic and almost every single one of those kids won the State championships. She said her goal is to produce Nationally ranked kids. These kids have the passion and parents are so appreciative.

- Mike Seely said he keeps track of all the riders every week and all the motos. He said that they average about 18 moto's every night. He said last week they hit a record high for a local race with 90 riders. They average about 75 riders.
- Brooke Seely said they average about 32 new memberships. The numbers keep going up.
- Mike Seely showed the Council a video of their track opening. They had a soft opening and a couple of weeks later had their first race. He said a lot of the Council was in attendance.
- Wendell Gubler asked if the Seely's had an idea of what the percentage is of racers that live in Santa Clara.
- Mike Seely said probably about 40% and 99% are from the area.
- Jarett Waite asked if there has been an increased ridership at the Virgin track. Has there been a correlation yet?
- Brooke Seely said their rider count went down a little bit. She thinks that next year it will be brought back up. They are going to switch their race days. Right now, they have back to back race days, and everyone would rather race Santa Clara so they are going to

try and split it so there is a day or two between the race days.

- Jarett Waite asked the Seely's to talk about how the curves in the track are unique in the way they were made.

- Brooke Seely talked about the Coach for the girls named Jordie Scott who is a 3-time Mountain Bike World Champion so every other Friday they have an all-girls clinic, which is unique to this track. The number for this grows every week. They have so many girls they are breaking the clinic into beginner, novice, intermediate and expert. She explained that most tracks are concrete and are really slick. The berms for this track are the very best. Experts are saying these are the best berms. A local company, Western Rock, did them. Three other tracks have asked them to come and do their berms. She said there is a high demand for gear and helmets. She said they have noticed that they need a pit row area. She is hoping to extend the construction entrance and have that be the pit row. The parking would be at the bottom by the skate park.

- Mayor Rosenberg said that when Brad Hays is going for the tourism dollars for the parking area it could include the pit row but we will need some stats, the growth, some charts, some quotes from BMX USA on the success and that kind of stuff which will help really sell it to the Committee that selects the funding. The more successful this is at bringing people into the area the better chance our funding application will be.

- Brooke Seely said they had four hotels for the last big race, and they were all full.

- Mayor Rosenberg said that information will be really important when we put that application together.

- Brooke Seely said that USA BMX got hounded by calls after the last big race here and everyone was praising the facility, how nice everyone was. They appreciated the crew having on crew shirts so that if they needed something they knew who the crew was.

- Mayor Rosenberg thanked the Seely's for their work. He said the design on the parking lot is starting on Tuesday afternoon so we will get some feedback. He said the pit area can be blended into that. We need to know what the Seely's are thinking.

2. Consider approval of Resolution 2020-16R, a Resolution authorizing and approving adjustment of the Participants Entitlement Share under the Carbon Free Power Project Power Sales Contract for the remaining 1st phase of the licensing period for the Carbon Free Power Project. Presented by Jack Taylor, Public Works Director.

- Jack Taylor said the main reason he wanted to bring this resolution to Council is that 9 or 10 cities have dropped out of the carbon free project and as each one of those cities drop out of the project our development cost fees continue to go up. He stated that he has been nervous about it because the numbers get higher and higher. When it first started our maximum out of pocket was \$300,000 and it has gone up to \$388,000. He said he would like a stopgap so if any other cities go out Santa Clara is going to be out of pocket this certain amount. That is what this resolution will do. The first portion of the resolution says: "the Participant has previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "Power Sales Contract") with UAMPS, with an Entitlement Share that represents [3,000] kW of the capacity of the Project, which includes [1,195] kW of capacity relating to the "JUMP SMR" (as defined in Resolution No. [2020-16] of the Participant adopted on [11/4/2020]; other initially capitalized terms used and not defined herein have the meanings assigned to them in the

Power Sales Contract)”. He said the 4,195 kW was our share and when the JUMP came out of it, we lost 1.195 because we didn’t have enough participants. We are still at our 3,000 kW that we started with at the beginning. He said he wanted to put a percentage of where we would go on our development cost fee and he feels that 3% is as high as we could go. When we started we were 2.93% and in this resolution it will say our maximum out of pocket would be 3% which would put our development cost fee at \$397,200 but if it goes above that we either get out of the project or it comes back to Council.

- Mayor Rosenberg said this caps the City’s financial commitment unless something is brought back to Council.

- Jack Taylor said they have a meeting tomorrow, which will be a big telling factor. He said the biggest fear has been subscription. He said there has been some discussion about making this a smaller project and putting six reactors in instead of twelve. They talked about this and think they can build the same plant on a smaller scale and still be able to stay within that \$55 per megawatt range. They will be discussing this tomorrow at the meeting and they will be stating who is in and who is out. He said that he wants to make this resolution and if we have to go higher in cost or if we want to get more kW it has to come before Council for approval.

- Denny Drake said he thought we had until January before we had to decide on reduction or withdrawal. He said it now looks like November 9 is the date.

- Jack Taylor said that November 9 is the date. He said all the communities in the Southern part of the State feel like we need to have a resource in the future for power and there aren’t any other answers. He thinks it is going to be a good project and we ought to stay in unless the Council feels we ought to get out. He feels that we need to limit of 3% though.

Motion to Approve Resolution 2020-16R, a Resolution authorizing and approving adjustment of the Participants Entitlement Share under the Carbon Free Power Project Power Sales Contract for the remaining 1st phase of the licensing period for the Carbon Free Power Project.

Motion by Jarrett Waite, seconded by Denny Drake.

Voting Aye: Jarrett Waite, Wendell Gubler, Leina Mathis, Ben Shakespeare and Denny Drake.

Voting Nay: None

Motion Carried.

3. Gated Communities discussion.

- Matt Ence, City Attorney, said that Dade Rose of Regal Homes visited with him and he extended the invitation to Mr. Rose to participate in this meeting and visit with Council. Regal Homes is looking at doing a project which would be a portion of the Black Desert development project and one of the things they are looking to do with that project is to have interior private roads and be a gated community. He said one of the potential challenges of that is that our ordinances currently say that no gated communities are allowed within the City of Santa Clara. He asked Dade Rose to come and tell about their project and what they are trying to accomplish with the understanding that if the City Council likes what they hear then one of the things that could be considered is potentially an amendment to the ordinance to allow something like this to go forward.

- Dade Rose, Regal Homes, thanked Matt Ence and the City Council for allowing him to speak with them. He showed the Council a couple of photos, which he also showed to the Planning Commission. He said the new concept that they are working with, which is very exciting for them, relates to build-to-rent communities. These are rapidly growing and existing throughout the Sunbelt and throughout the Intermountain West and as far east as Florida. He explained what a build-to-rent community is. They will go in and build individual homes, which are often single-family detached homes but some of them may be attached, which may be one-bedroom homes with a large kitchen and spacious living room areas and is intended to be rambler living. They will also build two-bedroom two bath homes as well and even up to three-bedroom, three bath homes. He said in their case they would propose that they would be single bedroom, single bath and two-bedroom, two bath homes. There would also be a small number of attached homes. The idea is to provide the ability for people to come and live in a beautiful home and enjoy a resort swimming pool, great club facilities, beautiful open space but not have to pay an arm and a leg in order to get into that type of community. This would be marketed very much to millennials and people that want to make that next step up to buying a house. They rent for 6 to 12 months and it gives them time to build a nest egg so they can buy their own house down the road. It is also for people who are in transition. This is also for people who want to downsize and want to travel or who want to help their children out. He said this is a new concept and it is not clearly envisioned under the City ordinances. As cities are growing and welcoming these projects in, they are loving them. These are good places to live for people who have pets. Each house has a small private yard and a doggie door for each one of the houses. The clubhouse has exercise facilities. He stated that these projects are not subdivided projects. They are all owned by a single owner. He said that his company, Regal Resource, would own the entire land and there would be no subdivided or condominiumized lots and no homeowner's association because they are the only owner. He compared it to an apartment dwelling but instead of having the dwelling units stacked one on top of the other, they have turned them into ramblers. He showed Council their site plan. He said this is located at Black Desert and is about 16.5 acres. They would have 200 dwelling units on that acreage. He pointed out the tree-lined entry area. He also showed the Council the home plans and home elevations. The homes would be earth tones and colors and are transitional with a prairie style. The pool would be in the main entry area. There will be a large pool, a splash pad, a large clubhouse with a fitness area and an office where the property manager will work from. There is also a fire pit and outdoor barbeques. The idea is to create an affordable luxury type of living experience.

- Wendell Gubler asked what the price range would be for these facilities.

- Dade Rose said they are looking at about \$1,200 a month up to about \$1,650 a month. He said it is very affordable.

- Denny Drake asked about fire protection and being able to access the buildings in the project. That would be a serious concern. Another concern would be maintenance of the streets and the water and the sewer and being able to access and get to them and it would have to be in accordance with our ordinance. He asked what they are doing to address those issues.

- Dade Rose said they would control the roads and it is really incumbent on them to maintain the roads and much more so than with the developer of a residential subdivision

because they are going to continue to own the property and they are renting out to people who will be making the decision every six months whether or not they want to stay. He said their whole marketing angle is they are providing affordable luxury. That does not entail rundown streets and poorly maintained common areas. That doesn't work. They must maintain all of them. He said as far as the width of the roads they are 26' wide, which is more than enough for fire and safety. There are walkways between the cluster homes and that is 11' wide. It is safer for fire and safety purposes and they can get access. These homes square footage is relatively small, so it is much safer for fire purposes.

- Matt Ence said that one of the things that we are discussing with Black Desert to make a part of their development agreement and our ordinances do give the flexibility to allow these to be private streets because where everything there is single ownership and is not subdivided or condominiumized that they are essentially the equivalent of driveways and parking areas and that is the approach that Staff is taking to the private street question. It is their driveways and parking areas and they would have to maintain them and under our ordinances we have the flexibility to do that.

- Denny Drake said that there is to be no gated communities according to our ordinances. That would require us to change the ordinance to allow a gated community.

- Dade Rose said this is a one-owner property and just as any single owner should be able to gate their home or establishment that is what they are looking at. The approach to the neighborhood is from Pioneer Parkway and they will come through an un-gated main entry and see immediately the swimming pool and clubhouse and they can park in the guest parking area and enter the clubhouse/rec center building and they can meet with the property manager. There is easy access and easy turnaround. He stated that the gates are unobtrusive, but they also provide privacy and safety for the residents. There are huge benefits to security and safety for the residents, much reduced vandalism and rental revenues and property values go up. Those are benefits for the municipalities in which they are located. He said the City ordinance says "no gates for communities" so whether this fits that definition of community he doesn't know if that is what was intended and if the drafters were able to even foresee this type of product at the time it was drafted. He said it made sense to speak to the City Council to talk about this because this is a new enough product in the market place that it doesn't seem to quite fit what the definition was or what was intended in the City ordinance when it talked about not having gated communities.

- Matt Ence asked Council to keep in mind that this is just a preview. Council is not being asked to approve anything tonight. He thought it was fair to Dade Rose and Regal to let them show Council what they are wanting to do. They are wanting to move forward reasonably quickly on this project, so we wanted Council to see what they are doing and think about it. He said we can look at the ordinance and see if we feel it can be interpreted in a different way. We are going to have to deal with it one way or the other if Council wants to see something like this happen. He said that mainly he wanted to give Council a preview. There is no obligation to do anything tonight.

- Mayor Rosenberg said he wanted to go through a little bit of a history of this section in the ordinance. It was put in the ordinance in 2004. It came about following a redo of the City Design and Construction Standards. Santa Clara had very few if any private streets at that time. We didn't have any planned developments in place rather than the Swiss

Village. Some of the other communities in the area were having issues with people who lived on private streets and they would pay the same gas taxes and property taxes as their neighbors that lived on a public street but they were asked to pay the costs to maintain their streets because it was private as part of their HOA in addition to those without any subsidy or any return from the city for the tax funds they paid on the gas tax. There was an issue of private streets not being built to a standard and so there were streets with a lot of maintenance problems and the HOA's weren't set up well enough to maintain the streets so they went into disrepair and then they would go to the cities and ask the cities to help with that. At that time it was an easy move for Santa Clara to eliminate private streets which kind of automatically eliminated gated communities and all of the streets in the City had to be public and we worked with Public Works to create some smaller street sections and that helped us take our asphalt and pavement maintenance money to make it go a little bit farther. This type of a project wasn't included in a discussion at that point in time. When the ordinance was developed it wasn't thinking this way so he can understand where it is a single ownership and it's not going to be subdivided where the only property owner is the one entity that is in charge of maintaining everything to treat this similar to a commercial area parking lot. If we were ever to consider a gated community this isn't a bad one to look at. The ability for a turnaround is a mandate. This plan has a trash gate in addition to the main gate that emergency vehicles can access Red Mountain.

- Denny Drake said that if the owner that owns the entire property is going to do the maintenance on the sewer and the water understand that it is still in the City of Santa Clara and most the time the residents within that are going to come to the City to get things taken care of so we have to make sure the CC&R's are strict enough and they have enough money and value to take care of the road maintenances and the sewer and water.
- Matt Ence said that in this case there wouldn't be an association and wouldn't need one because it is all owned by the same party.
- Mayor Rosenberg asked Jack Taylor that on a commercial project where there are fire lines and sewer manholes and main lines on the private site does the City maintain those.
- Jack Taylor said we have been. He asked if each one of these units is going to have an individual water meter and individual power meter.
- Dade Rose said they will.
- Jack Taylor asked on the water and power side of it is the City going to be responsible for that even though it is in the private street.
- Dade Rose said no, they would be responsible to the same extent as the owner of a commercial building that has City sewer and water coming into the building, but they would be paying for the service the way anyone else would. It would be a single payer so the City wouldn't have to worry about people not paying their bills.
- Jack Taylor asked that if a secondary water break went into one of the units and they called the City and said they needed it repaired since it is our water system we would come and repair the water and get it back on would the owner pay the City what it would cost to do that.
- Dade Rose said that is correct. They would oversee all that. The renters wouldn't have any direct payments for their utilities.
- Jack Taylor said he feels like this is a perfect way to go about it as long as they understand that the City is in charge of the water line and the power line. The asphalt is

their responsibility. He said he doesn't see any problems with this, and he thinks this would work.

- Mayor Rosenberg said the other issue that has been discussed with Planning Commission is the feeling of disconnection from the community because this is a gated community. That is something the Council needs to consider.

- Dade Rose said that on the east of this project there will be a golf course. There really isn't another community immediately to this. It seems to work on this site. The wash and the public trails will be on the west. He said he appreciates the Council's willingness to talk about this. He said that if there is a good way of addressing this he wants to work with the City and be productive.

- Ben Shakespeare asked if we would still charge and impact fee on the water and the power.

- Mayor Rosenberg said yes and this will be an interesting transportation impact fee calculation. He asked Jack Taylor if the apartment is set up as a separate section on the commercial or are they on the residential like an ERU.

- Jack Taylor said he believes it is on the residential.

- Mayor Rosenberg asked if they treat each unit as an ERU or is there a formula.

- Jack Taylor said it is lower.

- Mayor Rosenberg said this would obviously be an impact fee based on 200 residential units not a single owner apartment project.

- Jack Taylor said it depends on how they bring it to the City.

- Mayor Rosenberg said that impact fee is going to be for a 200-unit apartment. It is going to be a little tricky doing the individual water meters. It can be done but it will be more expensive doing the impact fee based on 200 three-quarter inch meters than several two-inch meters.

- Ben Shakespeare said the Water District has already addressed that. He said there are going to be individual utilities and individual meters and they will get individual bills from the City.

- Mayor Rosenberg said not to the individuals.

- Ben Shakespeare said each unit is still going to have the fees associated to it per unit even though it goes to a developer as one single payer. They are still going to be paying all those fees such as the storm water fee, the streets fee and everything that is part of the property tax and the utility bill on those. They will be paying along the way. They will be paying monthly on the utility bill. He said there is a sense of security inside a gated community and we are living in different times now. He said if it was strictly over the design criteria of the street, we could simply address that in the ordinance. He stated that he personally doesn't have issues with gated communities. He said on the revenue side the City is still going to be bringing in the same revenue as though this was a public street and yet we require the owner to pay all the maintenance so from the City standpoint this is a benefit. He thinks this will come to us more than this time. We need to have the discussion moving forward as future development comes.

- Dade Rose said that this is a single parcel of property that is owned by Regal and there are no condominiums, no subdivided lots. It will be owned by Regal.

- Denny Drake asked if they would rent the units on a daily, weekly or monthly basis.

- Dade Rose said their marketing model is doing 6-12 months rental. He stated he has filed a conditional use application to give them the flexibility to rent out a few of them on

a short-term rental basis but that is not what they are looking at and it would be limited to just a few. He said they see it as 6-12-month renters and they often renew with them because they like it so much. It is a great product.

- Denny Drake said so this is basically an apartment complex with a gated community.

- Dade Rose said it is very similar to that. It is not exactly because the dwelling units are on the ground, but the developer owns everything. They maintain everything and the roads are private, and they take care of the landscaping. It is intended to be a notch above. It is a nice way to live at a low cost. The market is really loving it.

- Jarett Waite asked for the names of communities that are like this one so that the Council can look at them.

- Dade Rose said to look at the Christopher Todd communities. There are several them in the Phoenix area.

- Leina Mathis said she is not generally a gated community fan. She said she thinks segregation is a reality and that private streets with the maintenance on them is a reality however this might be a project that minimizes those issues. She said her biggest concern is that if we make a change in the ordinance then next time when someone comes in and it's not a similar project then we are right back to where we started.

- Mayor Rosenberg said he would discourage that if we elect to modify the ordinance that we are very restrictive as far as ownership and that its limited to single owner and that you can't subdivide anything behind a gate.

- Matt Ence said the agreement is still being discussed and negotiated but we have proposed some language to that effect. There are a couple of ways we can go about this if the Council wanted to explore it. One way would be to make a definition of community or interpret that definition to exclude what we are talking about here. He said he doesn't know that he is totally comfortable with that approach. He would prefer to take that one line in our ordinance and just make an exception and say, "No gated communities unless..." and list the criteria that we would want to see that would be consistent with something like this and the most important of those would probably be that it would have to be single ownership and couldn't be subdivided or a condominiumized community. That is his recommendation of how we would approach it. He said he is not advocating for doing anything but if the Council wanted to do something that would probably be the direction he would nudge Council in.

- Wendell Gubler asked with all the vacation rentals we have in Santa Clara do we know if they are continually filling up or are, we having problems that way?

- Mayor Rosenberg said that from what he understands the vacation rentals having been doing very well through the pandemic. He asked Officer Briggs if there has been a police officer call yet in the vacation rental neighborhoods.

- Officer Briggs said he can't think of any serious problems we've had at the vacation properties. They haven't even had any real parking complaints recently. He said regarding the gated community from a law enforcement perspective, apartment type properties tend to lean towards calls for noise complaints or domestic violence calls or vehicle break-ins and the gated communities that are in Ivins are very problematic for the police. Sometimes they are 30 minutes before they can access in getting through there. They just don't update codes. He said there is supposed to be an override code and they don't always update that with dispatch. That is the law enforcement concern.

- Dade Rose said it would be required to have a Knox key system which would allow

emergency to get in any time and wouldn't require the change of code.

- Denny Drake asked if that is what we want Santa Clara to become is a rental City. Are we going to change the complexion from a residential community to a rental city? He said that most people know that apartment complexes become very problematic. Is that what we want Santa Clara to be? He said that is not what he wants to live in.

- Leina Mathis said we are not looking at a site plan tonight but based on the picture that was shown to Council when she looks at that and sees that they want to request nightly rentals and she looks at the parking situation on that it is not nearly enough for what we would require for a conditional use permit because all they are going to do is overflow right on to Red Mountain and then we are going to end up with Red Mountain lined with RV's and boats and everything else.

- Denny Drake asked how they coordinate with the overall picture out there which is going to be a resort course with a hotel this would be in direct competition with their rentals only they're not nightly and then we are really making that a rental area.

- Mayor Rosenberg said we are way out in front of where we are. They haven't submitted a zone change application.

- Denny Drake said there needs to be the safeguards for a gated community.

- Ben Shakespeare said he would much rather see a 200 plotted individual owned gated community over a rental community. COVID has changed the way people look at the way they live. If they are going to be locked down, they want to have a pool. When public places are shutting down it has completely changed people's mentality of how they deal with their yards and what they want in their community and what they want access to.

- Denny Drake asked what would happen to the individual owner if what he is proposing doesn't work. We have gated apartments with no ownership responsibility and a bank takes it over and we have a real problem.

- Officer Briggs said they don't have a lot of calls for service at the vacation rentals. But if you start talking about long-term rental properties and that becomes a lot more demanding on EMS and fire and police type services.

- Mayor Rosenberg said the vacation projects are resorts and they are different from an apartment. They are rentals but they are a nightly rental that is owned individually and built to that standard and not an apartment complex. He said to not judge them as one. We don't have a single complex in Santa Clara.

- Officer Briggs said the only thing he can say about this project is that it seems to be more upscale which doesn't tend to draw in some of the problems.

- Mayor Rosenberg said where we need to focus is the gated community discussion. If we can put some language in there on the gates, then they still have to sell all the rest of it. That is not even for discussion. We have 3 gated communities in the City right now. These came in prior to the ordinance.

- Randy Hancey, Fire Chief, said they have the Knox key system for those gated communities.

- Mayor Rosenberg asked Council what they want to have Staff look at. Do they want Staff to put in some language and bring it back to Council? Or do they want a potential ordinance change that goes to Planning Commission and then comes back? Or does Council want to leave it like it is and go forward.

- Ben Shakespeare said he would like to address the gated communities as a whole and

then look at some things. He is not opposed to gated communities. He would like to modify the ordinance.

- Leina Mathis said she is not opposed to modifying the ordinance with certain conditions.

- Jarett Waite agreed with Leina.

- Denny Drake said he likes gated communities, but we have approved tons of rentals. He is not in favor of a City full of rental properties.

- Wendell Gubler said we need to be careful that this doesn't happen in certain locations in Santa Clara but in Black Desert is probably a better place if we are going to have it. We would need to work the ordinance to say which areas you could have it and which you couldn't.

- Matt Ence said he will attempt to put together some modification.

- Mayor Rosenberg said this may be one of those issue where we should have a joint meeting with the Planning Commission to discuss this as a General Plan item.

4. Dog Park discussion.

- Brad Hays, Parks & Trails Director, said he wanted to congratulate the Santa Clara/Ivins Animal Control. They have been doing an outstanding job enforcing our City ordinance. He said he had several people call him inquiring why the City doesn't have somewhere where their dogs can run without a leash. He talked about the dog parks in other communities. He said he is not asking the Council for a dog park but if they would like to have an area that is fenced off, possibly at Gubler Park, where people could let their dogs run without a leash. He said he doesn't want to do the amenities of a dog park but just take an area that is already grassed and fence it off. He showed a map of a couple areas at Gubler that could be a possibility.

- Denny Drake suggested using the area downtown behind the old City Hall. It is already being used by a dog group. We could open that up as a dog park.

- Brad Hays said he is willing to do that. We haven't had any maintenance or involvement with that facility. The people that run the dog place do that but if that is okay with Council that would solve one of the problems at least downtown.

- Denny Drake said he doesn't think that area gets much daily use and it already has grass and they already do the mowing and the maintenance on it.

- Brad Hays said that is a good possibility for the people downtown. He said that one of the things he would like to do is close Heritage Square to dogs and maybe the new Swiss Park. We have had a lot of issues with dogs in there. That would give them a place downtown.

- Mayor Rosenberg asked what maintenance goes into a dog park.

- Brad Hays said this area would be the least maintenance but there would be the cleanup and the over seeding. He said that not everyone will take care of their dog's business.

- Leina Mathis said the concern is about how the grass would turn yellow and ugly.

- Brad Hays said they would close the fenced off dog area in Gubler during tournaments.

- Denny Drake explained how the dog area came to be that is located behind the old Town Hall.

- Mayor Rosenberg said if that area was converted into a dog park the dog group people would probably discontinue the watering and mowing and maintenance of that area. He

said they would probably be looking for another location for their needs. The City does own that property and there is parking there.

- Leina Mathis said that putting grass on the north side of that parking lot in Gubler the City is going to have to maintain that too.

- Brad Hays said there are other surfaces we can use but grass seems to be the most common and the least hard to take care of. He also said that the City doesn't necessarily need to provide a place, but people are asking.

- Jarett Waite said he has received requests as well from residents.

- Brock Jacobsen said that this is something that we can bring to Staff to look at options of places that we could do this.

- Ben Shakespeare said Gubler Park is a good place. It could be up by the pickle ball court.

- Jarett Waite asked about the property behind the fire station, the small space next to the playground.

- Brad Hays said there weren't any plans for that area right now. He asked if the dog park is something that the Council is interested in him doing further research on because some people have asked about it.

- Mayor Rosenberg asked if the residents have asked for it to be close to an existing park or if it could be on City property someplace else.

- Brad Hays said that a lot of people that want it are from the Gubler Park area. He didn't want to use the area by Paradise Village because that is slated for more pickle ball courts eventually.

- Mayor Rosenberg asked about the property between 400 E in Ivins and the low spot on Hamblin Drive. It is 120 ft wide and 600 ft long and is adjacent to utilities and is not adjacent to any existing park.

- Brad Hays said they are thinking that area might be a tree farm someday, but it could be both. It is big enough.

- Mayor Rosenberg said there is water and everything there. It would be bigger than the other sites talked about tonight. It would be a long time before the road is built along there. It will probably be at least 10 years. It is a developer driven need based on traffic numbers we are seeing. In that area right now, there is no need for it and especially that length between 400 E. and Rachel. That could be the very last leg of that loop built.

- Leina Mathis said her preference would be to put it there rather than the other two locations. There are a lot of people who use those trails. She likes having it removed a little bit.

- Mayor Rosenberg said there is not a good place right now unless we look at a site that is one of our open space properties right now like up in the South Hills. He said he was also thinking about the flat ground at the bottom of the monument. Some parking would have to be built but that could be done. He told Brad to open it up and any City property that he thinks it could work bring it back to Council.

- Leina Mathis asked if there were any potential liabilities to the City with a dog park.

- Mayor Rosenberg said the attorney would probably tell us that is why we pay insurance.

5. Chapel Bridge Park discussion.

- Brad Hays said that on the new Chapel Street Bridge on the south side and the east side

the City owns that piece of property that runs along the river there is already a parking lot and Graf park which is 11 acres and a trail. It is a central location for recreation, so we are looking at landscaping part of the area and putting two pavilions in. There is a nice little waterfall and we want to build a trail and bring it down and have a nice sitting area. He showed photos and drawings to the Council. He would like to have the park match the bridge columns of the bridge and use wrought iron to fence the area. Brock said there may be some money left over from the bridge funds and he is looking to see how much funds we might have to do this. He asked Council if this is something, they are interested in doing with this area. He has bids for the price of the pavilions.

- Denny Drake asked if this was in the impact fee study.

- Brad Hays said we have a trailhead and trail money to build it, but he is hoping we can use some bridge funds and if we need to supplement it, we can do that with impact fees.

- Mayor Rosenberg said he walked this area with Brad last week. It is a neat spot and the pavilion spots he has picked out will turn out to be popular and it will help some of the bikers to have some designated parking on the south side of the river. We are going to have to get these areas developed and incorporate some trailhead access out there and this is a good spot for it. He likes the design. He said this would be a nice facility to have.

- Brad Hays said that Jack has offered help from Public Works to do the pavilion foundations and the concrete work so that will save quite a bit of money. We have done a lot of pavilions like this with the same company at Gubler Park, Black Rock Park and different places throughout town.

- Ben Shakespeare asked what the overall cost would be.

- Brad Hays said the expense would be the ironwork and the pillars. We were going to try and use the same contractor that did the bridge. He estimates the cost to be about \$70,000 including the landscaping. He has already met with the water and power company and we are all set.

- Mayor Rosenberg said the two concrete structures already there are historic and have to do with the old irrigation diversion so they are actually protected structures that have some historical significance so there is an opportunity for a kiosk or plaque or something like that to recognize the old diversion that was there. It could really tie in with the Chapel Street. He asked how much money there was in the bridge fund.

- Brock Jacobsen said there is a little over \$100,000.

- Mayor Rosenberg asked how much there was in the impact fee funds that could go towards this.

- Brad Hays said whatever we are short. He said we are getting ready to open a few projects, so it is limited.

- Ben Shakespeare said that having plenty of seating makes a lot of sense.

- Mayor Rosenberg said we may have a little Flood Control money that we can use for vegetation. There is about \$5,000 in there. Is Council okay with these plans?

- Council members affirmed that they were.

6. Staff Reports:

Officer Briggs

- Santa Clara has been quiet for the most part in police calls. There was an incident out at the Black Desert Resort. JP Excavating is out there with a million-dollar, huge excavator and it

had only been on site for about 10 days and they had other vehicles out there such as a fuel truck and other equipment and vandals went out and just trashed these things. He said the estimate is about \$500,000 in damage. He said there is a concern because that flows over into the Santa Clara projects and the things we have going on there. They don't have a lot to go off of but there were some shoe impressions in the dirt. They have just obtained some video and are going through that to see if they can get any leads.

- Leina Mathis said she has had some residents contact her and ask if we could have officers patrol the west end of Pioneer. They said there are a lot of vehicles coming off the highway onto Pioneer and often they don't have to stop because there is not oncoming traffic and so they are coming off the highway still going pretty fast. The residents on the far west end would like to have some patrol done there.

- Officer Briggs said he will shoot a message off to Officer Hall who takes care of the speed trailers and see if we can't get a trailer over there. Officer Hall also takes care of our extra patrol so he will have him send out a department wide message to try and get some more officers down there.

- Jarett Waite asked Brock if he has talked to the Police Department yet about security cameras and locations.

- Officer Briggs said he can touch bases with Jarett on that. They have been talking with Parks and there has been quite of bit of damage primarily at Gubler Park but there was some done at Canyon View Park and we are starting to get a lot of damage to the restrooms and some of our City amenities primarily at the parks. They have extra patrols going there and have asked for Parks to contact them every time there is damage done. Some of that may have been coming from Lava Ridge after school gets out. It isn't typically done during the ball tournaments.

Chief Hancey:

- Asked if he could discuss with Council what we are going to do up at the Rachel Drive Fire Station. He reminded Council that about a year and a half ago there was a plan for a remodel of the station to add on to the outside of the station with living quarters. That plan didn't come to fruition after it was realized how much the cost was going to be. He said he brought it to Council, and we decided to do something different. He said he is now planning to add some walls to make some offices and some living space in the current Rachel station footprint without adding exterior walls or anything that way. He said this would just be a short-term fix for the department. It is not enough for the needs but does get the department into the Rachel station. He said he is seeking direction on what Council would like the department to do whether it is to go forward doing this knowing that in the very near future we need to look at a new building or making a headquarters building somewhere that will meet the needs with living space, office space, training rooms, facilities that the department can grow into. Just adding a few walls and rooms is a short-term fix and we still have the problems that we need to address with meeting the needs for a future station. He talked about the possibility of building up on the Rachel Station. That would give some living space, training rooms, and a day room. Rachel is a great location. We need to decide what we can do to meet the future needs.

- Mayor Rosenberg asked what happened with the little committee after the bids came in.

- Ben Shakespeare said the best way to go is to build out the back. Going up on the building you might as well tear the building down and rebuild it.

- Randy Hancey said he doesn't like the idea of a separate building. He would rather knock the building down and start over. Having two separate buildings to try and work out of is really awkward. He would prefer having one building that is going to meet our needs. He said the biggest factor is cost.
- Ben Shakespeare said he thought we left that meeting with the idea of doing a separate building. The addition that was planned was going to cost \$1.5 million and you are getting very little more space. The options are to use the space behind for a secondary building at a cost of about \$700,000 or remodel it for about \$200,000 and then put the additional funds into a building downtown. It would be better tearing it down then to go two story. He said it doesn't make sense to do that.
- Randy Hancey said that long term we really need a new station. Whether that is building a new station on new property or making do with the property we have with a second building or adding on.
- Mayor Rosenberg said the impact fee for fire was just done. He asked if it has the money for the new station in it.
- Chief Hancey said he can't recall how much was in it.
- Denny Drake asked if anyone has approached the Community Impact Board to see if they have any inclination to make a grant for a fire station.
- Mayor Rosenberg said he doesn't think anyone has asked about that specific thing. It is always an option.
- Brock Jacobsen said in the current impact fee we added a station for close to \$3 million. So, the impact fees we are collecting now include a new station.
- Mayor Rosenberg said that we could go to CIB and ask for a grant or a 50/50 loan grant and pledge the impact fee funds and look at a new building.
- Chief Hancey asked if we have property for that or would we need to purchase property and what would be the location.
- Mayor Rosenberg told Chief Hancey to go out and look for a site.
- Ben Shakespeare said we talked about a fire station being built at the old City Hall downtown.
- Brock Jacobsen said we also talked about a parcel across from the mercantile. We would have to buy that. There are two parcels plus we might want to buy the parcel behind.
- Chief Hancey said the City also has property right across the street from this building.
- Mayor Rosenberg said there is plenty of loan money. The grant money was really tight. Was money for the site included in the impact fee study?
- Brock Jacobsen said he thinks it was.
- Mayor Rosenberg said that if it was in the study, we can look at buying a piece.
- Chief Hancey said we did discuss purchasing property or using the property downtown.
- Ben Shakespeare asked how much property the City is going to end up with on Chapel Street.
- Mayor Rosenberg said we only got the right of way. He said the properties across from the merc and tearing down the old Town Hall are probably the options. There are pluses and minuses to each site, so we just need to see where the best fit is.
- Ben Shakespeare said the old Town Hall gives options front and back.
- Mayor Rosenberg said it will take away the revenue stream, so we aren't buying a property. He counseled to take those three sites and look at them and talk to Gary at CIB and look at a project.

- Jarett Waite asked about tearing down Rachel and using the whole site. Is that an option?
- Mayor Rosenberg said the thing about downtown is that it accomplishes the expand of the service area to cover this end that we are short right now.
- Chief Hancey said it will rally help the department in meeting their logistics.
- Mayor Rosenberg said it will also double the facilities instead of trying to fit more on the Rachel site.
- Ben Shakespeare said there are things that needed to be renovated at Rachel.
- Chief Hancey said they are ready to go forward. They have a contractor with bids who is ready to put living quarters in Rachel Station now and a couple of offices. It will take away the training room and it will be really cramped.
- Mayor Rosenberg suggested the Fire Department use the training room upstairs at Town Hall. He suggested exploring that idea.
- Chief Hancey said they are ready to put the walls in and the sprinkler system and it would be roughly about \$80,000 to add a few walls and get the building up to code. We have the bids ready to approve. Would Council like to go forward with this?
- Mayor Rosenberg said if we spend that money now for the small remodel and a few years from now there is a new fire station built downtown would it have wasted that \$80,000.
- Chief Hancey said yes.
- Mayor Rosenberg said he suggests waiting until we find out from CIB. We could have a new station built within a year and a half.
- Chief Hancey said it will be a \$3 million building when we are done. We want to plan for the future. We will look at the impact fee and see what it is.
- Mayor Rosenberg said to define the need, do a good cost on it and see if we can get CIB money and use impact fees to retire that bond. He told Chief Hancey to hold off on the plans for Rachel and let's do some research and see if we can get something going. Look at those properties and find a site and see what it is going to cost to pick it up.
- Denny Drake said we can get an idea what the Impact Board is doing and see if we can move forward.
- Mayor Rosenberg said the CIB is our best shot and they fund a lot of fire stations. He told Chief Hancey to look at their budget. We need a budget for the new project including land acquisition and we need to make sure that is covered in the impact fees.
- Wendell Gubler suggested looking at the old fort site. Where the monument is.
- Mayor Rosenberg said he doesn't know if that property is deep enough. He said we are going to look at any available City property first and acquisition second.
- Chief Hancey said their seasonal crew finished up today. They are done. They went on two fires that popped up because of lightning strikes. They are using aircraft to fight the Pine Valley fire.

Brad Hays

- Talked about the vandalism at the parks. He said that at Black Rock Park they have a continual problem with people destroying the bathrooms. At the pickle balls courts, we had a basketball goal completely ripped off and laying on the ground. There was also someone who tried to set a fire on the new surface that we put in. At the splash pad they ripped down the telecommunications pole on the pad. They have tagged fences up at Gubler Park. It was almost every other day for a while. It has slowed down quite a bit at Gubler Park but now it seems to be more often at Canyon View. Black Rock destruction happens every month. It

usually happens at nighttime. We have been locking the splash pad restrooms at 5:00.

- Denny Drake asked if there was a reason, we don't have cameras on those places.

- Brad Hays said that is what we are going to talk about on Nov. 18. We will have the same company put in cameras that are putting the cameras at City Hall.

- Brook Jacobsen said they came and did a site walk with Brad at Canyon View and Gubler.

- Denny Drake said they are not that expensive.

- Brad Hays said they would pay for themselves within a year.

- Ben Shakespeare said it will help our law enforcement too having cameras around the parks. It gives us more eyes out there.

- Brad Hays said the landscaping on Bonelli Drive is starting to get done today. The Power Department has been pulling in the wire for the controllers and the water meters are set.

Land Trends is doing the job. They did City Hall, so they have worked for us before. They are a good contractor. We have the pump in at Swiss Pioneer Park and they replanted all the trees that have died. We are going to test the pump and see how efficient it is and then we'll take care of the grass and then that park will be done. A crew is working at the Graf Family Park and they have done an outstanding job cleaning out that area and removing the Russian Olives and Tamarisks. The Fire Department is going to come in and remove all those large dead trees out there. He said he has three classes coming out and they are going to work in that wash to make that trail. He asked if there were any areas that need willows.

- Mayor Rosenberg said he can cut all the willows he wants and bundle them and keep them wet and we can plant them in January. Make sure they are cut to the standard so we can plant them. They need to be six or seven feet long. They need to be sealed. He will send Brad a pamphlet on how to harvest them.

- Brad Hays said the classes are students that are biology majors so they should know how to harvest them. He will go over this with the students before they start. He said the BMX parking lot meeting is next Tuesday at 2:00. We are meeting by the pickle ball courts on Canyon View Drive. We are going to look at the three parking areas and the wall and the possibility of a trail from the top to the bottom. He said there has been about 10 burials since we amended the ordinance and we haven't had to deviate from the 48-hours. We even had a burial in the old section, and it was in a hard part to get to. He is working with a scout and his dad on an Eagle project and he approved the stone for the monument.

- Mayor Rosenberg said they want to build a monument for V-Day for the Veterans of World War II. It will be up by the existing Veterans Memorial. He was planning on building the monument in Normandy, France but COVID made that not work so he is going to build it here.

- Jarett Waite said that St. George is limiting a bunch of their events because of the rise in COVID cases. Do we need to limit our events here?

- Brad Hays said we need to discuss this. He said that St. George has cancelled all the events through the end of the year for baseball, softball, races or anything that brings visitors into town that stay in hotels. They have not cancelled local sports. He said we currently have three tournaments scheduled. There are about 30 teams coming in for that mostly out of Southern California. Reservations for hotels are already made and the teams already have their plane tickets. They are committed and they are wanting a phone call tonight whether we will allow them to play. Next weekend after that we have Rocky Mountain School of Baseball doing their Turkey Trot Tournament. Then SU Baseball has a tournament on Nov. 21. They are local teams. That will round us out through the end of the season. He thinks

the teams will come this weekend anyway. The vacation rentals are full.

- Mayor Rosenberg said the hospital is 90% occupied, every bed. There are over 40 COVID cases. The ICU is overwhelmed. They set up a second ICU. The Staff of the hospital is getting overwhelmed. They asked the Mayors do more messaging to try and get people to help slow the spread and to ask to maintain the 6-foot social distancing and that is extending to family homes and groups. The transmission isn't happening at school and doesn't appear to be happening at events. It appears to be happening a lot in family gatherings. The curve has to be flattened. The hospital is in crisis mode. The Health Department said we need to be careful. The residents are sick of it and they are sick of restrictions. The more restrictions we put on them the less they are going to obey them. We need to be careful of what we do with mandates. We can't really do anything on enforcement sides. Do we want to cancel the events or try and maintain the guidelines and hold the events and maintain the normalcy? We haven't seen a lot of economic slowdown right now. If Council wants to cancel the events, we can give Brad that direction. If Council is comfortable in having them, we can continue to have the events. There are wins and loses either way.

- Wendell Gubler asked that normally when we have these events aren't, they in conjunction with St. George and the other cities. Are these people coming to participate just with us or with Washington County?

- Brad Hays said the one this weekend is coming to participate just at Gubler Park. The one next weekend is a smaller tournament and they normally will overflow to Mesquite. SU Baseball wants all seven of our fields.

- Ben Shakespeare said he wouldn't cancel them. There are guidelines that are put out there.

- Leina Mathis said the third week is local teams anyway so there is no reason for them not to play. She said there are guidelines in place and if we cancel the tournament this weekend, they are all still coming. She said to leave it the way it is but make sure they maintain the guidelines.

- Jarett Waite agrees with that.

- Denny Drake said he believes in herd immunity and it is going to run its course so we should go ahead with the tournaments.

- Wendell Gubler said to go ahead with the ones that are local and the one that is coming this weekend we can't do anything about that. The one that is in conjunction with St. George we ought to cancel because the other cities have cancelled it.

- Brad Hays said that in the past SU Baseball has used our fields and fields in Washington and St. George. He doesn't know how big this tournament is, but they have asked to use 7 of our fields.

- Wendell Gubler said that if half the teams can't play that are coming, he doesn't see any use of having us be open for them too. How are they going to have a tournament if they only have half of their teams playing?

- Brad Hays said the Rocky Mountain tournament is a very small tournament. They usually concentrate between here and Mesquite.

- Brock Jacobsen said they will probably limit their teams because of what St. George has done. They won't try to bring a full tournament.

- Wendell Gubler said he is okay with that so go ahead.

- Mayor Rosenberg told Brad to go ahead with the tournaments but to make sure they have their plans in place and they are trying to enforce.

Jack Taylor:

- His crews are doing normal maintenance. They are really busy. They have started on the crack sealing. They are busy installing new power in the new developments. They had the storm water walk through audit with the State and they said we have the cleanest City yard they had ever seen. They did find that next to our filling station we didn't have a spill kit or a garbage can. We took care of that today. He is hoping we will get a good report from the State. He complimented his crews.
- Mayor Rosenberg asked if the Hills at Santa Clara paid their electrical fees. He asked if they paid separate from the bond because those are not included in the bond.
- Jack Taylor said those were paid in the big payment they made. He doesn't know if they were paid separate from the bond. He will look at it and let Mayor know.
- Denny Drake asked if Well 6 is up and running yet.
- Jack Taylor said it is running and we have ordered new bowls and when they come, we are going to have the motor worked on so we will be ready for next summer. We are moving forward on it.

Brock Jacobsen:

- The CARES act funding, to access the distribution we have to do it by Nov. 6. He has requested that. We have a couple more applications for the business grants and we are going to review them tomorrow. There is a question about one applicant, and we need to decide if they are still eligible or not based on funds they received elsewhere. There was a Town Hall meeting. They talked about the forecast in jobs for 2021 and it is down 1.4% where initially in April they were projecting down 6.2%. Taxable sales were up 5.8% and the home price index was up 10%. The forecast for 2021, they are projecting everything positive: jobs up 3.8%, taxable sales 6.3% and the home price index 5.4%. They spoke about the CARES Act funds and about using them. They said to use the funds in big ways and to look at ways to absorb large amounts of funds to keep the backend audit simple. They specified three places to use the funds: public safety payroll, business grants and residential grants. They need to be sent by Dec. 30. He said the residential grants can be used for preventing eviction and homelessness, helping with property taxes, overdue rent or mortgage payments and utility fees for essential services. The County is purchasing ambulances with the CARES Act funds. Each department that provides ambulance services will get an ambulance. If there is a Countywide emergency that ambulance must respond.
- Chief Hancey said if the Council wants more information on this the Chairperson can come in and give a presentation to show how the ambulance will be used. The crew and ambulance will help with Countywide events.
- Brock Jacobsen said he is discussing with the County how they can help with our service area. He said they are researching special assessment areas and working on that. He said this information will be brought back to the work meeting in December.
- Mayor Rosenberg said he will bring information to the work meeting about SSAs as one of the funding mechanisms for the residents.
- Brock Jacobsen said we are working on the audit and will have the audit presentation in December. He told Council that December 3 is the City Christmas party.

7. Adjournment:

Motion to adjourn by Denny Drake.
Seconded by Wendell Gubler with all members present voting aye.
Meeting Adjourned at 8:04 p.m.

Chris Shelley – City Recorder

Date Approved: _____

DRAFT

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 28, 2020
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, October 28, 2020 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. **The Meeting will be available to view live stream on the YouTube link:** <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>. Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

Present: Mayor Rick Rosenberg
Council Members: Jarett Waite, Ben Shakespeare, Wendell Gubler, Leina Mathis and Denny Drake
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director; Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Randy Hancey, Fire Chief; Matt Ence, City Attorney; Bob Nicholson, City Planner; Kristelle Hill, Staff; Bob Flowers, Police Chief; Devin Snow, City Attorney; Dick Morgan V.L.C.M.; Megan Webber; Janene Burton

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. and welcomed everyone. He introduced the Council members.

2. **Opening Ceremony:**

- Pledge of Allegiance: Leina Mathis
- Opening Comments: Leina Mathis

3. **Communications and Appearances:** None.

4. **Conflicts and Disclosures:**

- Mayor Rosenberg disclosed that the Firm he is employed with prepared the Road Dedication plat being discussed on Item 5C2 and they have also submitted a bid for the Canyon View and Little League Park parking improvements engineering (Item 5C4). He stated that he will step out for Item 5C4 and Jarett Waite will take over as Mayor Pro Tem for that Item.

5. **Working Agenda:**

A. Public Hearing(s): None.

B. Consent Agenda:

1. Approval of Claims and Minutes:

- Oct. 14, 2020 Regular City Council Meeting Minutes
- Claims through October 28, 2020

2. Calendar of Events

- Nov. 4, 2020 City Council Work Meeting
- Nov. 11, 2020 Veterans Day (Offices Closed)
- Nov. 18, 2020 City Council Special Meeting
- Nov. 25, 2020 Regular City Council Meeting (Cancelled)
- Nov. 26, 2020 Thanksgiving Day
- Nov. 26 & 27, 2020 Offices Closed

Motion to Approve the Consent Agenda.

Motion by Leina Mathis, seconded by Denny Drake.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider approval of a Proclamation setting November as National American Indian Heritage Month. Judy Lehman, American Indian Chair/Presented by Mayor Rosenberg.

- Mayor Rosenberg said that Judy Lehman is the American Indian Chair. She is participating in this meeting via Zoom.
- Judy Lehman said that she wanted to thank the Mayor and the Council for making this proclamation to their Chapter and to their State Society and National Society. She said as a committee their mission is to support the educational opportunities for the American Indian. She stated that they have two Indian schools and an Indian summer camp for kids ages 10-14 and an Indian scholarship.
- Mayor Rosenberg read the proclamation:
“NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION
AMERICAN INDIANS COMMITTEE, National American Indian Heritage Month:
WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today, and WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as

numerous cultural, artistic, educational, and historical activities have been planned; NOW THEREFORE, I Rick Rosenberg, by virtue of the authority vested in me as Mayor of The City of Santa Clara do hereby proclaim November as the National American Indian Heritage Month, in Santa Clara City, UT, and urge all our citizens to observe this month with appropriate programs, ceremonies and activities. IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Santa Clara City to be affixed this 28th day of October, the year of our Lord two thousand and Twenty.”

- Valerie King added that they also do quite a few things for our local Paiute Tribe. She said that unfortunately COVID has really impacted a number of things that they have wanted to do but they have supplied the Tribe with a large number (130) hand sewn face masks and they are still working on a book drive for children that are Kindergarten through 12th Grade. They are also still planning “Wreaths Across America” in which they will lay wreaths on the graves of the Shivwits Cemetery. She thanked the Mayor and the Council. She encouraged the Council that if there is anything, they might be able to do with the City to recognize the contributions and the culture of the American Indian and our local Tribe for what they do for our Washington County area.

- Mayor Rosenberg asked if they have seen the Native American mural that is on Santa Clara Drive. He explained that the mural was painted a couple of months ago by a local member of the Shivwits who is from Cedar City.

- Valerie King said they will take a picture of the mural and put it on their Facebook page for recognizing Native American culture in Santa Clara.

Motion to Approve a Proclamation setting November as National American Indian Heritage Month.

Motion by Jarett Waite, seconded by Wendell Gubler.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

2. Consider approval of the Road Dedication Plat for Chapel Street, Clary Lane, Sycamore Drive & Bonelli Trail. Presented by Corey Bundy, Building & Zoning Official.

- Corey Bundy said that property owners including development corporations along the above named four public streets have agreed to dedicate the necessary road right of way to get these road sections dedicated as public streets. When approved by the City Council and properly signed by all parties the plat will be recorded in the County Recorder’s office. This road dedication will accommodate the linking of Chapel Street to Bonelli Trail and Sycamore Drive and then on to Clary Lane, which connects to Gates Lane and Santa Clara Drive. He said this will be a great addition to the circulation pattern on the south side of Santa Clara Drive and along the Santa Clara River. Staff recommends approval of this road dedication plat.

- Mayor Rosenberg said that when the City did the Chapel Street project we obtained dedication deeds from property owners that were involved in the right of way for the project and this road dedication plat accommodates all of those various legal descriptions, provides the dedications to the City for public use and summarizes them all on one plat that can be easily tracked on the County Recorder and makes it a lot easier for adjacent property owners as they are doing their future title work.

- Corey Bundy said his understanding is that the plat has been signed by all the property owners and those involved in the property.
- Ben Shakespeare had a question about the offset.
- Mayor Rosenberg said that is the boundary line of the Summer Wood subdivision. Those are the actual lot boundaries. He stated that when we picked up the road from the Hafen family we wanted it to go straight through to the intersection on Santa Clara Drive and down to the bridge, so we picked up the right of way necessary. We are going to keep this right of way. There is some existing irrigation and infrastructure located in it right now and some utilities and it provides the ability to provide a little landscape buffer from those homes that are in that subdivision when the road is finished. He said that we haven't built that road on it's finished alignment yet up through that area because of the Hafen home so the road right now does a little jog. Ramona Hafen can stay in her home as long as she wants is the commitment the City has made to her. We have obtained the right of way already and when the time is right the City can go in and remove the home and build the road in its proper location at some point in the future. That is why it is wider up there.
- Denny Drake asked if Bonelli Trail is ending on the west side.
- Mayor Rosenberg said yes it ends at that location. He said it will extend on to Gates Lane eventually when those areas are developed. Bonelli Trail is planned to go along the river all the way up to Gates Lane and provide a trail as well as a road improvements and utility corridor. There is already a sewer line that comes down that corridor and some of the erosion protection follows it.
- Wendell Gubler asked if we had an agreement from the property owners on that extended road to Gates Lane.
- Mayor Rosenberg said we have an agreement for a portion of that road but not the entire width and then when the Sycamores group comes in, they will be required to dedicate the roadway from there clear up to Gates Lane as part of their development. He said the road extends over and ties to Sycamore Ph. 1 so that all the right of way for the road project was granted. This ties all those individual right-of-way's together onto one plat.
- Corey Bundy said with this road dedication, it meets the requirement for Sycamore Ph. 7 to have this dedicated before they can record that plat.

Motion to Approve the Road Dedication Plat for Chapel Street, Clary Lane, Sycamore Drive & Bonelli Trail.

Motion by Leina Mathis, seconded by Jarett Waite.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare, Wendell Gubler and Denny Drake.

Voting Nay: None.

Motion Carried.

3. Consider recommendation on proposed revisions to the Santa Clara City Zoning Ordinance, Chapter 17.68 Planned Development and approve Ordinance 2020-10. Presented by Devin Snow, Attorney.

- Devin Snow said that Council addressed this Chapter last month but there were some directions for changes from the Council and those changes have been made in this draft. One of the major changes was that there was a request from Council that we impose certain enhanced development standards on commercial properties and those standards

are in this version. They include requirements, which are over and above what you would see in a typical commercial zone. He gave examples of what the standards are. This draft also makes it clear that it is the City Council that would approve other uses. There is a use table that shows the allowable uses in the zone and the last use says, "other uses that are similar to the allowable uses in the zone if determined to be such by the City Council". He said that there was discussion at the last meeting about the landscaping strip. He said that if it is a large parking lot of 30 spaces or more what this ordinance requires is that 5% of that parking area be landscaped. The clarification that was made is if that 5% landscaping is provided then the City Council has the discretion to reduce the landscaping strip between the curb and the setback. That 5% can be used to fulfill that requirement. He said it also imposes a square footage requirement to a minimum for dwelling units within a mixed-use building.

- Leina Mathis asked about the other uses where we have changed it from Planning Commission to City Council it is still a conditional use so does that mean the City Council is reserving to do those conditional uses.

- Devin Snow said that the Planning Commission would still hear that item, but the Planning Commission will make that grant conditional on the project plan being approved by the City Council.

- Denny Drake said that what we are adding is things that should be the preference of the business and he would hate to turn away business because we are requiring more than what needs to be done. Are there some safeguards to protect the interest of the person applying?

- Devin Snow said yes there is an entire spectrum. He said if the Council is uncomfortable with that it can be removed.

- Denny Drake said personal preference seems to creep in and make it very subjective as to what is done whereas if you allow the applicant to apply and we review that rather than have the standards set. He said that is his concern.

- Devin Snow said there are a couple of ways of dealing with that. One way is to remove these standards but as you apply this ordinance and applications come in you could make that point or that case to the Council. It doesn't have to be in this ordinance. The ordinance forces the conversation that we are going to look for those things.

- Leina Mathis said that it states "must". Does "must" mean it is a "should" or a "shall"?

- Devin Snow said it means it is mandatory.

- Mayor Rosenberg said the mandatory is to provide shadows at ground level. The intent is to break up that uniform face on the exterior by creating some shadows using trellises or awning or a roof overhang or pop outs. It has to break up the appearance of that face.

- Devin Snow said right now it is currently requiring all three, but we could make it say "or". If we put "or" there they could satisfy it by having recessed windows and doors. Right now, it is drafted that all the elements would need to be included.

- Jarett Waite said he is happy with how it is written.

- Ben Shakespeare said that it states that we are not allowing cinderblock or metal panels, but they are a pretty strong element in today's designs. Is there a reason those are not included?

- Devin Snow said that the request from the Council is that we impose some level of design standards that are enhanced above the typical commercial zone. These were elements that the Planning Staff helped come up with. He said it is an open discussion, and aesthetics and policy discussion. This can be modified.

- Ben Shakespeare said he thinks the intent is that we are concerned about the aluminum siding or unfinished concrete. He likes what we are adding but we have a lot of specifics that are going to hurt us architecturally.
- Leina Mathis suggested changing it to aluminum siding instead of metal panels.
- Ben Shakespeare suggested taking out “cinderblock” and “metal panels”. He said he doesn’t know about Masonite. Masonite is encouraged in the residential side.
- Matt Ence, City Attorney, said it sounds like some of the things in some of the sentences are things we may want to see in design. What if we took some of those things and shifted them into the sentence a couple of sentences before that so they are listed as approved materials but just add in this sentence that “all sides of a commercial building shall have a mix of two or more of the following finish materials” and then have our list. Then they are approved but it would be understood that it wouldn’t be the sole finish material. He said the sentence could remain that talks about certain items that are prohibited finishes listing unfinished concrete, plywood and vinyl siding as unacceptable finish materials.
- Corey Bundy said the intent was that it would state unfinished concrete, unfinished block, and unfinished metal panel. What Matt Ence said would clear it up.
- Denny Drake said he thought the idea of a PD zone was that a person would come in with a plan and present it to Council and then Council would determine how to do that plan. He didn’t know that we were going to predetermine what they brought in. Different commercial uses require different things. The reason we have a PD that is reviewed by the Planning Commission and by the City Council is to review and decide if it looks good or bad or be able to state preferences. He said this may discourage certain businesses from even applying. It may cut down on the opportunity of having some retail sales in Santa Clara that we would really like to have. He said he thought that is why we had a PD zone to review those plans not to demand requirements that may be unnecessary in that choice. If we leave those in as mandatory, then there is no reason to have the PD. Let’s just approve it as a commercial zone and let them go ahead.
- Mayor Rosenberg said we are trying to provide some guidance.
- Ben Shakespeare said this does give some guidance and he doesn’t think it is too burdensome on the applicant. It gives them some direction, so they don’t spend a lot of money on an architect and designs.
- Bob Nicholson said that the last time this revision came was two months ago and most of this was not in there and the Council basically said that was a weakness and to go back and put some design features similar to the residential in it.
- Mayor Rosenberg suggested that instead of saying “must” and “prohibit” can we use the words “encouraged” and “discouraged” to where we would encourage the use of rock and the masonry and the stone stucco and unfinished concrete would be discouraged so that sets them up as far as what they can expect to see when they submit their elevations. They still have the flexibility to combine finishes and bring in something that can be demonstrated as attractive and that we would like to bring in and give them a little bit of guidance where there was no guidance before. They would still have to get their elevations approved.
- Devin Snow said the risk is some of the citizens read those more as “shalls” and we see it as encouraged but some citizens read it as a requirement.
- Jarett Waite said that there needs to be some “musts” and some “shalls” in there so there is at least a base standard. He said he thinks this is coming from more what our citizens

and our community wants. He said that if we can build in a little bit of leeway that is fine, but he thinks there needs to be some “musts” and “shalls” in there.

- Mayor Rosenberg asked if it can be written in a way that if someone walks in here with a plan that incorporates some metal panels and some cinderblock, and everyone loves it including the residents it can happen.
- Leina Mathis said the wording “metal panels” and “cinderblock” should be moved up to the approved and then leave the “unfinished concrete, plywood, vinyl and aluminum siding” in there as prohibited.
- Jarett Waite agreed and the materials need to be varied.
- Matt Ence said that it says, “a mix of at least two of the following”. That gets the point across.
- Wendell Gubler said that he thinks the way the Mayor said it is the preferred way.
- Ben Shakespeare said he likes where it is at. He likes having direction there. We are never going to get every element on a building right to the residents. Everyone has different views. He likes the elements and the materials that are in there. The elements change over time and as a Council we have to recognize that there might be some material that comes to us in five years that we didn’t think on. At that point we will have to look at that. This gives us some variety.
- Matt Ence said that we can merge the two options which were: what he proposed in changing where those materials were listed and the other was have it be encouraged to do certain things and discouraged for other things. He said we can do both those things to change where some of the materials are listed and modify this so that it is not a must and a prohibited.
- Denny Drake said he thinks blending both would be his preference.
- Wendell Gubler said he felt the same way.
- Jarett Waite said he is more on the “must” and “shall” side.
- Leina Mathis said she is on the “must” and “shall” side too. We already went through the arguments with the “should this and that’s”. Residents read it and they think “should” is how it is. She thinks having less subjectivity is a good thing.
- Ben Shakespeare said we should leave it that there has to be at least two elements in the design.
- Mayor Rosenberg asked if Council wants to give legal some direction to rewrite it and then table it tonight.
- Jarett Waite said he thinks we can just make a few changes and pass it tonight.
- Ben Shakespeare said he would take a shot at the wording for the ordinance:

Motion to Approve revisions to the Santa Clara City Zoning Ordinance, Chapter 17.68 Planned Development and approve Ordinance 2020-10 with the following changes to Section C5: “All sides of a commercial building that are visible from any public street or adjacent residential zone shall have masonry, decorative wood, stone, stucco, cinderblock, metal panels or Masonite or other exterior finishing that is approved as part of the project plan with a minimum two being used in the elevation. The rear and sides of a building shall be finished similarly to the front of the building. Unfinished concrete, plywood, metal siding and vinyl siding are prohibited finishes for commercial buildings. Where feasible, building setbacks should be varied.”

Motion by Ben Shakespeare.

- Denny Drake said he thinks it should say, “Unfinished concrete, plywood, metal siding

and vinyl siding are discouraged” not “prohibited”. He stated he has seen some vinyl siding that looks good. You are taking away an option. If you discourage it, you are not telling them no until they come in with a plan and if the plan doesn’t look good then we can tell them no.

- Mayor Rosenberg asked that in the Historical District design guidelines is vinyl siding allowed. This will impact the Historic District as much as the commercial center on the Heights. We want the Historical District guidelines to match up with the PD.

- Ben Shakespeare asked if the wording “discouraged” would better match those up. He is not opposed to using the word “discouraged” instead of “prohibited”.

- Wendell Gubler said the words “encouraged” and “discouraged” are much better than “must” and “prohibited”.

- Mayor Rosenberg said that is what is causing the confusion on the part of the residents, their interpretation.

- Denny Drake said that if we have “discouraged” rather than “prohibited” it gives the design standards a way of moving and at the same time they still have to come to the City for approval.

- Ben Shakespeare asked legal if we leave ourselves open if we use the word “discouraged”.

- Devin Snow said when it says “prohibited” Council has clear legal right to turn it down on that basis. The other consideration is this is a planned development zone so if there is a project plan that comes in that just doesn’t work Council has the discretion to deny. What you do by having an expressed prohibition is it makes it absolutely clear to an applicant that these are nonnegotiable. It also makes it clear if someone doesn’t like what the Council does, and we have approved something that is clearly prohibited they’ll have something to say about that action. The more specific we are the more careful we need to be with how we apply the ordinance.

- Denny Drake said that the City has the right to make a decision on what the PD is. There is no more legal basis behind that then behind prohibited. They can’t sue us because it is not something that is anything but a decision by the City Council.

- Devin Snow said that is right the City Council still has the same authority to deny if it says “discouraged” or “prohibited”.

- Matt Ence said if the Council has something that is clearly prohibited, and they approve something in contrast to that even with the discretion that Council has under the PD ordinance it does potentially create an issue.

- Corey Bundy reviewed the building materials in the Historical District guidelines. The materials should be adobe, brick, wood, native stone, stucco and other materials that were employed in the historic district. He said that limitations would be synthetic or temporary modern materials that were not employed during the historic era and are generally discouraged but may be employed on a limited basis if justified. A mixture of these materials is acceptable.

- Mayor Rosenberg said that they used the “discouraged” argument in the Historic District”. They give some guidance but left some flexibility.

- Leina Mathis suggested using the wording “shall” on the front end and “discouraged” on the second end.

- Devin Snow asked if Council is okay if he deletes the redundant requirement of varied setbacks in the final, paragraph 5, pg. 35.

Amended Motion to Approve revisions to the Santa Clara City Zoning Ordinance, Chapter 17.68 Planned Development and approve Ordinance 2020-10 with the following changes to Section C5: “All sides of a commercial building that are visible from any public street or adjacent residential zone shall have masonry, decorative wood, stone, stucco, cinderblock, metal panels or Masonite or other exterior finishing that is approved as part of the project plan with a minimum two being used in the elevation. The rear and sides of a building shall be finished similarly to the front of the building. Unfinished concrete, plywood, metal siding and vinyl siding are discouraged finishes for commercial buildings. Where feasible, building setbacks should be varied.” and with the changes previously mentioned in Paragraph 5, pg. 35.

Motion by Ben Shakespeare, seconded by Jarett Waite.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare and Leina Mathis.

Voting Nay: Wendell Gubler.

Motion Carried.

4. Consider Awarding Bid for Canyon View & Little League Parking Improvements Engineering. Presented by Brad Hays, Parks & Trails Director.

- Mayor Rosenberg introduced this item and then excused himself from the meeting because of the Conflict of Interest. He asked Jarett Waite to act as the Mayor Pro Tem for this item.

- Brad Hays said we sent out an RFP to do the parking lots of Canyon View Park and Little League Park. He said the RFP was sent out to our engineering pool. We have five companies and we asked them to solicit bids based on our request that we mailed out. We only got one response and that was from Rosenberg Associates. Their proposal is to have a project kick off coordination meeting, initial data gathering, geotechnical investigation of the area for the parking lots and retention wall, project construction plans, technical specifications, and engineering and probable construction costs. This does not include construction oversight once we get to construction. We would be doing parking lot 1, which is the Little League/BMX parking lot along Canyon View and parking lot 2, which is the Canyon View Parking lot that goes along the playground and in addition to that it includes a retention wall at the base of Little League Drive. We have wanted to do that for several years. We are also looking at putting new backstops in there. The backstop on the north field is currently leaning in towards the field and we want to fix that. The bid for the engineering for this we had estimated in our tourism grant would be \$35,000 and this bid from Rosenberg came in at \$31,160 so it is below the estimate.

- Mayor Pro Tem Waite asked if this would go toward our contribution as part of that grant.

- Brad Hays said it would. It will go under the project code for that.

- Ben Shakespeare said the parking lot has been flooded a couple of times. He asked Jack Taylor about his feelings about that parking lot.

- Jack Taylor, Public Works Director, said there are some clay issues down there. It has flooded but there has been a lot of sediment that has come into the area from all of the different floods over the years and from the Flood Control Authority we have \$400,000 that is coming to Santa Clara to take out all that sediment from Little League down to the dike which will lower that and it will hold a lot more water. If it fills up it could fill back up to the fields but as long as we get the clay issues looked at and get the proper amount

of road base even if it does flood over, we shouldn't have any problems.

- Mayor Pro Tem Waite asked if there is a chance the engineering will come back and say we can't put a parking lot in a certain spot.

- Brad Hays said it may require doing some over excavating to dig down deep and get some drainage material in there.

- Brock Jacobsen said that may make it cost prohibitive for us or paving a certain portion.

- Leina Mathis asked about putting in some access from the lower field up.

- Brad Hays said he didn't include that in the engineering. He said it would go through the power line right of way and is really close to the wash where that access is currently.

- Jack Taylor said there might be enough room for a trail or a small vehicle to get through there along the bottom. There is a trail that comes from above the track and comes down on to Little League. It is a dirt switchback trail. It is on the northeast side.

- Leina Mathis asked if it is pedestrian friendly enough so if they parked down below there is signs so they can get access to the BMX track from there.

- Jack Taylor said it might be easiest to run a trail along the east side of the BMX track.

- Brad Hays said he doesn't think we would have a problem with engineering a trail there, but he doesn't think it is wide enough for a road. He has concerns about cutting into the hillside. We can ask the question to the engineers.

Motion to Approve the Bid for Canyon View & Little League Parking Improvements Engineering to Rosenberg Associates not to exceed \$31,160.

Motion by Denny Drake, seconded by Ben Shakespeare.

Voting Aye: Leina Mathis, Denny Drake, Wendell Gubler, Ben Shakespeare and Jarett Waite.

Voting Nay: None.

Motion Carried.

- Mayor Rosenberg returned to the meeting.

5. Consider Awarding Bid for Security Cameras at City Hall to V.L.C.M., not to exceed \$72,500.00. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said that in the beginning of 2020 we had received bids for security cameras here at the City Office. We were close to making a recommendation toward that bid and then COVID hit and we put a hold on that. We are now circling back. We have gone to the two vendors that submitted bids and had discussions with them and had demos with them and had them submit revised bids and this is bid from V.L.C.M. is for 25 cameras here at the City Office. The cameras would be inside and outside the building. The cameras are done by Verkada, which seem very easy to use. They have analytics that we can do and heat mapping also. With VLCM we can do our licensing with different ways, 1, 3, or 10-year licensing. We chose to pay it on a 10 year, so the bid is a little bit higher, but we are prepaying upfront for 10 years of licensing and warranty. They provide a 10-year warranty. The difference between this and the other bid is the other bid is a traditional security system where it records to a DVR and a server and everything is stored there and this one with VLCM everything is stored to the Cloud. The cameras have a 30-day storage and then it is uploaded to the Cloud. The bid is to install all of the cameras and run all the cabling and get the cameras up and running all here at the City Offices and give us some training. We are requesting a little higher

amount to change out some cameras to a higher mega pixel for better vision on some of the exterior ones to help with public safety. Dick Morgan, the local representative for VLCM, is here at the meeting tonight.

- Jarett Waite said this does include unlimited cloud storage. He said the increase in the bid amount is the thinking that we should consult the Police Department and see if we want the high-resolution cameras in a couple of spots. He said we consulted with our IT Department between the two bids and they highly recommended Cloud storage verses local storage and having the cameras connect to the cloud verses going through our own firewall here. They said it would be much easier to set up and maintain.

- Ben Shakespeare asked after awarding this how soon would the system be up and running.

- Jarett Waite said to pay for this we are using our CARES Act funding so we can use this to track if there is an issue.

- Dick Morgan, VLCM, said he doesn't see any problem to having this running within 3 or 4 weeks. He said that everything is covered under the 10-year warranty. There would be no other costs at all. There can be unlimited users and unlimited Cloud archive for video clips. Everything is covered including technical support and damage.

- Jarett Waite said that Brad Hays was included in this because whatever we decide at City Hall, we will just branch out to all the different parks and other places that need cameras.

Motion to Bid for Security Cameras at City Hall to V.L.C.M., not to exceed \$72,500.00.

Motion by Denny Drake, seconded by Ben Shakespeare.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

6. Consider request to fund the CARES Small Business Grant Program in an amount not to exceed \$200,000.00. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said that with our CARES Act funding we have put together a small business grant program for businesses that have a Santa Clara City business license and are anchored here and located here in the City that have 50 or less full-time equivalent employees. We are providing up to \$10,000 based on the information they submit on their revenue and net loss. We opened up last week to start the process and have received one application and have received two more since then. We sent letters out last week to all the businesses. This closes on November 9 at 5 p.m. We are starting with the \$200,000 and go as far as we can and if there are still funds at the end of the time we will come back again. There is an application online and they can do this all online. They can upload all the documents they need to and each Tuesday a small committee meets including myself, Jarett Waite, Debbie Bannon, Kristelle Hill, to review the applications and make an award to these businesses to help them out.

- Jarett Waite said the \$10,000 award is to reimburse for certain expenses. It is not just a blank check. They have to show that we can reimburse mortgage, rent, utilities, anything they did to increase social distancing and things like that.

Motion to Approve the request to fund the CARES Small Business Grant Program in an amount

not to exceed \$200,000.00.

Motion by Ben Shakespeare, seconded by Leina Mathis.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare, Wendell Gubler and Leina Mathis.

Voting Nay: None.

Motion Carried.

- Janene Burton, 31 Bedrock Circle, asked Council if there is anything that the City does to celebrate Veterans Day.
- Mayor Rosenberg said not specifically and not specifically this year. He said we have the Veterans Memorial up at the cemetery, but we don't have any Veterans Day celebrations planned in the community this year. He suggested she join a committee and plan one for next year.
- Janene Burton said she wouldn't mind doing that. She also asked what was being built by her home on Pioneer and Lava Cove. She asked how they can be so close.
- Corey Bundy said the Little Lava project came to the City in 2006 and proposed to be a six-unit subdivision. It is a planned community development. They will be short-term rentals. They will not exit on Pioneer but on Lava Cove Drive. They have their own clubhouse.

6. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- He asked the Police Chief if the department was moving to the Ivins Town Hall or are they going to stay here.
- Bob Flowers, Police Chief, said that the police are going to keep a presence here but are going to locate to Ivins. They are going to use both places.
- Mayor Rosenberg asked how much of the upstairs the Police are going to be using.
- Chief Flowers said he would like to keep it all. He said they are going to need it.

Leina Mathis:

- Attended a Citizen's Meeting in regard to the road on Vineyard Drive and the concern of the residents. She said her impression was that most of the residents want something done on Vineyard and are willing to do what they need to get it corrected.

Jarett Waite:

- Talked about his part in deciding on the security system and participating in the demos. He also helped with the small business grant. He also said he filled out a survey for the Mayor. The survey was talking about the health of our community. He feels that we are doing a pretty good job with that.

Denny Drake:

- Nothing to report.

Wendell Gubler:

- Has a meeting in November concerning recycling.

Mayor Rosenberg:

- Talked about the meeting with the Vineyard residents. Sherry Anderson called a neighborhood meeting in her backyard a week ago and asked him to attend so he and Leina attended. The residents asked questions and he explained to them about Vineyard and what the City has done in the past and the current ordinance on the substandard streets and what the City was requiring to bring those to standard and what the City would be willing to pay for and what would be the expectation of what the residents would pay for and provide as part of a project. They have formed a committee and they met last night. He said he asked that the committee be seven members or less. They will discuss the proposal with every resident on the street and come back with a consensus to the City on what they would like to see. He said they talked extensively about curb and gutter and the options and the needs. They also talked about options for sidewalks whether it would be adjacent to the curb or setback for a plant strip or could possibly be converted to a trail and he told them those are items we can look at as a City and that we would work with that committee to try and come up with something that would work. They did ask about funding and financing options that could be made available to the residents and they were told about the Special Assessment Area formerly known as the Special Improvement District option and that the City could probably still consider that. That would provide some long-term financing for the residents for their share of the improvements. Dan Frei is the Chairman of the committee. He has been in touch with the Mayor since the meeting and asked for some information. He appreciates Dan stepping up and filling that role. He knows the residents well and he is reasonable, and the City can have a good relationship there. He stated he met with Brock and Jack and discussed some options and he has asked them to look at a couple of things. We are going to go back to the committee and provide them with some visual exhibits showing what those street sections would look like and some anticipated costs based on the current market for curb, gutter and sidewalk and some of the possibilities of financing what those options are. Brock is going to do some checking as far as CID money. He said with the committee there is a pretty good chance that if we decide to go with the SSA that they would have much more than 50%. He said there were feelings about that they had supported this before and had more than 50% and the City elected to not proceed. He said it was a good and productive meeting and he felt good about it in the end and a lot of residents expressed thanks for what the City has done to bring it forward to this point. He said he anticipates that there will be a project come out of it and the concern is where the money will come from for the City to pay its side of it. We will get information to the residents and probably have some meetings and maybe a Work Meeting with the Committee and the City Council when we get some dollars and project scopes and feedback from the residents. It will probably be an item we will talk about in our budget. There are some safety issues and he thinks those are bringing a lot of people to the table.

- The MPO met. St. George City is going to assume the lead on the Zion Transit project using the monies that were granted by the Legislature. He talked to Mayor Pike about incorporating a Santa Clara stop into the Sun Trans west side. Right now, there is a quarter cent of that sales tax from mass transit that the City is eligible for that we are not receiving because we don't have a mass transit. We could almost pay for that with our share of that tax money that we are not getting. The question is, if we would have ridership from Santa Clara and where would we want those stops to be. He said he is

hoping to bring a proposal back to Council at some point in time.

- He wrote a letter to the Stake of the Church of Jesus Christ of Latter-day Saints in support of the Chapel Street Legacy Park in the orchard and hopefully we will hear back from PRI on that.
- A few more cities have dropped out of the project with UAMPS. That is going to come forward at a future meeting.
- Jack Taylor said he would like to bring it forward in the Work Meeting on Nov. 4 and have a special meeting to approve the resolution. This will be to let us know that we are out of the JUMP portion of it and also it will give us an amount that the City will go to and if it goes over that amount we will have to relook at it or get out. Council needs to know what that number is. He believes that others will come in and that will reduce our numbers in the future. Some cities are looking at more.

Jack Taylor:

- He told Council that Well #6 is down. The motor is 6 or 7 years old and that well runs 24 hours a day every day and the windings are starting to wear so we were getting voltage and amperage issues. We had it tested and they said we need to have some coating put back on, so we are going to take it out. The bowls haven't been changed for quite a few years and we are starting to see a drop in the production so while the motor is off we are going to purchase some new bowls and we will have Gardner's come out and put those new bowls in and have the old ones rebuilt if they are not too worn. We are just down to Well #7 right now.
- He also told Council that we are going to lose our power contract that we have because it ends in March 2022. He said that most of the people in UAMPS are looking to buy some power so that we are not in the market until we get this carbon free project built. The prices came in for high-load hours for this next year and 2022 at \$105 a megawatt hour. He signed the document and sent it out, but we won't move forward right now and see what comes back. We need to purchase more generators and put them down at the yard. We could generate for \$38 a megawatt hour but then we're looking at the cost of the generators. He thinks we should wait awhile until we sign off on this because he thinks the prices will lower.

Chief Randy Hancey:

- The Fire Department received a very nice donation from a local resident that allowed the department to purchase some self-contained breathing apparatus air packs and bottles and masks. It will outfit all the engines with the same type of air packs, which are the most current standard. That will make a big difference in the department's operations. The resident wanted to remain anonymous.

7. Executive Session: None.

8. Adjournment:

Motion to adjourn by Denny Drake.

Seconded by Ben Shakespeare with all members present voting aye.

Meeting Adjourned at 6:49 p.m.

Chris Shelley – City Recorder

Date Approved: _____

DRAFT

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
A & E PLUMBING &	68620	68337-2	08/10/2020	11/03/2020	533.00	INV#68337-2 REPLACE EXPANSION TANK	104240-260 - BUILDING
A & E PLUMBING &	68620	68428	10/30/2020	11/03/2020	3,511.95	INV#68428-FIX LEAK IN MECHANICAL	104240-260 - BUILDING
ACTION AMBULANCE BILLING,	68621	2012	10/31/2020	11/03/2020	528.48	October 2020 Ambulance Payments	104235-370 - PROFESSIONAL
BOWEN COLLINS &	68622	24564	10/12/2020	11/03/2020	82.50	INV#24564-DESERT VILLAGE	104240-370 - PROFESSIONAL
BOWEN COLLINS &	68622	24566	10/12/2020	11/03/2020	1,017.50	INV#24566-SHEAR WALL DESIGN	104240-370 - PROFESSIONAL
BUSINESS SOLUTIONS GROUP	68623	15359	10/27/2020	11/03/2020	56.10	INV#15359-1099 TAX FORMS	104130-240 - OFFICE SUPPLIES
BUSINESS SOLUTIONS GROUP	68623	15381	10/27/2020	11/03/2020	180.00	INV#15381-BUSINESS LIC FORMS &	104130-240 - OFFICE SUPPLIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	250.86	CITY BILLS	515110-270 - UTILITIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	350.42	CITY BILLS	104510-271 - UTILITIES -
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	414.02	CITY BILLS	535310-271 - UTILITIES -
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	450.58	CITY BILLS	104410-270 - UTILITIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	550.14	CITY BILLS	104230-270 - UTILITIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	640.39	CITY BILLS	535310-270 - UTILITIES -
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	2,593.40	CITY BILLS	104240-270 - BUILDING UTILITIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	2,609.62	CITY BILLS	104515-270 - UTILITIES
CITY OF SANTA CLARA-	68624	OCT 2020	10/31/2020	11/03/2020	2,755.58	CITY BILLS	104510-270 - UTILITIES
CODALE ELECTRIC SUPPLY INC	68625	S7125876.001	10/05/2020	11/03/2020	882.00	INV#S7125876.001-CT'S FOR STORES	535310-254 - NEW SUBDIVISION
DR. ROBERT R. FOSTER, D.O.	68626	NOV 2020	11/02/2020	11/03/2020	600.00	MEDICAL SERVICES DIRECTOR-EMS &	104230-370 - PROFESSIONAL
DR. ROBERT R. FOSTER, D.O.	68626	NOV 2020	11/02/2020	11/03/2020	600.00	MEDICAL SERVICES DIRECTOR-EMS &	104235-370 - PROFESSIONAL
ERIC GENTRY	68627	OCT 2020	11/02/2020	11/03/2020	1,500.00	PROFESSIONAL SERVICES	104120-330 - LEGAL SERVICES
FREEDOM MAILING SERVICES,	68628	39216	10/27/2020	11/03/2020	1,639.81	BILL PROCESSING NOV 2020 INV 39216-	104130-370 - PROFESSIONAL
LAURA SQUIRES	68629	63	10/27/2020	11/03/2020	550.00	Inv#63 CC MINUTES OCT 2020	104130-370 - PROFESSIONAL
LIBERTY NATIONAL	68630	NOV 2020	11/01/2020	11/03/2020	522.33	LIFE INSURANCE	102252-000 - ULGT LIFE PAYABLE
PROTECT YOUTH SPORTS	68631	826583	10/31/2020	11/03/2020	21.95	INV#826583 BACKGROUND CHKS	104230-370 - PROFESSIONAL
PROTECT YOUTH SPORTS	68631	826583	10/31/2020	11/03/2020	21.95	INV#826583 BACKGROUND CHKS	104510-370 - PROFESSIONAL
STUART AWNING INC	68632	SAC200528078	11/03/2020	11/03/2020	100.00	BLDG MAIN DEPOSIT REFUND PERMIT 20-	102570-000 - BLDG SITE
TURBOSCAPE INC	68633	1337	10/26/2020	11/03/2020	3,000.00	INV#1337-BARK AT TOWN HALL,VET	104510-260 - BUILDING
UPPER CASE PRINTING INK.	68634	16381	10/26/2020	11/03/2020	285.18	INV#16381-UTILITY BILL BACK PAGE &	104130-370 - PROFESSIONAL
UTAH STATE TREASURER /	68635	OCT 2020-	11/03/2020	11/03/2020	8,534.19	COURT SURCHARGES	104120-905 - STATE FINE
WASH. COUNTY WATER	68636	13984	10/31/2020	11/03/2020	5,311.66	REGIONAL WATER SURCHARGE-OCT 2020	513714-000 - REGIONAL WATER
WASH. COUNTY WATER	68636	13990	11/01/2020	11/03/2020	4,540.79	REG.PIPELINE BOND PAYMENT FOR DEC	515110-822 - DEBT PAYMENT TO
WEIDNER FIRE	68637	58205	10/28/2020	11/03/2020	623.35	INV#58205-FIRE HOSE	104230-255 - FIRE PREVENTION
ZIONS FIRST NATIONAL BANK -	68638	101520-5857757	10/15/2020	11/03/2020	20,973.43	7705008 Elec Rev Refunding Bonds 2017	101225-000 - MBA 2019 LEASE
ZIONS FIRST NATIONAL BANK -	68638	101520-7704902	10/15/2020	11/03/2020	5,462.63	7704902 - ELECTRIC 2008	531231-000 - 2008 Bond Fund -
ZIONS FIRST NATIONAL BANK -	68638	101520-7705004	10/15/2020	11/03/2020	20,528.95	7705004 Water Sewer Storm Rev Ref 2012	511235-000 - 2012 Refunding -
ZIONS FIRST NATIONAL BANK -	68638	101520-7705005	10/15/2020	11/03/2020	7,937.50	7705005 Water Sewer Storm Rev 2012 E	511241-000 - 2012E - 7705005 -
ZIONS FIRST NATIONAL BANK -	68638	101520-	10/15/2020	11/03/2020	9,750.00	7705005A-Water Sewer Storm Rev 2012F	511246-000 - 2012F - 7705005A
ZIONS FIRST NATIONAL BANK -	68638	101520-7705008	10/15/2020	11/03/2020	28,555.00	7705008 Elec Rev Refunding Bonds 2017	531236-000 - 2017 Bond Fund

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
BIFFCO ENTERPRISES, LLC	68639	110920-LH	11/09/2020	11/12/2020	181.00	MAY-OCT 2020-FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
BIFFCO ENTERPRISES, LLC	68639	REISSUE OLD	11/12/2020	11/12/2020	264.00	REISSUE OLD STIPENDS	104230-115 - VOLUNTEER
BIFFCO ENTERPRISES, LLC	VOID OLD	UNCASHED	11/04/2020	11/12/2020	-264.00	CORRECT UNCASHED STIPENDS	104230-115 - VOLUNTEER
BOWEN COLLINS & BOWEN COLLINS & BOWEN COLLINS &	68640	24565	10/12/2020	11/12/2020	143.50	INV#24565-RETAINING WALL ORD REVIEW	104410-320 - ENGINEERING
BOWEN COLLINS & BOWEN COLLINS & BOWEN COLLINS &	68640	24567	10/12/2020	11/12/2020	412.50	INV#24567-ROAD RFP DEVELOPMENT	104510-730 - IMPROVEMENTS
BOWEN COLLINS & BOWEN COLLINS & BOWEN COLLINS &	68640	24568	10/12/2020	11/12/2020	438.00	INV#24568 TAGG-N-GO ENGINEERING	545410-320 - ENGINEERING
BRYAN TOBLER	68641	REISSUE OLD	11/12/2020	11/12/2020	168.00	REISSUE OLD STIPENDS	104230-115 - VOLUNTEER
BRYAN TOBLER	VOID OLD	FIX UNCASHED	11/04/2020	11/12/2020	-168.00	FIX UNCASHED STIPENDS (OCT 18-FEB	104230-115 - VOLUNTEER
CHILD SUPPORT SERVICES	68642	110420-692490	11/04/2020	11/12/2020	131.73	CASEY-C000692490 PAY PERIOD	102595-000 - GARNISMENTS
CHILD SUPPORT SERVICES	68642	110420-873789	11/04/2020	11/12/2020	206.77	CASEY-C000873789 PAY PERIOD	102595-000 - GARNISMENTS
CLIFFORD, CHRISTOPHER	68643	110920-CC	11/09/2020	11/12/2020	180.56	OCT 2020 VOL FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
COMPUTECH CONSULTING	68644	18854	11/04/2020	11/12/2020	4,218.73	INV#18854-WIRELESS ACCESS POINT-	424100-250 - CARES ACT
COMPUTECH CONSULTING	68644	19052	11/10/2020	11/12/2020	5,125.00	Standard Management Suite Plus Remote	104130-310 - DATA PROCESSING
COMPUTECH CONSULTING	68644	19080	11/04/2020	11/12/2020	252.46	INV#19080-DESKTOP PC DEVICE	104130-310 - DATA PROCESSING
COMPUTECH CONSULTING	68644	19109	11/10/2020	11/12/2020	2,656.25	INV#19109-SUPPORT LAPTOPS, EMAIL,	104130-310 - DATA PROCESSING
DEERE CREDIT INC	68645	2409867	10/24/2020	11/12/2020	371.40	INV#2409867-PROPERTY TAX EQUIPMENT	515110-740 - CAPITAL
DERRICK GIFFORD	68646	REISSUE OLD	11/12/2020	11/12/2020	32.00	REISSUE OLD STIPENDS	104230-115 - VOLUNTEER
DERRICK GIFFORD	VOID OLD	APR.MAY 18	11/04/2020	11/12/2020	-32.00	FIX UNCASHED STIPENDS	104230-115 - VOLUNTEER
DOUG'S MASTER AUTO CARE	68647	110520-CARES	11/05/2020	11/12/2020	10,000.00	CARES SMALL BUSINESS GRANT	424100-250 - CARES ACT
EXPRESS LUBE	68648	38639	10/05/2020	11/12/2020	59.37	INV#38639-OIL CHANGE 2015FORD F350-	535310-253 - REPAIRS &
FIVE COUNTY AOG	68649	046-2020	11/05/2020	11/12/2020	5,000.00	046-2020 -Santa Clara City Vote Share	104410-311 - MPO ANNUAL
GINO CHRISTIAN	68650	110920-GC	11/09/2020	11/12/2020	116.00	MAY-OCT 2020-FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
HEATHER HALLMAN	68651	110920-HH	11/09/2020	11/12/2020	83.00	MAY-OCT 2020 FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
HULL, DALLIN	68652	SAC200416055	10/27/2020	11/12/2020	500.00	BLDG MAIN DEP REFUND PERMIT 20-055	102570-000 - BLDG SITE
JORDAN STAUFFER	68653	110920-JS	11/09/2020	11/12/2020	75.00	MAY-OCT 2020 FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
OPTICARE OF UTAH	68654	000148266	11/06/2020	11/12/2020	346.31	VISION INSURANCE	102254-000 - OPTICARE VISION
PCF, INC.	68655	99971	11/05/2020	11/12/2020	39.00	PUBLIC WORKS COPIER RICOH 3045S	104410-240 - OFFICE SUPPLIES
PCF, INC.	68655	99972	11/05/2020	11/12/2020	108.09	PUB WORKS COPIER - XEROX 7835 Inv	104410-240 - OFFICE SUPPLIES
PUBLIC EMPLOYEES LTD	68656	OCT 2020-LTD	11/09/2020	11/12/2020	692.81	MONTHLY LTD PAYMENT	102235-000 - DISABILITY PAYABLE
QUICK CUT, INC.	68657	65911	08/27/2020	11/12/2020	519.00	INV#-65911-CUT & GRIND TOWN HALL	104240-260 - BUILDING
RADEMACHER, BRADEN	68658	110920-BR	11/09/2020	11/12/2020	180.56	OCT 2020 VOL FIRE FIRE/RESCUE	104230-115 - VOLUNTEER
RICHARD SCOTT GALBRAITH	68659	110920-RSG	11/09/2020	11/12/2020	357.00	MAY-OCT 2020 FIRE/RFESCUE STIPEND	104230-115 - VOLUNTEER
ROBERT ALAN GREELY	68660	110920-RAG	11/09/2020	11/12/2020	31.00	FIRE-RESCUE STIPEND MAY-OCT 2020	104230-115 - VOLUNTEER
ROBERT R. NICHOLSON	68661	NOV 2020	11/09/2020	11/12/2020	1,250.00	CITY PLANNER MONTHLY SERVICES	104240-370 - PROFESSIONAL
RYAN WILDE	VOID	VOID OLD	11/12/2020	11/12/2020	-8.00	VOID FEB 19 FIRE RESCUE STIPEND	104230-115 - VOLUNTEER
SCOTT N WHITEHEAD	68662	110920-SW	11/09/2020	11/12/2020	143.00	MAY-OCT 2020 FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER
SHANNON HOLMAN	68663	110920-SH	11/09/2020	11/12/2020	199.00	FIRE RESCUE STIPEND- MAY-OCT 2020	104230-115 - VOLUNTEER
STEVEN A. IKUTA	68664	110920-SAI	11/09/2020	11/12/2020	198.00	MAY-OCT 2020-FIRE/RESCUE STIPEND	104230-115 - VOLUNTEER

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
STUART C. IRBY CO.	68665	S012105218.001	11/03/2020	11/12/2020	15,812.00	INV#S012105218.001-CONDUIT FOR	535310-254 - NEW SUBDIVISION
STUART C. IRBY CO.	68665	S012115842.001	11/06/2020	11/12/2020	1,673.60	INV#S012115842.001-STOCK FUSES &	535310-466 - POWER
STUART C. IRBY CO.	68665	S012147093.001	11/03/2020	11/12/2020	185.16	INV#S012147093.001 FUSES FOR DESERT	535310-254 - NEW SUBDIVISION
STUART C. IRBY CO.	68665	S012158562.01	11/06/2020	11/12/2020	19,551.42	INV#S012158562.001-4/CABLE-SC DR	535310-466 - POWER
SUNRISE ENGINEERING, INC.	68666	0113104	10/09/2020	11/12/2020	386.75	INV#113104-AMENDMENT 3 TO MTP	515110-320 - ENGINEERING
TIFFANY MARTINEAU	68667	110920-TM	11/09/2020	11/12/2020	158.00	MAY-OCT 2020-FIRE RESCUE STIPEND	104230-115 - VOLUNTEER
TOBI MORWOOD	68668	110920-TOBI	11/09/2020	11/12/2020	125.00	MAY-OCT 2020 FIRE/RESUE STIPEND-T	104230-115 - VOLUNTEER
UPWALL PRECAST CONCRETE	68669	446000	10/28/2020	11/12/2020	2,700.00	INV#446000-CONCRETE VAULT-ACE	535310-254 - NEW SUBDIVISION
WASHINGTON COUNTY	68670	103120-	10/31/2020	11/12/2020	47.54	CLEAN C & D LANDFILL DROP OFFS	104410-730 - IMPROVEMENTS
WASHINGTON COUNTY SOLID	68671	98333	10/31/2020	11/12/2020	6,535.62	2666 UNITS-GARBAGE @ 11.15 & 2223	103445-000 - RECYCLING
WASHINGTON COUNTY SOLID	68671	98333	10/31/2020	11/12/2020	29,725.90	2666 UNITS-GARBAGE @ 11.15 & 2223	104130-311 - SOLID WASTE
WOOF LLC	68672	110520-CARES	11/05/2020	11/12/2020	10,000.00	CARES SMALL BUSINESS GRANT	424100-250 - CARES ACT
					\$121,108.03		
					\$121,108.03		

City Council agenda report for 11-18-20; Consider approval of a Final plat for Desert Village phase 1 with 64 units on 6.3 acres located east of Rachel Drive (east of Lava Ridge Intermediate School) and north of Harmons Store.

Cole West Homes, applicant.

Zone: PD Residential

General Plan designation: Medium Density Residential (MDR)

Acres: 17.18 acres

Applicant: Cole West Homes. Drake Howell, representative.

Project Engineer: Rosenberg Associates.

Project location: Project borders Rachel Drive and is due east of the Lava Ridge Intermediate School. The project site is north of Harmons Store, and more specifically between the Tuachan Wash on the north and Lava Flow Wash on the south.

Final Plat Request: The applicant proposes 64 two-story townhome units in 28 buildings on the 6.3 acre phase 1 site. This project was originally approved as the “Split Rock Townhomes” proposed by DR Horton, but the Horton group decided not to pursue the project and it was purchased by ColeWest Homes and pursued with the same footprint but a somewhat different unit design which was approved by the PC and CC as part of an amended PD-R zone for Desert Village with a Density Bonus.

Exterior Building Materials: Exterior materials include tile roof, 2 tone stucco colors with band and pop out features, and attached 2-car garages.

Project Amenities: The project proposes a pool with bathrooms, and a small playground area and pickleball courts. Also landscaped common areas which all total equals 36.5% of total site area. An HOA will be formed to maintain the common areas and all landscaping.

Traffic Access: All roads will be public and conform to the city’s public street standards. The project will have two accesses off Rachel Drive. Decel lanes will be needed on Rachel Drive, particularly with the traffic associated with the Lava Ridge Intermediate School located across the street to the west. Units located along Rachel Drive will be rear loaded (ie, front Rachel Drive for home entry) with the garages accessed off the interior street. This same design feature also applies to the units along Lava Flow Wash; the units will appear to front the wash with garage access from the interior public street.

Based on the ITE Trip Generation Manual, 182 townhomes are estimated to generate over one-thousand (1,000) total trips per day based on a trip rate of 5.86 trips per unit per day. (note that going and returning are counted as two trips) A Traffic Impact Study (TIS) has been prepared by a traffic planning firm to study the impacts of the projected traffic generated by this project. A plan for Rachel Drive modifications has been approved by the City Council to improve traffic flow on Rachel Drive.

PC Recommendation: The Phase 1 plat is compliant with the approved PD-R zone Project Plan, so PC recommends approval of the phase 1 Final Plat.



Residential Subdivision Final Plat Application

Santa Clara City
2603 Santa Clara Dr
Santa Clara, UT 84765
(435) 656-4690 FAX: (435) 879-5298

Subdivision Name: Desert Village Townhomes - Phase 1

Applicant(s)/Property Owner(s) Information

Name: Drake Howell

Name: _____

Address: 2250 North Coral Canyon Blvd., Suite 200

Address: _____

City: Washington State: UT Zip: 84780

City: _____ State: _____ Zip: _____

Phone Number: (435)275-2901

Phone Number: _____

(If additional property owners please add addendum)

Property Description

Section(s): 9 Township(s): 42 S Range: 16 W

Current Zoning Designation: PD-R

Parcel Size (acres): 6.31 acres

Number of Lots: 64

Major Cross Street(s): Rachel Drive

Approvals Required By:

- ☐ Technical Review Committee (Staff) - meets every Thursday at 8:00 a.m.
- ☐ Planning Commission - meets every second Thursday of each month at 5:30 p.m.
- ☐ City Council - meets the second and fourth Wednesdays of each month at 5:00 p.m.

Attached checklists serve as a guide for adhering to Santa Clara City's subdivision process/requirements. City Staff will use the checklists for completeness reviews and insuring code compliance for subdivisions. For comprehensive information on the subdivision requirements/process, refer to appropriate City Codes and Statutes.

Office Use Only:

Date plan submitted: _____

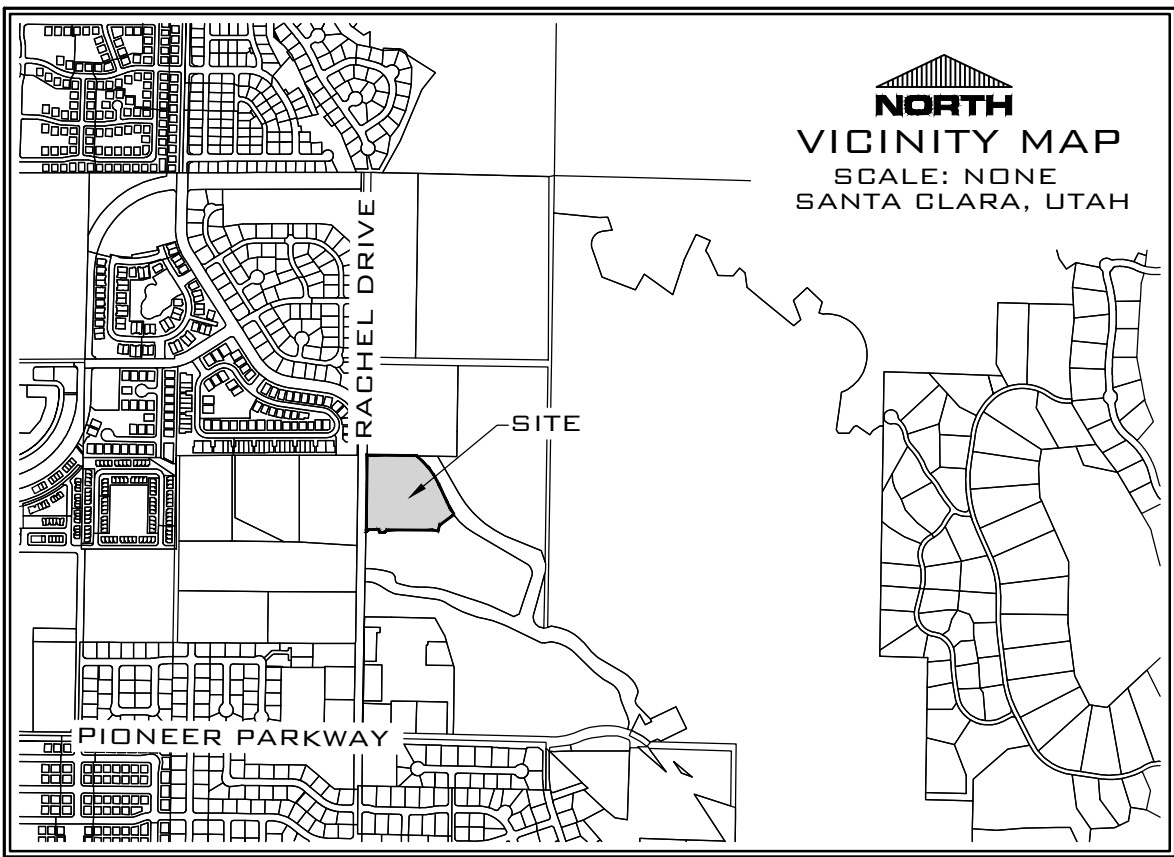
Date plan accepted: _____

Subdivision/Development Approval Checklist

FINAL PLAT CHECKLIST

	I. Final Plat Requirements
Y ☐ N ☐ N/A ☐	A. TRC with developer
Y ☐ N ☐ N/A ☐	A. Submittal of: 1) Engineering Drawings (3 copies); 2) Final Plat (8 11"x17" & 1 8.5"x11"); 3) One (1) Mylar; and 4) Engineer Cost Estimates
Y ☐ N ☐ N/A ☐	B. Completeness Review (Chapter 16.24)
Y ☐ N ☐ N/A ☐	1. Description and delineation (16.20.020)
Y ☐ N ☐ N/A ☐	a. Name of subdivision approved by the Planning Commission
Y ☐ N ☐ N/A ☐	b. Identification system for all lots: name of streets, easements, and lot sizes
Y ☐ N ☐ N/A ☐	c. Traverse of the perimeter of the subdivision
Y ☐ N ☐ N/A ☐	d. Monumentation and survey control
	1. Official Monuments
	2. Street Monuments
Y ☐ N ☐ N/A ☐	e. Dedication to the public of all streets, easements, etc.
Y ☐ N ☐ N/A ☐	f. North arrow, scale, point of beginning, legal description and basis of bearing.
Y ☐ N ☐ N/A ☐	g. Subdivision boundary closures shall be .01 or less on exterior boundaries and .02 on interior lots
Y ☐ N ☐ N/A ☐	2. Standard Forms (16.20.030)
Y ☐ N ☐ N/A ☐	a. Surveyor's "Certificate of Survey"
Y ☐ N ☐ N/A ☐	b. All centerline data and street widths shown
Y ☐ N ☐ N/A ☐	c. Notary Public's Acknowledgement of all signatures
Y ☐ N ☐ N/A ☐	d. Notarized Consent of all lienholders
Y ☐ N ☐ N/A ☐	e. Planning Commission's "Certificate of Approval"
Y ☐ N ☐ N/A ☐	f. City Engineer's "Certificate of Approval"
Y ☐ N ☐ N/A ☐	g. City Attorney's "Certificate of Approval"
Y ☐ N ☐ N/A ☐	h. City Council's "Certificate of Approval"
Y ☐ N ☐ N/A ☐	i. A one-and-one half by five-inch space in the lower right-hand corner of the plat for the county recorder.
Y ☐ N ☐ N/A ☐	j. County Treasurer's "Certificate of Approval"
Y ☐ N ☐ N/A ☐	k. General Notes – The following general notes must appear on the plat:
	1. Notes pertaining to the issuance of building permit until all utilities are installed
	2. Notes pertaining to unstable soil conditions
	3. Basis of bearings for plat
	4. Property is subject to findings, summary and conclusions of a geotechnical report
	5. R-of-W landscaping requirements & subsequent maintenance requirements

Y ☐ N ☐ N/A ☐	3. Additional Information Submitted with Final Plat (16.20.040) a. Engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision and a separate cost estimate for any upsizing of piping b. Final utility plans: Water, sewer, power and natural gas c. Final drainage plans 1. Complete drainage system for entire subdivision 2. Comprehensive of drainage system to include area of subdivision but surrounding areas. 3. Final Plans and profiles for all streets to be constructed: reviewed and approved by engineer 4. Erosion control plan where applicable
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	D. Conformance to Applicable Rules and Regulations
Y ☐ N ☐ N/A ☐	1. Subdivision plan complies with all applicable laws, plans, and regulations: a. Zoning Ordinance b. General Plan c. UDOT; Health Department, etc. d. Standards adopted by the City including all boards, commissions, etc.
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	
Y ☐ N ☐ N/A ☐	E. Self-imposed Restrictions Incorporated – Restrictions:
Y ☐ N ☐ N/A ☐	F. Special Conditions Incorporated (ex. Historical district) – E.G.:
Y ☐ N ☐ N/A ☐	G. Planning Commission Review and Recommendation- Date(s) of review: Date of Recommendation
Y ☐ N ☐ N/A ☐	H. Inclusion of Planning Commission Changes
Y ☐ N ☐ N/A ☐	I. Final Plat and Engineer drawings are to comply with all sections of the City's Design Standards found in Chapter 16.24 (Red lines comply)
Y ☐ N ☐ N/A ☐	J. Engineering Plans Approved by City Engineer and City Staff Public Services Date signed: _____ Public Safety Date signed: _____ City Engineer Date signed: _____
Y ☐ N ☐ N/A ☐	K. City Council Review and Adoption of Final Plat-Date of Review(s): _____ Date of Adoption: _____
Y ☐ N ☐ N/A ☐	L. Inclusion of City Council Changes



NOTES:

- NOT WITHSTANDING THE POSTING OF BOND FOR INSTALLATION OF OFF-SITE IMPROVEMENTS, NO BUILDING PERMIT WILL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL ALL UTILITIES ARE FULLY INSTALLED IN THE ENTIRE SUBDIVISION.
- UNSTABLE SOIL CONDITIONS MIGHT EXIST ON LOTS IN THIS SUBDIVISION. PURCHASERS OF LOTS HEREIN HAVE THE SOLE RESPONSIBILITY FOR OBTAINING APPROPRIATE ENGINEERING SERVICES AND ADVISE RELATIVE TO THE USABILITY OF THE LOTS. THE CITY OF SANTA CLARA DISCLAIMS ALL RESPONSIBILITY FOR SUCH SOIL CONDITIONS, WATER CONTROL (SURFACE AND/OR SUBSURFACE), AND DRAINAGE CONTROL.
- MINIMUM BUILDING SETBACK REQUIREMENTS ARE INCORPORATED INTO THE PAD LAYOUT AS SHOWN. ALL STRUCTURES SHALL BE BUILT ENTIRELY WITHIN THEIR RESPECTIVE PAD.
- ALL STREET LANDSCAPING SHALL CONFORM TO SANTA CLARA CITY'S LANDSCAPE ORDINANCE.
- THE ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING, OR REPLACING LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY SANTA CLARA CITY IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING PUBLIC POWER, WATER, SEWER, AND DRAINAGE IMPROVEMENTS.
- IN ADDITION TO ANNUAL, USUAL, AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE, OR REPLACE LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY SANTA CLARA CITY IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING POWER, WATER, SEWER, AND DRAINAGE IMPROVEMENTS.
- BY RECORDING THIS SUBDIVISION PLAT, EASEMENTS ARE HEREBY GRANTED TO THE COMMON USE OF THE PROPERTY OWNERS, BUT NOT TO THE USE OF THE GENERAL PUBLIC (UNLESS NOTED) WITHIN ALL COMMON AND LIMITED COMMON AREAS WITHIN THIS SUBDIVISION FOR INSTALLATION, ACCESS, MAINTENANCE, AND REPAIR OF ALL UTILITIES INCLUDING NATURAL GAS, CABLE TV, TELEPHONE, WATER AND POWER, AND FOR SEWER AND DRAINAGE IMPROVEMENTS.

GEOTECHNICAL INVESTIGATION:

A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS (AGEC). THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLATWORK ARE COMPILED IN A REPORT. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH SANTA CLARA CITY. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS RECOMMENDATIONS.

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO PUBLIC ROADS, COMMON AND LIMITED AREAS TO BE HEREAFTER KNOWN AS:

DESERT VILLAGE TOWNHOMES - PHASE 1

DO HEREBY DEDICATE TO THE COMMON USE OF THE PROPERTY OWNERS, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL COMMON AND LIMITED COMMON AREAS SHOWN ON THIS PLAT, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF DEDICATION OF SAID COMMON AND LIMITED COMMON AREAS AS MORE FULLY PROVIDED IN THE "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS", OF "HERITAGE POINTE SUBDIVISION - PHASE 1", RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THIS _____ DAY OF _____, 201_____, ENTRY NO. _____. SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION IS HEREBY INCORPORATED AND MADE PART OF THIS PLAT. REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONCERNING THE RIGHT AND OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS HEREBY DEDICATE AND CONVEY TO SANTA CLARA CITY, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS EASEMENTS OVER, ON, UNDER AND ACROSS ALL COMMON AND LIMITED COMMON AREAS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE. THE UNDERSIGNED OWNERS DO HEREBY WARRANT TO SANTA CLARA CITY AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL EASEMENTS GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2020.

RENAISSANCE 6 LLD

MANAGER MEMBER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT:

STATE OF _____ } S.S.
COUNTY OF _____ }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D. 20_____, BY _____, MANAGER.

FULL NAME SIGNATURE: _____

FULL NAME PRINT: _____

COMMISSION NO.: _____

EXPIRATION DATE: _____

A NOTARY COMMISSIONED _____
IN THE STATE OF _____

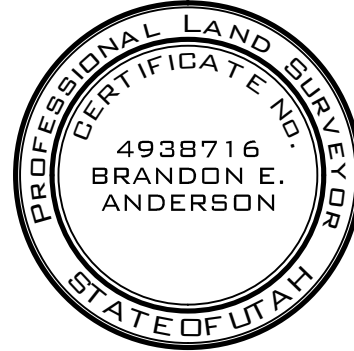
(STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)

SURVEYOR'S CERTIFICATE:

I, BRANDON E. ANDERSON, PROFESSIONAL LAND SURVEYOR NUMBER 4938716, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON. IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS WILL BE SET AS REPRESENTED ON THIS PLAT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE HEREDON OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND HAVE SUBDIVIDED THE SAME TRACT INTO PUBLIC ROADS, COMMON AND LIMITED AREAS TO BE HEREAFTER KNOWN AS:

DESERT VILLAGE TOWNHOMES - PHASE 1

THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND POINTS ESTABLISHED ON THE GROUND IN ACCORDANCE WITH THE HEREDON LEGAL DESCRIPTION.



DATE: _____

BRANDON E. ANDERSON

CERTIFICATE NO. 4938716

LEGAL DESCRIPTION:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF RACHEL DRIVE AND THE NORTHERLY LINE OF LOT 4, BLOCK 28, ST. GEORGE AND SANTA CLARA BENCH IRRIGATION SURVEY, SAID POINT BEING SOUTH 00°37'37" WEST 670.40 FEET ALONG THE SECTION LINE AND SOUTH 89°22'23" EAST 30.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING;

THENCE SOUTH 89°11'13" EAST 351.82 FEET ALONG THE NORTHERLY LINE OF SAID LOT 4
THENCE SOUTH 45°53'15" EAST 65.23 FEET;
THENCE SOUTHEAST 134.92 FEET ALONG AN ARC OF A 525.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 44°00'45" WEST, LONG CHORD BEARS SOUTH 35°15'05" EAST 193.80 FEET WITH A CENTRAL ANGLE OF 21°16'20");
THENCE SOUTH 24°36'55" EAST 140.96 FEET;
THENCE SOUTHEAST 98.90 FEET ALONG AN ARC OF A 475.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 65°23'05" EAST, LONG CHORD BEARS SOUTH 30°34'49" EAST 98.73 FEET WITH A CENTRAL ANGLE OF 11°55'48");
THENCE SOUTH 53°27'17" WEST 129.22 FEET;
THENCE SOUTH 15°40'05" WEST 43.81 FEET;
THENCE WEST 34.65 FEET ALONG AN ARC OF A 132.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 15°40'05" WEST, LONG CHORD BEARS NORTH 81°51'09" WEST 34.55 FEET WITH A CENTRAL ANGLE OF 15°02'28");
THENCE NORTH 89°22'23" WEST 319.01 FEET;
THENCE SOUTHWEST 31.31 FEET ALONG AN ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 00°37'37" WEST, LONG CHORD BEARS SOUTH 45°46'30" WEST 28.21 FEET WITH A CENTRAL ANGLE OF 89°42'13");
THENCE NORTH 89°40'10" WEST 40.00 FEET;
THENCE NORTHWEST 31.52 FEET ALONG AN ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 89°40'10" WEST, LONG CHORD BEARS NORTH 44°13'30" WEST 28.36 FEET WITH A CENTRAL ANGLE OF 90°17'47");
THENCE NORTH 89°22'23" WEST 56.39 FEET;
THENCE SOUTHWEST 31.42 FEET ALONG AN ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 00°37'40" WEST, LONG CHORD BEARS SOUTH 45°37'38" WEST 28.28 FEET WITH A CENTRAL ANGLE OF 90°00'04") TO SAID EASTERLY LINE OF RACHEL DRIVE;
THENCE NORTH 00°37'37" EAST 550.86 FEET ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

CONTAINING 274,689 SQUARE FEET OR 6.31 ACRES.

TUACAHN WASH HAZARD NOTICE:

• PORTIONS OF THIS DEVELOPMENT ARE LOCATED WITHIN THE TUACAHN WASH EROSION HAZARD BOUNDARY. THE EROSION HAZARD BOUNDARY SHOWN WAS ADOPTED BY SANTA CLARA CITY IN 2014 BASED ON THE EROSION HAZARD STUDY COMPLETED BY SUNRISE ENGINEERING, FEBRUARY 2011. THE EROSION HAZARD ZONE (EHZ) CONSISTS OF AREAS ADJACENT TO THE RIVER CHANNEL LIKELY TO BUFFER FLOOD RELATED DAMAGE BY A TYPICAL SERIES OF FLOOD EVENTS OVER A 60 YEAR PERIOD, PLUS THE EROSION CAUSED BY A SINGLE 100 YEAR FLOOD EVENT. THE EROSION HAZARD ZONE ALSO INCLUDES AREAS PRONE TO NATURAL CHANNEL MOVEMENT DUE TO GEOMORPHIC PROCESSES SUCH AS MEANDER MIGRATION OR CHANNEL AVULSION.

• BY PURCHASING PROPERTY WITHIN THIS SUBDIVISION, THE PURCHASER ASSUMES ANY AND ALL RISK OF DAMAGE AND PERSONAL INJURY AS A RESULT OF ITS PROXIMITY TO THE TUACAHN WASH, AND DOES INDEMNIFY AND HOLD SANTA CLARA CITY, ITS OFFICERS, BOARDS, EMPLOYEES, AGENTS AND ASSIGNS, HARMLESS FROM ANY AND ALL CLAIMS OF INJURY, DAMAGE, EXPENSE OR LOSS OF WHATEVER NATURE, AND BY ANY PERSON, RELATED TO THE USE OF THEIR PROPERTY NOW AND IN THE FUTURE, BY REASON OF FLOODING, FLOWAGE, OR ANY DAMAGE, DIRECTLY OR INDIRECTLY, CAUSED BY WATER, EROSION, OR DEPOSITION, SUDDEN OR GRADUAL, WHETHER SURFACE, FLOOD, OR RAINFALL.

• APPROVAL OF BUILDING PERMITS FOR THE DEVELOPMENT ARE CONDITIONED UPON ACKNOWLEDGEMENT BY PROPERTY OWNERS OF THE POTENTIAL RISKS OF FLOOD AND EROSION DAMAGE AT THIS LOCATION.

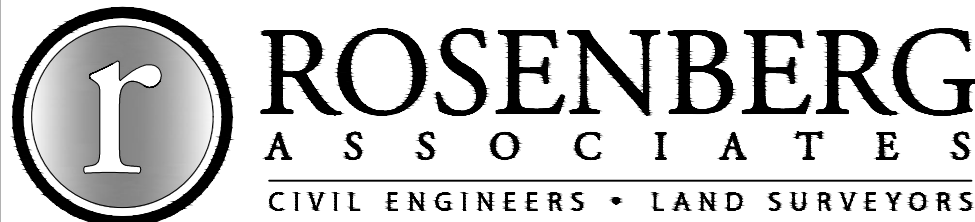
• THIS DEVELOPMENT IS ADJACENT TO THE TUACAHN WASH REGULATORY FLOODPLAIN BASED ON FEMA LETTER OF MAP REVISION (LOMR) CASE # 19-08-0375P, APPROVED 8/14/2020. NO BASEMENTS SHALL BE ALLOWED WITHIN THIS DEVELOPMENT. MINIMUM FINISHED FLOOR ELEVATIONS (FFE) FOR UNITS 34 - 38, 44 - 50, 58 - 64 ARE SHOWN BELOW. MINIMUM FINISHED FLOOR ELEVATIONS (FFE) ARE BASED ON 100 YEAR WATER SURFACE ELEVATIONS (WSELS) ESTABLISHED BY LOMR CASE # 19-08-0375P + 2.0' AS PER SANTA CLARA CITY ORDINANCE. MINIMUM FINISHED FLOOR ELEVATIONS ARE BASED ON THE NAVD 88 VERTICAL DATUM.

UNITS	MIN FFE
34 - 38	2900.8'
44 - 50	2897.6'
58 - 64	2895.7'

THE FINAL PLAT FOR
DESERT VILLAGE
TOWNHOMES
- PHASE 1 -

LOCATED IN SECTION 9
TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN,
SANTA CLARA CITY|WASHINGTON COUNTY|UTAH.

SHEET 1 OF 2



352 EAST RIVERSIDE DRIVE, SUITE A-2, ST. GEORGE, UTAH 84790
PH (435) 673-8586 • WWW.RACIVIL.COM

SURVEY-PLAT-PH1 FILE NUMBER:	08/28/2020 DATE:	B.E.A. DRAWN:
4828-19-047 JOB NUMBER:	1" = 30' SCALE:	B.E.A. CHECKED:

ENGINEER'S APPROVAL:

THE HEREDON SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE, THIS _____ DAY OF _____, 20____.

ENGINEER
SANTA CLARA CITY, UTAH

APPROVAL OF THE
PLANNING COMMISSION:

ON THIS THE _____ DAY OF _____, A.D. 20_____, THE PLANNING COMMISSION OF SANTA CLARA CITY, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF SANTA CLARA CITY'S PLANNING ORDINANCES, AND BY AUTHORIZATION OF SAID COMMISSION, HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY SANTA CLARA CITY, UTAH.

CHAIRMAN OF THE PLANNING COMMISSION
SANTA CLARA CITY, UTAH

CITY SURVEYOR'S
CERTIFICATE:

I THE SANTA CLARA CITY SURVEYOR, DO HEREBY VERIFY THAT THIS OFFICE HAS EXAMINED THIS SUBDIVISION PLAT AND HAVE DETERMINED THAT IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

CITY SURVEYOR
SANTA CLARA CITY, UTAH

APPROVAL AND ACCEPTANCE
BY THE CITY OF SANTA CLARA, UTAH:

WE THE MAYOR AND CITY COUNCIL OF SANTA CLARA CITY, UTAH HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL RECORDED IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20_____, HEREBY ACCEPT THE SAID SUBDIVISION WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO.

CITY RECORDER
SANTA CLARA CITY, UTAH

MAYOR
SANTA CLARA CITY, UTAH

APPROVAL
AS TO FORM:

APPROVED AS TO FORM, THIS _____ DAY OF _____, A.D. 20____.

CITY ATTORNEY
SANTA CLARA CITY, UTAH

TREASURER APPROVAL

I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS _____ DAY OF _____, A.D. 20_____, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.

WASHINGTON COUNTY TREASURER

RECORDED No. _____

FEE: _____
COUNTY RECORDER
WASHINGTON COUNTY, UTAH

SECTION CORNER TO SECTIONS 4, 5, 8, & 9 TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN (2006 BLM BRASS CAP)

N 89°19'28" W 2668.61' (COR. TO COR.)

1/4 CORNER TO SECTION'S 4 & 9 TOWNSHIP 42 SOUTH RANGE 16 WEST SALT LAKE BASE & MERIDIAN. (FOUND 1968 BLM BRASS CAP)

BASIS OF BEARING

P.O.B.
A PUBLIC UTILITY & DRAINAGE EASEMENT ENTRY NO. 20130044146
N 89°11'13" E 351.82'

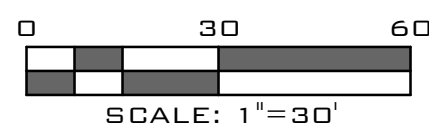
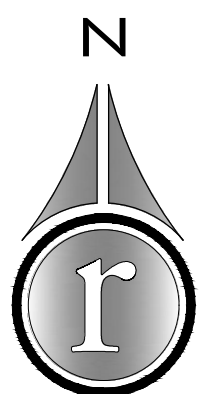
PUBLIC UTILITY & DRAINAGE EASEMENT ENTRY NO. 00852039

A PUBLIC UTILITY & DRAINAGE EASEMENT ENTRY NO. 20130045680

5 6
4 7
BLOCK 28

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	31.35'	20.00'	89°48'50"
C2	163.80'	174.00'	53°56'08"
C3	32.30'	174.00'	10°38'10"
C4	76.05'	174.00'	25°02'33"
C5	26.06'	20.00'	74°39'17"
C6	31.42'	20.00'	90°00'00"
C7	31.31'	20.00'	89°42'13"
C8	31.52'	20.00'	90°17'47"
C9	32.75'	20.00'	93°49'00"
C10	51.98'	139.00'	21°25'31"
C11	25.80'	139.00'	10°38'10"
C12	130.85'	139.00'	53°56'08"
C13	39.22'	25.00'	89°53'24"
C14	31.45'	20.00'	90°06'36"
C15	32.14'	20.00'	92°04'13"

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	5.00'	N 89°04'37" W
L2	5.00'	S 86°48'36" W
L3	31.53'	N 20°36'24" E
L4	31.78'	N 0°58'51" E
L5	26.68'	S 25°20'16" E
L6	30.62'	S 54°33'51" E
L7	38.00'	N 46°09'55" E
L8	55.48'	S 13°16'28" W
L9	45.68'	N 30°14'55" E
L10	50.46'	S 1°37'42" E
L11	35.44'	N 60°09'28" E
L12	45.94'	N 55°53'46" W
L13	17.37'	N 38°05'52" W
L14	62.81'	S 16°59'26" E
L15	22.92'	N 23°37'39" E
L16	21.80'	S 0°55'23" W
L17	45.24'	N 60°13'12" E



ROSENBERG ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS

352 EAST RIVERSIDE DRIVE, SUITE A-2, ST. GEORGE, UTAH 84790
PH (435) 673-8586 • WWW.RACIVIL.COM

SURVEY-FLAT-PH1 FILE NUMBER:	08/28/2020 DATE:	B.E.A. DRAWN:
482B-19-047 JOB NUMBER:	1" = 30' SCALE:	B.E.A. CHECKED:

1/4 CORNER TO SECTION'S 8 & 9 TOWNSHIP 42 SOUTH RANGE 16 WEST SALT LAKE BASE & MERIDIAN. (NOTHING FOUND)

LEGEND

- FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED
- NOTHING SET OR FOUND
- TO BE SET STANDARD CITY SURVEY MONUMENT - CLASS II
- TO BE SET STANDARD ST. GEORGE CITY SURVEY MONUMENT - CLASS I
- PRIVATE AREA
- COMMON AREA
- LIMITED COMMON AREA

THE FINAL PLAT FOR
DESERT VILLAGE
TOWNHOMES
- PHASE 1 -

LOCATED IN SECTION 9
TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN,
SANTA CLARA CITY | WASHINGTON COUNTY | UTAH.

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 1

November 18, 2020

APPLICANT: Jared Bates, Rosenberg and Assoc.

SUBJECT:

Request final Plat approval for Desert Village Townhomes Phase 1



BACKGROUND DESCRIPTION:

Request final Plat approval for Desert Village Townhomes Phase 1 with 64 units on 6.3 acres, located East of Racheal Dr. and North of the Harmon's store See Staff report of description.

Proposed Recommendation

Approval

Cost

N/A

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

N/A

Requested By

Corey L Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/CC-agenda-rpt-11-18-20-Final-plat-Desert-Village-phase-1.docx>

City Council agenda report: Nov. 18, 2020; Consider a Zone Change Request from Residential R-1-10, and Residential-Agricultural (RA) to Planned Development Residential (PD-R) for 5.43 acres generally located between Santa Clara Drive and the Santa Clara River and east of Gates Lane.

Applicant: Sycamore Development, Kyle Hafen, Anthony Jeffers, Kimball Rogers, et al.

General Plan: Mixed Use Residential (MUR)

Acres: 5.43 total

Acres within the Historic District: Approximately 1.7 - 2.0 acres

Purpose for requesting the zone change: To allow for an Assisted Living Facility which consists of 50 Independent Living Units (1 & 2 bedroom units), 40 Assisted Living Units, and a 20 bed Memory Care Unit. In total there are 110 proposed units. The **Assisted Living Facility has both a one-story building for the Memory Care units and 2-story buildings for the Assisted Living and Independent Living units.** (See the Santa Clara Trails Project Summary provided by the applicant). Also included in the plan is 3,000 – 5,000 sq. ft of Neighborhood Commercial space along Santa Clara Drive, just east of Gates Lane, with Assisted Living units located on the second level above the retail space.

The proposed project is outside the 100- year Floodway and the applicant proposes to elevate the site out of the 100-yr Floodplain. Also, the applicants will need to provide additional erosion protection along their Santa Clara River frontage.

General Plan: The City General Plan Land Use map designates this general area for Mixed Use Residential (MUR) which is a land use designation for a variety of housing types (townhomes, multi-family, etc) and also neighborhood commercial uses such as small retail stores and offices. The proposed project fits within the guidelines for the MUR land designation. Also, one of the stated objectives of the General Plan is to “Increase the variety of housing types within new neighborhoods to accommodate a wider range of life stages and housing needs.” (p.57) At present Santa Clara does not have an assisted living facility to serve the needs of elderly persons needing assistance with daily life chores.

Historic District: A portion of the proposed project (less than 2 acres) is located within the Downtown Historic District. Previously the Heritage Commission recommended approval for the building design and Memory Care units in a half-acre area in the previous Assisted Living proposal. The site plan has been modified to shift some of the buildings closer to Gates Lane. On November 12, 2020 the Heritage Commission again reviewed the rezone request and building design for the project area within the Historic District and recommends approval of the revised plan.

Architecture: The proposed architectural style will reflect the existing architectural vernacular of the surrounding area, as stated by the applicant's project narrative. See the project design drawings provided by the applicant.

Traffic: Assisted Living and Memory Care units typically generate a low rate of traffic compared to standard residential units, because the tenants typically don't drive, and only staff and guests drive to the facility. Based on the ITE Trip Generation manual, the Assisted Living units are expected to generate about 2.6 trips / bed / day, and the Memory Care units are expected to generate about 2 trips/ bed /day. For the proposed 40 Assisted Living units and the 20 Memory Care units this amounts to an estimated trip generation of 144 trips / day. Independent Living units are estimated to generate approximately 3.7 trips / day which would amount to 185 trips / day for the proposed 50 Senior Independent Living units. **All total the three components of the project are expected to generate approximately 329 trips / day. Most of the traffic will use Gates Lane and Bonelli Drive for access to the complex.**

Parking Requirements: The City requirement for **Assisted Living and Memory Care units** falls under the general category of "Nursing Homes" which is 4 spaces plus 1 space for each 3 beds. Based on a total of 60beds for the combined AL & Memory units the minimum parking requirement would be 24 parking spaces.

Parking for Independent Senior Living units the city zoning code does not list a specific parking requirement but typically that would range from about 1.3 to 1.5 spaces per unit which would amount to 65 to 75 total parking spaces for the 50 Senior Independent living units. Total **parking requirement** for all components of the project would be **approximately 89 to 99** spaces. The applicant shows 95 parking spaces plus approximately 10 spaces along Bonelli Drive which the staff and PC believe is a reasonable amount. **Per code (17.32.050 last paragraph) the PC recommends approval of the approximately 105 parking spaces shown on the site plan.**

Conditional Use Permit: The PD-R zone lists Independent Living / Assisted Living Care, and Neighborhood Commercial use as Conditional Uses and therefore must obtain a Conditional Use Permit as part of the zoning approval. The PC approved the Conditional Use Permit for these uses, subject to approval by the City Council of the zone change request.

PC Recommendation: The PC heard from many residents during the public hearing on November 12th and in total spent 2.5 hours listening to public comments and discussing the proposed project. Most of the public comments were opposed to the project for a variety of reasons including traffic, size of the proposed buildings, and a desire to have the property remain zoned strictly for single family homes. However, there were some individuals who expressed support for the project feeling that it would provide a beneficial service for those elderly persons who need these services. The PC voted 3 in favor and 2 opposed to the rezone request with the accompanying Project Plan. The approval also included the proposed parking plan as shown on the site plan.

**SANTA CLARA CITY
ORDINANCE NO. 2020-15**

**AN ORDINANCE AMENDING THE CITY OF SANTA CLARA GENERAL PLAN BY
REZONING 5.43 ACRES LOCATED EAST OF GATES LANE AND SOUTH OF
SANTA CLARA DRIVE.**

Section 1. Amendment

WHEREAS, the City received an application from Kyle Hafen to amend the City General Plan Land Use Map by changing the land use designation from R-1-10 and Residential Agricultural to Planned Development Residential on 5.43 acres located east of Gates Lane and South of Santa Clara Drive; and

WHEREAS, the purpose of the zoning map amendment is to rezone 5.43 acres located east of Gates Lane and south of Santa Clara Drive to allow for a proposed Assisted Living Facility; and

WHEREAS, pursuant to said requirements of the Santa Clara Municipal Code, the Land Use Authority/Planning Commission conducted a properly advertised public hearing on the amendment to the City's Zoning Map on November 12, 2020; and

WHEREAS, the Planning Commission, during their regular meeting held on November 12, 2020, motioned to recommend approval to the City Council the proposed amendment to the General Plan to change the land use designation from R-1-10 and Residential Agricultural to Planned Development Residential on 5.43 acres located east of Gates Lane and South of Santa Clara Drive

NOW, THEREFORE, BE IT ORDAINED by the Santa Clara City Council, State of Utah, as follows:

Section 2. Classification

This ordinance amends the official General Plan of the City of Santa Clara, Utah.

Section 3. General Provisions

The official General Plan of the City of Santa Clara, Utah is hereby amended to change the land use designation from R-1-10 and Residential Agricultural to Planned Development Residential on 5.43 acres located east of Gates Lane and South of Santa Clara Drive

Section 4. Effective Date

This ordinance shall become effective immediately upon adoption, recording and posting in the manner required by law.

ADOPTED and approved by a duly constituted quorum of the Santa Clara City Council this 18th day of November 2020.

IN WITNESS, THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder

5.43 ACRE ZONE CHANGE DESCRIPTION NORTH OF SANTA CLARA RIVER, OCTOBER 18, 2020

A parcel of land located in the Northwest and Southwest Quarters of Section 16, Township 42 South, Range 16 West, Salt Lake Base and Meridian. The perimeter of said parcel being more particularly described by metes and bounds as follows:

Commencing at the Quarter Corner common to Sections 15 and 16, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running thence North $89^{\circ}35'38.5''$ West 4,473.595 feet along the East-West center section line and the basis of bearing; thence North 285.95 to the Point of Beginning. Said Point of Beginning also being the measured Southeast corner of that parcel owned by Ronald & Anita Delelles as described in that Warranty Deed, on file in as Instrument No. 20160049777 in the Office of the Washington County, Utah Recorder.

Thence South $03^{\circ}09'55''$ West 20.12 feet along an extension of the Easterly line of said Delelles parcel;
thence South $06^{\circ}31'05''$ East 137.93 feet;
thence South $86^{\circ}30'37''$ West 40.88 feet to and along a line that is parallel with and approximately 0.25 feet North of the North face of an existing Concrete Masonry Unit (CMU) retaining wall;
thence South $03^{\circ}50'23''$ West 105.33 feet along and past, a line that is parallel with and approximately 0.25 West of the West face of an existing CMU wall;
thence South $89^{\circ}17'01''$ West 9.705 feet to an angle point on that line agreed upon between The Ballard and Arvena Hafen Family Trust, dated August 28, 1992 and The Garth and Betty Colton Trust, dated May 1, 1995 with that boundary line agreement on file as Instrument No. 659607, Book: 1344, Page: 1556;
thence South $24^{\circ}27'28''$ East 156.17 feet along an existing block wall and said boundary line agreement;
thence North $88^{\circ}44'25''$ East 21.68 feet along said boundary line agreement to its intersection with an old wire fence on the West boundary of that parcel occupied by LeGrand G. and LuJuanna Hafen and evidenced in Instrument No. 443246, Book: 755, Page: 68;

thence South $00^{\circ}01'40''$ East 53.535 feet along an old wire fence to a fence corner;
thence continuing South $00^{\circ}01'40''$ East 23.325 feet along an extension of said old wire fence to its intersection with the West line of an old concrete ditch lined ditch;
thence South $05^{\circ}36'36''$ West 158.76 feet along and past said West line to its intersection with the Northerly line of a proposed future road and continuing the following five (5) courses along the North line of said road;
thence North $54^{\circ}03'32''$ West 9.39 feet to a point of curvature;
thence Northwesterly, a distance of 129.50 feet along the arc of a 975.00 foot radius curve to the right, through a central angle of $07^{\circ}36'37''$ to a point of tangency;
thence North $46^{\circ}26'55''$ West 651.62 feet to a point of curvature;
thence Northwesterly, a distance of 81.58 feet along the arc of a 175.00 foot radius curve to the left, through a central angle of $26^{\circ}42'40''$ to a point of reverse curvature;
thence Northwesterly, a distance of 28.51 feet along the arc of a 20.00 foot radius reverse curve to the right, through a central angle of $81^{\circ}39'43''$ to a point of reverse curvature on the Easterly line of Gates Lane as dedicated to public use with the Road Dedication Plat for Clary Hills Drive & Gates Lane Amended, on file as Instrument No. 20120043720;
thence Northerly, a distance of 27.64 feet along the arc of a 275.00 foot radius reverse curve to the left, through a central angle of $05^{\circ}45'33''$;
thence North $02^{\circ}44'35''$ East 125.06 feet along the East line of Gates Lane to a measured point of curvature;
thence Northeasterly, a measured distance of 46.73 feet along the arc of a 30.00 foot radius curve to the right through a central angle of $89^{\circ}14'55''$ to a point of tangency on the South line of Santa Clara Drive (Old U.S. Highway 91);
thence South $88^{\circ}00'30''$ East 228.50 feet along Santa Clara Drive to its intersection with an existing block wall and the Northwest corner of that parcel owned by the 1995 Chadwick Family Trust dated February 4, 1995 as described in Instrument No. 20180002863;
thence South $03^{\circ}11'55''$ West 90.70 feet along said block wall and said Chadwick Family Trust parcel to the Southwest corner thereof;

thence South 65°19'05" East 102.405 feet along an existing block wall and the Southerly line of said Chadwick Family Trust parcel to an angle point thereof and a wall intersection;
thence South 00°13'13" West 1.18 feet along an existing block wall to an angle point on the Westerly boundary of Parcel A, in Moore Subdivision according to the official plat thereof, on file as Instrument No. 486864, Book: 872, Page: 339;
thence continuing South 00°13'13" West 77.10 feet along an existing block wall and the West line of Moore Subdivision to the Southwest corner thereof;
thence South 77°05'05" East 143.91 feet along the South line of said Moore Subdivision to the Southeast corner thereof;
thence North 07°28'55" East 128.87 feet along the Easterly line of said Moore Subdivision to the Southwest corner of that previously described Delelles parcel;
thence South 82°44'05" East 123.59 feet along the Southerly line of said Delelles parcel to the Point of Beginning.

Containing approximately 236,535 square feet or 5.43 acres.

PROPOSED BUILDING AREAS

COMMON - 25,099 SF
 INDEPENDENT LIVING - 35,120 SF
 ASSISTED LIVING - 44,482 SF
 MEMORY CARE - 14,128 SF
 TOTAL BUILDING - 118,829 SF



50 0 50
 SCALE IN FEET



CONCEPT PLAN SENIOR LIVING COMMUNITY

SYCAMORE DEVELOPMENT
 PROJECT LOCATED IN SECTION 36, T41S, R17W S1B6M
 SANTA CLARA, UTAH

KUMA
 ENGINEERING COMPANY
 460 WEST HAWTHORNE
 UMS, UT 84178
 (801) 228-0304

Project: 2022
 Title: Schematic
 Date: OCT 2022
 Drawn by: GH
 Review by: GH

Scale:
 1" = 50'

DEVELOPER

LOCATED IN:

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 2

November 18, 2020



APPLICANT: Dade Rose Regal Homes

SUBJECT:

Request Amended Planned Development Residential Zone and Project plan for Regal Homes.

BACKGROUND DESCRIPTION:

This requested approval for 200 home project is on 19.46 acers in the Black Desert development area and located on the North side of Pioneer Parkway and West of the present Entrada development.

Proposed Recommendation

Approval

Cost

N/A

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

N/A

Requested By

Corey L Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/CC-agenda-rpt-11-18-20-amended-PD-R-zone-for-Regal-Homes-at-Black-Desert-.docx>

City Council agenda report for 11/18/20; Consider an amended Planned Development Residential zone for Regal Homes project at Black Desert in Areas 7 & 8, located on the north side of Pioneer Parkway and west of the present Entrada development. Also, consider recommendation from Planning Commission regarding maximum number of allowed short-term rentals in this project.

Zone: PD Residential

General Plan: The General Plan for Black Desert was approved in July 2019, except for "Area 6"; the Black Desert concept plan shows medium density residential, hotel site, open space, and an 18-hole golf course.

Applicant: Dade Rose with Regal Homes, et al

Project Representative: Dade Rose

Acres: 19.46 acres for Areas 7 & 8 in the Black Desert project

Request: Approval of an amended PD Residential zone for a proposed 200 home rental project with primarily long term rentals but also some short term rentals as an allowed use. The project will not be subdivided but remain as a one-owner development with all homes being rentals. The original PD-R zone was approved in about 2007 for the Knolls Pasture project which never got off the ground due to the recession.

Building Design: The proposed 200 units are nearly all detached single-level homes with 1 -2 bedrooms and range between 750 and 991 sq ft. There are 404 parking spaces proposed consisting of 70 garages, 134 carports, and 200 uncovered spaces. The parking plan meets the zoning code which requires 2 spaces per home, one of which must be covered. The homes are all proposed to be rental units with both long and short-term rentals proposed. Short-term is defined as a rental period of 29 days or less. The applicants state that most of the units are intended to be long term rentals, helping meet some of the workforce housing needs of the area. The homes will have a southwestern exterior style consisting of a "prairie home design plan" with stucco exteriors and earth tone colors along with concrete tile roofs. A masonry privacy wall will be constructed along the frontage with Red Mountain Drive.

Conditional Use Permit: The PD-R section in the city zoning code (17.68.020) lists short-term rentals (aka vacation rentals) as a conditional use subject to the standards in 17.68.060, and the PC approved a Conditional Use permit for a maximum of 40 units (20% of 200 units) being used for short-term rentals, (ie for 29 days or less). The applicant expects most of the units to be rented for a 6 to 12 month period, and was fine with the PC proposed ceiling of 40 units vacation rentals. **The code (17.68.060:1) states that the City Council may designate a maximum number of units to be used for short-term rentals.**

Proposed amenities include a “132’ long resort pool”, a splash pad, a spa hot tub, indoor fitness facility & clubhouse, outdoor barbecue area, and 3 mini-parks consisting of lawn, shrubs, and trees along with walking trails within the project.

Density Bonus request / Density Transfer request: The proposed project density of 12 units / acre exceeds the allowed base density of 8 units / acre but there are two provisions whereby the 12 unit/acre density can be achieved. The proposed Black Desert Development Agreement provides for a density-transfer between development areas, and the approved Black Desert General Plan amendment approved by the City Council on 7/10/19 allowed for up to 1,937 dwelling units within the Black Desert project area. The draft Development Agreement is currently pending before the City Council so the density transfer provision would be subject to approval of the Development Agreement with the density transfer provision included therein. The other possible option is through the Density Bonus provision of the zoning code (section 17.68 105) which provides for a maximum density of 12 units / acre subject to meeting certain design criteria and approval of the City Council with recommendation from the PC. **The PC felt the proposed density of 12 units / acre could be allowed through the density transfer provision in the draft development agreement. However, if the density transfer provision is not approved by the City Council, then the applicant could return to the PC for consideration under the Density Bonus provisions.**

PD-R Zone Open Space Requirements: The PD-R zone requires a minimum of 30% of the project area to be in some form of Open Space. For the subject 19.4 acre project that amounts to 5.8 acres of required open space. In the draft Development Agreement now pending before the City Council there is a provision **for the overall project open space, which is 122 acres of natural open space** plus 56 acres of golf course area, to be used by the various development areas for meeting the 30% Open Space requirement. Therefore, based on the draft Development Agreement and large open space areas within the overall Black Desert project that the open space requirement is met for the proposed Regal Homes development.

Traffic Impact: The project proposes an entrance gate with private internal streets having a pavement width of 26’ to meet Fire Code standards. The gate and private internal streets request has been approved by the City Council due to the one-owner aspect of the project, and no subdividing of the project. This rental project is estimated to generate approximately 6.6 trips per unit per day with going and coming back counted as two trips (source, ITE, Trip Generation Manual). Therefore the proposed 200 homes would generate approximately 1,330 trips / day with that number reduced some by units rented on a short-term basis (overnight or weekly). Red Mountain Drive will extend along the east boundary of the project to Pioneer Parkway to serve as the main access to the project. A road along the north project boundary could connect to the proposed Hamblin Parkway which will connect to Snow Canyon Parkway for east-bound traffic. **However, the current site plan does not show any road along the projects north property line, so the second address road needs to be determined and approved by the City Council.** The applicant proposes a secondary access using a gravel road (initially) called Ranch Road which goes eastward through the golf course to Snow Canyon Parkway. The applicant states that this secondary road will be improved to Fire Safety

requirements. The **location and improvement of a second access road needs to be determined as part of the approval of a Project Plan.** Also, prior to approval of a final site plan, the PC recommends that a Traffic Signal Warrant Study be provided by the applicant to provide a threshold for a potential traffic signal at the intersection of Red Mountain Drive and Pioneer Parkway and to also provide for lane geometry needs.

PC recommendation: PC recommends approval of the PD-R zone amendment, with the Project Plan for the PD-R zone subject to the following conditions;

1. If the proposed density of 12 units / acre is not achieved through a density transfer provision in the draft Development Agreement, then the applicant will seek a Density Bonus approval through the PC and CC as provided in the code.
2. Short-term rental units be limited to a maximum of 40 units.
3. Prior to approval of a final site plan, a Traffic Signal Warrant Study for the intersection of Red Mountain Drive and Pioneer Parkway be provided to the city by the applicant.
4. As part of the amended PD-R zone request and the Project Pan approval, the location and improvement of a second access road be approved by the City Council with agreement from the developer.

**SANTA CLARA CITY
ORDINANCE NO. 2020-16**

**AN ORDINANCE AMENDING THE CITY OF SANTA CLARA GENERAL PLAN BY
REZONING 19.46 ACRES IN THE BLACK DESERT PROJECT.**

Section 1. Amendment

WHEREAS, the City received an application from Patrick Manning to amend the City General Plan Land Use Map by changing the land use designation from Agriculture (Livestock grazing) to Planned Development Residential on 19.46 acres located north of Pioneer Parkway and generally east of Red Mountain Drive; and

WHEREAS, the purpose of the zoning map amendment is to rezone 19.46 acres to allow for the proposed Black Desert Development and consider a request for a conditional use permit for short-term (vacation) rentals for the proposed dwelling; and

WHEREAS, pursuant to said requirements of the Santa Clara Municipal Code, the Land Use Authority/Planning Commission conducted a properly advertised public hearing on the amendment to the City's Zoning Map on November 12, 2020; and

WHEREAS, the Planning Commission, during their regular meeting held on November 12, 2020, motioned to recommend approval to the City Council the proposed amendment to the General Plan to change the land use designation from Agriculture (Livestock grazing) to Planned Development Residential on 19.46 acres located north of Pioneer Parkway and generally east of Red Mountain Drive and the conditional use request to allow for short-term (vacation) rentals: and

NOW, THEREFORE, BE IT ORDAINED by the Santa Clara City Council, State of Utah, as follows:

Section 2. Classification

This ordinance amends the official General Plan of the City of Santa Clara, Utah.

Section 3. General Provisions

The official General Plan of the City of Santa Clara, Utah is hereby amended to change the land use designation from Agriculture (Livestock grazing) to Planned Development Residential on 19.46 acres located north of Pioneer Parkway and generally east of Red Mountain Drive and approve the conditional use to allow for short-term (vacation) rentals.

Section 4. Effective Date

This ordinance shall become effective immediately upon adoption, recording and posting in the manner required by law.

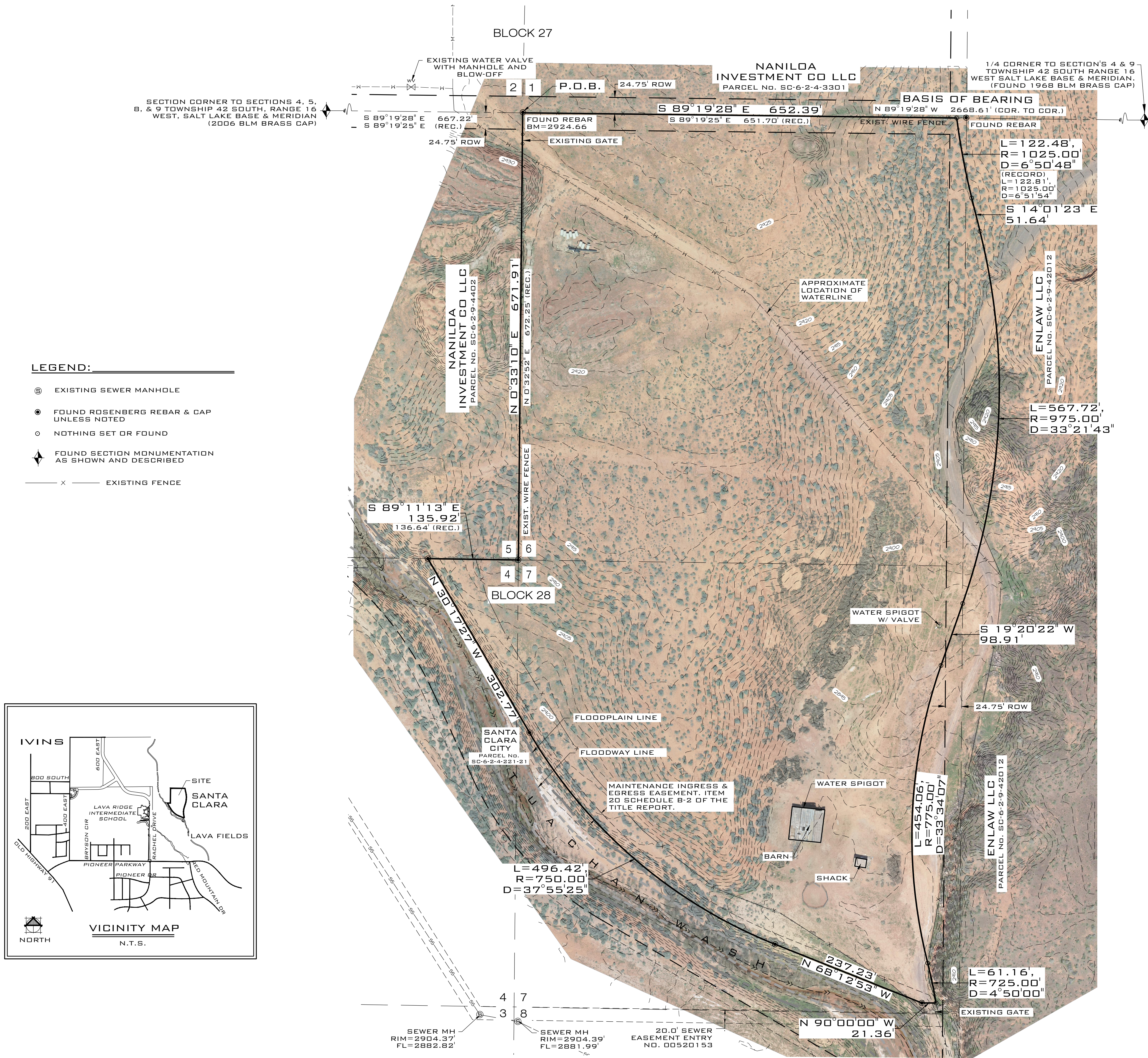
ADOPTED and approved by a duly constituted quorum of the Santa Clara City Council this 18th day of November 2020.

IN WITNESS, THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder



- LEGEND:**
- EXISTING SEWER MANHOLE
 - FOUND ROSENBERG REBAR & CAP UNLESS NOTED
 - NOTHING SET OR FOUND
 - FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED
 - EXISTING FENCE



NARRATIVE:

THIS SURVEY WAS CONDUCTED AT THE REQUEST OF THE CLIENT TO PROVIDE AN ALTA/ACSM LAND TITLE SURVEY. THE BASIS OF BEARING IS AS NOTED.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY TO REGAL REALSOURCE, LLC, A UTAH LIMITED LIABILITY COMPANY, ENLAW, LLC, A DELAWARE LIMITED LIABILITY COMPANY & FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, INCLUDING ITEMS 3, 4, 5, 11, 13, 15, 16, 19 & 20 OF TABLE A. THE FIELD WORK WAS COMPLETED ON APRIL 4, 2020.

DATE: 4-07-20

LEGAL DESCRIPTION:

AREA 7 AND AREA 8:
BEGINNING AT A POINT BEING SOUTH 89°19'25" EAST 567.22 FEET ALONG THE SECTION LINE FROM THE NORTHWEST QUARTER CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°19'25" EAST 651.70 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°51'53" HAVING A RADIUS OF 1025.00 FEET (RADIUS POINT BEARS NORTH 82°50'31" EAST); AND WHOSE CHORD BEARS SOUTH 10°35'26" EAST 122.73 FEET; THENCE ALONG THE ARC OF SAID CURVE 122.81 FEET; THENCE SOUTH 14°01'23" EAST 51.64 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 33°21'43" HAVING A RADIUS OF 975.00 FEET (RADIUS POINT BEARS SOUTH 75°58'39" WEST); AND WHOSE CHORD BEARS SOUTH 02°39'29" WEST 559.74 FEET; THENCE ALONG THE ARC OF SAID CURVE 567.72 FEET; THENCE SOUTH 19°20'22" WEST 98.91 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A CENTRAL ANGLE OF 33°34'07" HAVING A RADIUS OF 775.00 FEET (RADIUS POINT BEARS SOUTH 70°39'38" EAST); AND WHOSE CHORD BEARS SOUTH 02°33'18" WEST 447.59 FEET; THENCE ALONG THE ARC OF SAID CURVE 454.06 FEET TO THE BEGINNING OF A REVERSE CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 04°50'01" HAVING A RADIUS OF 725.00 FEET (RADIUS POINT BEARS SOUTH 75°46'14" WEST); AND WHOSE CHORD BEARS SOUTH 11°48'45" EAST 61.16 FEET; THENCE ALONG THE ARC OF SAID CURVE 61.16 FEET; THENCE NORTH 90°00'00" WEST 21.36 FEET; THENCE NORTH 68°12'53" WEST 237.23 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37°55'25" HAVING A RADIUS OF 750.00 FEET (RADIUS POINT BEARS NORTH 21°47'07" EAST); AND WHOSE CHORD BEARS NORTH 49°15'10" WEST 487.41 FEET; THENCE ALONG THE ARC OF SAID CURVE 496.42 FEET; THENCE SOUTH 302°77" WEST 302.77 FEET; THENCE SOUTH 89°11'13" EAST 136.64 FEET; THENCE NORTH 00°32'52" EAST 672.25 FEET TO THE POINT OF BEGINNING.

EASEMENTS AND SERVITUDES PER SCHEDULE B - SECTION 2:

- ITEM 11: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR SEWER FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO CITY OF ST. GEORGE, CITY OF SANTA CLARA, AND THE TOWN OF IVINS BY INSTRUMENT RECORDED DECEMBER 28, 1990 AS ENTRY NO. 376440 IN BOOK 585 AT PAGE 359 OF OFFICIAL RECORDS. - IT IS NOT ON, OR DOES NOT TOUCH, THE SURVEYED PROPERTY
- ITEM 15: ANY COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS CONTAINED WITHIN THOSE CERTAIN DECLARATIONS RECORDED FEBRUARY 06, 1996 AS ENTRY NO. 522642 IN BOOK 972 AT PAGE 165 OF OFFICIAL RECORDS, AND ANY AMENDMENTS THERETO, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604(c). - NOTHING TO PLOT.
- ITEM 16: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR MAINTAIN CULINARY WATERLINE AND INCIDENTAL PURPOSES AS GRANTED TO CITY OF SANTA CLARA BY INSTRUMENT RECORDED JANUARY 06, 1997 AS ENTRY NO. 553896 IN BOOK 1066 AT PAGE 161 OF OFFICIAL RECORDS - IT IS NOT ON, OR DOES NOT TOUCH, THE SURVEYED PROPERTY
- ITEM 20: AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PUBLIC TRAILS AND INCIDENTAL PURPOSES, AS GRANTED TO CITY OF SANTA CLARA BY INSTRUMENT RECORDED SEPTEMBER 09, 2013 AS ENTRY NO. 20130034238 OF OFFICIAL RECORDS. - PLOTTED
- ITEM 21: MEMORANDUM OF CART PATH EASEMENT AND AGREEMENTS RECORDED DECEMBER 09, 2015 AS ENTRY NO. 20150042575 OF OFFICIAL RECORDS. IT IS NOT ON, OR DOES NOT TOUCH, THE SURVEYED PROPERTY

TABLE A STATEMENT OF INFORMATION:

- ITEM 3: FLOOD ZONE CLASSIFICATION - THE SURVEYED PARCEL IS LOCATED WITHIN ZONE "X", "X" WHICH IS DEFINED AS 'AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN', AND SUCH FLOOD CONDITION IS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAPS, (LOMR) CASE NO. 19-08-0375P, DATED DECEMBER 31, 2019.
- NOTE: SAID ZONE DETERMINED BY DEPICTED SCALE MAP LOCATION AND GRAPHIC PLOTTING ONLY
- ITEM 4: THE TOTAL GROSS AREA OF THE SITE IS 18.37 ACRES..
- ITEM 5: VERTICAL RELIEF WITH THE SOURCE OF INFORMATION (UAV AERIAL SURVEY), CONTOUR INTERVAL = 1 FOOT, DATUM, BENCHMARK IS A REBAR AT THE NORTHWEST CORNER OF THE PROPERTY = 2924.66.
- ITEM 11: LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY: OBSERVATION
- ITEM 15: RECTIFIED ORTHOPHOTOGRAPHY, PERFORMED BY UNMANNED AERIAL VEHICLE (UAV) IN CONJUNCTION WITH AERIAL PANELS SET AND LOCATED WITH STANDARD GPS WITH RELATION TO THE BOUNDARY. THIS AERIAL WAS PERFORMED ON APRIL 4, 2020.
- ITEM 16: EVIDENCE OF RECENT EARTH MOVING WORK, BUILDINGS CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. - NONE OBSERVED.
- ITEM 17: INCLUDE ANY PLOTTABLE OFFSITE (I.E., APPURTENANT) EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR AS A PART OF THE SURVEY PURSUANT TO SECTIONS 5 AND 6 - NOTHING PROVIDED

COMMITMENT FOR TITLE INSURANCE:

PREPARED PURSUANT TO FIRST AMERICAN TITLE INSURANCE COMPANY, EFFECTIVE DATE JULY 30, 2019, FILE NUMBER: 301-5987660.

LOCATED IN THE N.W. 1/4 OF SECTION 9
T.42 S., R.16 W., S.L.B.&M.

DATE: 4/01/2020
JOB NO.: 4828-20-049
DRAWN BY: B.E.A.
CHECKED BY: B.E.A.
SCALE: 1"=80'
DWG: SURVEY-ALTA

DATE: _____
REVISIONS: _____
ROSENBERG ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS
352 EAST RIVERBIDE DRIVE, SUITE A-2 ST. GEORGE, UTAH 84790
PH (435) 673-8586
FX (435) 673-8397
WWW.RACIVIL.COM

ALTA/ACSM LAND TITLE SURVEY
FOR
REGAL REALSOURCE, LLC
SHEET
1
OF 1 SHEETS

Site Summary :		Unit Mix :	Parking Required :	Parking Provided :
Total Homes	: 200	Plan 1 (1 BR Carriage) : 28 (14.0%) Plan 2 (1 BR) : 52 (26.0%) Plan 3 (2 BR) : 120 (60.0%) Total : 200	2.0 Spaces / Home x 200 = 400 Total Required = 400 (2.0:1)	Garage Spaces = 70 Carport Spaces = 134 Uncovered Spaces = 200 Total Provided = 404
Gross Site Area	: ± 16.65 Acres			
Gross Density	: ± 12.01 Homes per Acre			
Net Site Area	: ± 15.76 Acres			Overall Parking Ratio = 2.02:1
Net Density	: ± 12.69 Homes per Acre			



ILLUSTRATIVE SITE PLAN

REGAL LIVING AT BLACK DESERT

Santa Clara, Utah

0 30 60 120
SCALE: 1" = 60'-0"

816.20088

Note:
This yield study is for the purpose of estimating the maximum density of a residential product type on a site of a given configuration. If specific entitlement requirements differ from the criteria shown on the plan (such as setbacks, minimum lot sizes, street standards, retention requirements, etc.) then the actual possible density may vary substantially.

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 3

November 18, 2020



APPLICANT:

Corey Bundy

SUBJECT:

Affordable

Housing

BACKGROUND DESCRIPTION:

Request approval of state required Affordable Housing Report. Planning Commission recommended three strategies to comply with state mandate. See attached reports.

Proposed Recommendation

Approval

Cost

N/A

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

N/A

Requested By

Corey L Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/Annual-Moderate-Income-Housing-Report-Form-Fillable-PDF-October2305843009219964137.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/SC-Afford-Housing-Report-to-State-Dec-2020.docx>, <https://sccity.org/wp-content/uploads/formidable/41/State-MIH-report-form-for-Dec-2020.docx>

REQUEST FOR COUNCIL ACTION AGENDA ITEM 4

November 18, 2020



APPLICANT: Kristen Voro's (Harmon's Rep)

SUBJECT:

Request approval for project plan for the proposed Mo Bettahs restaurant and Swig drink shop in the PDC Zone.

BACKGROUND DESCRIPTION:

Request site plan approval for proposed Mo Bettahs restaurant and Swig drink shop in the PDC Zone. See staff report for Description.

Proposed Recommendation

Approval

Cost

N/A

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

Increased tax based on sales.

Requested By

Corey L Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/CC-agenda-rpt-11-18-20-Project-Plan-for-Swigg-MoBettah-in-PD-Commercial-zone.docx>

City Council agenda report for 11/18/20; Consider a Project Plan which consists of a site plan and building elevation drawings for a Swig Drive-in and a MoBettah's restaurant in a Planned Development Commercial zone located at approximately 3510 Pioneer Parkway, Pad 'C' in front of the Harmons Store.

Zone: PD Commercial

General Plan designation: Main Street Commercial

Acres: 0.93 acres

Applicant: Kristen Voros, representing Harmons

Project Designer: Kristen Voros, AIA

Project location: Pad C in front of Harmons Store on Pioneer Parkway

PD-Commercial Zone: The applicant requests approval of the site plan and building elevation drawings for a Swig Drive-in restaurant and a MoBettah's restaurant on pad C in front of the Harmons Store on Pioneer Parkway. **The PD-Commercial zone requires that the PC hold a public hearing on the Project Plan which consists of both a site plan and building elevation drawings for the proposed restaurants occupying one building.** The PC should make a recommendation to the City Council regarding the proposed Project Plan.

Use: The PD-C zone lists "Restaurants, or other Eating or Drinking Establishment" as a Permitted Use.

Site Plan: The proposed 4,081 sq. ft single-level (with flat roof) building will house the two eating / drinking establishments mentioned above. The building is 26' in height and has an exterior of synthetic stucco and two brick colors (black and red) and an ebony colored split-face CMU. The colors are intended to complement Harmons store and reflects the red hills and black lava common to Santa Clara.

There are 29 parking spaces for employees and customers, plus access to the common area parking in front of the Harmons store. The City parking standards require 1 parking space per 100 sq. ft of gross floor area which would translate to 40 parking spaces. The applicant provides 29 spaces on the acre pad site and the other 11 parking spaces are available in the common area parking.

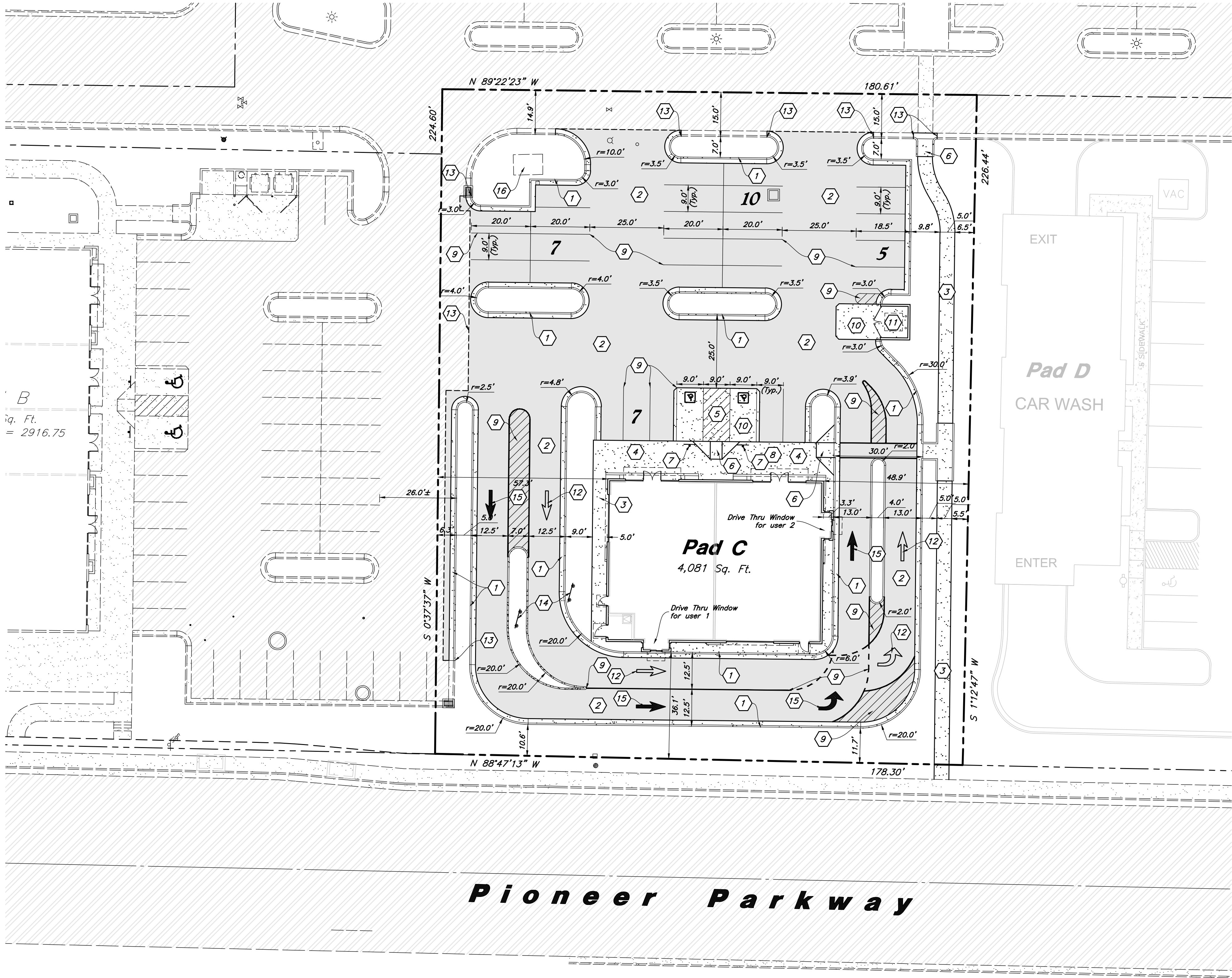
The site plan shows two 12.5' wide drive thru lanes, one of which is partially within the front setback area. The existing 16' wide landscape strip at the front of lot (near Pioneer Parkway) will be reduced by 5' for an additional 5' of sidewalk width (10' wide sidewalk). The 11' wide landscape strip along Pioneer Parkway will be augmented with other landscaping elsewhere on the site. Overall, 20% of the site is in landscaping according to the site plan legend. The landscape areas include the islands within the parking lot. The parking lot lights should be shielded (hooded) to prevent light pollution off-site.

Building Elevation Drawings: The 26' tall building has an exterior of synthetic stucco (EFS) and three types of brick and CMU (split-face block) which provide a red, black, and dark gray

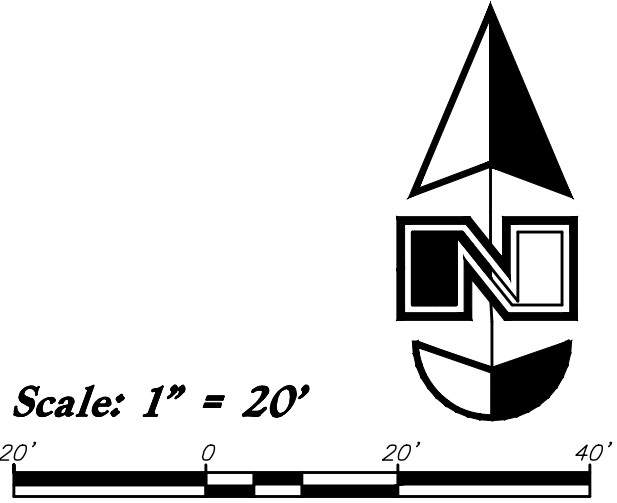
exterior which should be a pleasant color complementing the Harmons Store and the natural surroundings.

Staff Recommendation: Landscaping is critical to the appearance of this property and others along Pioneer Parkway and Rachel Drive. The landscape requirement in the PD-C zone is to landscape the area between the curb and 20' front setback line, with the inclusion of the sidewalk width. The 20' front setback line is measured from the front property line. In this case, one of the drive thru lanes extends into the front setback area. Because this site has 20% landscaping throughout the site, the PC and CC may reduce the front landscape strip to no less than 10' wide; the plan shows an approximately 11' wide planter strip along Pioneer Parkway. The landscape accommodation will allow the drive thru lane to extend into the front setback area as shown on the proposed site plan.

PC Action: The PC recommends approval of the proposed Project Plan (site plan and building elevation drawings) with a drive-thru lane within the front setback area on the condition that the installation of the project landscaping matches the landscape plan presented to the PC.



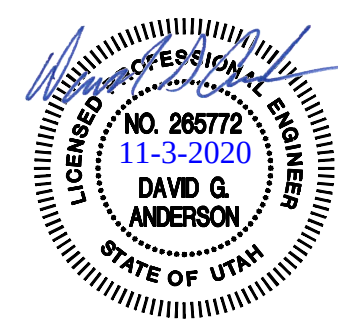
Site Data
Site Area = 40,470 s.f. (0.93 ac.)
Landscape Area Provided = 8,124 s.f. (20%)
Impervious Area Provided = 28,265 s.f. (70%)
Building Area = 4,081 s.f. (10%)
Parking Provided = 29 stalls (7.1/1,000)



- Site Construction Notes**
- 1 Const. 24" Curb & Gutter
 - 2 Const. Asphalt Paving
 - 3 Const. Conc. Sidewalk
 - 4 Const. Thickened Edge Sidewalk
 - 5 Const. Accessible Striping per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes)
 - 6 Const. Accessible Ramp per ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes)
 - 7 Const. Accessible Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes)
 - 8 Const. Accessible VAN Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes)
 - 9 Const. 4" White Paint Stripe (Typ.) Contractor shall provide 15 mils min. thickness
 - 10 Const. Conc. Paving
 - 11 Dumpster Enclosure (See Arch. Plans)
 - 12 Const. Directional Arrows per MUTCD for User 1
 - 13 Conn. & Match Existing Improvements
 - 14 Const. Orderboards (See Arch. Plans)
 - 15 Const. Directional Arrows per MUTCD for User 2
 - 16 Existing electrical box to remain

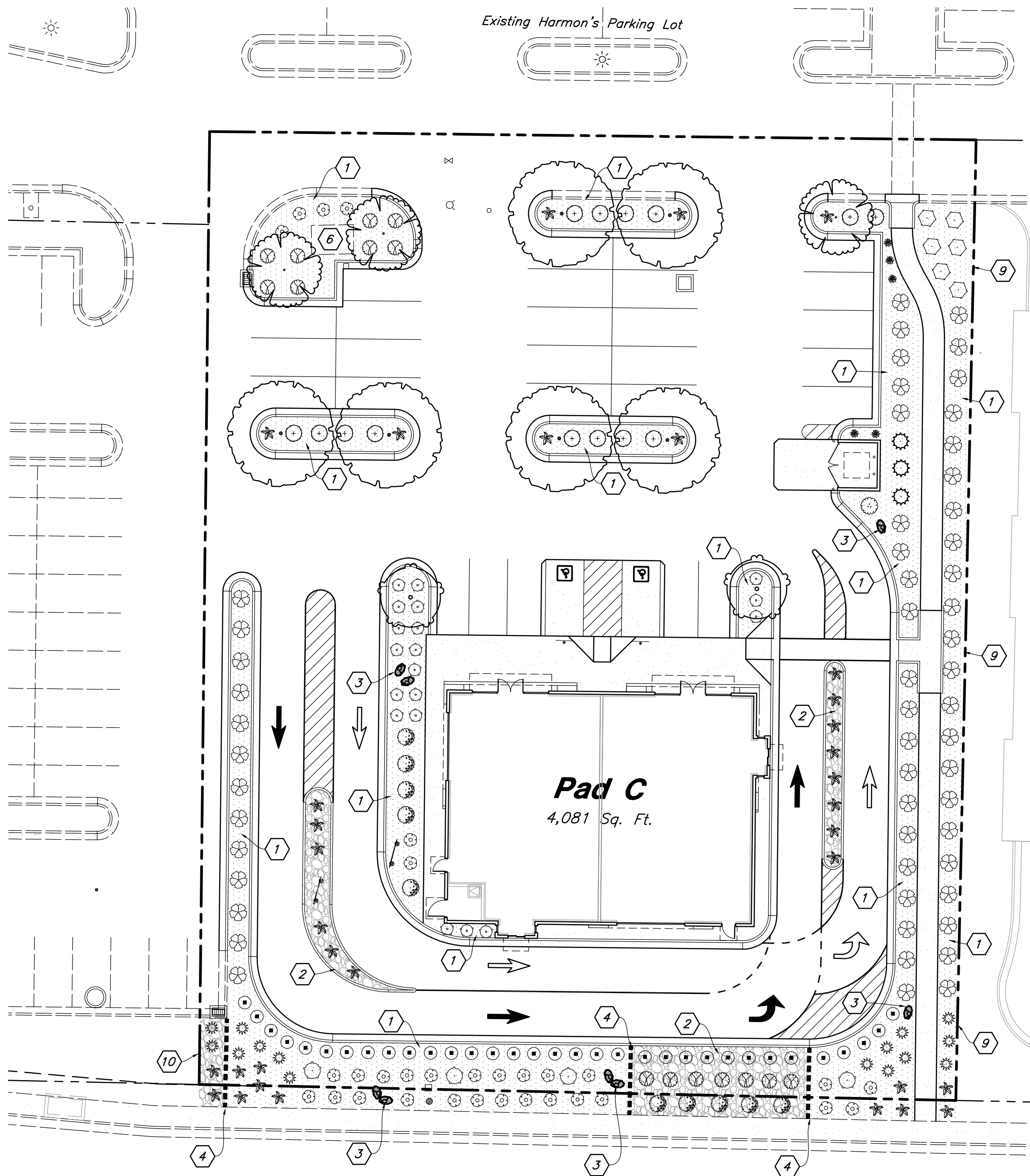
ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWaEngineering.net

Site Plan
Harmons Pad C
3520 West Pioneer Parkway
Santa Clara, Utah



3 Nov, 2020
SHEET NO.
C1.1

HARMONS



Pioneer Parkway

General Landscape Notes:

- Plant material quantities are provided for bidding purposes only. It is the contractors responsibility to verify all quantities listed on the plans and the availability of all plant materials and their specified sizes prior to submitting a bid. The contractor must notify the Landscape Architect prior to submitting a bid if the contractor determines a quantity deficiency or availability problem with specified material. The contractor shall provide sufficient quantities of plants equal to the symbol count or to fill the area shown on the plan using the specified spacing. Plans take precedence over plant schedule quantities.
- Contractor shall call Blue Stake before excavation for plant material.
- Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. It shall be the responsibility of the contractor to protect all utility lines during the construction period, and repair any and all damage to utilities, structures, site appurtenances, etc. which occurs as a result of the landscape construction.
- The landscape contractor shall examine the site conditions under which the work is to be performed and notify the general contractor in writing of unsatisfactory conditions. Do not proceed until conditions have been corrected.
- The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
- See civil and architectural drawings for all structures, hardscape, grading, and drainage information.
- Contractor safety and cleanup must meet OSHA standards at all times. All contractors must have adequate liability, personnel injury and property damage insurance. Clean-up must be performed daily, and all hardscape areas must be washed free of dirt and mud on final cleanup. Construction must occur in a timely manner.
- All new plant material shall conform to the minimum guidelines established by the American Standard for Nursery Stock Published by the American Association of Nurseryman, Inc. In addition, all new plant material shall be of specimen quality.
- The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the plans and specifications.
- Any proposed substitutions of plant species shall be made with plants of equivalent overall form, height, branching habit, flower, leaf, color, fruit and culture only as approved by the Landscape Architect.

- It is the contractors responsibility to furnish all plant materials free of pests or plant diseases. It is the contractor's obligation to maintain and warranty all plant materials.
- The contractor shall take all necessary scheduling and other precautions to avoid winter, climatic, wildlife, or other damage to plants. The contractor shall install the appropriate plants at the appropriate time to guarantee life of plants
- The contractor shall install all landscape material per plan, notes and details.
- All existing and relocated trees shall be properly protected. Trees damaged during construction shall be replaced at no cost to the owner.
- Plant names are abbreviated on the drawings, see plant schedule for symbols, abbreviations, botanical, common names, sizes, estimated quantities and remarks.
- No grading or soil placement shall be undertaken when soils are wet or frozen.
- Imported topsoil shall be used for all landscape areas. The topsoil must be a premium quality dark sandy loam, free of rocks, clods, roots, and plant matter. The landscape contractor shall perform a soil test on the imported topsoil and amend per soil test recommendations. The soil test shall be done by a certified soil testing agency.
- Prior to placement of topsoil in all landscaping areas, all subgrade areas shall be loosened by scarifying the soil to a depth of 6 inches in order to create a transition layer between existing and new soils.
- Provide 8 inch depth of imported topsoil in shrub areas.
- All plant material holes shall be dug twice the diameter of the rootball and 6 inches deeper. Excavated material shall be removed from the site and replaced with plant backfill mixture. The top of the root balls, shall be planted flush with the finish grade.
- Plant backfill mix shall be composed of 3 parts topsoil to 1 part soil conditioner, and shall be mixed at the planting hole. Deep water all plant material immediately after planting. Add backfill mixture to depressions as needed.

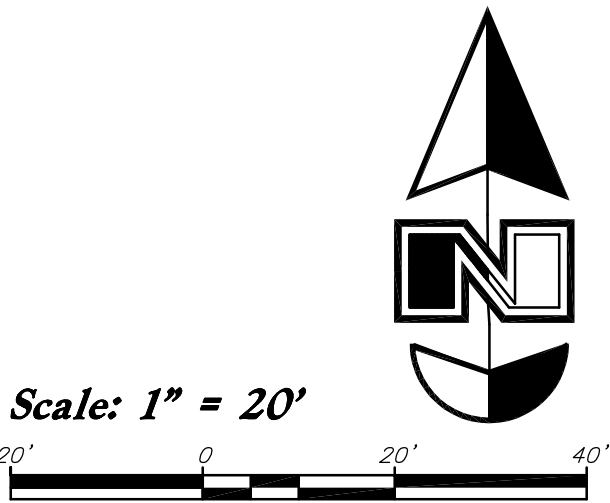
- All new plants shall be balled and burlapped or container grown, unless otherwise noted on plant schedule. Container grown trees shall have the container cut and removed. Trees in ball and burlap shall have the strings, burlap or plastic cut and pulled away from the trunk exposing 1/3 of the root ball. For trees in wire baskets, cut and remove the wire basket.
- Upon completion of planting operations, all landscape areas with trees, shrubs, and perennials, shall receive specified stone over Dewitt Pro5 Weed Barrier. Stone shall be evenly spread on a carefully prepared grade free of weeds. The top of stone should be slightly below finish grade and concrete areas.
- All deciduous trees shall be double staked per tree staking detail. It is the contractors responsibility to remove tree staking in a timely manner once staked trees have taken root. Deciduous tree ties to be V.I.T. Cinche Ties #CT32.
- The contractor shall comply with all warranties and guarantees set forth by the Owner, and in no case shall that period be less than one year following the date of completion and final acceptance.

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	SIZE
	3	Chitalpa x tashkentensis 'Pink Dawn' / Pink Dawn Chitalpa	24" Box; Multi-Trunk
	3	Cupressus sempervirens / Italian Cypress	24" Box 6-8' Ht.
	6	Pistacia x 'Red Push' / Red Push Chinese Pistache	24" Box 8-10' Ht.
	2	Pyrus calleryana 'Bradford' / Bradford Flowering Pear	2" Cal. / 6-8' Ht.
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
	1	Caesalpinia gilliesii / Yellow Bird of Paradise	5 gal
	4	Dasyllirion wheeleri / Grey Desert Spoon	5 gal
	5	Euphorbia rigida / Gopher Plant	1 gal
	6	Hesperaloe parviflora / Red Yucca	5 gal
	10	Juniperus horizontalis 'Blue Chip' / Blue Chip Juniper	5 gal
	14	Leucophyllum candidum 'Silver Cloud' TM / Silver Cloud Texas Ranger	5 gal
	55	Leucophyllum langmaniae 'Rio Bravo' TM / Rio Bravo Texas Ranger	5 gal
	15	Muhlenbergia emersleyi / Bullgrass	1 gal
	33	Muhlenbergia rigens / Deer Grass	5 gal
	15	Myrtus communis 'Compacta' / Dwarf Myrtle	5 gal
	19	Rhaphiolepis indica 'Clara' / White Indian Hawthorn	5 gal
	33	Rhaphiolepis indica 'Pink Lady' / Pink Lady Indian Hawthorn	5 gal
	31	Rosa x 'Noare' / Flower Carpet Red Groundcover Rose	5 gal

MATERIAL SCHEULE

- Decorative Stone #1 - Install a Four (4) Inch Depth Over Dewitt Pro5 Weed Barrier in all Shrub Areas Where Specified on Plan; Stone Shall be 2-4" Diameter Rebel Red Chunky Rock (Washed); Match Existing Used in Commercial Center; See Keynote #1
- Decorative Stone #2 - Install a Three (3) Inch Depth Over Dewitt Pro5 Weed Barrier in all Shrub Areas Where Specified on Plan; Stone Shall be 1" Diameter Apache Gold Rock (Washed); Match Existing Used in Commercial Center; See Keynote #2
- 3-4' Dia. Fractured Decorative Landscape Boulder - Color Shall be Tan and to Match Apache Tan Stone; All Boulders Shall be Washed; Submit Photo for Approval; See Keynote #3
- 3/16" x 4" Steel Edging - Install Flush to all Concrete Edges between Different Types of Decorative Stone in Shrub Areas; Manufacturer Shall be Sure-Loc Inc.; Color Shall be Black. See Keynote #4



Landscape Data
Zone: Commercial
Site Area = 40,470 s.f. (0.93 ac.)
Landscape Area Provided = 8,124 s.f. (20%)

Landscape Notes:

- See Sheet L3.1 for Landscape Details.
- All Landscape Material Shall be Fully Irrigated by an Automatic Irrigation System. All Shrub Areas Shall be Watered by a Point Source Drip System. See Irrigation Sheet L2.1 for Layout. See Sheet L3.1 for Details.
- Adjust Plant Material as Needed to Accommodate Existing and Proposed Utilities. Adhere to Required Utility Setbacks.
- All Areas Disturbed by Construction Shall be Landscaped and Not Left Undone. Coordinate LA as Needed for Areas in Question.

Landscape Keynotes

- Install Shrub Planter With Decorative Stone #1
- Install Shrub Planter With Decorative Stone #2
- Install Landscape Boulder
- Install Decorative Steel Edging
- New Monument Sign by Separate Permit
- Existing Electrical Transformer - See Elect. Plans
- New Light Pole - See Site Electrical Plan
- Backflow Preventer Enclosure - See Irrigation Plan for More Detail
- Provide Nice Clean Edge Between New Landscape and Undeveloped Areas
- Existing Landscape; Blend New into Existing

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Landscape Plan
Harmons Pad C
3520 West Pioneer Parkway
Santa Clara, Utah



3 Nov, 2020

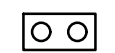
SHEET NO.

L1.1

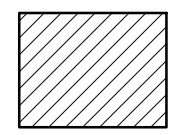
ROOF LEGEND

NOTE:

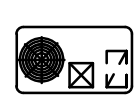
- CONTRACTOR RESPONSIBLE TO PATCH, REPAIR, SEAL AND FLASH ALL ROOF PENETRATIONS, INCLUDING BUT NOT LIMITED TO ELECTRICAL, PLUMBING, MECHANICAL, REFRIGERATION STRUCTURAL AND SIGNAGE PENETRATIONS.
- ALL ROOF TOP EQUIPMENT TO BE A MINIMUM OF 10'-0" FROM ANY ROOF EDGE.
- REFER TO DETAILS 7, 14, 15 AND 16 ON SHEET A0.2 FOR TYPICAL FLASHING DETAILS.
- MAINTAIN 1/4" PER FOOT MINIMUM SLOPE AT FLEXIBLE MEMBRANE ROOF.



RD/ORD: ROOF DRAIN AND
SECONDARY ROOF DRAIN. RE:
13/A0.2



CRICKET OF TAPERED RIGID INSULATION CONSTRUCT
W/ MIN. POSITIVE SLOPE OF 1/2" PER FT. AND TO
DIMENSIONS INDICATED. AT SMALLER CRICKETS
WHERE DIMENSIONS ARE NOT INDICATED MAKE WIDTH
EQUAL TO LENGTH. PROVIDE ON UPSIDE SLOPE OF
ALL EQUIPMENT CURBS.



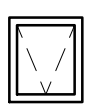
RTU: ROOF TOP UNIT. SEE DETAILS 16/A0.2 FOR
SITE BUILT PLATFORMS. REFER TO MECHANICAL
DRAWINGS FOR PREPARED CURBS. PROVIDE
STEEL FRAME @ OPENINGS AND UNDER CURBS. SEE
STRUCTURAL DRAWINGS.



FLUE PENETRATION SEE DET. 15/A0.2



EF: EXHAUST FAN SEE DET. 16/A0.2.
PROVIDE CURB FOR EQUIPMENT AT ALL
EXHAUST FAN LOCATIONS.



30" X 36" ROOF HATCH. BILCO OR
APPROVED EQUAL

SCOPE OF WORK NOTES

- ALL GYP. IS TYPE "X" UN.O.
- PROVIDE ACOUSTICAL JOINT SEALANTS AT WALL TO WALL INTERSECTIONS, WALL TO FLOOR INTERSECTIONS AND ALL PENETRATIONS IN WALL TYPES SHOWN WITH ACOUSTICAL BATT INSULATION.
- PROVIDE SEPARATION BARRIER BETWEEN ALL DISSIMILAR METALS, TYP.
- REFER TO EXTERIOR ELEVATIONS FOR EXTERIOR FINISH MATERIAL SPECIFICATIONS. REFER TO INTERIOR ELEVATIONS AND INTERIOR FINISH SCHEDULE FOR INTERIOR FINISH MATERIAL SPECIFICATIONS.
- PROVIDE METAL STUD DEFLECTION TRACK AT ALL NON-LOAD BEARING WALLS THAT EXTEND TO B.O. OF ROOF STRUCTURE OR ROOF DECK. RE: STRUCTURAL AND 6/A7.2.
- PROVIDE 4" GRANULAR DRAINAGE FILL OVER 10 MIL. VAPOR BARRIER IN PREPARATION FOR TENANT PROVIDE 4" CONCRETE SLAB.

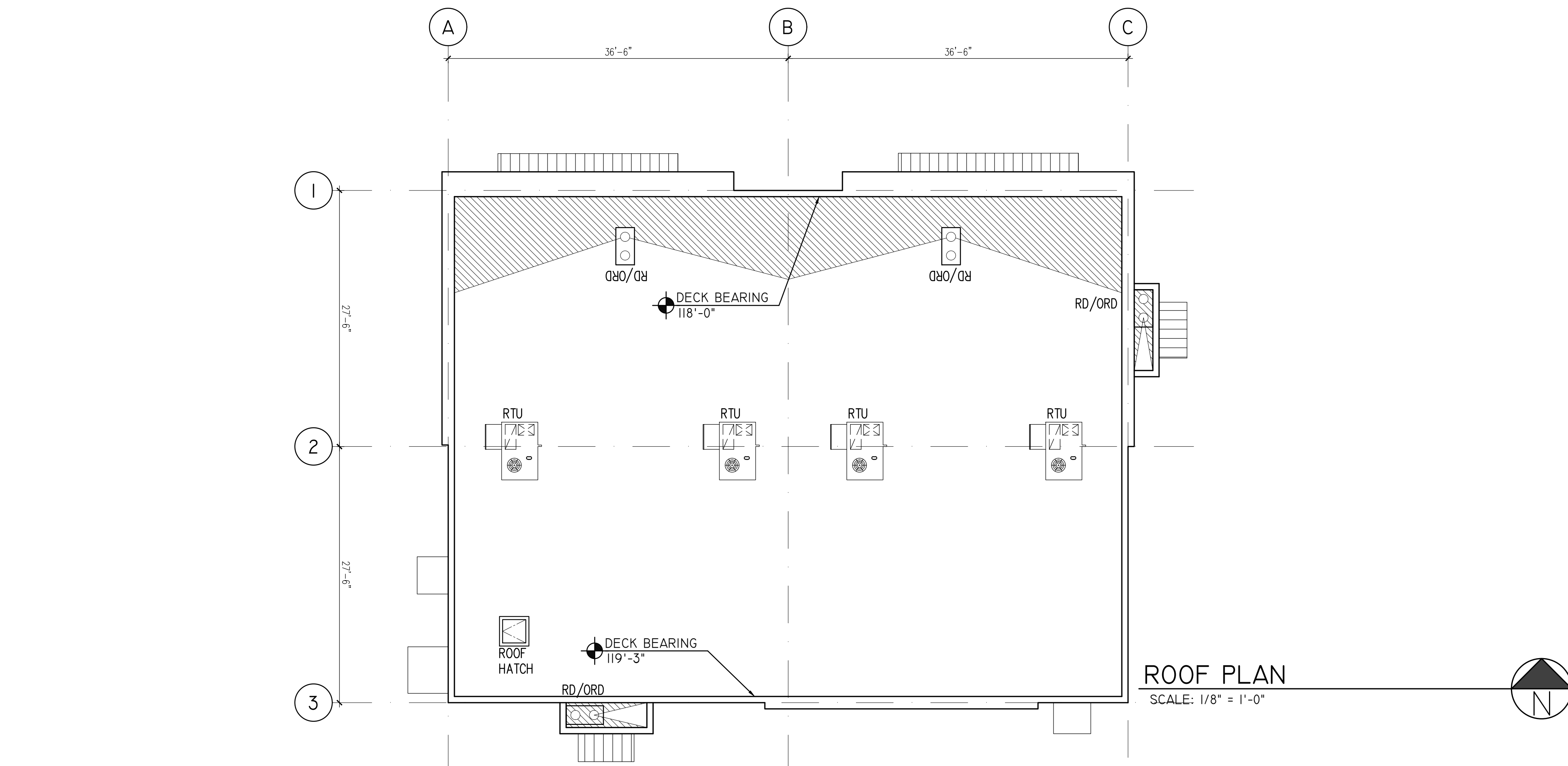
KEYED NOTES

- LINE OF CANOPY ABOVE
- LINE OF SOFFIT ABOVE
- ROOF ACCESS LADDER, RE: 8/A0.2
- ROOF DRAIN AND OVERFLOW ROOF DRAIN PIPES, RE: PLUMBING
- DOWNSPOUT NOZZLE, RE: PLUMBING AND EXTERIOR ELEVATIONS
- GAS METER, RE: PLUMBING AND CIVIL
- ELECTRICAL PANEL, RE: ELECTRICAL
- ELECTRICAL TRANSFORMER PAD, RE: 2/A0.3 AND ELECTRICAL
- ELECTRICAL EQUIPMENT, RE: ELECTRICAL
- FIRE RISER, RE: SPECS.
- FIRE DEPARTMENT CONNECTION
- CANOPY DRAIN, RE: PLUMBING
- 8" CONCRETE FILLED PAINTED STEEL PIPE BOLLARDS, SEE DETAIL 7/A0.3
- 6" CONCRETE WALK, RE: CIVIL
- STEEL COLUMN, RE: STRUCTURAL
- ORDER BOARD, RE: ELECTRICAL
- TRASH ENCLOSURE, RE:

WALL TYPE SCHEDULE

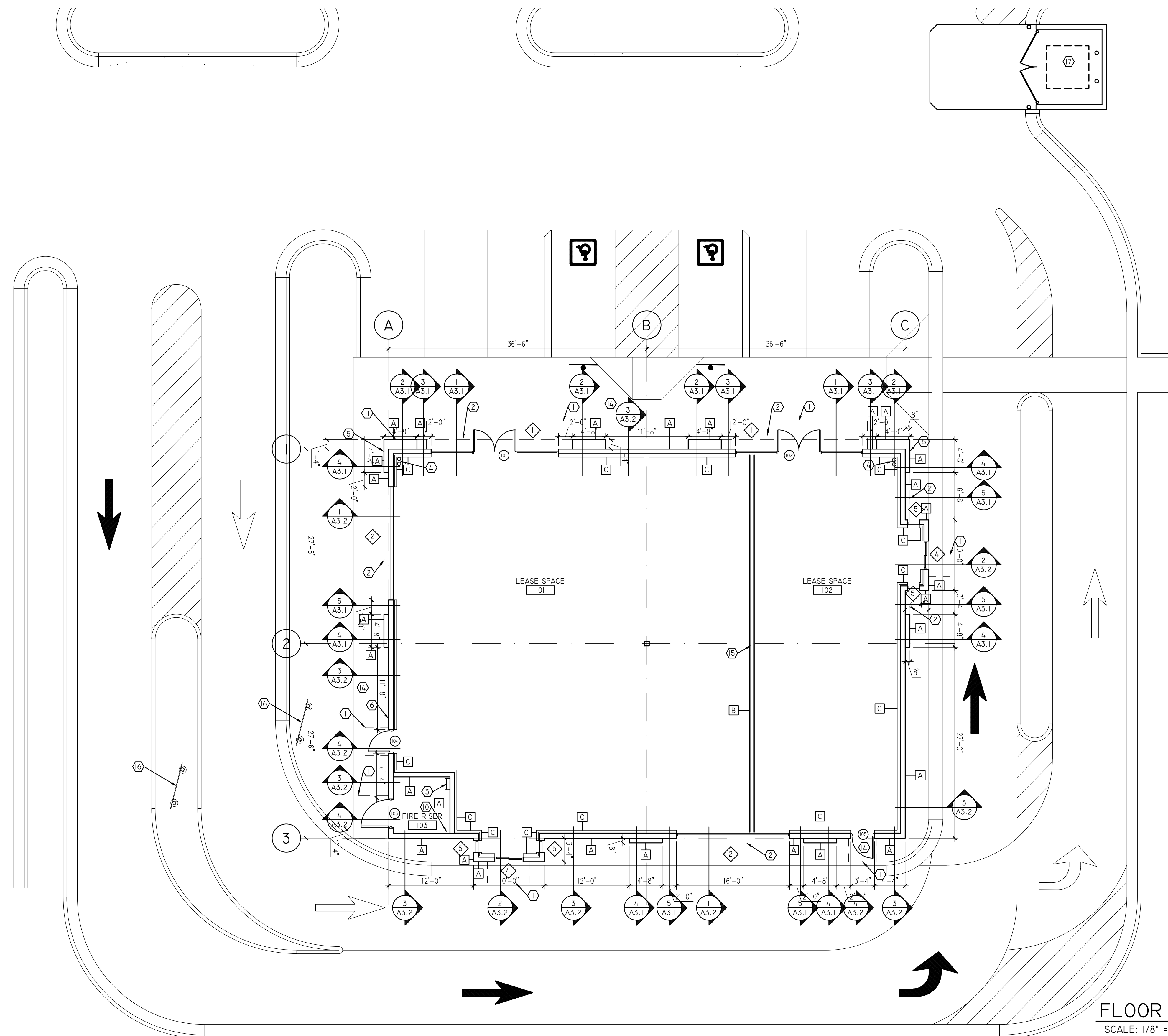
NOTE: REFER TO A2.1 FOR EXTERIOR FINISH AND A6.1 FOR INTERIOR FINISH

- A REINFORCED CMU AND/OR BRICK WALL, RE: STRUCTURAL AND A2.1. PROVIDE PERLITE LOOSE FILL MASONRY INSULATION AT EXTERIOR WALLS. PROVIDE 2" RIGID FOAM INSULATION ON INTERIOR FACE OF EXTERIOR WALLS. SEE SPECS FOR TYPE TO BE USE IN CONCEALED AND EXPOSED APPLICATIONS.
- B 6" METAL STUDS @ 16" O.C. WITH (2) LAYER 5/8" TYPE-X GYP. BOARD ON BOTH SIDES. EXTEND STUDS AND GYP. BOARD TO B.O. ROOF DECK ABOVE. PROVIDE FULL SOUND BATT INSULATION.
- C 3 5/8" METAL STUDS @ 16" O.C. TO B.O. ROOF DECK. PROVIDE FULL BATT INSULATION



ROOF PLAN

SCALE: 1/8" = 1'-0"



FLOOR PLAN

SCALE: 1/8" = 1'-0"

SANTA CLARA SHOPPING CENTER RETAIL BLDG PAD C

3520 PIONEER PKWY
SANTA CLARA, UTAH

MARK	DATE	DESCRIPTION

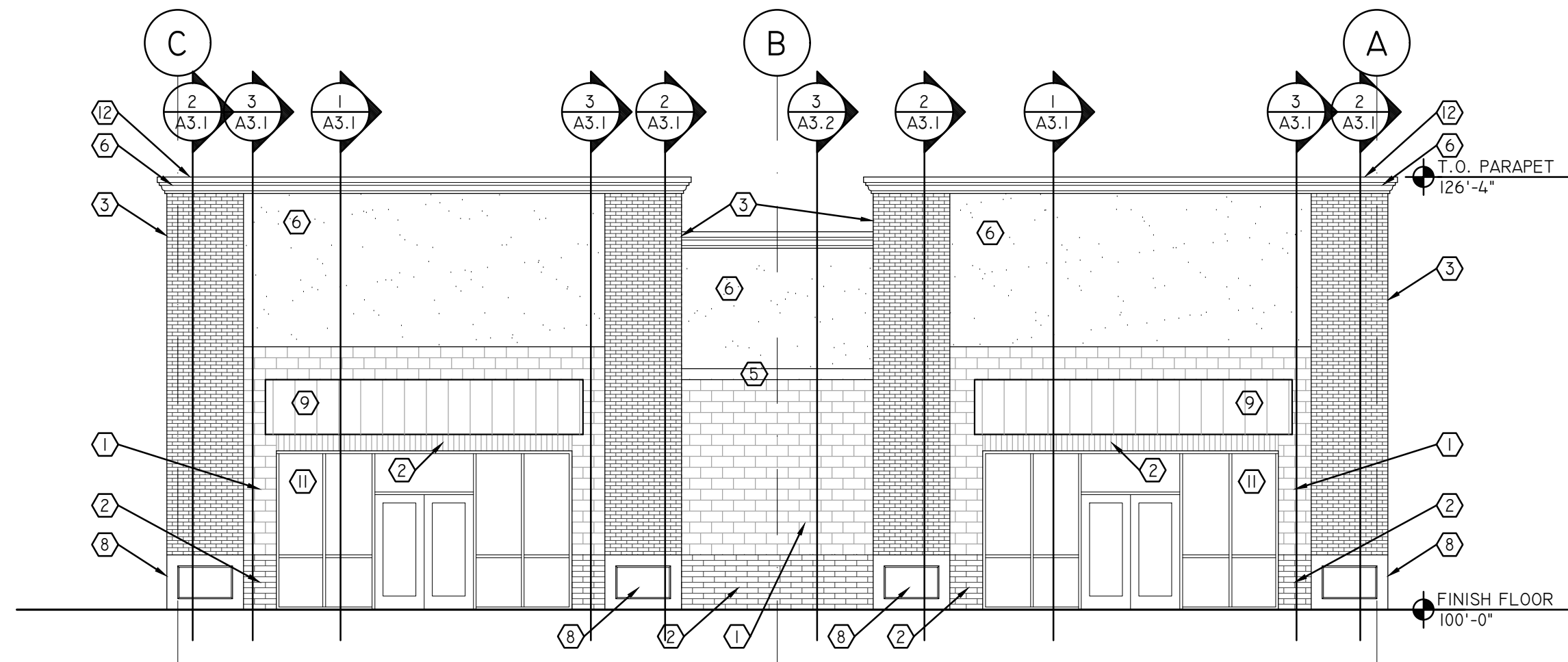
DATE: NOVEMBER 6, 2020
AGENCY PROJECT NO:
DESIGN SEQUENCE PROJECT NO: 1703.01
CAD DWG FILE NO:

DRAWN BY: KV
DESIGNED BY: KV
DWG TYPE:
ARCHITECTURAL PHASE: PERMIT SET

SHEET TITLE

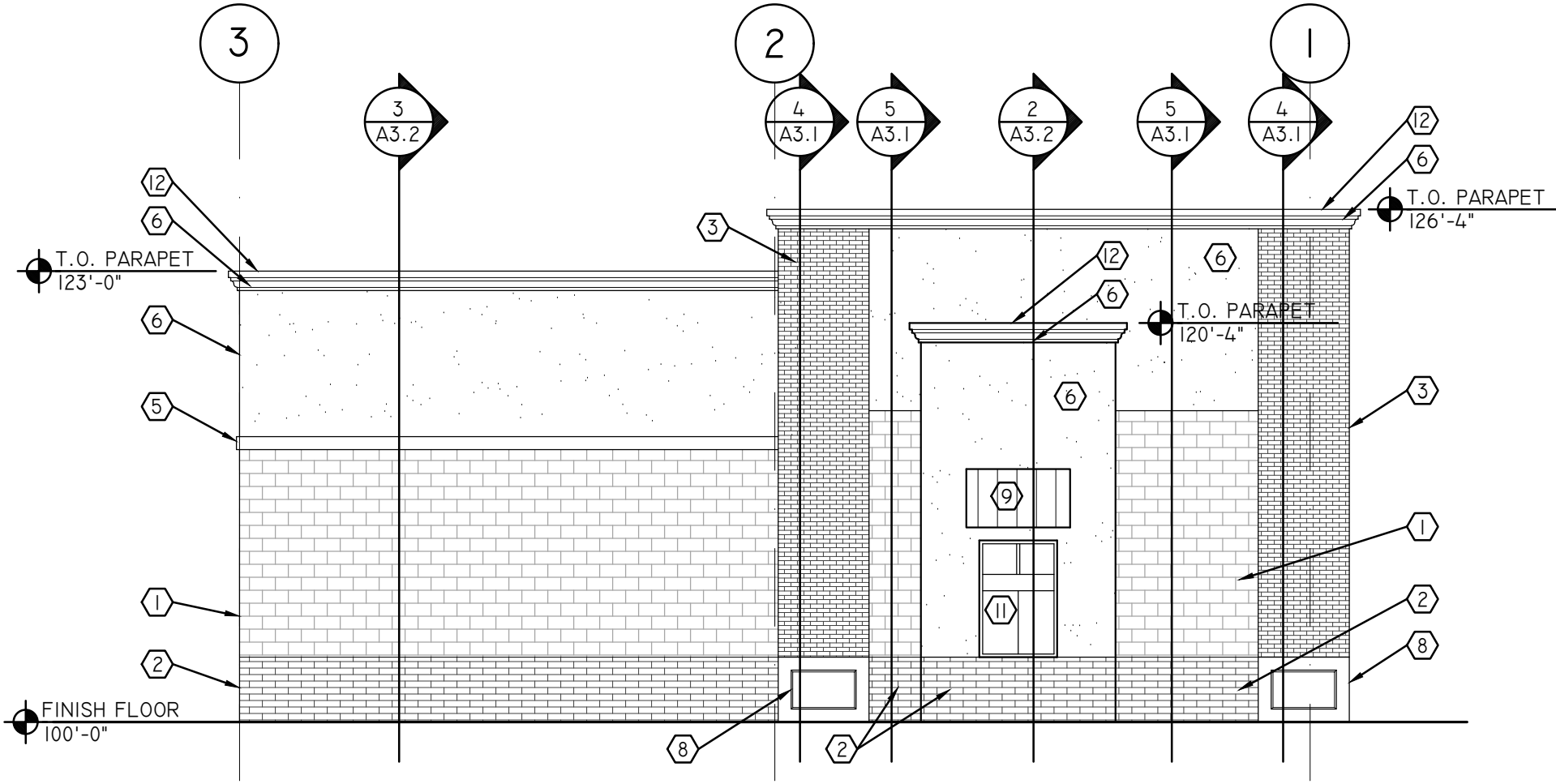
FLOOR PLAN & ROOF PLAN

A1.1



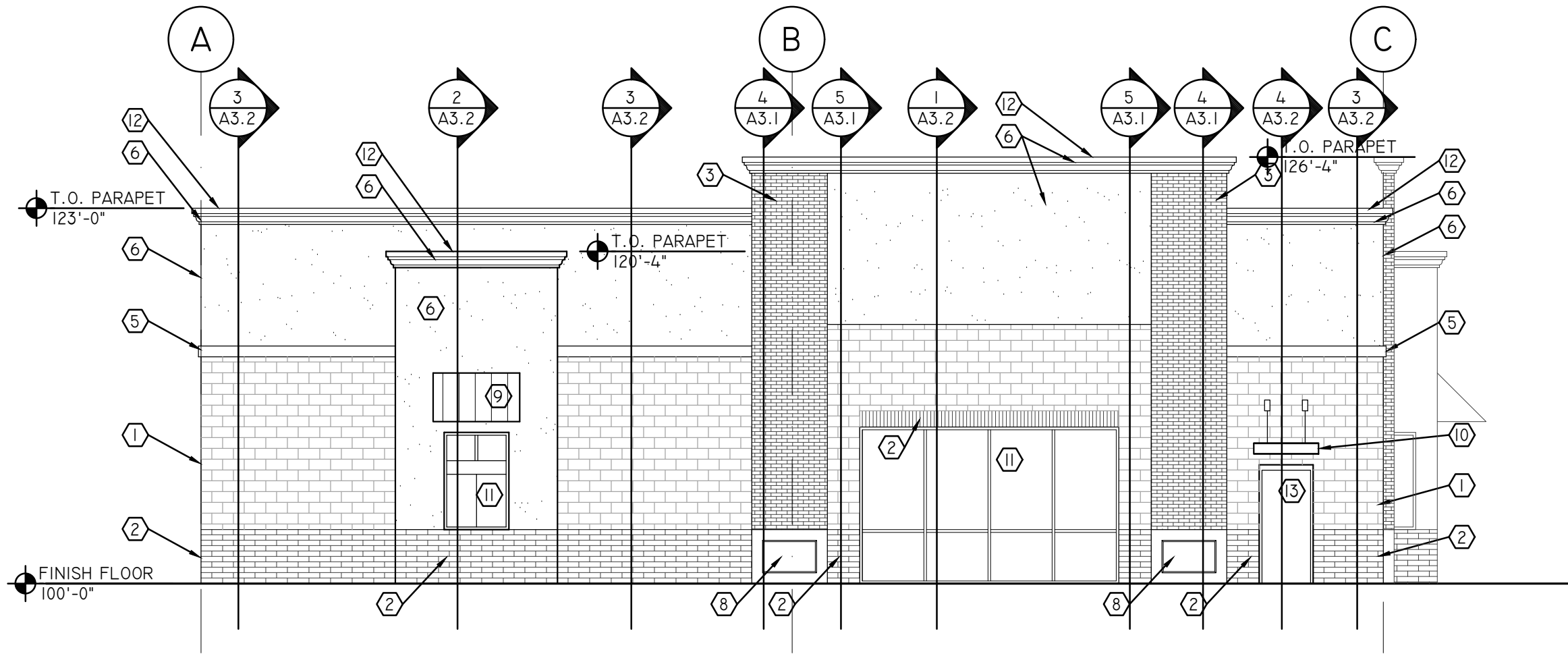
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



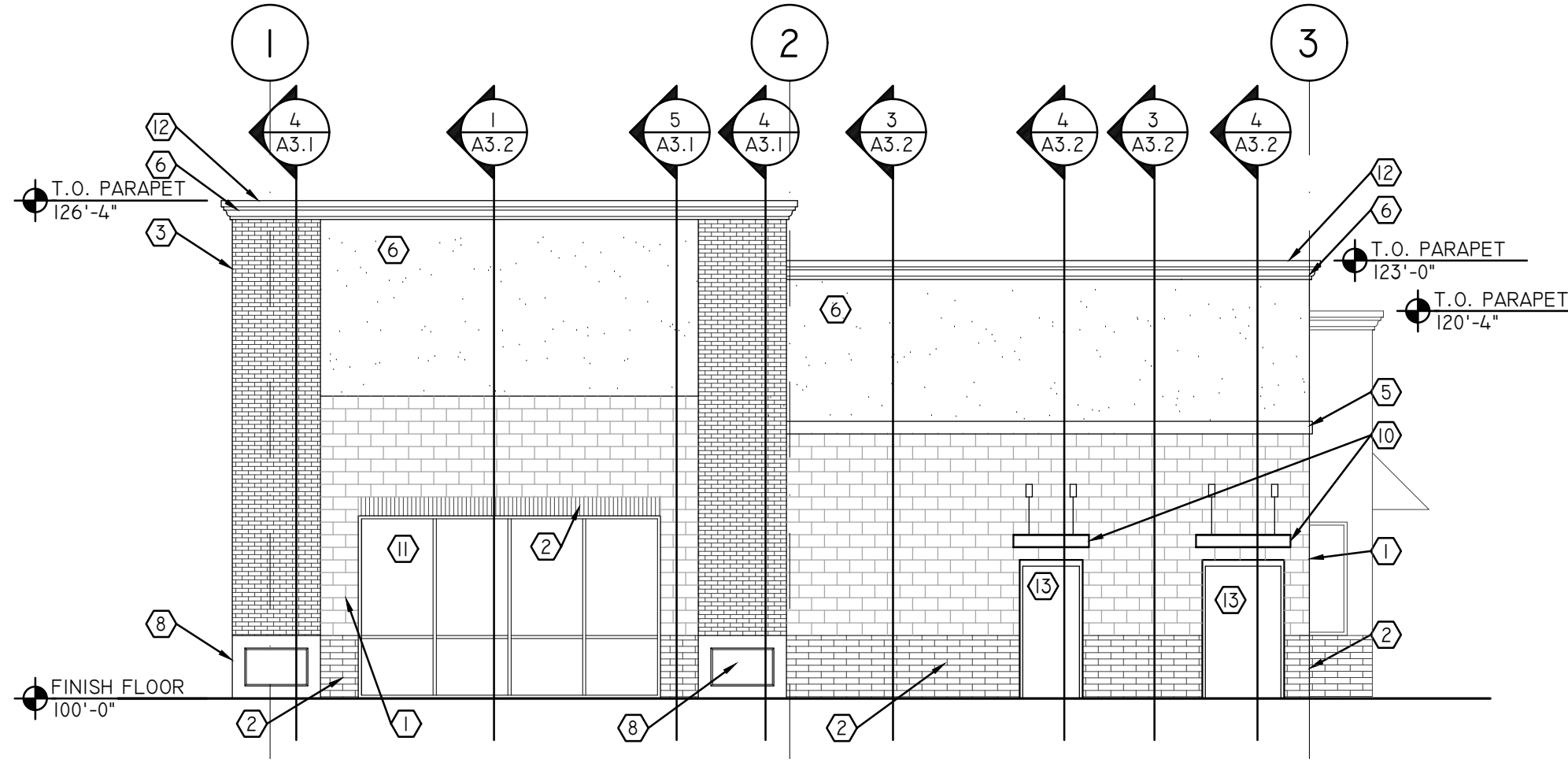
SIDE ELEVATION

SCALE: 1/8" = 1'-0"



BACK ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL SCHEDULE		
MARK	MATERIAL	FINISH/COLOR
①	8" X 16" SPLIT FACE CMU	AMCOR - EBONY
②	2-1/4" X 16" ATLAS BRICK	INTERSTATE BRICK - MIDNIGHT BLACK
③	BRICK VENEER	INTERSTATE BRICK - MOUNTAIN RED
④	-	-
⑤	-	-
⑥	EIFS	MATCH SW 7018 DOVETAIL
⑦	PRECAST CONCRETE SILL	NATURAL
⑧	ARCHITECTURAL FINISH CONCRETE FOUNDATION	NATURAL
⑨	PREFINISHED STRUCTURAL STANDING SEAM METAL ROOFING	DARK BRONZE
⑩	PAINTED STEEL	TBD, VERIFY COLOR
⑪	GLASS AND ALUMINUM STOREFRONT, RE: WINDOW AND DOOR SCHEDULE	DARK BRONZE STOREFRONT WITH CLEAR GLAZING
⑫	PREFINISHED METAL COPING	DARK BRONZE
⑬	PAINTED HM DOOR AND FRAME	TBD, VERIFY COLOR
⑭	COWS TONGUE DOWNSPOUT NOZZLE, INSTALL AT 24" ABOVE FINISH GRADE, RE: PLUMBING	-
⑮	LIGHT FIXTURE, RE: ELECTRICAL	-
⑯	SIGNAGE PROVIDED AND INSTALLED BY OWNER. G.C. TO PROVIDE ELECTRICAL CONNECTIONS, RE: ELECTRICAL. G.C. TO PROVIDE ANCHORAGE FOR SIGNAGE. G.C. TO PROVIDE CORE DRILLED HOLES THROUGH MASONRY FOR CONDUIT FROM J BOXES MOUNTED AT THE INTERIOR OF THE BUILDING. COORDINATE NUMBER AND LOCATION WITH SIGNAGE SUPPLIER.	
EXTERIOR ELEVATION NOTES:		
1. ALL COLOR SELECTIONS ARE PRELIMINARY. G.C. TO VERIFY FINAL COLOR SELECTIONS WITH ARCHITECT AND OWNER PRIOR TO ORDERING.		
2. ALL EXPOSED STEEL TO BE PAINTED AS DESCRIBED IN SPEC., VERIFY COLOR WITH ARCHITECT AND OWNER.		
3. UNDERSIDE OF PREFINISHED METAL STANDING SEAM ROOFING TO BE PAINTED. VERIFY COLOR WITH ARCHITECT AND OWNER.		
4. PROVIDE MASONRY CONTROL JOINTS AS SHOWN, RE: 7/A5.2.		
5. PROVIDE TILE CONTROL JOINTS EVERY 10' IN EACH DIRECTION, RE: 11/A5.2		
6. SEE DETAIL 15/A5.2 FOR BRICK VENEER ATTACHMENT INFORMATION.		
7. PROVIDE COLORED MORTAR AT CMU, BRICK AND TILE. COLOR TO BE SELECTED BY THE ARCHITECT FROM THE MANUFACTURERS FULL LINE OF COLORS.		

SANTA CLARA
SHOPPING CENTER
RETAIL BLDG PAD C

3520 PIONEER PKWY
SANTA CLARA, UTAH

MARK	DATE	DESCRIPTION

DATE: NOVEMBER 6, 2020
AGENCY PROJECT NO:
DESIGN SEQUENCE PROJECT NO: 1703.01
CAD DWG FILE NO:

DRAWN BY: KV
DESIGNED BY: KV
DWG TYPE:
ARCHITECTURAL PHASE: PERMIT SET

SHEET TITLE

EXTERIOR
ELEVATIONS

A2.1

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 5

November 18, 2020



APPLICANT: Jack Taylor

SUBJECT:

Steel Solar Resource will be a 40 MW solar Photovoltaic generation facility to be located on Box Elder county in northern Utah. The Facility is scheduled to become operational in December 2022.

BACKGROUND DESCRIPTION:

Santa Clara will lose 2 megawatts' of coal generation from San Juan and our 5 year power contract in June 2022. So with us losing these resources Steel Solar looked like a great option to cover some of what were losing. Santa Clara is in the project for 1 megawatt at 2.50% entitlement.

Proposed Recommendation

Approval

Cost

Will provide documentation

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

To be discussed

Requested By

Jack Taylor

File Upload Attachments

https://sccity.org/wp-content/uploads/formidable/41/FirmPowerSupplyAgrResolutionSteelSolar_Santa-Clara.pdf,
https://sccity.org/wp-content/uploads/formidable/41/Steel-Solar-Transaction-Schedule_Santa-Clara.pdf,
<https://sccity.org/wp-content/uploads/formidable/41/SantaClaraForecast2023wGrowth.xlsx>

RESOLUTION No. 2020-17R

A RESOLUTION AUTHORIZING THE STEEL SOLAR PROJECT TRANSACTION
SCHEDULE UNDER THE MASTER FIRM POWER SUPPLY AGREEMENT WITH
UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AND RELATED MATTERS.

WHEREAS, the City of Santa Clara City (the “*Member*”) owns and operates a utility system for the provision of electric energy to its residents and others (the “*System*”) and is a member of Utah Associated Municipal Power Systems (“*UAMPS*”) pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action dated as of March 20, 2009, as amended (the “*Joint Action Agreement*”);

WHEREAS, the Member desires to purchase all or a portion of its requirements for electric power and energy from or through UAMPS and has entered into a Power Pooling Agreement with UAMPS to provide for the efficient and economic utilization of its power supply resources;

WHEREAS, the Member has previously entered into the Master Firm Power Supply Agreement with UAMPS in order to allow for UAMPS entering into various firm transactions for the purchase and sale of firm supplies of electric power and energy;

WHEREAS, UAMPS has investigated the Steel Solar Project, a forty (40) megawatt (MW) solar photovoltaic generation facility to be located in Box Elder County, Utah, on behalf of its members and is now prepared to enter into a twenty-five (25) year power purchase agreement with Steel Solar LLC to secure the delivery of all the energy from the Project and associated environmental attributes; and

WHEREAS, the Member now desires to authorize and approve the Steel Solar Transaction Schedule (“*Transaction Schedule*”) attached hereto as Exhibit A for the Project subject to the parameters set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Clara as follows:

Section 1. Authorization of Steel Solar Transaction Schedule. The Transaction Schedule, in substantially the form presented at the meeting at which this resolution is adopted, is hereby authorized and approved, and the Member Representative is hereby authorized, empowered and directed to execute and deliver the Transaction Schedule on behalf of the Member. Promptly upon its execution, the Transaction Schedule shall be filed in the official records of the Member.

Section 2. Other Actions. The Mayor, City Recorder, the Member Representative and other officers and employees of the Member shall take all actions necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all actions necessary to carry out the execution and delivery of the Transaction Schedule and the performance thereof.

Section 3. *Miscellaneous; Effective Date.* (a) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

(b) In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 18th day of November, 2020.

SANTA CLARA CITY

Mayor

ATTEST AND COUNTERSIGN:

City Recorder

[SEAL].

EXHIBIT A
STEEL SOLAR TRANSACTION SCHEDULE

**STEEL SOLAR PROJECT
FIRM POWER SUPPLY AGREEMENT
TRANSACTION SCHEDULE**

This Transaction Schedule to the Master Firm Power Supply Agreement to which all Parties to this Transaction Schedule are signatories provide for the following transactions. The Parties to this Transaction Schedule agree to the following provisions and agree to pay all costs of this transaction through the Firm Power Supply Project.

PURCHASER: City of Santa Clara

ENTITLEMENT SHARE: 2.50%

SUPPLIER: Steel Solar, LLC (the “Steel Solar Project”)

EFFECTIVE DATE: The Power Purchase Agreement by and between UAMPS and Steel Solar, LLC for the Steel Solar Resource (the “PPA”) was approved on November 4, 2020. The PPA becomes effective upon UAMPS obtaining member governing body approvals and completing transmission arrangements with PacifiCorp; UAMPS anticipates satisfying these two conditions within 90 days of executing the Power Purchase Agreement. The Scheduled Commercial Operation Date (“COD”) is December 31, 2022. The COD may not occur earlier than October 1, 2022 but not later than June 30, 2023.

TERM: A 25-year delivery term commencing on COD. The PPA will become effective upon UAMPS satisfying the two conditions precedent identified above.

AMOUNT: 1,000 kW and associated Environmental Attributes (“Entitlement Share”)

PRICE: \$31.45 per MWH

OTHER
PROVISIONS:

Energy: UAMPS will schedule all energy pursuant to the terms and conditions of the PPA and will delivery to the Purchaser its Entitlement Share of the Steel Solar Resource. The Steel Solar Resource is to be constructed as a 40 MW solar photovoltaic generation facility located in Box Elder County, Utah.

Transmission: UAMPS will charge and the Purchaser will pay transmission charges as adopted by the UAMPS Board of Directors from time to time.

Administration: UAMPS will charge and Purchasers will pay the scheduling fee and reserve fee as adopted by the UAMPS Board of Directors from time to time.

Buyout Options: Under the PPA, UAMPS has the ability to buy the Steel Solar Resource from Steel Solar, LLC at specified buyout dates pursuant to a fair market value appraisal. If UAMPS is directed to pursue one of its buyout options, then UAMPS will in parallel develop new contracts or amend the Firm Power Supply Agreement with the Purchasers to provide UAMPS with the ability to finance the buyout of the Steel Solar Resource.

Step-Up Obligation:

- (1) In the event of a default by one of the Purchasers, UAMPS shall immediately allocate all of the defaulting Purchaser's Entitlement Share among the nondefaulting Purchasers, pro rata on the basis of their then-current Entitlement Shares, which shall remain in effect only until the completion of the procedures provided herein. UAMPS shall provide written notice to the nondefaulting Purchasers of the initial allocation of the defaulting Purchaser's Entitlement Share which notice shall (A) set forth the date of the initial allocation, (B) include a revised Schedule I showing the increased Entitlement Shares as a result of such allocation, (C) direct each of the nondefaulting Purchasers to make an election pursuant to subparagraph (2) below, and (D) set forth the date by which each of the nondefaulting Purchasers must notify UAMPS of such election. The initial allocation of the defaulting Purchaser's Entitlement Share and the increased Entitlement Shares of the nondefaulting Purchasers as a result of such allocation (as shown on the revised Schedule I prepared by UAMPS) shall remain in effect until the completion of the procedures provided for herein. During such period, each of the nondefaulting Purchasers shall have all of the rights, benefits, obligations and responsibilities associated with its increased Entitlement Share as a result of such allocation.
- (2) Within sixty days after the initial allocation of the defaulting Purchaser's Entitlement Share, each nondefaulting Purchaser shall notify UAMPS in writing of its election to: (A) retain all of its initial allocation of the defaulting Purchaser's Entitlement Share; or (B) retain none or less than all of such allocation. Any Purchaser that elects to retain all of its initial allocation of the defaulting Purchaser's Entitlement Share shall be deemed to have fully satisfied its step-up obligations and shall not thereafter be required to accept any additional allocation of the defaulting Purchaser's Entitlement Share; *provided* that any such nondefaulting Purchaser may give notice to UAMPS of its request to acquire additional amounts of the defaulting Purchaser's Entitlement Share as may be available.

- (3) Within thirty days after its receipt of the elections of all nondefaulting Purchasers pursuant to subparagraph (2), UAMPS shall determine whether the nondefaulting Purchasers have elected to retain all of the defaulting Purchaser's Entitlement Share. In the event that one or more of the nondefaulting Purchaser's elected to retain less than all of the initial allocations of the defaulting Purchaser's Entitlement Share, UAMPS shall reallocate the remaining amounts of the defaulting Purchaser's Entitlement Share proportionally among those nondefaulting Purchasers that have requested additional amounts of the defaulting Purchaser's Entitlement Share. To the extent that any part of the defaulting Purchaser's Entitlement Share is then unallocated, UAMPS shall next reallocate the remaining portion of the defaulting Purchaser's Entitlement Share proportionally among those Purchasers that did not elect to retain all of their initial allocations of such Entitlement Share. Proportional reallocations shall be based upon the Entitlement Shares of the nondefaulting Purchasers in effect immediately prior to the defaulting Purchaser's default.
- (4) In no event shall the final allocation of a defaulting Purchaser's Entitlement Share pursuant to subparagraph (3) (or the total of all such allocations in the event of multiple Purchasers' defaults) cause any nondefaulting Purchaser's Entitlement Share to increase by more than 25% over its "Adjusted Entitlement Share" without such Purchaser's consent. The "Adjusted Entitlement Share" is the Purchaser's Entitlement Share shown on Schedule I on and as of the Effective Date.
- (5) UAMPS shall deliver, promptly after making the determinations and reallocations required by subparagraphs (1-4), a notice to the nondefaulting Purchasers which notice shall (A) set forth the final allocation of the defaulting Purchaser's Entitlement Share pursuant to subparagraph (3), and the effective date of the final allocation, and (B) include a revised Schedule I showing the revised Entitlement Shares of the nondefaulting Purchasers upon the final allocation pursuant to subparagraph (3). The Entitlement Shares shown on such revised Schedule I shall thereafter be the Entitlement Shares of the nondefaulting Purchasers.
- (6) Any portion of the Entitlement Share of a defaulting Purchaser allocated or reallocated to a nondefaulting Purchaser pursuant to this paragraph (b) shall become a part of and shall be added to the Entitlement Share of the nondefaulting Purchaser, and from and after the date of such transfer the nondefaulting Purchaser shall be obligated to pay for its increased Entitlement Share pursuant to the terms and provisions of this Transaction Schedule. The defaulting Purchaser shall remain liable to UAMPS and the nondefaulting Purchasers for costs incurred and damages suffered by them in connection with the actions taken with respect to the defaulting Purchaser's Entitlement Share provided for herein.

(7) If, as a result of the limitation stated in subparagraph (4) above, any portion of a defaulting Purchaser's Entitlement Share remains unallocated or upon the request of any nondefaulting Purchaser, UAMPS shall use Commercially Reasonable Efforts to sell or dispose of the unallocated or designated Entitlement Share. The defaulting Purchaser shall be liable for the costs, fees and expenses incurred by UAMPS in connection with any such sale, disposition or remedial action.

Other: Any costs incurred by UAMPS due solely to this Transaction Schedule, including but not limited to PPA costs, transmission costs, scheduling costs, administrative costs and legal costs will be the responsibility of Purchasers invoiced through the UAMPS Power Bills.

This Transaction Schedule may be signed in counterpart.

Dated this 18th day of November, 2020.

CITY OF SANTA CLARA

By:_____

Title:_____

UTAH ASSOCIATED MUNICIPAL POWER
SYSTEMS

By:_____

Title:_____

Schedule I

MEMBER	KW AMOUNT 40,000	ENTITLEMENT %
Blanding	646	1.62%
Bountiful	6,459	16.15%
Fairview	129	0.32%
Fillmore	388	0.97%
Heber	6,459	16.15%
Hurricane	2,584	6.46%
Hyrum	2,584	6.46%
Lehi	10,000	25.00%
Mt. Pleasant	388	0.97%
Paragonah	50	0.13%
Payson	3,877	9.69%
Price	3,500	8.75%
Santa Clara	1,000	2.50%
SUVESD	646	1.62%
Washington	1,292	3.23%
TOTAL	40,000	100.00%

Santa Clara Forecasted Load and Resources, Apr-2023 to Mar-2024

