NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, July 12, 2023
Time: 5:00 p.m.
AGENDA

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the City Council Chambers, located at 2603 Santa Clara Drive, Santa Clara, Utah on Wednesday July 12, 2023, commencing at 5:00 PM. The meeting will be broadcast via You Tube linked on our website at https://sccity.org/meetings.

1. **Call to Order**

2. **Opening Ceremony:**
   - Pledge of Allegiance: Jarett Waite
   - Opening Comments: Rev Derek DeToni-Hill, Shepherd of the Hills United Methodist Church, St. George Interfaith Council.

3. **General Citizen Public Comment:**

4. **Conflicts and Disclosures**

5. **Working Agenda:**

A. Public Hearing(s) 5:00 pm.

Consent Agenda

1. Approval of Claims and Minutes:
   - June 28, 2023 Regular City Council Meeting Minutes
   - Claims through July 5, 2023

2. Calendar of Events:
   - July 19, 2023 City Council Work Meeting
   - July 24, 2023 Pioneer Day (Offices Closed)
   - July 26, 2023 Regular City Council Meeting

B. General Business:

1. Discussion and action to consider a Rezoning of property at 400 East/Patricia Drive and Pioneer Parkway. The applicant, Clayton Leavitt, is proposing to Rezone the property from the R-1-10 Single-Family Residential Zone to the Planned Developed Residential, PDR Zone and approve Ordinance 2023-15. Presented by Jim McNulty, City Planner.

2. Discussion and action to consider a Proposed General Plan Amendment for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel # SC-6-2-16-435, described as 2.43 acres). Requestor: Granite Peaks Investment, LLC is proposing to amend from the Mixed Use Residential, MUR and Neighborhood Center, NC land uses to Main Street Commercial, MSC land use and approve Ordinance 2023-16. Presented by Jim McNulty, City Planner.

3. Discussion and action to consider a proposed Code Amendment to the Santa Clara Zoning Ordinance , Title 17, Section 17.08,"Definitions" This includes an updated definition for Building Height in the city. Santa Clara City and approve Ordinance 2023-17. Applicant. Presented by Jim McNulty, City Planner.

4. Discussion and action to consider the updated Construction Standards Update and approve Resolution 2023-12R. Presented by Dustin Mouritsen, Public Works Director

5. Consider Appointing Kristen Walton as a Planning Commission Member. Presented by Jim McNulty, City Planner.

6. **Reports:**
   a. Mayor / Council Reports:

7. **Executive Session:**

8. **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. Email calendar invitations will be sent out in advance of the meeting. Instructions for each meeting will include the meeting 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. 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 6th day of July 2023 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 2023 meeting schedule was also provided to the Spectrum on January 3, 2023.

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Selena Nez – Deputy City Recorder

SANTA CLARA CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 28, 2023

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, June 28, 2023, 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 broadcast via YouTube linked on our website at https://sccity.org/meetings.

Present:	Mayor Rick Rosenberg
Council Members:	Denny Drake Christa Hinton Leina Mathis
City Manager:	Brock Jacobsen
City Recorder:	Chris Shelley
Others Present:	Dustin Mouritsen, Public Works Director Gary Hall, Power Director Cody Mitchell, Building Official Ryan VonCannon, Parks Director Andrew Parker, Fire Chief Matt Ence, City Attorney Becky Bronson, Intermountain Healthcare
Excused:	Ben Shakespeare Jarrett Waite

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:06 p.m.

2. Opening Ceremony

A. Pledge of Allegiance: Denny Drake.

B. Opening Comments: Pastor Katie Langston, New Promise Lutheran Church, St. George Interfaith Council.

3. General Citizen Public Comment.

There were no public comments.

4. Conflicts and Disclosures.

Mayor Rosenberg disclosed a conflict with agenda item number 5.

5. Working Agenda.

A. Public Hearing.

i. Public Hearing to Receive Public Input Regarding an Amendment to the Santa Clara City's Solar Fee Structure.

The proposed amendment was described. Mayor Rosenberg opened the public hearing. There were no public comments. The public hearing was closed.

ii. Public Hearing to Receive Public Input Regarding an Amendment to the FY 2022-2023 Budget.

City Manager, Brock Jacobsen, reviewed the most recent amendments made to the budget. Some of the changes pertained to the Justice Court expenditures as well as to the administration budget. There were also modifications made to the following department budgets:

- Police;
- Fire;
- Building;
- Public Parks;
- Parks;
- Swiss Days; and
- Economic Development.

- The total expenditures as amended totaled $9,820,717 with a 9% change.
- The Water Fund expenditures were $3,277,789 and represented a 24% change.
- The Sewer Fund expenditures totaled $1,091,840 and represented a 10% change.
- The Power Fund expenditures totaled $9,097,249 representing a 32% change.
- The Stormwater Fund expenditures totaled $924,460 representing a 31$ change.

Mayor Rosenberg opened the public hearing. There were no public comments. The public hearing was closed.

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B. Consent Agenda.

i. Approval of Claims and Minutes:

- **June 14, 2023, City Council Work Meeting**
- **June 21, 2023, Regular City Council Meeting**
- **Claims through June 28, 2023**

ii. Calendar of Events:

- **July 4, 2023, Independence Day (Offices Closed)**
- **July 12, 2023, Regular City Council Meeting**
- **July 19, 2023, City Council Work Meeting**
- **July 24, 2023, Pioneer Day (Offices Closed)**
- **July 26, 2023, Regular City Council Meeting**

Council Member Drake moved to APPROVE the Consent Agenda. The motion was seconded by Council Member Hinton. The motion passed with the unanimous consent of the Council.

6. <u>General Business.</u>

A. Intermountain Healthcare ("IHC") Update. Presented by Becki Bronson

IHC's Public Relations/Communications Manager, Becky Bronson, presented a PowerPoint presentation and introduced IHC Board Chair, Cyndi Gilbert and other hospital leaders. Strides IHC is making in the community and the healthcare industry were shared. Ms. Bronson reported that Dixie Regional Hospital has been ranked number in all of Utah and rated as high performing in 15 specialties. Various awards IHC has received were described.

The following numbers were shared:

- IHC is in 7 primary states including Utah, Nevada, Idaho, Colorado, Montana, Kansas, and Wyoming.
- Employs over 60,000 caregivers.
- Has 33 hospitals including one virtual hospital.
- Serves 1,049,000 SelectHealth Members.
- Has $13.9 million in revenue.
- Operates 385 clinics.
- Employs 3,900 Physicians and APPs.
- Offers 4,800 beds.

IHC's Board of Trustees was recognized.

IHC's three local priorities were identified as follows:

1. Improve mental well-being.
2. Improve chronic and avoidable health outcomes.
3. Address and invest in social determinants of health.

It was reported that Washington County community groups and Intermountain Health received $4,973,332 in cash donations that benefited various institutions.

B. Discussion and Action to Consider Amending the Santa Clara City Solar Fee Structure and Approve Resolution 2023-11R. Presented by Gary Hall, Power Director.

Council Member Drake moved to AMEND the Santa Clara City Solar Fee Structure and approve Resolution 2023-11R. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the City Council.

C. Discussion and Action to Approve Ordinance 2023-14 Amending the Santa Clara City FY 2022-2023 Budget. Presented by Brock Jacobsen, City Manager.

Council Member Mathis moved to APPROVE the Ordinance 2023-14, amending the Santa Clara City FY 2022-2023 Budget, as presented. Council Member Hinton seconded the motion. The motion passed with the unanimous consent of the City Council.

D. Discussion and Action to Approve this Year's Fraud Risk Assessment. Brock Jacobsen, City Manager.

Mr. Jacobsen presented the Fraud Risk Assessment.

Council Member Hinton moved to APPROVE this year's Fraud Risk Assessment. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the City Council.

E. Discussion and Action Regarding Vineyards 11 Subdivision Reconsideration of Condition of Approval. Presented by Cody Mitchell, Building Official.

The applicant, Kent Frei, and his engineer, Jared Bates, requested that the City reconsider a condition of approval for the Vineyards #11 Subdivision. Specifically, they would like Condition of Approval number 11 revised to remove the first sentence which states, "That the required LOMR-F be approved by FEMA prior to final plat recordation". Additional information relative to the request was included in the Council packet.

The Vineyards #11 Subdivision (Final Plat) was approved by the City Council on May 10, 2023. For several months Mr. Frei has been working on horizontal site improvements to allow for future home construction. With most of the work complete, the applicant would like to record the final

plat allowing for the sale of lots to future residents. However, Condition of Approval number 11 requires the following:

> 11. That the required LOMR-F be approved by FEMA prior to final plat recordation. Also, that the applicant provides required rip rap, erosion hazard mitigation, as well as storm drain information as per City Engineering prior to final plat recordation.

Kent Frei and his engineer, Jared Bates, requested that the City allow for plat recordation. They asked that the first sentence of the Condition of Approval be removed. Jared Bates informed City Staff that this item will be resolved with Federal Emergency Management Agency ("FEMA") prior to any construction activity occurring within the areas identified as floodplain on the final plat. This includes areas adjacent to or partially within Lots 18 and 19. If the City Council agrees to the proposed changes, this condition could be worded as follows:

> 11. That the applicant provides required rip rap, erosion hazard mitigation, as well as storm drainage information as per City Engineering prior to final plat recordation.

Council Member Drake moved to APPROVE the Vineyards 11 Subdivision Reconsideration of Condition of Approval with a note on the plat. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the City Council.

Mr. Frei commented that he has received nothing but praise on the wall.

7. Reports.

A. Mayor/Council Reports.

Mayor Rosenberg reported on the following:

- Minor edits were proposed to be made to the rules for public comment which will be placed on the back table.
- The Mayor will not be present for the July 12 City Council Meeting.

8. Executive Session.

There was no Executive Session.

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9. Adjournment.

Council Member Hinton moved to ADJOURN. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 6:01 p.m.

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Chris Shelley
City Recorder

Approved: _____

DRAFT

City of Santa Clara
Check Register
Checking 1889 - 06/28/2023 to 07/05/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
AFLAC	EFT	124708	07/01/2023	07/01/2023	890.01	Billing	102253-000 - AFLAC PAYABLE	
					$890.01			
AVELAR, JOSE EMMANUEL	70474	062823-BAIL RE	06/28/2023	06/28/2023	59.00	BAIL REFUND FOR CASE #201200094	102560-000 - BAIL & RESTITUTION	
					$59.00			
Big T Recreation	70475	5755	06/20/2023	06/28/2023	407.00	TODDLER SWING SEATS	104510-253 - VEH/EQUIP REPAIR	
					$407.00			
BLUE STAKES OF UTAH 811	ACH063023	UT202301279	06/30/2023	06/30/2023	123.30	EMAIL NOTIFICATIONS	535310-210 - SUBSCRIPTIONS & ME	
					$123.30			
CHILD SUPPORT SERVICES	70476	062323-873789	06/23/2023	06/28/2023	206.77	CASEY-C000873789 PAY PERIOD END 6/28/23	102595-000 - GARNISMENTS PAYABL	
					$206.77			
DOMINION ENERGY	ACH062823	062823-FIRE STA	06/28/2023	06/28/2023	7.16	FIRE STATION CIRCLE-5978120000	104230-270 - UTILITIES	
DOMINION ENERGY	ACH062823	062823-FIRE STA	06/28/2023	06/28/2023	43.35	FIRE STATION RACHEL - 3929140000	104230-270 - UTILITIES	
DOMINION ENERGY	ACH062823	062823-GUBLER	06/28/2023	06/28/2023	7.62	GUBLER NEW RESTROOM-3789794987	104510-270 - UTILITIES	
DOMINION ENERGY	ACH062823	062823-GUBLER	06/28/2023	06/28/2023	44.45	GUBLER PARK - 6922398938	104510-270 - UTILITIES	
DOMINION ENERGY	ACH062823	062823-HERITAG	06/28/2023	06/28/2023	17.61	HERITAGE SQUARE GAS - 6142840000	104510-270 - UTILITIES	
					$120.19			
					$120.19			
DOU, CHRISTINA	70477	062823-BAIL RE	06/28/2023	06/28/2023	500.00	BAIL REFUND FOR CASE #231200040	102560-000 - BAIL & RESTITUTION	
					$500.00			
DR. ROBERT R. FOSTER, D.O. P.C.	70478	JULY 2023 - MED	06/23/2023	06/28/2023	1,200.00	MEDICAL SERVICES DIRECTOR	104230-370 - PROFESSIONAL SERVI	
					$1,200.00			
ERIC GENTRY	70479	JUNE2023 - CITY	06/23/2023	06/28/2023	1,500.00	PROFESSIONAL SERVICES	104120-330 - LEGAL SERVICES	
					$1,500.00			
IPSA	70480	3176	06/11/2023	06/28/2023	250.00	BRIAN ARNOLD - APPRENTICE TESTING	535310-360 - TRAINING	
					$250.00			
JOY MILES	70481	062723-JM	06/27/2023	06/28/2023	79.62	COURT INTERPRETER 06/27/2023	104120-330 - LEGAL SERVICES	
					$79.62			
NEW SANTA CLARA FIELD CANAL	70482	1451-2	05/13/2023	06/28/2023	12,907.41		515110-505 - WATER RIGHTS PURCH	
					$12,907.41			
SUNRISE ENGINEERING, INC.	70483	0134776	06/09/2023	06/28/2023	300.00	SANTA CLARA MISC ON CALL ENGINEERING	515110-320 - ENGINEERING SERVIC	
					$300.00			
TRANSAMERICAN POWER PROD	70484	90000958	06/14/2023	06/28/2023	61,882.00	POWER LINE REWORK FOR RED MTN. DRIVE &	535310-730 - IMPROVEMENTS	
					$61,882.00			
UPWALL PRECAST CONCRETE IN	70485	054262	05/15/2023	06/28/2023	2,400.00	TRANSFORMERS COUNTRY LN, DUTCHMANS,	535310-254 - NEW SUBDIVISION EXP	
					$2,400.00			
UTAH BUSINESS LICENSE ASSOC	70486	062323-UBLA	06/23/2023	06/28/2023	50.00	UBLA MEMBERSHIP - JULIE MONSON	104130-210 - SUBSCRIPTIONS & ME	
					$50.00			

City of Santa Clara
Check Register
Checking 1889 - 06/28/2023 to 07/05/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
WASH. COUNTY WATER CONSER	70487	53189	02/28/2023	06/28/2023	392.40	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	70487	53190	03/31/2023	06/28/2023	527.40	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	70487	53191	04/30/2023	06/28/2023	948.60	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	70487	53196	05/31/2023	06/28/2023	3,344.40	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
					$5,212.80			
					$5,212.80			
XEROX FINANCIAL SERVICES	ACH070123	4367321	07/01/2023	07/01/2023	173.20	Xerox Lease Payment-contract 020-0126710-002	104130-825 - LEASE PAYMENTS	
					$173.20			
					$88,261.30			

City of Santa Clara
Check Register
All Bank Accounts - 07/05/2023 to 07/05/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CITY OF ST GEORGE - S	70488	JUNE2023-SEW	07/05/2023	07/05/2023	38,051.20	3008 SEWER CONNECTIONS @12.65 JUNE 2023	525210-945 - SEWER TREATMENT -	
					$38,051.20			
FREEDOM MAILING SERVICES, IN	70489	45639	06/30/2023	07/05/2023	2,030.73	BILL PROCESSING	104130-370 - PROFESSIONAL SERVI	
					$2,030.73			
HUB INTERNATIONAL INSURANCE	70490	3236034	06/28/2023	07/05/2023	250.00	WRAP SUMMARY PLAN DESC. DOC.23-24	104130-370 - PROFESSIONAL SERVI	
HUB INTERNATIONAL INSURANCE	70490	3236039	06/28/2023	07/05/2023	100.00	SECTION 125 POP DOC. FOR PLAN YEAR 23-24	104130-370 - PROFESSIONAL SERVI	
					$350.00			
					$350.00			
PR ELECTRIC INC	70491	7829	06/28/2023	07/05/2023	55,630.00	CONTRACT PRICE INSTALL ALL LIGHTING/50%	104240-730 - IMPROVEMENTS	
					$55,630.00			
STEAMROLLER COPIES INC	70492	158	04/07/2023	07/05/2023	38.37	CERT UNIFORM SHIRT	104230-246 - UNIFORMS	
					$38.37			
STRIVE WORKPLACE SOLUTIONS	70493	OE-45700-1	06/22/2023	07/05/2023	221.89	OFFICE SUPPLIES/CRTDG REFILLS	104130-240 - OFFICE SUPPLIES	
					$221.89			
TC SMITH, LLC	70494	070523-PARTIAL	07/05/2023	07/05/2023	113,339.31	PARTIAL BOND RELEASE FOR HILLS AT SC PH3	102585-000 - SUBDIVISION SECURIT	
					$113,339.31			
TUACAHN CENTER FOR THE ART	70495	503	05/30/2023	07/05/2023	5,000.00	2023 RAP TAX ALLOCATION FOR TUACAHN CEN	104652-416 - RAP TAX	
					$5,000.00			
UTAH STATE TREASURER / FINES	70496	JUNE 2023 COU	07/05/2023	07/05/2023	18,053.89	JUNE 2023 COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					$18,053.89			
WASHINGTON COUNTY SOLID WA	70497	1960750	06/08/2023	07/05/2023	190.96	COM CLEAN DIRT	545410-250 - OPERATING SUPPLIES	
WASHINGTON COUNTY SOLID WA	70497	1963342	06/14/2023	07/05/2023	217.25	COM CLEAN DIRT	545410-250 - OPERATING SUPPLIES	
					$408.21			
					$408.21			
					$233,123.60			

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 12/Jul/23 **Agenda Item:** 1

Applicant: Clayton Leavitt **Requested by:** Jim McNulty

Subject: Property Rezoning & Project Plan

Description:

The applicant, Clayton Leavitt (Oak Creek), is requesting to Rezone the property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B). The subject property is 18.09 acres in size. The property is currently zoned R-1-10 Single-Family Residential, and the applicant proposes to rezone it to the Planned Development Residential, PDR Zone to allow for a proposed residential project that would include single-family homes, multi-family townhomes, open space, and amenities.

Recommendation: N/A

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338

City of Santa Clara
2603 Santa Clara Drive
(435) 656-4690, Ext. 225
jmcnulty@sccity.org

Staff Report

Property Rezoning & Project Plan Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: July 12, 2023
Current Zone: R-1-10, Single-Family Residential
Proposed Zone: Planned Development Residential, PDR
General Plan Designation: Medium Density Residential, MDR
Property Address: 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B)
Property Size: 18.09 Acres
Request: Property Rezoning & Project Plan
Applicant Name: Clayton Leavitt
Staff Planner: Jim McNulty
Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Clayton Leavitt (Oak Creek), is requesting to ***Rezone*** the property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B). The subject property is 18.09 acres in size. The property is currently zoned R-1-10 Single-Family Residential, and the applicant proposes to rezone it to the Planned Development Residential, PDR Zone to allow for a proposed residential project that would include single-family homes, multi-family townhomes, open space, and amenities.

A public hearing for this project was held by the Planning Commission on March 23, 2023. A motion was made to recommend approval to the City Council; however, the vote on the motion ended in a 3 to 3 tie. No other substitute motion was made or voted on. Therefore, no recommendation was provided by the Planning Commission on the item *(see attached minutes).* ***A public meeting for this project was held by the City Council on April 12, 2023.*** A motion was made by the City Council to table the item to allow the applicant to work with city staff, incorporate some of the City Council comments, and propose a new layout with slightly lower densities. This motion passed with a 3 to 2 vote *(see attached minutes).*

The ***updated Project Plan/Rezone Application includes 133-units on 18.09 acres of property. This equates to a density of 7.35 units/acre.*** A total of 82 single-family lots/pad lots are proposed along with 51 multi-family townhome units. ***Previously, 144-units were proposed on the property.*** This included 69 single-family lots/pad lots along with 75 multi-family townhome units ***which equated to 7.96 units/acre.***

A 45' public right-of-way is required for the interior of the project, which complies with City Construction Design Standards. This road cross-section includes 30' of asphalt, 2.5' of curb and gutter on either side, with a 5' sidewalk on each side of the road. This will allow residents to access a public sidewalk from all proposed dwelling units in the project.

PROJECT PLAN REVIEW ITEMS

City staff has worked with the applicant on several items associated with the Project Plan. The following includes information on each item as required by Chapter 17.68, Planned Development Zone:

1. **Residential Unit Count:** The Project Plan includes **a total of one hundred thirty-three (133) units** on 18.09 acres of property. This equates to a density of 7.35 units/acre. A total of 82 single-family lots/pad lots are proposed along with 51 multi-family townhome units. Previously, 144-units were proposed on the property. This included 69 single-family lots/pad lots along with 75 multi-family townhome units. **The PDR Zone allows for a base density of 8 units/acre. The applicant is not requesting a density bonus for the project.**

2. **Project Phasing Plan:** A Phasing Plan has been included for the overall project. **A total of seven (7) phases** have been proposed including Phases 1A, 1B, 2, 3, 4, 5, and 6. The Phasing Plan will be required as part of the Planned Development, PD Subdivision review process.

3. **Building Design/Materials/Height/Setbacks:** Chapter 17.68 requires a review of building design, building materials, building height, and building setbacks. The Project Plan includes both single-family homes and multi-family townhomes as follows:

    - ***Single-Family Home Lots/Pad Lots.*** Both one-story and two-story traditional home designs are proposed for these single-family lots. Home sizes will range from 1,500 to 3000 sq. ft. Four to five different models with varying elevations and materials including multiple brick and stone options along with stucco, and tile roof options. Rambler homes will be approximately 20' in height, with two-story homes being 27' in height. ***Lots 1 – 14 (traditional lots)*** will have a 20' front yard setback, with 8' side yards, and a rear yard of 10'. ***Lots (pad lots) 31 – 46, and 48 - 69*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

    - ***Single-Family Pad Lot/Narrow Homes.*** The smaller/narrow pad lot single-family homes will include a two-story design. Home sizes will range from 1700 to 1850 sq. ft. Four different models with varying elevations and materials including multiple brick and stone options along with hardiboard, stucco, and tile roof options. The two-story homes will be approximately 25' to 27' in height. ***Lots 15 – 30, 47, 70, 72 - 73, 75, and 76 - 82*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

    - ***One-Story Townhomes.*** These ***units include two-bedrooms and two bathrooms*** homes with a one-car garage and two-car driveway. The ***proposed units would be approximately 985 to 1100 sq. ft.*** in size. Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22' in height. ***Units 94 - 99 and 100 - 114*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback between buildings will be 12' with a rear setback of 10'.

- ***Two-Story Townhomes***. These units include ***3 and 4 bedrooms, 2.5 baths*** with a two-car garage and two-car driveway. The ***proposed units will be 1400 to 1600 sq. ft. in size.*** Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The two-story townhomes will be approximately 27' in height. ***Units 83 – 93*** will have a rear/front yard driveway depth of 20', with a side yard setback of 12' and 15' between buildings. The front yard will include a courtyard patio that fronts onto a green court area. **Units 115 – 133** will have a rear yard/front yard driveway depth of 20' along Tuscany Drive, with a side yard setback of 15' between buildings. ***The front yard for these units is approximately 20' to face of building; however, an 8' courtyard patio will be allowed in the setback area allowing for 12' from back of sidewalk to courtyard.***

4. **Open Space: Chapter 17.68 requires at least 30% of a project area to be in common open space**. The Project Plan includes approximately **34.83% (6.30 acres)** of open space being proposed for the overall project. The applicant will be required to work with city staff during PD Subdivision review for each project phase to verify these calculations.

5. **Project Amenities:** Chapter 17.68 requires project amenities including recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. The Project Plan, **Phase 1B includes restrooms, a pool, hot tub, and an outdoor seating (covered and uncovered) area for the community.** Additional open space areas with gazebos and BBQs have been shown in Phases 4, 6, and 7. **Phase 2 includes three (3) pickleball courts.** A series of walking paths providing a connection for residents to these amenity areas has also been included in multiple project phases. The applicant will be required to work with city staff during the PD Subdivision review for each project phase to verify all project amenities as per the Phasing Plan.

6. **Public Trail Access: An 8' asphalt public trail along 400 East** has been shown on the Project Plan. This trail is required as per the **2018 Trails Master Plan.** This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscany project, which provides a connection to other trails in the area. This will be reviewed during the PD Subdivision review process.

7. **Landscaping & Water Efficiency:** Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with **City Ordinance #2022-05 (Water Efficient Landscaping & Conservation Standards). A secondary water connection will be required for outdoor water use.** The applicant has provided a preliminary landscape plan; however, a more thorough review with additional details (landscaping & irrigation) will be required during the PD Subdivision review process.

8. **Public Road Cross-Section*:*** The Project Plan includes **a required 45' public road cross-section** within the interior of the project. **This includes 30' of asphalt, 2.5' of curb and gutter on either side, with a 5' sidewalk on each side of the road allowing for good pedestrian access and movement.** Additionally, improvements such as but not limited to curb & gutter, park strip, sidewalk, and trails will be required along Patricia Drive (50' public street), Pioneer Parkway (70' public street), and 400 East (66' public street). The applicant will be required to work with city staff and comply with all department recommendations during the PD Subdivision review process.

9. **Private Driveway Cross-Sections:** The Project plan includes **two (2) private driveways at 26'.** Each private driveway would provide access to two (2) single-family pad lots **(Lots 38-39, and 59-60).** The

applicant will be required to work with city staff and comply with all department recommendations during PD Subdivision review process.

10. **Parking:** The Project Plan includes **203 parking spaces for the 51 multi-family townhome units.** This equates to 4.0 parking spaces per unit. An additional 20 surface parking spaces have been provided adjacent to the project amenities in the center of the property. **Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots have been designed to include a two-car garage with a two-car driveway.** It appears that sufficient parking has been provided for the project. The project parking will be reviewed during the PD Subdivision review process.

11. **Project Utilities: Utilities (e.g., water, sewer, power, gas, etc.) are required for the project.** A secondary water connection will be required for outdoor water use. The applicant will be required to work with city staff and comply with all department recommendations during Preliminary Subdivision Plat and Final Subdivision Plat review for each project phase.

12. **Soils Report: A Geotech Report (Subsurface Investigation) done by Applied Geo-Tech** was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north & south); however, **the site is suitable to support residential slab on grade construction** provided that the report recommendations are implemented during construction. The applicant will be required to work with city staff during the PD Subdivision review for each project phase to determine compliance.

13. **Traffic Study: A Traffic Impact Study, TIS done by Hales Engineering** was submitted for the property. **Two project accesses were assumed, which resulted in an acceptable LOS at intersections; however, a third access was also considered on Patricia Drive**. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been redesigned to include a row of single-family lots along Patricia Drive without access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. Access to the site will be gained off Pioneer Parkway and 400 East.

14. **Project Narrative:** The applicant has submitted a project narrative for your review and consideration **(copy attached).** City staff asked the applicant to update this item to match the Project Plan. It's likely that Planning Commission members will have questions for the applicant during the meeting.

15. **Block Privacy Wall:** A **6' solid block privacy wall will be required along Pioneer Parkway and 400 East.** This item will be further reviewed during the PD Subdivision review process.

16. **Owner Occupancy:** On April 12, 2023, the Council asked the applicant about a minimum number of owner-occupied multi-family townhome units. The applicant agreed that **a minimum of 50% of the multi-family townhome units would be owner-occupied.** This requirement would need to be put in the future CC&Rs for the proposed project.

REZONING CONSIDERATION

Chapter 17.18.090 of the city code provides standards of review for the city. In consideration of any zoning map amendment (rezoning), the land use authority shall consider the following matters and the city council shall give reasonable consideration to the following:

a. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property. **Yes.**

b. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property.
No.

c. Are there substantial reasons why the property cannot or should not be used as currently zoned.
No.

d. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection.
No.

e. Is the proposed use compatible with the purpose and intent of the General Plan.
Yes.

f. Will the use be consistent with the purpose and intent of the proposed zoning district.
Yes.

g. Is the proposed use supported by new or changing conditions not anticipated by the General Plan.
No.

h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property. **Yes.**

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan indicates a Medium Density Residential, MDR Land Use Designation for the subject property. The proposed Planned Development Residential, PDR Zone complies with the intent of the General Plan. The description and character objectives for MDR states the following:

> "Townhomes, multi-unit buildings, and small lot single family structures on small lots. Accessory dwelling units, ADUs are encouraged. MDR neighborhoods have a tree-lined local street grid and interconnected pedestrian circulation systems, with density ranges from 3 to 12 dwelling units per acre".

The proposed Project Plan/Rezone application includes small lot single-family homes, townhomes, open space, and amenities for residents. **This proposed use of property is encouraged by the General Plan.**

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within 300' of the subject property. The subject property was also posted as per the State Code. A total of **17 individuals spoke during public comment** *(see attached PC Minutes from 5/25/23).* This City Council meeting on June 21, 2023, is a public meeting as the public hearing was already held by the Planning Commission.

A resident petition was submitted at the March 23, 2023, public hearing, with another petition being submitted after the public hearing *(see attached).*

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-205 includes requirements for a Rezoning of property (zoning map amendment). To rezone a property, a city must hold at least one public hearing. Additionally, a public hearing to consider a rezoning of property requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. The city is also required to post on the State Public Notice website. Planning Staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

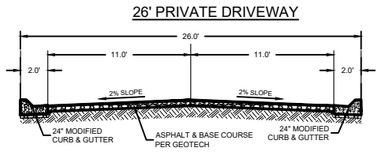
The Planning Commission held a second public hearing on May 25, 2023. A motion was made to recommend approval to the City Council and passed on a vote of 3 to 1. City staff recommends that the City Council review the submitted Rezoning Application and Project Plan to determine if the application is complete. **If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:**

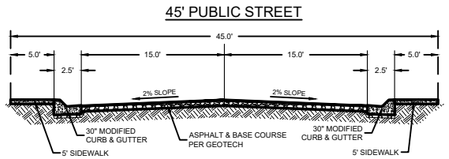
1. That the applicant be required to go through the PD Subdivision Review process for each project phase (overall preliminary & final plats).
2. That a total of one hundred thirty-three (133) units on 18.09 acres be allowed as per the Project Plan. This equates to a density of 7.35 units/acre.
3. That a Project Phasing Plan be required for the overall project. That this plan be reviewed for compliance with each project phase.
4. That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.
5. That at least 30% of the project area be in common open space. The Project Plan includes approximately 34.83% (6.30 acres) of open space.
6. That the project amenities be provided and put in place as per the Project Plan and Phasing Plan.
7. That the required public trail (2018 Trails Master Plan) be put in place as per the Project Plan.
8. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. Also, secondary water connections are required for outdoor water use.
9. That a 45' public road cross-section as per the Project Plan be required for the interior of the project. That a 26' private driveway be allowed to access Lots 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East be determined during the PD Subdivision review process.
10. That 203 parking spaces for the 51 multi-family units be provided along with 20 surface parking spaces adjacent to the amenity areas as per the Project Plan.
11. That the Geotech Report for the project be implemented during construction.
12. That the Traffic Impact Study, TIS for the project be implemented except for a third access to Patricia Drive.
13. That a 6' solid block privacy wall be required along Pioneer Parkway and 400 East.
14. That a minimum of 50% of the multi-family townhome units be owner-occupied.
15. That the proposed **property Rezoning** complies with Chapter 17.18.090 items, (**except item c below**)**:**
    a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
    b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
    c. There are not substantial reasons why the property cannot or should not be used as currently zoned;
        i. The applicant intends to do a PD Subdivision with both single-family and multi-family townhomes as per the MDR land use designation of the General Plan.
    d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
    e. The proposed use is compatible with the purpose and intent of the General Plan;
    f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
    g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

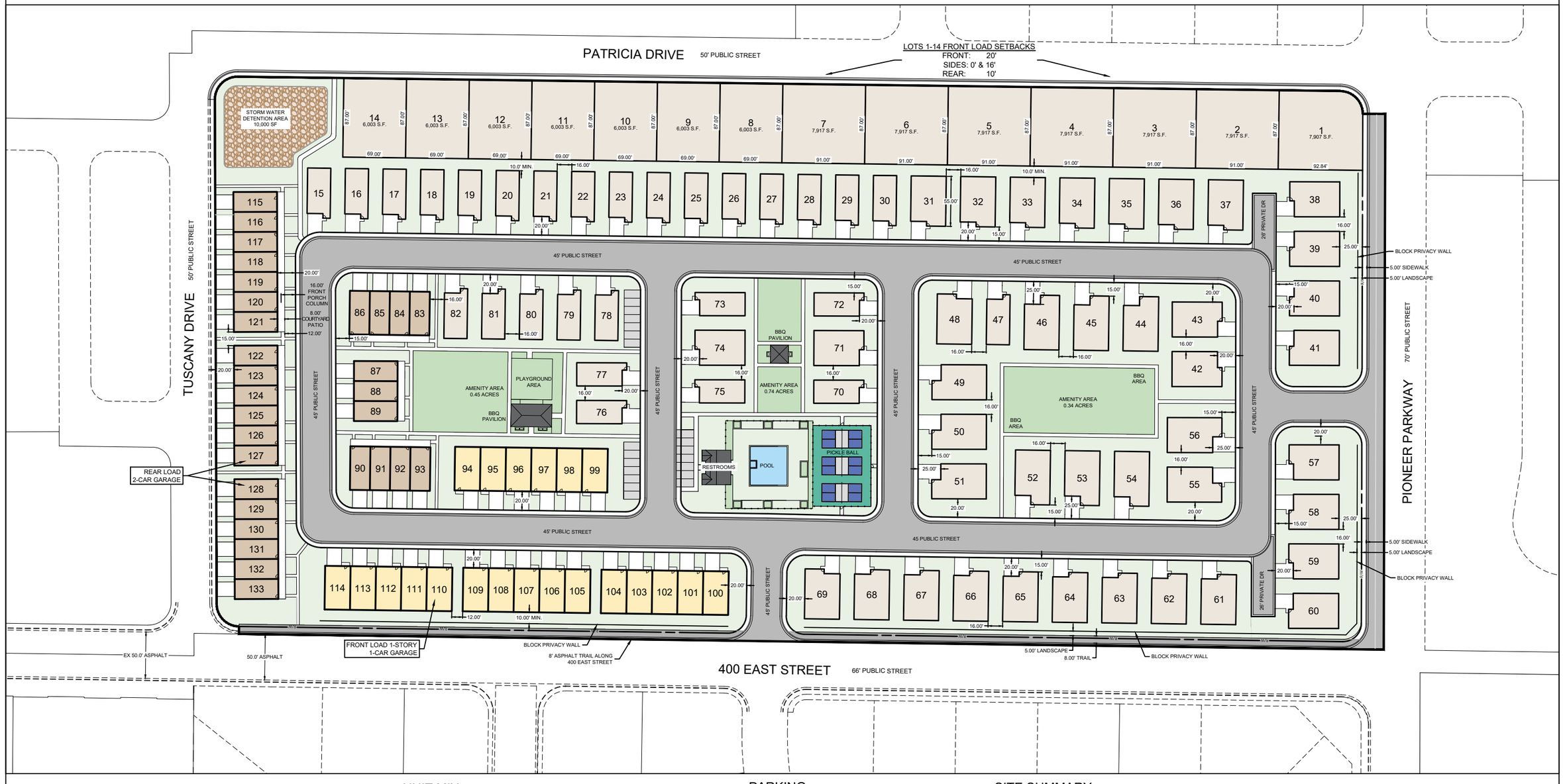
h. The proposed use does reflect a reasonable balance between the promotion of public health, safety, morality, or general welfare and the right to the unrestricted use of property.

With the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).
2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single-family structures on small lots.
3. That other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential, PDR.







UNIT MIX

- 30 REAR LOAD TOWN HOMES (22%)
- 21 FRONT LOAD 1-STORY TOWN HOMES (16%)
- 82 SINGLE FAMILY DETACHED (62%)
- Total = 133 UNITS

PARKING

REAR LOAD TOWN HOMES = 2-CAR GARAGE
30 x 2 GARAGES = 60 SPACES + 60 DRIVEWAYS = 120 SPACES

FRONT LOAD TOWN HOMES = 1-CAR GARAGE
21 x 1 GARAGES = 21 SPACES + 42 DRIVEWAYS = 63 SPACES

SURFACE PARKING = 20 STALLS
TOTAL PARKING = 203 STALLS
PARKING RATIO = 4.0 STALLS PER T.H. UNIT

SITE SUMMARY

TOTAL UNITS: 133

SITE AREA: 18.09 ACRES
DENSITY: 7.35 D.U./ACRE

RECREATIONAL AMENITIES: 1.53 ACRES 8.46%
LANDSCAPED OPEN SPACE: 4.77 ACRES 26.37%
TOTAL OPEN SPACE = 6.30 ACRES 34.83%

CivilScience

PIONEER POINTE

PDR - PROJECT PLAN

05/15/2023

PATRICIA DRIVE

TUSCANY DRIVE

PIONEER PARKWAY

400 EAST STREET

PHASE 1A

PHASE 1B

PHASE 2

PHASE 3

PHASE 4

PHASE 5

PHASE 6

14 6,003 S.F. | 13 6,003 S.F. | 12 6,003 S.F. | 11 6,003 S.F. | 10 6,003 S.F. | 9 6,003 S.F. | 8 6,003 S.F. | 7 7,917 S.F. | 6 7,917 S.F. | 5 7,917 S.F. | 4 7,917 S.F. | 3 7,917 S.F. | 2 7,917 S.F. | 1 7,907 S.F.

15 16 17 18 19 20 21 22 23 24 25 | 26 27 28 29 30 31 32 33 | 34 35 36 37 38 39 40 41 42 43 44 45 | 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 | 70 71 72 73 74 75 76 77 78 79 80 81 82 | 83 84 85 86 87 88 89 | 90 91 92 93 94 95 96 97 98 99 | 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 | 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133

PHASING

- PHASE 1A
- PHASE 1B
- PHASE 2
- PHASE 3
- PHASE 4
- PHASE 5
- PHASE 6

AREA & DENSITY

PHASE	UNITS	ACRES	DU/ACRE
1A	14	2.27	6.17
1B	21	3.19	6.58
2	17	2.91	5.84
3	11	1.57	7.01
4	19	3.72	5.11
5	26	2.02	12.87
6	25	2.41	10.37
	133	18.09	7.35

CivilScience

PIONEER POINTE
PHASING PLAN

05/15/2023

SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, May 25, 2023

Present: Logan Blake, Vice-Chair
James Call
Shelly Harris
Curtis Whitehead

Staff: Jim McNulty, Planning and Economic Development Manager
Selena Nez, Deputy City Recorder
Matt Ence, City Attorney

Excused: Mark Weston
Ryan Anderson
Mark Hendrickson

1. Call to Order

In the absence of Chair Mark Hendrickson, Logan Blake, Vice-Chair called the meeting to order at 5:30 p.m.

2. Opening Ceremony

A. Pledge of Allegiance: Logan Blake.

B. Opening Comments (Invocation): Logan Blake.

3. Communications and Appearances

There was no communication or appearances.

4. Working Agenda

A. Public Hearing

i. Consider a Proposed PDR Zone Amendment and Preliminary Subdivision Plat for the Proposed South Village @ Black Desert Subdivision (Parcel #SC-6-2-9-150, described as 43.77 acres). The Subject Property is Part of the Black Desert Planned Community which includes a 19-Hole Golf Course. The Preliminary Plat includes 40 Single-Family Lots Ranging in Size from 0.50 acres to 1.67 acres. Patrick Manning, Applicant.

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and stated that the subdivision includes a total of 40 lots on 43.77 acres. This equates to a density of 0.91 units per acre and is similar to the Entrada Subdivision to the east in St. George. The single-family lots range in size from .50 acres to 1.67 acres.

The original Project Plan was presented. The area in question is Area 5, which is surrounded by the golf course, which has moved slightly. The applicant and his Engineer, Jared Bates, will speak to that. The golf course is near completion. The plat was presented along with the public roadway designs. Mr. McNulty presented the following:

1. **Public Streets & Dedication:** All required public street improvements must meet City standards and be installed or bonded for prior to final plat recordation. The public streets required for this subdivision include a 66-foot cross-section for Red Mountain Drive and Road "E" along with a 50-foot cross-section for Road "C" (main access road), as well as all interior public streets within the subdivision. Additionally, all cul-de-sacs within the subdivision are required to have a 50-foot radius (100' diameter).

2. **Building Setbacks/Height:** The building setbacks are required to meet the requirements of Chapter 17.68, Planned Development Residential, PDR Zone. The building height for all homes in the subdivision is limited to 35 feet. However, the applicant will be putting a building height restriction on the plat and in the Codes, Covenants, and Restrictions ("CC&Rs) limiting height to 28 feet.

3. **Flag Lot/Double Fronted Lots:** A flag lot (Lot 7) has been included on the Preliminary Subdivision Plat. A flag lot requires approval by the Planning Commission. The staff portion of the lot must front on a public street and be a minimum of 25-feet wide, with a maximum length of 200 feet. If the Planning Commission determines that this is an efficient use of the land, the applicant will be required to comply with city code requirements for flag lots. The preliminary plat also includes three (3) double-fronted lots (Lots 21, 22, and 23). These lots will be required to have a 25-foot rear yard setback rather than the typical 10-foot setback. This option (Chapter 17.20.110.B) has been selected by the developer rather than putting in a six-foot wall in a natural lava area.

4. **Preservation of Lava/Minimal Disturbance:** Each home is intended to be situated on a lot to maximize views and limit disturbance allowing for the preservation of lava areas. A Site Plan will be required for each home prior to building permit issuance. The CC&Rs will be enforced by the Homeowners Association ("HOA") allowing for the subdivision to be maintained as per Black Desert requirements.

5. **Golf Course:** A portion of the golf course is included with the preliminary subdivision plat. As previously stated, the applicant is intending to open soon. A "Golf Course Fly Zone" note has been added to the plat as requested by staff. Associated language for lot owners will be included in the CC&Rs for the project.

6. **Multi-Purpose Trail:** A 10-foot multi-purpose trail has been included north of Tuacahn Wash and adjacent to Red Mountain Drive (east side), and Road "E" (north side) which both include a 66-foot cross-section. The 2018 Trails Master Plan includes this required trail connection.

7. **Open Space Areas:** The preliminary plat includes two (2) open space areas to be maintained by the HOA. Area #1 is across the street from Lots 30 thru 36 and is 1.16

acres in size. Area #2 is in-between Lots 37 and 38 and is 1.04 acres in size. These two areas will be HOA-maintained and included in the CC&Rs for the project.

8. **Proposed Area #6 Revisions:** The applicant is proposing revisions to the original Area #6 of the Project Plan (attached). This area includes a conservation easement area that is approximately 18.85 acres in size. The applicant is proposing to revise Area #6 of the Project Plan to include approximately 13.3 acres within a conservation easement (a reduction of approximately 5 acres). Proposed Lots 37, 38, 39, and 40 along with Open Space Area #2 and the public road that lines up with Entrada (St. George, private street) are within the northwest corner of Area #6. A decision on this item which includes an amendment to the Development Agreement will be decided on by the City Council prior to, or concurrently with Final Plat approval. A Black Desert site visit with the City Council, staff, and applicants was conducted on April 19, 2023. The Council is aware of the proposed Area #6 revisions.

9. **Building & Fire Code/Emergency Access:** A second point of ingress/egress via a public street system has not been provided into the proposed subdivision. As a result, the applicant is required to fire-sprinkle all residential structures within the project. The IRC requires an NFPA 13D sprinkler system. Emergency access will be available from the southwest edge of the project adjacent to Entrada, which is a private development with gates.

10. **Entry Features/Landscaping:** All landscaping (Individual lots & open space areas) will be required to comply with City Ordinance #2022-05 (Water Efficiency and Conservation).

11. **Culinary Water Availability:** The applicant is required to obtain a will-serve letter or other verified documentation from the Washington County Water Conservancy District ("WCWCD") prior to final plat recordation.

12. **Secondary Water Availability:** The applicant is required to connect/install secondary water for all outdoor water use.

13. **Project CC&Rs:** A copy of the project CC&Rs is required by Chapter 17.68, Planned Development. The applicant will need to provide a copy of the CC&Rs to the city for review and approval at the time of Final Plat submittal.

14. **Dust Control:** The applicant will be required to submit a Dust Control Plan prior to final plat recordation. Precautionary measures are needed to protect the general health, safety, and welfare of residents living in the vicinity.

Staff recommended that the Planning Commission consider recommending the PDR Zone Amendment, and Preliminary Plat Approval for the South Village @ Black Desert Subdivision to the City Council subject to the conditions outlined in the Staff report.

The applicant, Patrick Manning reported that originally when they entered into the Development Agreement, Area 5 included approximately 340 multi-family units. Because it was very clear that the most important area to many was Area 6, the desire was to provide a Conservation Easement.

They also decided to go low profile, low height, and low density in Area 5 to help further protect the viewsheds and lava flow. They have tried to be very careful with that section of land.

Chair Blake opened the public hearing.

Travis Dowdell gave his address as 2399 Keva Trail in Entrada and stated that his property borders the subject property. He commented that Black Desert has done a wonderful job of creating space and privacy around the resort. The issue was that the original plan included a fairway running by his property in the corner. It ultimately moved and there is now a road proposed with 10 homes. There is a beautiful ravine of native lava with an elevated ridge to provide privacy between Entrada in the southwest corner and the Black Desert Resort. The native lava will be removed as well as the privacy setback space, which seemed senseless since there are 600 acres. The rest of the property bordering Entrada has been set back with privacy. He saw no purpose in placing eight to 10 homes bordering their property lines.

Devin Ferguson gave his address as 3790 Nicholas Drive and asked about dust mitigation and the potential penalty if it is not controlled. He stated that last year a lot of dust was created from the Black Desert development. Mr. McNulty reported that Public Works Director, Dustin Mouritsen should be contacted about that. In response to another question raised by Mr. Ferguson, Mr. McNulty stated that a site visit was taken by the City Council that was properly noticed. It is common for elected officials to visit a site before making a decision. City Attorney, Matt Ence, stated that the City Council has not made a decision on the matter. The first time they will be asked to make a formal decision since they originally approved the golf course use will be when this recommendation goes to the City Council.

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

ii. <u>Consider a Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, described as 18.09 acres). The Applicant, Clayton Leavitt, is Proposing to Rezone the Property from the R-1-10 Single-Family Residential Zone to the Planned Development Residential, PDR Zone to Allow for a Proposed Residential Project that will include Single-Family Homes, Multi-Family Townhomes, and Amenities.</u>

Mr. McNulty presented the Staff Report and stated that the last public hearing on the matter was held on March 23, 2023. Staff reviewed each item in detail at that time. The updates were described. The applicant, Clayton Leavitt was also present. Following the previous public hearing, the Planning Commission recommended approval to the City Council with a 3-to-3 vote. No other substitute motion was made or voted on and no recommendation was provided. The City Council heard the matter on April 12, 2023, at which time the City Council tabled the matter to allow the applicant to work with City staff, incorporate some of the City Council comments, and propose a new layout with lower density. The vote was 3-to-2. The new project plan includes 133 units on 18.09 acres. This equates to a density of 7.35 units per acre with 82 single-family lots and 51 multi-family townhomes. The previous plan included 144 units with 69 single-family lots and 75 multi-family townhomes. The density was 7.96 units per acre. The reduction in density was approximately 8%.

Mr. McNulty reported that the new plan includes 62% single-family and 38% multi-family. There are 30 two-story rear-loaded townhomes, 21 front-loaded one-story townhomes, and 82 single-family detached units. The previous plan that was reviewed by the Planning Commission on March 23, 2023, included 48% single-family and 52% multi-family. Lots 1 through 14 have frontage on Patricia Drive and are larger single-family lots. Lots 1 through 7 are approximately 8,000-square-foot lots and Lots 8 through 14 are approximately 6,000 square feet in size. There are 40 larger pad lots proposed and 28 narrow pad lots for two-story homes.

The single-family lots allow for the option of a one-story rambler or a two-story home with different elevations and materials. The two-story townhome configurations were presented with a rear-loaded driveway. A front view was shown with an outdoor patio in front and rear-loaded garages. One-story townhome units were proposed along 400 East and within the interior of the project. The narrow pad lot homes were proposed at approximately 25 feet wide. They will be 1,700 to 1,800 square feet in size with two-car garages. Five options were proposed for the narrow lot homes. The various materials were described. The material boards provided stucco, hardie board, and stone options. For the single-family homes, there were three different brick and stone options with color palettes. The townhome units included brick and stone options.

The landscaping and open space plans were presented. Mr. McNulty reported that a pool is proposed with restrooms and pickleball courts. The central open space areas were identified with picnic areas and ball fields. The Phasing Plan was presented. The seven project phases and amenities were described. The 2018 Trails Master Plan requires an eight-foot trail to tie into Tuscany to the north. Ordinance #2022-05 would also need to be adhered to and secondary water will be required for all outdoor water use. The 50-foot public cross section will be required with curb, gutter, asphalt, and a five-foot sidewalk on each side. The project will be walkable with access to the open space and amenity areas. Two 26-foot asphalt private driveways will be provided adjacent to Lots 38 and 39 and 59 and 60 for access.

Substantial parking was provided within the project. The Project Plan includes 203 parking spaces for 51 multi-family townhome units, which equates to four spaces per unit, which is double the Code requirement of two spaces with one covered and one uncovered. Parking for single-family homes is also required for the pad lots. Each is designed with a two-car garage and a two-car driveway. The only units that do not have the capacity for four cars are the single-car garage and single-level townhomes, which have parking for three vehicles.

A Geotechnical Report was provided and expansive clay was encountered in multiple site locations; however, the site is suitable for residential slab-on-grade construction provided that the report recommendations are implemented during construction. A Traffic Impact Study was also conducted by Hales Engineering. Two project accesses were assumed, which resulted in an acceptable level of service at intersections. A third access was also considered on Patricia Drive. That was eliminated with the redesign and the like uses across the street. A six-foot block privacy wall is required for units that back Pioneer Parkway and 400 East.

Owner occupancy issues were discussed. At the April 12, 2023, meeting, the City Council asked the applicant about a minimum number of owner-occupied multi-family townhomes. At that time, it was agreed that a minimum of 50% of the townhome units would be owner-occupied. This requirement would need to be added to the future CC&Rs for the project if approved. The rezoning considerations were reviewed in detail on March 23, 2023. It was determined that the applicant meets that criteria except for Item C. The applicant submitted an application asking for a rezone of the property to allow for medium-density residential per the General Plan. The General Plan has identified the property as Medium-Density Residential. The proposed Project Plan and Rezoning Application includes small lot single-family homes, townhomes, open space, and amenities for residents. The proposed use of the property is encouraged by the General Plan. The layout and design of the project comply with the General Plan and the Medium-Density Land Use Designation.

Mr. McNulty reported that notices were sent to property owners within 300 feet of the property. The matter was also noticed per State Code. Previously, emails were received and forwarded to the Planning Commission prior to the March 23, 2023, meeting. A resident petition was also submitted at the March 23, 2023, public hearing. The addresses on the petition were verified by City Recorder, Chris Shelley, and found to be accurate. Large banners were also posted to draw attention to the site. A QR Code banner was also posted next to the site one week before the meeting.

Staff recommended that the Planning Commission review the submitted rezoning application and Project Plan to determine if the application is complete. If the application is determined to be complete, staff recommended that the Planning Commission forward a recommendation to the City Council for review and consideration of the application subject to the conditions set forth in the Staff Report.

Reference was made to condition number 14. Mr. Ence clarified that the 50% owner occupancy requirement for the townhome units will have to be enforced by the Homeowners Association ("HOA").

Mr. Leavitt addressed the new plan and reported that they eliminated 24 townhome units. The area of concern with the City Council and the Planning Commission was density. In response, they removed the townhomes near the pool area and replaced them with single-family homes. They also removed five of the two-story townhomes in the center section to the north and created more open space there. They eliminated 24 townhomes and added 13 single-family homes to the project. They took into consideration the comments made by staff and the City Council and included them in the current plan. Mr. Leavitt explained that the reason the Planned Development Residential ("PDR") zoning is so important is that this is a transitional property with multi-family to the north, single-family to the south, and single-family residential to the east. To buffer all three areas, they need to have a PDR community. They felt it was important to buffer the residences on the Heights West with single-family homes.

Mr. Leavitt explained that being able to do the PDR zoning on this transitional property will allow densities to progress from nine to 10 units per acre to a lower density of three to five to the east. For that reason, each area was buffered. Their ultimate goal is to be able to sell homes to Santa Clara

residents. Currently, 8,000-square-foot lots with a single-family home are selling for $800,000 to $900,000, which is not affordable to most. That is another reason it does not make sense to maintain the property as R-1-10. The plan also allows for various housing types ranging in size from 1,000 to 3,500 square feet.

Concerns have been expressed by the residents; however, the project is lower scale medium-density at 7.35 units per acre. They are trying to accommodate the neighbors on all sides. Parking has been addressed and they changed the Parking Plan as well. A Traffic Study was conducted that supports their plan. Another concern was the transient nature of the project and that there will be no sense of community. Mr. Leavitt stated that they want to create a sense of community by having 82 homes where the residents will be invested in the community. At least 50% of the townhomes will be owner-occupied as well. Concerns were also raised about property values. Mr. Leavitt stated that homes that are built along Patricia Drive will have much higher sales prices than what is across the street. They feel that this project will increase the property values of the residents to the east and result in a quality townhome product.

Mr. Leavitt stated that if they are asked to keep the property R-1-10, they will be forced to eliminate Santa Clara residents who will not be able to live there. Affordability issues were discussed. This project will cater to Santa Clara residents in the $350,000 to $650,000 range. They plan to hire a professional property management company to oversee and enforce the CC&Rs. It is important to them to have a project that the residents can be proud of.

Chair Blake opened the public hearing.

Ann Hughes gave her address as 2233 Sharon Drive. She did not support rezoning and stated that the residents on all sides have expressed opposition to rezoning but the City never listens to them. She wanted the project to be changed to have only single-family homes. The neighbors have signed petitions and while the project is very nice, it should be developed on property that is zoned for this type of housing. She suggested that the residents be allowed to vote as she and all of her neighbors want the area to be developed as single-family homes.

Doug Wells gave his address as 3842 Nicholas Drive in Santa Clara Heights and was also opposed to rezoning the property. He commented that the previous Planning Commission and City Council established the area as residential to create the atmosphere that Santa Clara is known for. He saw no reason to change the zoning. On three sides of the property are nice developments. He did not support placing townhomes in the middle of that. He also did not suggest that the zoning be changed on the basis of Mr. Leavitt's purchase of the property since he bought with the current R-1-10 zoning and it should remain unchanged. With regard to affordability, Mr. Wells stated that the homes will not be affordable. He suggested they instead develop a community where those who are now in townhomes can move up. He asked that the Commission not support the proposed rezone.

Devin Ferguson gave his address as 3790 Nicholas Drive and stated that the General Plan does not require the zoning of the property to ever be changed. He asked that it not be changed for the benefit of the new purchaser. Mr. Leavitt mentioned that the valuation of the property for sale in the

neighborhood to the east is partially the result of interest rates increasing. That will impact this project as well. The sales price of a one-quarter acre lot is dictated by the market. To make the homes affordable he could do that on his own and lower the lot price. Mr. Ferguson stated that he has lived in Santa Clara since 2010 and has seen a lot of changes during that time. He was concerned that the new townhomes will detract from the view from his property. He is also fully invested in the community and the proposed project is not designed for families. He commented that townhomes are steppingstones to another home.

Michael Lee gave his address as 2312 Jacob Drive and stated that the area on the northwest side of the City is being converted to higher or medium-density housing. He stated that Mr. Leavitt was correct in that his project is being grouped in with other projects that are being developed in the area. Residents have watched as every piece of vacant property has been turned into vacation rentals, townhomes, or apartments. He did not fault Mr. Leavitt for wanting to make a profit but the current zoning was in effect when he purchased the property. When Mr. Leavitt appeared before the City Council last month his proposal was tabled. Council Member Shakespeare specifically stated that the project was too dense and that the number of units should be substantially reduced before bringing it back to the Council. The new proposal has reduced the total number of units from 144 to 133, which is only an 8% reduction. The issue was fitting 133 units into a small space. In the previous meeting, comments were made about providing more affordable housing in Santa Clara. The problem is that the City does not dictate the housing market. The cheapest units at the Desert Village Townhomes are renting for $2,199 per month for a 1,500-square-foot unit. Prices will vary based on the housing market. Other similar projects in the area have done nothing to make housing more affordable. Mr. Lee stated that when his family purchased property on Jacob Drive, they did so because of what Santa Clara was and not what it would become. He grew up in Santa Clara and these types of projects are rapidly turning this corner of the City into a place that runs counter to what they are trying to protect. He urged the Commission to not change the zoning.

Art Panson gave his address as 3866 Nicholas Drive and stated that they have failed to talk about 50% ownership. What happens with the other 50% is what should be discussed. They are in it just for the money and attempts to provide affordable housing go away. He carefully researched what is happening in his neighborhood and found that this area is predominantly single-family housing. He stated that the Washington County School District has no plans to develop its property in the near future so he bought his home. He now feels betrayed. He reiterated that the developer purchased this property knowing that it was zoned single family. As a result, Mr. Leavitt should live with what he bought.

Fred Fagergren gave his address as 2324 Bryson Circle and has lived there since 2002. Generally, he does not agree with everything Warren Wright writes in *The Spectrum* but his recent article about growth was applicable to this discussion. Mr. Wright was quoted as saying that the most critical issue in limiting the influx of people who are drawn to the local lifestyle is overburdening the land. Mr. Fagergren's perception was that overburdening the land means to developers that they should get the most money possible for every acre. Mr. Fagergren believed that the purpose should be to get the best and wisest use for each acre. He objected to the proposed rezoning. Mr. Leavitt mentioned in previous meetings the need for a transition from the townhouses to the north. Most people know that

the best transition point is a road, which naturally occurs in every community. Mr. Fagergren's opinion was that the highest and best use of the property would be for it to remain as currently zoned. He suggested that Nicholas Drive be continued across the property to 400 East to provide additional access. The properties between Pioneer Parkway and Tuscany Drive should also remain as single-family homes.

David Pond gave his address as 2322 Joshua Circle. At the April 12, 2023, City Council Meeting, the feedback from a few members of the City Council was that they wanted to see significant changes including a reduction in the number of units as well as owner-occupancy before they would approve the application. Mr. Pond pointed out that regardless of the increase in single-family units and the reduction in multi-family units, an overall reduction from 144 to 133 units does not represent a significant reduction. One of the Council Members commented that a significant reduction would be to 92 to 98 units, which would be appropriate for this property. Other Council Members stated that they would like to see a design similar to Village on the Heights. Mr. Leavitt stated multiple times in various meetings that the residents of the Heights do not want any development. That is a myth. They are not opposed to the development of single-family homes. This is the last significant parcel on the northwest side of Santa Clara. This area has been inundated with three townhome and apartment complexes. There are also three short-term vacation rentals in the area. The greater need is for single-family homes in this area of the City and not more multi-family units. Mr. Pond addressed the owner occupancy of the units and stated that there is nothing the City can do to enforce that. Multi-family units bring investors. Affordable housing is a relative term. What is affordable for some is out of reach to others. Rents for the townhome and apartment communities are $2,000 or more. Single-family homes are more likely to be owner-occupied and bring people who are vested in the community.

Joshua Jackson gave his address as 3892 Nicholas Drive. He commented on parking trailers, trucks, and boats. Outside of any higher-density project, the nearby streets become a parking lot for those items. The project still adds 140% growth to the current density and will take away much of the available on-street parking. With regard to the 50% owner occupancy requirement, whatever is approved must be enforceable. Mr. Jackson referred to the General Plan, which addresses the granting of higher densities. A density of five units per acre can be achieved in medium-density residential land use by mixing single-family homes, duplexes, and townhomes.

Ann Evans gave her address as 3772 Nicholas Drive. In the area from North Town Road to Tuscany Drive, there are 233 units of housing in three projects. The developer has stated that they conducted a traffic study. She questioned how that could have been when two projects were not developed yet, and they do not know what the full impact will be. The result will be 500 more people and cars. She understands that Mr. Leavitt is trying to make a profit but if he cannot make a profit from single-family dwellings he should sell the property back to the City for a cemetery. She referenced a quote by Chair Blake when running for City Council in 2019 that Santa Clara needs to be protected to maintain its small-town feel, its walkability, and cyclability. Ms. Evans urged the Commission to deny the request.

Patricia Bouman gave her address as 2304 Patricia Drive and questioned the need for townhomes to transition to the townhomes they already have. She suggested that the property be developed as single-family homes. She appreciates that the plan does not include a road onto Patricia Drive and stated that the traffic is already fast and heavy.

Paul Styka gave his address as 3895 Sweetwater Drive and had a problem with having less than two-thirds or 75% absentee owners. He and his wife moved to Santa Clara from another state where witnessed firsthand what happens when investors rent their property indiscriminately. He considered that to be a huge mistake. He also echoed the previous comments that since the property was zoned a certain way it should not now be changed. He urged the Commission to deny the request.

Garrett Mair gave his address as 2273 Julie Drive and asked what will happen if the property is rezoned and Mr. Leavitt sells it. It was reported that a new owner would have to follow the project plan that is approved for the property.

James Thayn gave his address as 389 East 1100 South in Ivins and stated that the road has become very busy and busier than it was designed originally. To add more density was of concern.

Jim Reynolds gave his address as 348 East Desert Rose Way in Ivins to the west of the development. He has served on a planning commission and recognizes the issues they are dealing with. He was also a professional civil engineer for over 35 years. He stated that it is not appropriate to make a zone change in a vacuum. The plan shows single-family dwellings to protect the residents of Santa Clara but nothing along 400 East to protect the single-family units in the City of Ivins. They have also only heard anecdotal evidence of the need for additional multi-dwelling units in the area. There are a number of developments that surround this one where high-density housing is going in. Mr. Reynolds commented that the intersection of Pioneer Parkway and US Hwy 91 is already extremely difficult. With the expansion of Old Hwy 91, more traffic will occur there. Unfortunately, new construction does nothing to relieve any of the congestion or dangers associated with that intersection. All of the traffic from the proposed development will impact that intersection and make it worse. This is not transitional development but is spot zoning. Single-family dwellings border the subject property on three sides of the property and it is inappropriate to allow spot zoning in this case. Mr. Reynolds urged the Commission to deny the request.

Ann Pritt gave her address as 3918 Madison Avenue and stated that she has watched with interest the development of the townhomes to the north of Harmons. She has watched rents increase over time and people will rent for what the market will bear. It is a myth that townhomes provide affordable housing.

Stan Spray gave his address as 1107 South 375 East in Ivins and stated that 400 East cannot handle the traffic that is proposed to come online from this development and others. Motorists travel at high rates of speed in that area. He lives on a hill and has a beautiful view that he is concerned will be eliminated. He suggested that the project remain as single-family.

Chris Reynolds gave her address as 348 East Desert Rose Way in Ivins. She stated that property values will change. Their family experienced something similar 30 years ago in Layton where 35 homes were built behind theirs. Their property value declined 30% in one day. The same will happen here. She urged the Commission to not rezone the property.

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

iii. Consider a Proposed Code Amendment to the Santa Clara Zoning Ordinance, Section 17.18, Amendments to Land Use Ordinance, Zoning Map, and General Plan. This includes General Clean-Up and Updating of the Ordinance. Santa Clara City, Applicant.

Mr. McNulty presented the Staff Report and stated that the matter was discussed during a Work Meeting on April 13, 2023. There have also been discussions with the City Council on the matter. What is proposed is a text amendment to the Development Code to add Section 17.18100 for General Plan Amendments. The majority of the amendment is to clean up the language. The proposed wording is as follows:

a. The General Plan may be amended from time to time by the City Council. General Plan Amendments will be considered on a quarterly basis by the City. All proposed amendments shall be submitted first to the Planning Commission for consideration at a public hearing. The City Council shall consider the recommendation at a public hearing and make a final determination to adopt, modify, or deny the proposed amendment.

b. For a General Plan Amendment which includes a rezoning of property in a required project plan to a Planned Development ("PD") Zone, the General Plan Amendment may include a condition that the rezoning application on which the General Plan Amendment is based must be approved within a certain timeline or the property reverts to the General Plan prior to approval of the amendment.

Mr. McNulty stated that the city has seen a significant increase in General Plan Amendment and rezoning applications. It is not uncommon to review them quarterly. All state statute requirements have been met for a Code amendment. Staff recommended that the Planning Commission hold a public hearing and consider forwarding a recommendation of approval for the Code Amendment to the City Council.

Mr. Ence explained that the policy is that when an application is received for a General Plan and Zone change, they are now scheduling them so that the General Plan approval goes through first. Because they are two separate decisions, it seems to be helpful for applicants and the City to do them separately. In the past, they have gone through at the same time.

Chair Blake opened the public hearing.

Devin Ferguson gave his address as 3790 Nicholas Drive and asked about the timeline that there has to be a response by. He suggested that the time period be shortened to not conflict with snowbirds and others who may not be able to be present. Mr. McNulty commented that tonight's meeting as well as the meeting in March, were both well attended. Mr. Ferguson was aware of some who could have made impactful statements were unable to attend tonight. Mr. McNulty stated that emails were also received and forwarded to the Commission for consideration. Mr. Ferguson accused Mr. McNulty of selling the previous project to the Planning Commission rather than supporting the residents. Messrs. McNulty and Ence took issue with that comment and Mr. Ence stated that Mr. McNulty presents projects in a fair manner. Mr. Ferguson stated that it always benefits the developer. Chair Blake stated that if a General Plan Amendment is approved and nothing is done for a certain time period, the zoning would revert back. State Code sets the requirements for noticing and other issues.

Mr. McNulty stated that if a property rezone request is denied, an applicant has to wait 12 months to reapply. He thought it would be feasible to specify 12 months in this case as well. He stated that a preliminary plat approval like the one that was presented for Black Desert tonight, is good for two years. In this case, he felt that one year was adequate.

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

5. General Business

A. Recommendation to City Council

i. Recommendation to the City Council to Consider a Proposed PDR Zone Amendment and Preliminary Subdivision Plat for the Proposed South Village @ Black Desert Subdivision (Parcel #SC-6-2-9-150, described as 43.77 acres). The Subject Property is part of the Black Desert Planned Community which Includes a 19-Hole Golf Course. The Preliminary Plat includes 40 Single-Family Lots Ranging in Size from 0.50 acres to 1.67 acres. Patrick Manning, Applicant.

Mr. Manning reported that Santa Clara City also needed a water line looped to where it connects to Entrada. They were using the road to also deliver the water line. In terms of the golf course being moved, Tom Weiskopf designed the course and felt they needed to move it. It will be up higher and they want to set it down in the natural ravine that is in now.

Commissioner Whitehead stated as it goes through the process of the Planning Commission and the City Council and the plat is approved, it comes back later and makes it difficult for the Commission if a plat is developed that is different from what was originally approved. Mr. Ence explained that the original approval that was given for the golf course's use was very general. There have been no plats approved or submitted to the City prior to this one. This is the first one for this part of the Black Desert Project and the first opportunity for the City to comment on and consider the proposed layout

of the lots since there has not been a previous submission that included the detail of where the lots were to be located. Procedural issues were discussed. Mr. Ence explained that the golf course use was approved along with the original Development Agreement, which did not include the approval of any plats or indicate where lots could be subdivided. For that reason, they were going through this process now. The intent was for there to be flexibility where the bubbles are shown.

Mr. Ence reported that they always had the knowledge and understanding that the plats would come along at the appropriate time and the City would have the opportunity to weigh in as part of the regular process of plat review and approval. He explained that there has been a lot of discussion at staff level about the location of lots and what portions of the lava ought to be preserved. There were also questions regarding the view shed and specific features in the lava. There have been extensive discussions at the staff level with the developer, and what is before the Commission is what the developer decided to submit as a result of those discussions. While it is not necessarily endorsed by staff, they have considered staff feedback.

Commissioner Whitehead recalled when the matter was first presented as part of Area 6. They walked the area and discussed preserving the lava along the walking trail. He commented that Lots 37 and 38 are close to the trail. Council Member Mathis was on the Planning Commission at the time, and it is an issue she has been concerned about. That was one of the reasons the Work Meeting was held with the City Council. The intent was to refresh their memories on what is proposed. They were continuing that process. It will be a long process because there will be multiple phases within Black Desert.

The Commission was asked to look at the approval of the subdivision in the configuration proposed by the developer, which would change the boundary of Area 6. The developer has articulated reasons why they think that is appropriate. Mr. Ence commented that staff was generally comfortable that what is proposed is consistent with the spirit of what the developer and the City have been working through. That does not take away from the Commission's responsibility to make a recommendation to the City Council and question the developer about the decisions that have been made to this point. He commented that the City has been open to an adjustment of the Area 6 boundary because they recognize the need for the second access road, which exits on the southeast boundary of the project and will be part of the plat. That is important for access and utility connections. Staff expressed support for whatever is approved with the assurance that there is a second access at that point, which will impact Area 6. Other options have been discussed as well such as providing a second access to Pioneer Parkway that will have an even bigger impact on Area 6. This will require changes to the trail and have a greater impact on view sheds. Mr. Ence explained that the developer and staff are addressing numerous considerations, which can be considered as a recommendation is made to the City Council.

Commissioner Call was concerned about Lots 37 and 38 and their proximity to the existing trail. Chair Blake commented that he rode the trail a few weeks ago and near the arboretum, it is in the backyards of several homes. He was not concerned about that with the space provided with the proposed homes, however. With regard to the second access, he felt that the location proposed was the only option.

Mr. Bates reported that during the site visit with the City Council, they looked at the space thoroughly. The two lots were removed originally because there was a lava source that they did not want to encroach onto. Lot 38 was significantly lower than the area to the west. Lot 37 is tucked in behind the trail as well. The area adjacent to the trail that had an impact on the view was the current open space. One option was to take a portion of Lot 28 and make it undevelopable. Ultimately, the decision was made to remove two lots.

The golf course fly zone identified in Lot 37 was identified as an area that could potentially have errant golf balls. It is a noticing requirement so that potential purchasers of the property are aware that that is a hazard. The gap between the road and Entrada running north-south was estimated at 20 feet. No retaining walls were proposed there to minimize the grading adjacent to those lots, which are set lower. The intent was to optimize the design.

Chair Blake asked if 50-foot roads are needed or if they could be reduced to 45 feet. Commissioner Blake was in favor of a 45' public road to reduce the disturbance of lava areas in the project. Mr. McNulty stated that the Public Works Director has been very specific about the 50-foot road based on the newly adopted Construction Design Standards. Staff spent months amending the Construction Design Standards and there were reasons behind the 50-foot road versus 45 feet. The matter may warrant further discussion.

Commissioner Whitehead asked how property values will be impacted if the southernmost property line on Lots 37 and 38 is reduced by 50 feet to get it further from the walking trail. Mr. Manning stated that the setback there is already 20 feet. They could ensure that there is a minimum 30-foot setback off of the property line to provide distance between the trail and the property. The lot sits eight feet below the trail. He struggled with developing one-acre lots that are low-profile while there are homes along the majority of the trail. He wants to be sensitive but would not want to push the property line.

Mr. Ence stated that it is worthwhile to understand that the way the lots are to be developed is similar to the Entrada or Kayenta style where the disturbance on the lot itself will be kept to a minimum. The developer and their covenants will control how that disturbance takes place. The lots will largely remain undisturbed, which changes the perspective. There will not be a wall on the perimeter and the property lines will effectively be invisible. What will largely be seen is lava almost up to a low elevation home and very little disturbance otherwise. He noted that that is the intent of the style of development. Mr. McNulty referenced item number four in the Staff Report regarding preservation of lava and minimal disturbance. He stated that the developer is involved in the location and disturbance of each individual lot and citing the potential future homes.

Chair Blake commented that that needs to occur in terms of providing emergency access to the remainder of the units. It seemed that the developer had identified areas with the most interest. He agreed that there are already several homes along the trail and he felt that the golf course added to the interest. He was not opposed to reducing Area 6. He liked the idea of reducing the road sizes as the Code is flexible.

Commissioner Whitehead wanted to avoid overriding the Code. Mr. McNulty clarified that the Code allows for small streets in Planned Development Residential ("PDR"). There is a 50-foot standard cross section and 45 feet for a PDR, which typically has smaller lots. In this case, the lots a very large in size. There is also a 55-foot cross-section if the desire is to do park strips and sidewalks. A PUD allows a public road at 45 feet, however, in this case, that has not been recommended by the Public Works Director.

Commissioner Whitehead moved to recommend APPROVAL of the PDR Zone Amendment and Preliminary Plat Approval for the South Village @ Black Desert Subdivision to the City Council subject to the following:

Conditions:

1. **That the applicant be required to comply with the recommendations from all City reviewing departments.**

2. **That the applicant be required to install public street improvements which meet city standards. This includes Red Mountain Drive and Road "E" (66' cross-section), along with Road "C", as well as all interior public streets within the subdivision (50' cross-section). Additionally, all cul-de-sacs within the subdivision are required to have a 50' radius (100' diameter).**

3. **That the building setbacks for this subdivision meet the requirements of Chapter 17.68, Planned Development Residential, PDR Zone. That the building height for all homes in this subdivision be limited to 28' as proposed by the developer.**

4. **That Lot 7 be approved as a flag lot. That Lots 21, 22, and 23 be required to have a 25' rear yard setback because they are double-fronted lots.**

5. **That each home in the subdivision be designed to maximize views and limit disturbance allowing for the preservation of lava areas.**

6. **That the "Golf Course Fly Zone" note be required on the plat with associated language being required in the CC&Rs.**

7. **That a 10' multi-purpose trail be required north of Tuacahn Wash and adjacent to Red Mountain Drive (east side), and Road "E" (north side).**

8. **That the two (2) open space areas be maintained by the HOA. This includes Area #1 (1.16 acres), and Area #2 (1.04 acres).**

9. **That a decision by the City Council which includes an amendment to the Development Agreement regarding Area #6 be decided on prior to, or concurrently with Final Plat approval.**

10. **That the applicant is required to fire sprinkle all residential structures within the project with an IRC NFPA 13D sprinkler system. That emergency access be available from the southeast edge of the project adjacent to Entrada. That the applicant provides a key or Opticom override system control to the Fire Department.**

11. **That all landscaping (Individual lots and HOA-maintained open space areas) be required to comply with City Ordinance #2022-05 (Water Efficiency & Conservation).**

12. **That the applicant provides a will-serve letter or other verified documentation from the WCWCD prior to final plat recordation.**

13. **That a secondary water system is required for all outdoor water use.**

14. **That a copy of the CC&Rs for the project be submitted to the city for review and approval at Final Plat submittal.**

15. **That the applicant provides a dust control plan prior to final plat recordation.**

16. **There shall be discussion with the Public Works Director regarding reducing the width of the street from 50 feet to 45 feet.**

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

ii. **Recommendation to the City Council to Consider a Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, described as 18.09 acres). The Applicant, Clayton Leavitt, is Proposing to Rezone the Property from the R-1-10 Single-Family Residential Zone to the Planned Development Residential, PDR Zone to Allow for a Proposed Residential Project that will include Single-Family Homes, Multi-Family Townhomes, and Amenities.**

Mr. Leavitt commented that the R-1-10 zone is a holding zone in Santa Clara. The General Plan states that there is a need to buffer single-family homes in the form of townhomes along Tuscany Drive. The importance of density transitions between neighborhoods is also stressed in the General Plan. This plan accomplishes that. When they purchased the property they knew there was higher density to the north and single-family to the east. They accommodated all of the residents in their plan. With regard to boat and RV parking, they will not be allowed in the community. If so, they would need to be screened behind a fence. He did not expect them to be an issue with regard to parking.

Mr. Leavitt stated that they have to be realistic with regard to what is affordable. Currently, the federal government has raised interest rates but when they come down again it will still be difficult

to afford a $650,000+ home in Santa Clara. For that reason, three-quarters of the land within the project is devoted to single-family.

Chair Blake asked about the detached single-family homes. Mr. Leavitt stated that they will typically be two stories with 1,750 to 1,850 square feet. The price point will be affordable. There will be five or six different elevations for single-family homes. The traffic study that was conducted has taken the width of 400 East into account. It was classified as a collector by the City. A privacy wall will be provided. Mr. Leavitt stated that he spoke to residents in Ivins who preferred one-story homes in that area. The intent was to protect the view corridor.

Boat and RV parking issues were observed in Tuscany. There was concern about residents of Mr. Leavitt's project migrating elsewhere. He drove through Village on the Heights and Heights West and observed trailers and cars parked on the public street. They want to encourage no parking on public streets, and it will be enforced in the CC&Rs.

Commissioner Call stated that as mentioned at the last meeting, he generally opposes zone changes where the neighbors are opposed. There are good reasons for that. He stated that there was an empty lot across from his home that was zoned R-1-10 that was vacant for about 10 years. He often wondered what would happen if it were converted to a convenience store. He did not consider that to be appropriate. He recognized that owner-occupancy will be limited to 50% in the townhome units but not on any of the other unit types, which could be 100% rentals. He also addressed the affordability issue and recognized that there has been a lot of growth in the City since he has lived here and he had not seen prices get more affordable. He did not consider the median cost of the units at $400,000 to be affordable. His opinion was that what is proposed is too dense. He did not consider the 8% reduction proposed by the developer to be significant. He saw no compelling reason to change the zoning.

Commissioner Whitehead listened to the audio from the City Council Meeting and studied the issue in detail. He is usually opposed to zone changes unless there is neighborhood support. He read a report that changed his opinion and stated that it is not his responsibility to decide about what is best for the residents. That is the job of the City Council. The Planning Commission's duty is to make sure that the application is complete and complies with the General Plan and forward a recommendation to the City Council. He felt that an 8% density may not be substantial but the 16% increase in single-family lots is significant. There are also 14% fewer townhomes. Overall it is a 28% change to go from townhomes to single-family lots. There was discussion of zoning the property R-1-6, which still allows a density of up to seven units per acre. The General Plan addresses density transitions, which are intended to ensure that the new development is compatible with existing neighborhoods. Gradual transitions between different densities should occur. Commissioner Whitehead felt that Mr. Leavitt had paid attention to what staff and the City Council have recommended and has adhered to the goals of the General Plan.

Commissioner Harris was in favor of the project last time and continued to support it. The General Plan calls for medium-density and their request complies with that.

Chair Blake reported that the subject property was annexed into the City in 1982 and agreed with Commissioner Call that there needs to be a slow increase in intensity. He did not consider what is proposed to be dramatically different from what surrounds the property. The City Council at their last meeting was more worried about the attached units, which was why they wanted the 50% owner occupancy stipulation. He did not see much of a difference between what is being requested and what currently exists in the community. The roads in the area have all been sized based on the General Plan to handle increased traffic. Traffic studies plan for the future. He felt there was a need for this type of housing. He remarked that affordability is relative. Chair Blake stressed the importance of providing places for our children to live. He noted that growth in the state has exceeded the availability of housing. The proposed units will be less expensive than a home in the R-1-10 zone.

Chair Blake liked the project because it has single-family homes that will be buffered by substantial roads. There is also a transition to other communities and it meets a need. He also liked that the developer has added pedestrian connectivity and that there are narrow streets that are safer and provide for walkability with the sidewalks. There is also a trail that will provide walkability.

Mr. Ence stated that the decision is legislative and one for which the City Council has broad discretion because it has to do with the direction of development in the City. It pertains to the concerns and considerations of the residents and property owners. The role of the Planning Commission is to make a recommendation and record of what was said for the benefit of the City Council who will make the final decision. The Planning Commission's recommendation is not binding.

Chair Whitehead moved that the Planning Commission recommend APPROVAL to the City Council to consider a proposed rezoning of property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, described as 18.09 acres) to rezone the property from the R-1-10 Single-Family Residential Zone to the Planned Development Residential ("PDR") Zone to allow for a proposed residential project that will include Single-Family Homes, Multi-Family Townhomes, and Amenities subject to the following:

Conditions:

1. **That the applicant be required to go through the PD Subdivision Review process for each project phase (overall preliminary & final plats).**

2. **That a total of one hundred thirty-three (133) units on 18.09 acres be allowed as per the Project Plan. This equates to a density of 7.35 units/acre.**

3. **That a Project Phasing Plan be required for the overall project. That this plan be reviewed for compliance with each project phase.**

4. **That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**

5. **That at least 30% of the project area be in common open space. The Project Plan includes approximately 34.83% (6.30 acres) of open space.**

6. **That the project amenities be provided and put in place as per the Project Plan and Phasing Plan.**

7. **That the required public trail (2018 Trails Master Plan) be put in place as per the Project Plan.**

8. **That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. Also, secondary water connections are required for outdoor water use**

9. **That a 45' public road cross-section be allowed for this PD project rather than a 50' cross-section. That a 26' private driveway be allowed to access Lots 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East be determined during the PD Subdivision review process.**

10. **That 203 parking spaces for the 51 multi-family units be provided along with 20 surface parking spaces adjacent to the amenity areas as per the Project Plan.**

11. **That the Geotech Report for the project be implemented during construction.**

12. **That the Traffic Impact Study, TIS for the project be implemented except for a third access to Patricia Drive**

13. **That a 6' solid block privacy wall be required along Pioneer Parkway and 400 East.**

14. **That a minimum of 50% of the multi-family townhome units be owner-occupied.**

15. **That the proposed property Rezoning complies with Chapter 17.18.090 items, (except item c below):**

    a. **The proposed use is suitable in view of the zoning and development of adjacent and nearby property;**

    b. **The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;**

    c. **There are no substantial reasons why the property cannot or should not be used as currently zoned;**

i. The applicant intends to do a PD Subdivision with both single-family and multi-family townhomes as per the MDR land use designation of the General Plan.

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

Findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).

2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single-family structures on small lots.

3. That other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential ("PDR").

Commissioner Harris seconded the motion. Vote on motion: Commissioner Call-Nay, Chair Blake-Aye, Commissioner Harris-Aye, Commissioner Whitehead-Aye. The motion passed 3-to-1.

Mr. Ence expressed gratitude to the public for the comments offered. He appreciated the feedback and input. It is welcome and becomes part of the record.

iii. <u>Recommendations to the City Council to Consider a Proposed Code Amendment to the Santa Clara Zoning Ordinance, Section 17.18, Amendments to Land Use Ordinance, Zoning Map, and General Plan. This Includes General Clean-Up and Updating of the Ordinance. Santa Clara City, Applicant.</u>

Timing issues were discussed. It was noted that once word gets out applicants will be prepared to submit amendments quarterly. Mr. Ence stated that it also signals that a General Plan change is a significant issue. In the past it has been treated as part of the process of a zone change, however, it is not the same.

Commissioner Call moved that the Planning Commission recommend APPROVAL to the City Council of the proposed Code Amendment to the Santa Clara Zoning Ordinance, Section 17.18, amendments to the Land Use Ordinance, Zoning Map, and General Plan and that the timeline be set as one year. The motion was seconded by Commissioner Harris. The motion passed with the unanimous consent of the Commission.

The Commission discussed the potential for being awarded a grant to help cover the cost of revising the General Plan. Mr. McNulty stated that he would need to inquire with the City Manager. Mr. McNulty commented that they have spent a lot of time trying to work with Utah Tech through the City Alliance who would like to help the City revise the General Plan but they do not have the needed expertise. Usually, a consultant is hired to lead a General Plan update. Mr. McNulty proposed that it be a 50/50 effort where he would do half of the work in-house with the help and guidance of a professional consultant in the future.

Mr. Ence pointed out that once the City is built out, redevelopment will not be precluded.

6. Discussion Items

A. None.

7. Approval of Minutes

A. Request Approval of the Regular Meeting Minutes – April 27, 2023.

Commissioner Whitehead moved to APPROVE the minutes of the April 27, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Call seconded the motion. The motion passed with the unanimous consent of the Commission.

8. Adjournment

The Planning Commission Meeting adjourned at 8:16 p.m.

_____
Jim McNulty
Planning Manager

Approved: _____

3. General Citizen Public Comment.

Devin Ferguson gave his address as 3790 Nicholas Drive and asked that there be future discussion related to the Gubler Park lighting schedule. He noted that the lights went on at 6:00 a.m. and did not turn off until 11:00 p.m. He stated that it is a waste of City money to keep the lights on when the area is not being used. It is also a nuisance for the neighbors. Mr. Ferguson suggested that maintenance lighting be established so that it will not be as impactful on the neighbors.

Michael Lee gave his address as 2312 Jacob Drive and reported that he works as the Risk Manager for the Washington County School District. At a recent Administrative Meeting, there was discussion regarding an inquiry made by the City of Santa Clara. The City wanted to discuss the property adjacent to Gubler Park for a possible purchase. The district was not inclined to sell the property for two reasons. First, there is no other land on that side of the City and the second was due to the level of growth taking place. Mr. Lee informed the Council that part of his pertains to working with Safe Routes to School. As Santa Clara City did its long-term planning, he asked that the public-school land and the traffic generated be considered.

Justin Caplin gave his address as 1454 Boys Pond Circle and shared comments related to the Justice Court. There was an item on the agenda that would extend an offer to Jake Graff. Mr. Caplin looked at the applicants and found that all were qualified. He has worked with Mr. Graff on several cases and although they did not always see eye-to-eye, he felt he was a good choice.

Adam Ellis gave his address as 2288 Julie Drive. He noted that the term "City Staff" was used in the notes and documents related to proposed developments and zone changes. He wondered who that term described. In some of the meetings he attended, the documents mentioned that a developer who worked with City Staff or City Staff shared a recommendation. He asked for additional information about who is included and their role in decision-making. Additionally, he wanted to know if there were opportunities for community input on projects and proposals before there are discussions at a City Staff level. Mayor Rosenberg reported that City Staff includes the Technical Review Committee ("TRC"), which is where new applications for Building Permits or land development projects start. The Committee meets every Thursday morning, and those meetings include the City Manager, department heads, and so on. He monitors the meetings when possible. The TRC takes the applicant through various processes. All applications are reviewed to ensure that they are complete before moving forward.

Mr. Ellis noted that City Staff spoke to developers and applicants before an item was discussed at a public hearing. He wanted to know if it was possible to share community input beforehand. City Attorney, Matt Ence, explained that TRC Meetings and internal discussions are not required to be public meetings under State Law. The City generally follows a process that is defined by the Municipal Land Use Development and Management Act ("LUDMA") and City Ordinances. When someone files a land use application on a piece of property that they own, has a contract to purchase, or have rights to, under State Law there is a vested rights doctrine. It means that once someone applies for a certain land use approval, the City has a legal obligation to take them through the process established by law and consider the application under all of the currently applicable

Ordinances and State Laws. That is the primary responsibility of City Staff and is done before public bodies such as the Planning Commission and City Council who can consider the application.

Under those laws, there is no public feedback component until the public meetings take place. The public does have opportunities to request information from the City through a Government Records Access and Management Act ("GRAMA") request. If there is a particular application or piece of property that is of interest, it is possible to file a GRAMA request related to that. There is a page on the City's website where residents can make that request. Mr. Ence reiterated that there are ways to obtain information about pending applications but that needs to be done through the appropriate channels. Mr. Ellis believed there should be more transparency beforehand so it would be easier for residents to respond to various applications.

Tom Pritt gave his address as 3918 Madison Avenue and shared comments related to zoning changes specifically related to Item 5 under the General Business portion of the City Council Meeting agenda. He had concerns about the area and asked that the rezone be denied.

Dahl Bond asked the City Council and Mayor to consider senior citizens when making changes in the City. It is important to consider noise, pollution, traffic, and costs. Mr. Bond also asked the City to consider residents who are handicapped and cannot walk along busy streets quickly or need wheelchairs. He felt it was important to consider everyone when making decisions.

There were no further citizen comments. The comment period was closed.

4. <u>Conflicts and Disclosures.</u>

Mayor Rosenberg disclosed that he had a conflict with Items 3 and 4 listed under the General Business portion of the City Council Meeting agenda. He explained that his wife is a Den Leader with Cub Scout Pack 407 and the firm he is employed by is connected to the rezone application for Item 4. There were no additional conflicts or disclosures shared by the Council.

5. <u>Working Agenda.</u>

A. Public Hearing.

i. Consent Agenda.

a. Approval of Claims and Minutes:

- **March 22, 2023, Regular City Council Meeting Minutes.**
- **Claims Through April 12, 2023.**

Council Member Hinton moved to APPROVE the Consent Agenda, as presented. Council Member Drake seconded the motion. Vote on motion: Council Member Shakespeare-Aye; Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed unanimously.

Council Member Shakespeare seconded the motion. Vote on motion: Council Member Shakespeare-Aye; Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed unanimously.

v. Discussion and Action to Consider a Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway (Parcels SC-SB-90-A-2 and SC-SB-90-A-4-B, Described as 18.09 acres). The Applicant, Clayton Leavitt is Proposing to Rezone the Property from R-1-10 Single-Family Residential to the PDR Zone to Allow for a Proposed Residential Project that would include Single-Family Homes, Multi-Family Townhomes, and Amenities. Presented by Jim McNulty, City Planner.

Mr. McNulty reported that the applicant, Clayton Leavitt, with Oak Creek, requested to rezone property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B). The subject property is 18.09 acres in size. The applicant has been working with City Staff on the project for several months. The item was discussed at multiple TRC meetings. Additionally, there were some discussions during Work Meetings with the City Council last year. One of those Work Meetings took place on May 4, 2022, and another on June 1, 2022.

Mr. McNulty reported that a Project Plan is required for a petition to rezone the property to a PD Zone. In this case, the request was to rezone from the R-1-10 Single-Family Residential Zone to the PDR Zone. The PDR Zone requires that a lot of information be submitted to the City during the application process. He reported that the project needs to meet the criteria of the PDR Zone. Mr. McNulty shared the Project Plan Review Items list with those present, which included:

1. Residential Unit Count: The Project Plan includes a total of one hundred forty-four (144) units on 18.09 acres of property. This equates to a density of 7.96 units/acre. A total of 69 single-family lots/pad lots are proposed along with 75 multi-family townhomes units. The PDR Zone allows for a base density of 8 units/acre. The applicant is not requesting a density bonus for the project. The PDR Zone allows for a potential density bonus of up to 12 units per acre if certain measures are met, but the plan proposes 7.96 units per acre.

2. Project Phasing Plan: A Phasing Plan has been included for the overall project. A total of eight phases have been proposed including Phases 1A, 1B, 2, 3, 4, 5, 6, and 7. The Phasing Plan will be required as part of the Planned Development and PD Subdivision review process.

Phase 1A will front Patricia Drive and have 14 single-family lots. Lots 1 through 7 are approximately 8,000 square feet, with Lots 8 through 14 being 6,000 square foot lots. Phase 1B is on the interior and includes smaller pad lots with single-family detached. The pool and restroom facility will also be included in that phase. Phase 2 will include single-family pad lots and three pickleball courts. Phase 3 will include more of the single-family pad lot homes as well as Phase 4 to the south. Phase 5 will transition to the north and include multi-family townhome units with a

public street system. Phase 6 includes multi-family dwelling units and Phase 7 has multi-family townhomes. Some of those were proposed to back onto 400 East.

3. Building Design/Materials/Height/Setbacks: Chapter 17.68 requires a review of building design, building materials, building height, and building setbacks. The Project Plan includes both single-family homes and multi-family townhomes as follows:

- Single-Family Home Lots/Pad Lots. Both one-story and two-story traditional home designs are proposed for these single-family lots. Home sizes will range from 1,500 to 3,000 square feet. Four to five different models with varying elevations and materials, including multiple brick and stone options, along with stucco, and tile roof options. Rambler homes will be approximately 20' in height, with two-story homes being 27' in height. Lots 1 – 14 (traditional lots) will have a 20' front yard setback, with 8' side yards, and a rear yard of 10'. Lots (pad lots) 31 - 44 and 46 – 69 will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

- Single-Family Pad Lot/Narrow Homes. The smaller/narrow pad lot single-family homes will include a two-story design. Homes sizes will range from 1,700 to 1,850 square feet. Four different models with varying elevations and materials, including multiple brick and stone options along with Hardie board, stucco, and tile roof options. The two-story homes will be approximately 25' to 27' in height. Lots 15 – 30, and 45, will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

- One-Story Townhomes. These units include two bedrooms and two bathrooms homes with a one-car garage and two-car driveway. The proposed units would be approximately 985 to 1,100 square feet in size. A two-car driveway will be included in front of each unit. Two different color palettes with a variety of building materials including brick and stone, Hardie board, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22' in height. Units 70, 74, 75, 79, and 80 – 94 will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback between buildings will be 12' with a rear setback of 10'.

- Two-Story Townhomes. These units include 3 and 4 bedrooms and 2.5 baths with a two-car garage and two-car driveway. The proposed units will be 1,400 to 1,600 square feet in size. Two different color palettes with a variety of building materials including brick and stone, Hardie board, stucco, and tile roof options are proposed. The two-story townhomes will be approximately 27' in height. Units 95 – 126 will have a rear/front yard driveway depth of 20', with a side yard setback of 15' between buildings. The front yard will include a courtyard patio that fronts a green court area. Units 127 – 144 will have a rear

yard/front yard driveway depth of 20' along Tuscany Drive, with a side yard setback of 15' between buildings. The front yard for these units is approximately 20' to the face of the building; however, an 8' courtyard patio will be allowed in the setback area allowing for 12' from the back of the sidewalk to the courtyard.

Mr. McNulty reviewed the proposed elevations and various sample images with the Council. He noted that there are several different unit types proposed. In the Project Plan, the one-story townhomes are the buildings that back onto 400 East. He shared an example of the two-story townhomes, which include a front and rear elevation with a rear garage. On the ends, there are rambler-style units shown. He explained that different unit types were shown on the Project Plan. For instance, the area in yellow indicated the one-story townhomes. Buildings 75-79 and 70-74 were two-story townhomes with rambler units on the edges. He noted that the green color indicates other areas where two-story townhome styles are proposed. The Landscape Plan was shared with those present and information about open space and amenities were reviewed.

4. Open Space: Chapter 17.68 requires at least 30% of a project area to be in common open space. The Project Plan includes approximately 33.83% (6.12 acres) of open space being proposed for the overall project. The applicant will be required to work with City Staff during the PD Subdivision review for each project phase to verify these calculations.

5. Project Amenities: Chapter 17.68 requires project amenities including recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. The Project Plan, Phase 1B includes restrooms, a pool, a hot tub, and an outdoor seating (covered and uncovered) area for the community. Additional open space areas with gazebos and barbecues have been shown in Phase 4, Phase 6, and Phase 7. Phase 2 includes three (3) pickleball courts. A series of walking paths providing a connection for residents to these amenity areas has also been included in multiple project phases. The applicant will be required to work with City Staff during the PD Subdivision review for each project phase to verify the project amenities as per the Phasing Plan.

6. Public Trail Access: An 8' asphalt public trail along 400 East has been shown on the Project Plan. This trail is required as per the 2018 Trails Master Plan. This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscany project, which provides a connection to other trails in the area. This will be reviewed during the PD Subdivision review process.

7. Landscaping and Water Efficiency: Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with City Ordinance #2022-05 (Water Efficient Landscaping and Conservation Standards). A secondary water connection will be required for outdoor water use. The applicant has provided a preliminary landscape

plan; however, a more thorough review with additional details (landscaping and irrigation) will be required during the PD Subdivision review process.

8. Public Road Cross-Section: The Project Plan includes a required 45' public road cross-section within the interior of the project. This includes 30' of asphalt, 2.5' of curb, and gutter on either side, with a 5' sidewalk on each side of the road allowing for good pedestrian access and movement. Additionally, improvements such as but not limited to curb and gutter, park strip, sidewalk, and trails will be required along Patricia Drive (50' public street), Pioneer Parkway (70' public street), and 400 East (66' public street). The applicant will be required to work with city staff and comply with all department recommendations during the PD Subdivision review process.

9. Private Driveway Cross-Sections: The Project plan includes two (2) private driveways at 26'. Each private driveway would provide access to two (2) single-family pad lots (Units 38-39, and 59-60). The applicant will be required to work with City Staff and comply with all department recommendations during the PD Subdivision review process.

10. Parking: The Project Plan includes a total of 281 parking spaces for the 75 multi-family townhome units. This equates to 3.75 parking spaces per unit. An additional 20 parking spaces have been provided adjacent to the project amenities in the center of the property. Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots have been designed to include a two-car garage with a two-car driveway. It appears that sufficient parking has been provided for the project. The project parking will be reviewed during the PD Subdivision review process.

11. Project Utilities: Utilities (e.g., water, sewer, power, gas, etc.) are required for the project. A secondary water connection will be required for outdoor water use. The applicant will be required to work with city staff and comply with all department recommendations during Preliminary Subdivision Plat and Final Subdivision Plat review for each phase.

12. Soils Report: A Geotech Report (Subsurface Investigation) was done by Applied Geo-Tech and was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north and south); however, the site is suitable to support residential slab-on-grade construction provided that the report recommendations are implemented during construction. The applicant will be required to work with City Staff during the PD Subdivision review for each project phase to determine compliance.

13. Traffic Study: A Traffic Impact Study ("TIS") was done by Hales Engineering and submitted for the property. Two project accesses were assumed, which resulted in an acceptable level of service ("LOS") at intersections; however, a third access was also considered on Patricia Drive. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been

redesigned to include a row of single-family lots along Patricia Drive without access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. Access will be gained off Pioneer Parkway and 400 East.

14. Project Narrative: The applicant has submitted a project narrative for your review and consideration. City Staff asked the applicant to update this item to match the Project Plan. The Commission will have questions for the applicant during the meeting.

15. Block Privacy Wall: A 6' solid block privacy wall will be required along Pioneer Parkway and 400 East. This item will be further reviewed during the PD Subdivision process.

Mr. McNulty reported that notices were sent to all property owners within 300 feet. Additionally, the property was posted with signs. Several phone calls and emails were received from members of the public. Those comments were forwarded to the Planning Commission prior to the Planning Commission public hearing. That hearing was well attended, and a copy of the Draft Planning Commission Meeting Minutes was included in the packet for Council review and consideration. 26 individuals spoke during the public hearing. As part of the packet, a petition submitted by residents was also included. The City Recorder verified the individuals and the addresses listed on that petition.

As for the General Plan, the designation in the subject property area is MDR. He shared a map from the General Plan and identified the subject property, which has an MDR Land Use Designation. The description and character objectives for MDR were, "townhomes, multi-unit buildings, and small lot single-family structures on small lots. Accessory dwelling units ("ADUs") are encouraged. MDR neighborhoods have a tree-lined local street grid and interconnected pedestrian circulation systems, with density ranges from three to 12 dwellings per acre." The proposed Project Plan/Rezone application included small lot single-family homes, townhomes, and amenities for residents. The proposed use of the property was encouraged by the General Plan.

For a rezone, per Chapter 17.18.090, there were several items for consideration, which were listed as A through H. City Staff review indicated that the criteria was met, with the exception of Item C. Mr. McNulty reported that Item C asked whether there were substantial reasons why the property could not or should not be used as currently zoned. He noted that the property was zoned R-1-10 and the applicant had decided to petition the City for a rezone to PDR rather than developing within the R-1-10 Zone. He noted that the applicant had a right to this request.

Mr. McNulty referenced Utah Code Section 10-9a-205. All of the requirements as far as noticing had been met. It was determined that all State Code requirements had also been met with the application. He reported that the Planning Commission held a public hearing on March 23, 2023. A motion was made to recommend approval to the City Council, but the vote on the motion ended in a 3-to-3 tie. No other substitute motion was made or voted on. As a result, no recommendation was provided by the Planning Commission on the application. City Staff recommended that the City Council review the submitted rezoning application and Project Plan to determine whether the

application was complete. If the application was determined to be complete, City Staff recommended that the City Council consider the application, subject to the Conditions of Approval and Findings of Fact outlined in the Staff Report. There were 14 conditions and three findings.

It was confirmed that there is a block wall on Pioneer Parkway and 400 East. On Patricia Drive, Council Member Shakespeare believed there would be traditional standard lots with sidewalks. Mr. McNulty shared the Project Plan. The lots shown on Patricia Drive are front-loaded, so there would not be a wall. The multi-family townhomes on Tuscany have driveways that front onto Tuscany. The front of the home and the outdoor patio face the interior. Council Member Shakespeare asked about the proximity to the school. He wanted to make sure there was pedestrian access around the entire property. Mr. McNulty confirmed that there was and reported that there would be curb, gutter, and sidewalks. He reported that there are three access points in between the townhome buildings themselves onto Tuscany but there is no direct access to Patricia Drive because there is a row of 14 single-family homes. He noted that access could tie into the walkway adjacent to 127, work around 15, and tie into Patricia Drive along that property line. Public streets with sidewalks on both sides were needed to create walkability.

Council Member Hinton asked about the setbacks on the interior for the driveways. Mr. McNulty explained that the typical pad lot and the narrow pad lot all have a front setback to the living area of 15 feet, with a driveway depth of 20 feet. The garage will be 20 feet and the living space will be 15 feet. This allows for a 20-foot driveway from the back of the sidewalk.

Mr. Ence explained that when there is a zone change application, it was considered an amendment to the Zoning Ordinances. Any kind of amendment to an Ordinance is a Legislative decision. That was a decision where the Legislative body of the City has broad discretion to make a decision about an application. During the decision-making process, the Council could take into consideration a broad spectrum of factors and considerations. This is especially true in this situation, where the existing zoning complied with the General Plan and the zoning being sought by the applicant also complied. It was a question of what the City Council believed was best for the City and how the various considerations would be weighed.

The applicant, Clayton Leavitt, gave his address as 2499 River Circle. He explained that the earliest concept for the property was to provide more affordable housing options to the neighborhood. After speaking with City Staff and members of the City Council, it was stressed that there need to be single-family homes in the Project Plan as well. Additionally, there need to be transitions in the density. He noted that City and resident feedback were considered, and some compromises were made. Like many residents, he had concerns about the multi-family to the north and building single-family next to it. He did not necessarily like to build single-family homes right next to multi-family homes and understood that it was important to have transitions in density. That was one of the main reasons that a comprehensively planned development community was needed. It would address the planned development project to the north, the planned development project to the south, and the single-family development to the east. Even though the single-family that exists to the west is in Ivins, it needs to be considered as well with the application.

Mr. Leavitt explained that the Project Plan has a lot of diversity, which is important for the community and the neighborhood. A buffer was created to the east and the south. There had been

discussions with some residents in Ivins and there were early concerns about the height. Those residents did not want their views to be jeopardized and wanted to see single-family. He believed a good compromise was to do single-level homes in that area. There had been a lot of discussions with residents and the intention was to be sensitive to their concerns about the existing neighborhoods. At one point, some of the townhomes were designed to face 400 East but the decision was made to match what is across the street and place a wall across 400 East and along Pioneer Parkway. The townhomes were designed with courtyards so there would be a strong sense of community. The intention was to have nice amenities within the development.

Mr. Leavitt noted that in the northeast there is a detention area. He hoped the area would become smaller to allow for more open space and an additional park. It is approximately one-quarter acre that was not counted in the total open space calculation. There is a lot of open space planned within the development, which is important for the area. In addition, there are smaller pad lots to address the soils report. Mr. Leavitt shared information about the proposed amenities for the site. There would be events held to bring the neighborhood together.

Council Member Waite asked about Lots 15 through 69. He believed the land underneath the house is owned and wanted to understand how that works with a backyard. For instance, if there are walls between the units. Mr. Leavitt wanted to see the backyards stay open. There would be some type of private area that would come off of the building itself so there was private space, but the intention was not to enclose the backyard. The Landscape Plan was further reviewed. Mr. Leavitt reported that the proposal was for those units to have a patio, some green space, and some open space. There were a variety of sizes as far as the rear yards were concerned. Mr. McNulty clarified that the pad lots themselves have 16 feet of separation between the pad lots and the side yards. That would allow there to be enough space between the units.

Council Member Hinton wondered if it was possible to have a garage pad if the land was not owned. This was confirmed. It was noted that it would be part of the Homeowners Association ("HOA"). Council Member Mathis explained that her home is similar. If she wanted to do anything on her side or rear yard, she must go to the HOA for approval. That is generally covered in the Covenants, Conditions, and Restrictions ("CC&Rs"). Mr. Leavitt explained that the owners will own their pad and there are also common areas.

Council Member Hinton asked about the parking requirements. Mr. McNulty reported that an individual single-family unit, whether it is a multi-family townhome or a single-family home, is required to have two parking spaces (one covered and one uncovered). The parking requirements would be met and only one additional parking space was needed for an ADU. Mr. McNulty explained that Internal Accessory Dwelling Units ("IADUs") are mandated by the State. Council Member Hinton wondered if short-term rentals will be permitted. This was denied. Mr. McNulty added that in the case of an IADU, it must be owner-occupied.

Mr. Leavitt explained that there was a desire to have some flexibility so residents could enjoy the community. The intention was to create a maintenance-free lifestyle so that all common areas will be maintained and presented in a professional manner. The amenities were further reviewed. He wanted the amenities to be both tasteful and functional. It is important to have usable common areas rather than unused open spaces. The General Plan was reviewed, and he shared information

about past developments in Santa Clara. There were several meetings held in 2013 and it was decided that the medium density would be located outside of the City. At that time, there were concerns about a lack of affordable housing in the community. He felt that the current design made sense of the existing developments and also addressed a housing need.

Mr. Leavitt noted that in the State of Utah, there continues to be a shortage of homes. Additionally, there is pressure with increased building costs and increased land costs. He reported that there are currently 27 homes listed for sale in Santa Clara but only two of those listings are under $500,000. More than 15 of the listings are greater than $795,000. There is a real need to have affordable options and a wider variety of housing types available in the City. Mr. Leavitt was aware that a petition against the rezone had been created. However, he pointed out that the majority of the signatures were dated last year. There seemed to be a lot of opposition before the design layout and plans had even been presented. He understood change was difficult. Mr. Leavitt asked the Council to allow the development to be a planned development community.

The color palettes for the single-family homes and townhomes were reviewed. Mr. Leavitt noted that the nearby homes will not decrease in value as a result of the development. The intention was to create something that is high-end, functional, and aesthetically pleasing. He reported that the townhome buildings will not all be the exact same color. There will be some variety in both the colors and the stone to create enough variation. As for the single-family homes, six different varieties of colors and stone can be done.

Council Member Hinton reported that she received a lot of communication from residents about the application. One of the recurring themes related to rentals. She wanted to know if the CC&Rs will be used to restrict a number of townhome residences to be owner-occupied. Mr. Ence clarified that the City does not have a mechanism to regulate or monitor that, but the City Council could require a Condition of Approval that stated there needs to be a restriction on rental units in the CC&Rs. That would then be up to the HOA and property owners to enforce. Mr. Leavitt was supportive of the suggestion. He noted that there could be language specifying that if someone purchases a property and later decides to rent it, the owner will need to go through a developer-appointed property manager to control the situation. The intention was to have a professional management company oversee the entire project. Mr. Leavitt was willing to put something in the CC&Rs for the townhomes to state that 50% needed to be owner-occupied.

Council Member Drake asked why the applicant did not want to utilize the R-1-10 Zone. Mr. Leavitt explained that the main reason had to do with buffering to the north and south. Those areas were rezoned from R-1-10 to PDR. In order to buffer appropriately, the development also needs to have a PDR Zone. As the General Plan suggested, there could be a density buffer between the proposed development and the existing developments. Council Member Drake expressed concerns about density. Mr. Leavitt appreciated the concerns but asked that the General Plan be considered. The area was planned to be medium density and he did not want to build single-family homes right next to Tuscany. The General Plan encouraged diversity in housing, which the proposed development included. Additionally, he reiterated that it was important to bring more affordable homes to the area. A lot of people were unable to afford single-family homes on large lots. Times have changed and it is necessary to provide a variety of housing stock in order to meet the existing needs. Mr. Leavitt shared information about water conservation.

Council Member Shakespeare noted that the application was discussed previously. A lot of comments from residents have also been considered. There were some positive attributes to keep in mind, such as the lack of driveways on 400 East and the potential for affordable housing. He understood that there was a need for affordable housing in the community. Council Member Shakespeare was in favor of a PDR Zone for transition but noted that MDR guidelines were vague and allowed between three to 12 units per acre. That was a broad spectrum. There had been a lot of discussions about the development and some compromises had been made, but he was still concerned about the density. He believed this was a good property for a transition zone but reiterated his concerns about the density proposed. The plan could be done in a similar way with a slightly lower density. While this was a property that could be in a PDR, he still had concerns.

Council Member Mathis noted that she lives near the subject property. She attended the Planning Commission Meeting and heard all of the comments shared by residents at that time. Though she understood the comments shared by Council Member Shakespeare about density, she believed there needed to be a transition somewhere. Council Member Mathis reminded Council Members that the current R-1-10 Zone was a holding zone. She noted that there had been a lot of outreach from residents about the development and she had met with some of those residents in her neighborhood. Their main concerns related to parking off of Patricia Drive and the issues in Tuscany. Something she liked about the plan was that the units on Tuscany mirrored what was across the street. Since the driveways faced Tuscany, that meant the parking along there would not continue to be an issue in the future. It limited people being able to park on that street.

Council Member Hinton noted that there is not a lot of attainable housing in Santa Clara. Not having housing in a more affordable price range is impacting the overall quality of life. She appreciated that there are a number of different housing types in the proposal as it means that many residents can enter the housing market. That being said, she understood that density and parking are of concern. She felt that the traffic had been addressed with the two entrances and believed the driveways out onto Patricia and Tuscany would solve a lot of the existing issues.

Council Member Drake believed that single-family residential homes are essential to maintain the lifestyle in Santa Clara. He also believed that affordability will be determined by the market and pointed out that what was affordable to one person may not be affordable to another. He noted that Mr. Leavitt has done a good job of listening to resident concerns, but the density levels were considerably higher than what he believed was appropriate for the neighborhood.

Council Member Waite agreed with a lot of the comments shared by his fellow Council Members. He had spoken to several residents and read all of the submitted email comments. Though a lot of residents appreciated the desire to offer different housing types, the City did not necessarily have the best track record with that. As a result, single-family homes were desired. Council Member White preferred to see a mirror of the project to the south. He could see changing the density to the R-1-6 Zone rather than PDR. He believed that transition areas were important but did not necessarily believe that half the units needed to be townhomes to create that transition.

Council Member Shakespeare asked about the different motion options. He noted that this was a rezone application and wondered if it was possible to table the item and spend more time reviewing

the material. Mr. Ence explained that the Council could take additional time to consider the application if that was necessary. However, he suggested that the extra information needed be clearly identified so the applicant could provide those details. Other than tabling the item, the City Council could vote to approve or deny the rezone application. The application could be approved with certain conditions as well. Council Member Shakespeare wondered what would happen if the application was denied. He wanted to know if the applicant would have the opportunity to return with a new Project Plan with lower densities. Mr. Ence clarified that if the Council wanted to reconsider it again within a year, it needed to come back with significant changes.

Council Member Hinton wondered what would happen if the PDR Zone was approved. For instance, if the rezone would remain with the property if the applicant chose to sell the property in the future. Mr. Ence explained that the PDR Zone approval incorporated the Project Plan. If the applicant decided to sell the property before it was developed, the new owner would take on the property with that zoning, which would include the approved Project Plan. In order to make a change, the new owner would need to come in and amend either the zoning or Project Plan.

Council Member Waite moved to DENY the Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway. Council Member Drake seconded the motion.

There was discussion about the motion. Council Member Shakespeare wondered what would happen if the applicant came back with slightly lower densities. He wanted to better understand the process if the current application was denied. The Council believed lower densities would be considered a significant change and a significant change could come back to the Council in less than a year. Mayor Rosenberg noted that if the densities were reduced, that would be a substantial change in his mind. Mr. McNulty agreed with that assessment. Mr. Ence clarified that he could not express a legal opinion on whether or not that would be a significant enough change but based on the Ordinance, that determination would be made by the Planning Commission.

Council Member Shakespeare stressed the need for different housing in Santa Clara. It did not make sense for the applicant to wait another year to bring the item back for consideration. The application still needed some work, but he would hate to see a denial that would prevent needed housing from being added to the City. He felt it might be better to table the item instead. Mayor Rosenberg noted that a motion had been made to deny the rezone application. If that motion was defeated, an alternate or substitute motion could be made by another Council Member. He reminded the Council that a motion had been made and asked that the vote be conducted.

Council Member Waite moved to DENY the proposed rezoning of property at 400 East/Patricia Drive and Pioneer Parkway. Council Member Drake seconded the motion. Vote on motion: Council Member Shakespeare-Nay; Council Member Mathis-Nay; Council Member Hinton-Nay; Council Member Drake-Aye; Council Member Waite-Aye. The motion failed 3-to-2.

Mayor Rosenberg asked for an alternate motion from the City Council.

Council Member Shakespeare moved to TABLE the proposed rezoning of property at 400 East/Patricia Drive and Pioneer Parkway, to allow the applicant to work with City Staff,

incorporate some of the City Council comments, and propose a new layout with slightly lower densities. Council Member Hinton seconded the motion.

Mr. Ence shared comments about the second motion. The changes being discussed were significant enough that the application would need to return to the Planning Commission for consideration. He reminded the Council that there is no recommendation from the Planning Commission on the current application. Council Member Shakespeare thought the process made sense and noted that it would allow the Planning Commission and residents to look at the application again and share additional comments. Council Member Drake believed that in this instance, tabling the item means that the application would return to the Council in a different form. There was further discussion about the motion. It was determined that tabling the item would allow the applicant to make changes and respond to the City Council comments that had been shared. The item may or may not need to return to the Planning Commission.

Vote on motion: Council Member Shakespeare-Aye; Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Nay; Council Member Waite-Nay. The motion passed 3-to-2.

vi. Discussion and Action to Consider Approval of the Spring Slurry Seal Project to Morgan Pavement for a Total Project Price of $304,407.00. Presented by Dustin Mouritsen, Public Works Director.

Public Works Director, Dustin Mouritsen, reported that the above item pertains to the spring slurry seal projects. There was a list of streets included in the packet as well as a map and a list of the three competitive bids received. Morgan Pavement was the lowest bidder at $.79 per square foot. 1,700,600 square feet of slurry seal was needed, which totaled $304,407. The street locations and map were reviewed by the City Council Members.

Council Member Shakespeare moved to AWARD the Spring Slurry Seal Project to Morgan Pavement for a total project price of $304,407. Council Member Drake seconded the motion. Vote on motion: Council Member Shakespeare-Aye; Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed unanimously.

6. Reports.

A. Mayor/Council Reports.

Council Member Shakespeare reported that Flood Control approved emergency relief at Southgate to remove sediment where buildup flooded the golf course. He informed those present that he attended a voting meeting earlier that day, which was helpful. Ryan Sullivan was in favor of the sorting machine, where there could be precincts.

Council Member Shakespeare was looking forward to the Parade scheduled for the following week.

Pioneer Pointe

Pioneer Pointe consists of 18 acres located north of Pioneer Parkway and south of Tuscany Dr. adjacent to the city of Ivins. Just west of Gubler Park in Santa Clara, UT. We propose building 133 homes with a density of 7.35 dwelling units per gross acre. Our community will have recreation amenities and landscaped open space of 6.30 acres (34.83% of the property). Over 13.66 acres (three-quarters) of our project is devoted to single-family homes. It is our goal to create a beautiful neighborhood that the residents of Santa Clara can enjoy.

We know there continues to be a need for residents in Santa Clara to have attainable housing. With the scarcity of land, building materials and now increased mortgage rates, it has become even more complex and difficult for Southern Utah families to afford the American dream of home ownership. With the costs of quarter acre lots upwards of $200,000+plus, we need to find alternative options to build on smaller building lots/footprints. We also need to be water wise in optimizing the best ways to conserve our water use inside and outdoors.

We have met with the city staff and council members on several occasions to get input and direction on how best to develop our land. We feel our project plan is complementary with the existing neighborhoods. City council members have suggested that it is important to have proper transitional zoning compatible with the multi-family to the north and single-family homes to the south. We have planned our project to reflect gradual transitions between our neighbors.

PDR Zoning Request - Our Project Plan

1. Meets the General Plan for Medium Density Residential (MDR).
2. Will have energy efficient, smart technology homes to save energy, power and natural gas.
3. Meets and exceeds the PDR zone standards and requirements of Santa Clara city.
4. Incorporates Internal Accessory Dwelling Units ("IADU") units to help families buy a single-family home and create equity.
5. Will use artificial or drought tolerant turf, smart water controllers, thermostats, appliances, plumbing fixtures and other water conservation measures to be below the Washington County Water Conservancy District .59 acre-foot per connection. Thus, avoiding any excess water surcharges to the residents and conserving water.

Product Mix

Townhomes:
1-story, 2-bedroom 2 bath, 985-1,100 square feet, 1 car garage, 2 car driveway - 21 homes
2-story, 3 and 4 bedrooms, 2.5 bath 1,400-1600 square feet, 2 car garage, courtyards, balconies and rear patios. All 1st floor living space will be 20' from public sidewalk - 30 homes

Single family homes:
1 and 2 stories, 1500-3000 square feet, 2-3 car garages, 4-5 different models with 2 elevations each, Internal Accessory Dwelling Unit ("IADU") options, rear private areas as per landscape plans. Six different brick and stone options. The smaller pad lot homes will be 1700-1850 square feet - 82 homes

Concept Plan Review

This Planned Development Residential project has several advantages. The project plan promotes creativity and flexibility in the design layout, product types and common amenity areas. We plan to provide fun recreational areas within the community amenities such as a pool, spa, pavilions, bbq's, pickle ball, playground and two parks. The amenities provided will be part of a Home Owners Association ("HOA"). The HOA will provide exterior building maintenance, landscape and pool maintenance as well as maintenance for all common areas. Outdoor watering will be managed with common area (rather than individual unit) meters - reducing the costs of having individual irrigation meters to each home. The irrigation controllers will be smart to adjust to the weather and current water needs.

In the townhome area we will have two different color pallets and elevations to give variety to the neighborhood. There will be 1 and 2 story plans mixed in the community with a residential single family exterior look. This includes multiple colors, pop outs, courtyards, patios and balconies etc. Please see the attached color pallets and elevations. To meet the city's request of having driveways along Tuscany Drive, we have reversed the townhomes to face south. The one-story townhomes and single family homes along 400 East, Pioneer Parkway and Patricia Drive will have rear backyards and a block wall.

The single-family homes will consist of 4-5 different models. The exterior elevations will consist of traditional/transitional cottage/farmhouse with multiple colors and clean lines. We will be using earth tone colors mixed with warm white and gray/black accents. We want to use a variety of materials and colors to create a custom home feel with each residence being unique. We have attached our color pallets and elevations. We will be offering both two and three (tandem) car garages. We are proposing a front yard setback at 15' to the living area with the garages being at 20'. Additionally, some of the garages will be setback 25' from the sidewalk. We are increasing the side yard building setbacks to 16' from 10'.

We want to create a maintenance free, smart living environment for our future residents. We respectfully request your support of our building a planned residential neighborhood.

Possible items for Concern-

1. Noise or loud music – Speakers will not be built in outdoor patios, Our CC&R's will not allow for loud music to be played on the patios, clubhouse or the townhouses.

2. Cars and parking – With over 4.0 stalls per townhome unit, abundant parking is being provided. This is well over the current city minimum requirements. Each unit will have 3+ spaces to park along with additional guest parking throughout. We will have driveways along Tuscany Drive to prevent parking along this street.

3. Trash- Each townhome will have its own trash. Also, each townhome will provide an adequate location for trash cans so they are off the streets and out of the way.

4. Security cameras will also ensure that the pool hours are enforced. There will be weekly patrolling and enforcing of street parking looking for those violating parking requirements or any other rules of the HOA.

5. Traffic flow - traffic within the project is designed to mitigate away from the smaller residential streets of Tuscany and Patricia. A double lane access from Pioneer Parkway could help flow traffic directly away from 400 East and Patricia onto the main 80' arterial street. A traffic study has been completed supporting the density and traffic flows generated by the proposed Pioneer Pointe neighborhood.

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

Petition summary and background	Developer is proposing that the zoning be changed to allow for more units than the current zoning which allows only 8 per acre, which we want it to stay as is and be single family homes
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Russell Good	Russell Good	3988 MADISON AVE	SINGLE FAMILY HOME	3-23-23
Ann Pritt	Ann Pritt	3918 Madison Ave	desire single family only	3/23/23
Thomas Pritt	Thomas Pritt	" " "	" " "	3/23/23
Sara Layton		2310 Julie Dr.	Single-family homes	3/23/23
Kristine Jackson & Jon Jackson	Kristine Jackson	3892 Nicholas Dr	Keep R-10	3/23/23

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Printed Name	Signature	Address	Comment	Date
Tori Bunnell	Tori Bunnell	3773 Jacob Dr	Please listen to the people that voted you in office	7/19/22
Robert Bunnell	Robert Bunnell	3773 Jacob Dr	" " " "	7/19/22
Kelley H Benson	Kelley H Benson	1866 Red Mountain Dr		9-27-22
Bryce Bond	Bryce Bond	2255 Jacob Dr		3-20-23
Margaret Bond	Margaret Bond	2255 Jakob Dr		3-20-23
Doug Wells		3842 Nicholas Dr.	RETAIN SINGLE FAM RES	3-21-23
ART PANSINI		3866 NICHOLAS DR	NO ZONING CHANGE	3/23/23
Gary Sorensen		2290 Julie DR	NO change!	3-23-23
Paul Boyer	Paul D Boyer	2294 Julie Dr.	Single family	3-23-23
Lynda Boyer	Lynda Boyer	2294 Julie Dr	Single family only	3/23-23
EVA PERLA	Eva Perla	11655 375 Edwin	Single fam only	3-23-23
Ann Evans	Ann Evans	3772 Nicholas	Single family only	3-23-23
DEBBIE GOOD	D Good	3988 Madison Ave	Single family Only	3-23-23
Adam Ellis		2298 Julie Dr	Single Family Please	3/23/23

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Printed Name	Signature	Address	Comment	Date
Wayne Klinzing	Wayne Klinzing	2132 Rim View		6-28-22
Marion Klinzing	Marion Klinzing	2132 Rim View		6-28-22
Wallace D. Evans	Wallace D Evans	2105 Rim View		6-28-22
Jeannette Evans	Jeannette Evans	2105 Rim View		6-28-22
[illegible]	[illegible]	2100 Rim Views Dr.		6/28/22
Claudia Pendleton	Claudia Pendleton	2100 N Rim Vw Dr		6/28/22
BRYAN JACOBS	Bryan P [illegible]	2129 RIMVIEW DR		6.28.2022
Lynn Parker	Lynn Parker	3702 Mitchell Dr.		6-28-22
TOM PACKE	[illegible]	3702 Mitchell DR		6-28-2022
ALLAN LEE	Allan Lee	3718 MITCHELL DR		6/28/22
Cynthia Lee	Cynthia Lee	3718 Mitchell Dr.		6/28/22
FRED J. FAGERGREN	Fred J. Fagergren	3324 BRYSON CIR		6/28/22
Donna L Fagergren	Donna L Fagergren	3324 Bryson Circle		6/28/22

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Printed Name	Signature	Address	Comment	Date
DeNice Wilde	DeNice Wilde	2284 Jacob Dr.	- Too much high density housing already	6/24/22
Michael Wilde	Michael Wilde	2284 Jacob Dr. Santa Clara		6/25/22
Genevieve Green	Genevieve Green	2266 Jacob Dr. Santa Clara		6-25-22
Randy Green	Randy Green	2266 Jacob Dr. Santa Clara		6-25-22
Dianne Bacigalupi	Dianne Bacigalupi	3747 Nicholas Dr. Santa Clara	- how are they going to supply water to high density housing when they can't even keep the grass in the park?	6/27/22
Ed Bacigalupi	Ed Bacigalupi	3747 Nicholas Dr Santa Clara		6/27/22
Reed Nichols	Reed Nichols	2319 Bryson circle		6/27/22
Megan Young	Megan Young	3700 Nicholas Dr. Santa Clara		6/27/22
Scott Bundy	Scott Bundy	3728 Nicholas Dr. Santa Clara		6-27-22
Lasko Kelsey	Lasko Kelsey	3728 Nicholas Dr Santa Clara		6-27-22
B. Winder	Brittney Winder	2322 Julie Dr. Santa Clara		6/27/22
Austin Winder	Austin Winder	2322 Julie Dr. Santa Clara		6/27/22
Jolyn Feller	Jolyn Feller	3736 Nicolas Dr. Santa Clara		6/27/22

Printed Name	Signature	Address	Comment	Date
David Fella	David C Fella	3786 Nicholas Dr SC		6/27/22
Victor Phillips	Victor Phillips	3758 Nicholas Dr		6-27-22
Savannah Phillips	Savannah Phillips	3758 Nicholas Dr		6-27-22
Diane Bennett	Diane Bennett	2305 Jacob Dr.		6-30-22
Alison Snyder	Alison Snyder	2326 Jacob Dr.		6/30/22
Ethan Snyder	Ethan Snyder	2326 Jacob Dr.		6/30/22
Brian Reeves	Brian Reeves	2216 Jacob Dr.		7/1/22
Ileon Reeves	Ileon M. Reeves	2216 Jacob Dr		7/1/22
Lane Reeves	Lane Reeves	2216 Jacob Dr		7/1/22
YANCY BARKER	Yancy Barker	2227 JACOB DR.		7-2-22
JESSICA BARKER	Jessica Barker	2227 JACOB DR.		7/2/22
Gwen Smith	Gwen Smith	3767 Mitchell Dr		7/2/22
Michael D Smith	Michael D Smith	3767 Mitchell Dr		7/2/22
Brithni Hawkins	Brithni Hawkins	2211 Jacob Dr.		8/4/22
Dan S Wood	Dan S Wood	3550 Robbin Ct		7/4/22
Julie C. Wood	Julie C. Wood	3550 Robbin Ct		7/4/22

Printed Name	Signature	Address	Comment	Date
Amy Mair	Amy B. Mair	2273 Julie dr. Santa Clara	We don't want to be boxed in and completely surrounded by transit housing	6/28/2022
Michael Cain	Michael W Cain	2286 Joshua Circle	We need the current zoning	6/29/2022
DAVID POND	[signature]	2322 Joshua Cir.	Keep Current zoning. No more High Density	6/30/2022
Meredith Pond	Meredith Pond	2322 Joshua Cir	Keep zoning as-is! STOP high density!	6/30/2022
ann addiego	[signature]	2273 Joshua Cir		6/30/2022
Jan Cain	Jan M. Cain	2286 Joshua Cir.	Keep current zoning R-1	6/30/22
MARK REESE	[signature]	2287 Joshua Cir	[illegible]	6/30/22
Theresa Fife	Theresa K. Ife	2267 Bryson Circle	too much demand on parks, water, roads	6/30/22
Joseph Fife	Joseph Ife	2267 Bryson Circle	Too much demand. Prefer current zoning	6/30/22
Stephanie Hall	Stephanie Hall	2253 Bryson Circle	Keep current zoning	6/30/22
KEVIN J. BAXTER	[signature]	2288 BRYSON CIRCLE	KEEP CURRENT ZONING	6/30/22
Amanda Baxter	Amanda Baxter	2288 Bryson Cir	KEEP single family	6/30/22
Heidi Lee	Heidi Lee	2312 Jacobs Drive	Plenty of high density in surrounding areas - keep current zoning	7/1/22
MICHAEL LEE	[signature]	2312 JACOBS DRIVE	" " " "	7/1/22

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Printed Name	Signature	Address	Comment	Date
Joseph Robinson		3834 Brenna Dr.		6/27/22
LR Lori L Rogers	Lori L Rogers	3817 Mitchell Drive		6-27-22
Ben Smith		3848 mitchell dr		6-30-22
Cheralyn Smith		3848 mitchell dr		6-30-22
Christy Miller		3490 Sage branch		6/30/22
Nicole Payne	Nicole Payne	3880 Mitchell Dr.		6-30-22
TRAVIS MABE		3804 Mitchell Dr.		6-30-22
Nick & Alvina Hardy		3912 Mitchell Dr.		6/30/22
Steve & Chelsea Todd		3930 Mitchell Dr		6-30-22
Mike + Vicki Hill	Vicki L. Hill	3899 Brenna Dr.		6-30-22
Karl & Sharon Adams		2046 Thornton Dr.		6-30-22
Vern & Linda Hermansen	Linda K Hermansen	3905 Mitchell Drive		7/3/22

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Marline Robinson	Marline Robinson	3824 Brenna Dr Santa Clara	we do not want zoning changed. Please keep as single family homes	6-27-22
Roy Warren	Roy Warren	3828 Brenna Dr. Santa Clara	Need to keep style	6-27-22
Christine Warren	Christine Warren	3828 Brenna Dr. Santa Clara		6-27-22
Emily Ivie	Emily Ivie	3843 Brenna Dr. Santa Clara		6-27-22
Abraham Ivie	Abraham Ivie	3843 Brenna Dr., Santa Clara		6-27-22
Connie Moser	Connie Moser	3819 Brenna Dr "	want just homes too many cars	6-29-22
Reed Moser	Reed Moser	3819 Brenna Dr,		6/29/22
Garrett Glenn	Garrett Glenn	3931 Brenna Dr		6-29-22
Valeria Glenn	Valeria Glenn	3921 Brenna Dr.		6/29/22
GERALD TOWER	Gerald Tower	3934 BRENNA Dr		6/29/22
Gretchen Tower	Gretchen C. Tower	3934 Brenna Dr.	Don't change current zoning	6/27/2022
MARCIA MOSS	Marcia Moss	3943 BRENNA DR		6/27/2022
Daryl Moss	Daryl Moss	3943 Brenna Dr		6/27/2022

Printed Name	Signature	Address	Comment	Date
Tamara Jensen	Tamara Jensen	3920 London Ln		6-28-22
Corbin Nay	Corbin Nay	3926 London Ln		6/28-22
Darrian VanValkenburg	Darrian VanValkenburg	3868 London IN		
Naomi Kaufhane	Naomi Kaufhane	3879 London Ln		6/28/22
Kim Carty	Kim Carty	3838 London Ln		6/28/22
William DYE	William Dye	3821 London Ln		6-28-22
Mollie Dye	Mollie Dye	3821 London Ln.		6-28-22
Margaret S. Morris	Margaret S. Morris	3815 London		6-28-22
DONALD K. MORRIS	Donald K. Morris	3815 LONDON		6/28/2022
Pamela Walker	Pamela K. Walker	3826 London Lane		6.28.22
Jamika McGee	Jamika McGee	3833 London Lane		6-28-22
Bruce McGee	Bruce McGee	3833 London Lane		6-28-22
MICHAEL D. SMITH COL USMC (Ret)	Michael D Smith	3810 Rachel Dr		6-30-22
Carol Smith	Carol Smith	3810 Rachel DR.		6-30-22
Nathan Coplin	Nate Coplin	2110 Thomas Trail	Consider the property rights and values of ordinary citizens, Not just certain ones.	6-30-2022

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

Petition summary and background	Developer is proposing that the zoning be changed to allow for more units than the current zoning which allows only 8 per acre, which we want it to stay as is and be single family homes
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Marilyn Robert	Marilyn Robert	3975 Brenna Dr.		6/27/22
Dave Chevrier	David Chevrier	3972 Brenna Dr.		6/27/22
Julie Hercyk	Julie T Hercyk	3818 Brenna Dr		6/28/22
Gowanda NY	[illegible]	3874 Mitchelle		6-28-22
Tiffany Fairbairn	[illegible]	3969 Mitchell Dr.		6.29.22
Phil Fairbairn	[illegible]	3969 Mitchell dr		6-29-22
Jane Love	Jane Love	3955 Mitchell Dr.		6-29-22
Richard Love	Richard Love	3955 Mitchell Dr		6-29-22
Marlene Glad	marlene Glad	3923 Mitchell Dr.		6-29-22
William Glad	[illegible]	3923 Mitchell Dr		6-29-22
Erica Muno	Erica Muno	3865 Mitchell Dr.		6-29-22
Nate Muno	[illegible]	3865 Mitchell Dr.		6-29-22
Davis Rogers	[illegible]	3817 Mitchell Dr		6-29-22

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Printed Name	Signature	Address	Comment	Date
DEBBIE GOOD	D Good	3988 Madison Ave		6-28
CLARENCE GOOD	CLARENCE Good	3988 Madison Ave		6-28
Ann Hughes	Ann Hughes	2223 Sheron Dr.	Only single Family Homes	6-28
Ann Witmer	Ann Witmer	3962 Madison		6-28
Tom Witmer	Tom Witmer	3962 MadisonAve		6-28
Susan Jackson	Susan Jackson	3901 Madison Ave		6-28
Michael Jackson	Michael Jackson	3901 Madison Ave		6/28
Joseph Smart	[redacted]	3921 London Ln		6/28
MICHELLE WALTER	Michelle Walter	3903 LONDON LN		6/28
Chris Christensen	[redacted]	3902 London LN		6/28
RICHARD OLSEN	[redacted]	3910 LONDON LN		6-28
Molly Dolan	Molly Dolan	3951 LONDON LN		6/28
GARY DOLAN	Gary Dolan	3957 London Ln		6/28

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Rachel Suchla	Rachel Suchla	3437 Robbin ct		6/27/22
Carol Tatum	Carol Tatum	2228 Thomas Trl		6/27/22
CARON Jenson	Caron Jenson	3823 Madison Ave.		6-27-22
Bill Meecham	Bill Meecham	13817 Madison AVE		6-27-22
Josh Green	Josh	3877 Madison Ave		6/27/22
Zack Gum	Zack	3868 madison Ave		6-27-22
Polly Bringhurst	Bringhurst	3856 Madison Ave		6/27/22
Nadine Benefield	N. Benefield	3873 Madison Ave.		6/27/22
Avery Broadbent	Avery	3900 madison avenue		6.27.22
Ethan Broadbent		3900 madison ave		6.27.22
Drake Broadbent		3900 Madison Ave		6/27/22
Debra Bayer	Bayer	3908 Madison Ave		6/27.22
	JENNIFER MORTENSEN	7974 MADISON		6/28/22

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Vicki L. Phelps	Vicki L. Phelps	2157 Thomas Trail	Single family homes are best for this area	6-30-22
Steve D. Phelps	Steve D. Phelps	2157 Thomas Trail		6-30-22
Lucille Hunt	Lucille Hunt	3847 Mitchell Dr.		6/30/2022
CALVIN HUNT	Calvin Hunt	3847 MITCHELL DRIVE		6/30/22
Cheryl Fowers	Cheryl Fowers	2214 Thomas Trail		6/30/22
ERLINGER		2284 THOMAS TRAIL		6/30/22
S. FIEDLER	Fiedler	2481 Thomas Trail		6/30/22
JAMES HARPER	James R Harper	2166 THOMAS TRAIL		6/30/22
Beverly Harper	Beverly Harper	2166 Thomas Trail		6-30-22
Christina Caplin	Christina Caplin	2110 Thomas Trail		6-30-22

Crisp

Printed Name	Signature	Address	Comment	Date
Claudia R. Johnson	Claudia R. Johnson	1979 Red Creek Rd.		10/17/22
Lowell Johnson	Lowell Johnson	1979 Red Creek Rd.		10/17/22
Debbie Call	Debra C Call	1971 Red Creek Dr.		10/17/22
Alan B Call	Alan B. Call	1971 Red Creek Dr.		10/17/22
Darel E. Nakai		1995 Red Creek Dr.		10/17/22
Kyle Fisher		1982 RED CREEK DR.		10/17/22
Liz Fisher	Liz Fisher	1982 Red Creek Dr.		10/17/22
Jill Larkin	Jill Larkin	3661 Harmony Way		10/17/22
Richard Kirkham	Richard Kirkham	3893 Sweet Water		10-17-22
Paul Etyke		3895 Sweetwater dr		10-17-22
Karen R Etyke	Karen R Etyke	3895 Sweetwater dr		10-17-22
Linda Kirkham	Linda Kirkham	3892 Sweetwater Dr.		10-17-22
Mike Paull	M. Paull	3886 SWEETWATER dr.		10-17-22
JEFFREY FELTWELL	Jeffrey Feltwell	3877 SWEETWATER DR		10/17/22
KRIS FELTWELL	Kris Feltwell	3877 SWEETWATER DR		10/17/22

Printname	Signature	address	Comments	Date
Scott Lee Diane Lee	Scott Lee Diane Lee	3861 Sweetwater Dr " " "		10/17/2022
Joan Flandro	Joan Flandro	3740 Windmill Dr Santa Clara, UT		10/17/2022
Marianne Madrigal	Marianne Madrigal	3840 Sweetwater Dr.		10/17/2022
Henry LoTzerich Norma LoTzerich	Henry LoTzerich Norma LoTzerich	3858 Sweetwater " "	Drive	10/17-22 10/17/22
LeeAnn Schoonover	LeeAnn Schoonover	3844 Harmony Dr Santa Clara, UT 84765		10.17.22
Paul Schoonover	Paul Schoonover	3844 Harmony Way Santa Clara, UT 84765		10-17-2022

Printed Name	Signature	Address	Comment	Date
Sonny Salpale		2123 Sheron Drive		7-7-22
Wendy Salpale		2123 Sheron Drive		7.7.22
Michael D Smith	Michael D Smith	3810 Rachel Dr		8 JULY AUG 2022
Lois Kay Hoxsie	Lois K. Hoxsie	38165 Tess Lane		7/9/2022
George G. Hoxsie	George G. Hoxsie	" " "		7/9/2022
Bonnie Miles	Bonnie Miles	3957 Tess Lane	Totally oppose this!	7/11/22
Steve Miller		3820 Tess Ln		7/12/22
Judy Miller	Judy Miller	3820 Tess Lane		7/12/22
Judy Williams	Judy Williams	3838 Tess Ln		7/12/22
	Ross Weaver II	3924 Harmony Way		7/19/22
Sandra S Weaver	Sandra S Weaver	3924 Harmony Way	Opposed-! Water!	7/19/22
Charles Sylvester		3933 Sweetwater Drive		7/19/22
Mary Sylvester	Mary Sylvester	3933 Sweetwater Dr.	Opposed-! Water	7-19-22
Karen Cole	Karen Cole	3900 Tess Ln	Totally Opposed	9-19-22
Paul Styka		3895 Sweetwater Dr		7-20-22

Printed Name	Signature	Address	Comment	Date
NOAL JOHNSTON	N J JOHNSTON	3973 TESS LN SANTA CLARA, UT	OPPOSITION TO ZONING REG	7/22/22
Joan Johnston	Joan P Johnston	3973 Tess Lane Santa Clara, Ut.	opposition to Zoning Reg	7/22/22
Marilyn Hansen	Marilyn Hansen	8837 Tess Lane Santa Clara, Utah	Oppose changing Zoning Regulation	8/6/22
PETER M. HANSEN	Peter M. Hansen	3837 TESS LANE SANTA CLARA, UTAH	OPPOSITION TO ZONING REG	8/6/22
LuAnn Smith	LuAnn Smith	3833 Tess Lane Santa Clara, Utah	Oppose Zoning change of regulation	8/6/22
Michelle Lee	Michelle Lee	3864 Rachel Drive Santa Clara, Utah 84765	oppose to zoning Reg.	8/07/22
HOLLY GOUGH	Holly Gough	2217 Sheron Dr Santa Clara UT 84765	opposed to Changing Zoning Reg	10/3/22
STEVE GOUGH	Steve Gough	2217 SHERON DR, SANTA CLARA UT 84765	OPPOSED TO CHANGING ZONING REGULATION	10-3-22
JEAN VanGRINSVEN	Jean VanGrinsven	2091 Sheron Dr.	oppose to changing	10-5-22
Margaret Peterson	Margaret Peterson	Santa Clara 84765 2095 Red Creek Rd	opposed to changing	10-17-22
KEN PETERSON	Ken Peterson	Santa Clara 84765 2095 Red Creek Rd	opposed	10-17-22
Jayne Fitzgerald	Jayne Fitzgerald	3834 Rachel Dr. Santa Clara, UT	Opposed to change	10/17/2022

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say **NO** to changes.

Printed Name	Signature	Address	Comment	Date
Linda G. Parker	Linda G Parker	3944 Rachel Dr. Santa Clara UT		6-30-22
Gary H E. Parker	Harold E Parker	3944 Rachel Dr Santa Clara UT		6-30-22
Christa Barker	Christa Barker	3941 Tess Ln Santa Clara, UT	Against this project	6-30-22
William C Barker	William Barker	3941 TESS LN SANTA CLARA, UT	11	6-30-22
Bob Gorgen	Robert Gorgen	4137 Sheron Santa Clara	FUGM	6-30-22
Judith Gain	Judith Gain	Santa Clara, UT 2129 Sheron Dr.		6-30-22
John Gain	John Gain	2129 Sheron Dr Santa Clara, UT.		6/30/22
Lucretia E. Brown	Lucretia E. Brown	3895 Tess Lane Santa Clara, UT		7/2/22
Chesley G. Brown	Chesley G Brown	3895 Tess Lane Santa Clara, UT		7/2/22
Sherry Jones	Sherry Jones	Santa Clara UT 3940 Rachel Dr		7-5-22
Harley Ostmark	Harley Ostmark	3881 TESS LANE SANTA CLARA UT		7-6-22
Russell Good	Russell Good	3988 Madison		7-7-22
Debbie Good	Debra Good	3988 Madison Ave		7-7-22

Printed Name	Signature	Address	Comment	Date
KAREN STYKA	Karen M Styka	3895 Sweetwater Dr		7-20-22
MIKE PAULL	M. Paull	3886 SWEETWATER DR.		7-20-22
Patricia Hughes Paull	P Paull	3886 Sweetwater Dr		7-20-22
JAMES PERRERA	James Perrera	3878 Rachel Dr		7-20-22
DIANNA PERRERA	Dianna Perrera	3878 RACHEL DR.		7-20-22
Kimberly Dawson	Kimberly Dawson	3950 London Ln		7-22-22
Peter Dawson	Peter Dawson	3950 London Lane		7/22/22
Jill Larkin	Jill Larkin	3881 Harmony Way Santa Clara		7.22.22
Chase Larkin	Chase Larkin	3881 Harmony Way		7/22/22
Deborah Zasadny	Deborah Zasadny	3922 Harmony Way		7/22/22
Dennis ZASADNY	Dennis Zasadny	3922 Harmony Way		7/22/22
CHERYL A. MILLER	Cheryl A Miller	3951 RACHEL DRIVE		7/27/22
Meidra Crisp	Meidra Crisp	3860 Sweetwater Dr		7/29/22
Willie Jorgensen	Willie Jorgensen	3919 Harmony Way		7/30/22
RICK JORGENSEN	Rick Jorgensen	3919 Harmony Way		7/30/22

CITY OF SANTA CLARA
ORDINANCE NO. 2023-15

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, AMENDING THE ZONE FROM SINGLE FAMILY RESIDENTIAL (R-1-10) TO PLANNED DEVELOPMENT RESIDENTIAL (PDR), ON APPROXIMATELY 18.06 ACRES, LOCATED AT APPROXIMATELY 2276 ARROWHEAD TRAIL, PARCEL NOS. SC-6-2-22-4148, SC-9-A-12 AND SC-9-A-18.

WHEREAS, the applicant, Oak Creek R-1-10, LLC, owns certain parcels designated in the General Plan and Land Use Map as Medium Density Residential (MDR), located at approximately Patricia Drive and Pioneer Parkway, upon approximately 18.06 acres including Parcel Nos. SC-SB-90-A-2 and SC-SB-90-A-4-B; and

WHEREAS, the applicant now seeks to obtain a zone change to the PDR zone, due to applicant's desire to develop a total of 82 single-family lots and pad lots, along with 51 multi-family townhome units, at a density of approximately 7.35 units per acre; and

WHEREAS, pursuant to the requirements of the Santa Clara City Code, the Planning Commission properly advertised and conducted a public hearing on the proposed zone change on May 25, 2023; and

WHEREAS, during the regular meeting of the Planning Commission held on said date, a motion was made and approved to recommend approval of the zone change; and

WHEREAS, the City Council, during its regular meeting held on July 12, 2023, considered the application for the proposed zone change, the public comments received, and the minutes of the Planning Commission's deliberations, and voted to approve the proposed amendment; and

WHEREAS,

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

Section 1. Classification

This ordinance amends the Zoning Map of the City of Santa Clara, Utah.

Section 2. Amendment

The Zoning Map of the City of Santa Clara, Utah, is hereby amended to change the following described property from Single Family Residential (R-1-10) to Planned Development Residential (PDR). The zoning approval incorporates the Project Plan materials provided by the applicant and considered by the City Council at the time this ordinance was approved.

DESCRIPTION:

Property located at approximately Patricia Drive and Pioneer Parkway, approximately 18.06 acres including Parcel Nos. SC-SB-90-A-2 and SC-SB-90-A-4-B, and more particularly described as follows:

See Exhibit A attached and incorporated with this reference.

Section 3. Findings, Conditions

The amendment approved herein is subject to the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).

2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single- family structures on small lots.

3. That other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential, PDR.

The amendment approved herein is subject to the following conditions: (none)

Section 4. Effective Date

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

ADOPTED by a duly constituted quorum of the Santa Clara City Council this 12th day of July, 2023.

IN WITNESS THERETO:

Attest:

_____ _____

Rick Rosenberg, Mayor Chris Shelley, City Recorder



Front Elevation Rendering



Rear Elevation Rendering

PLAN 01 - RAMBLER ELEVATION B

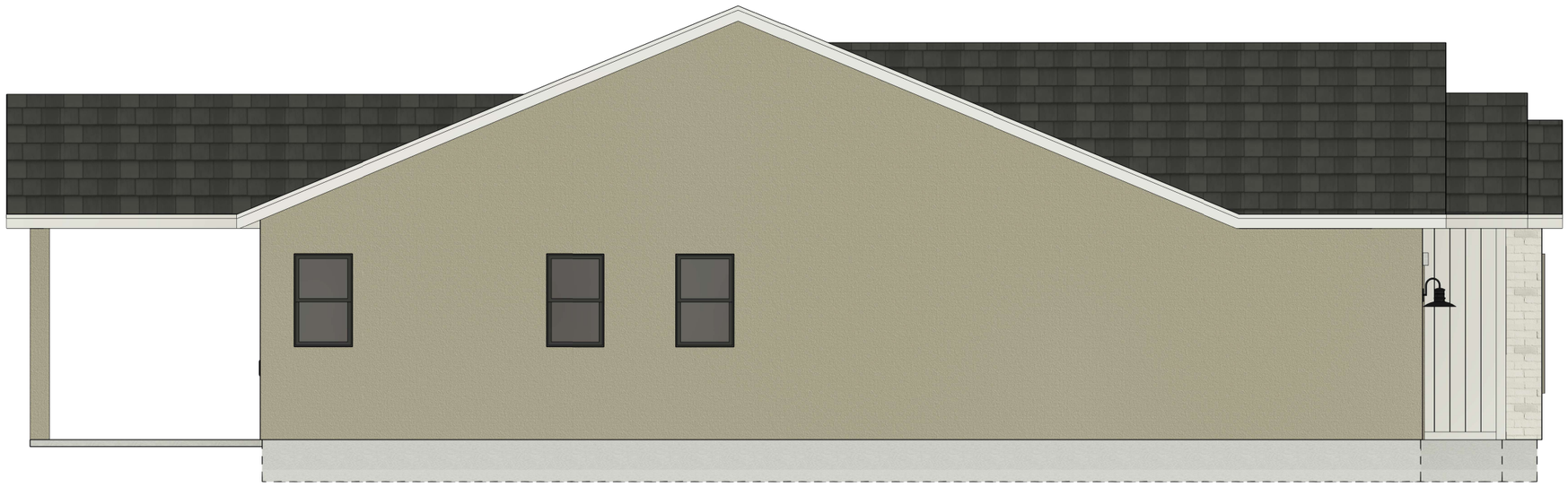
1/15/2023

RAMBLER

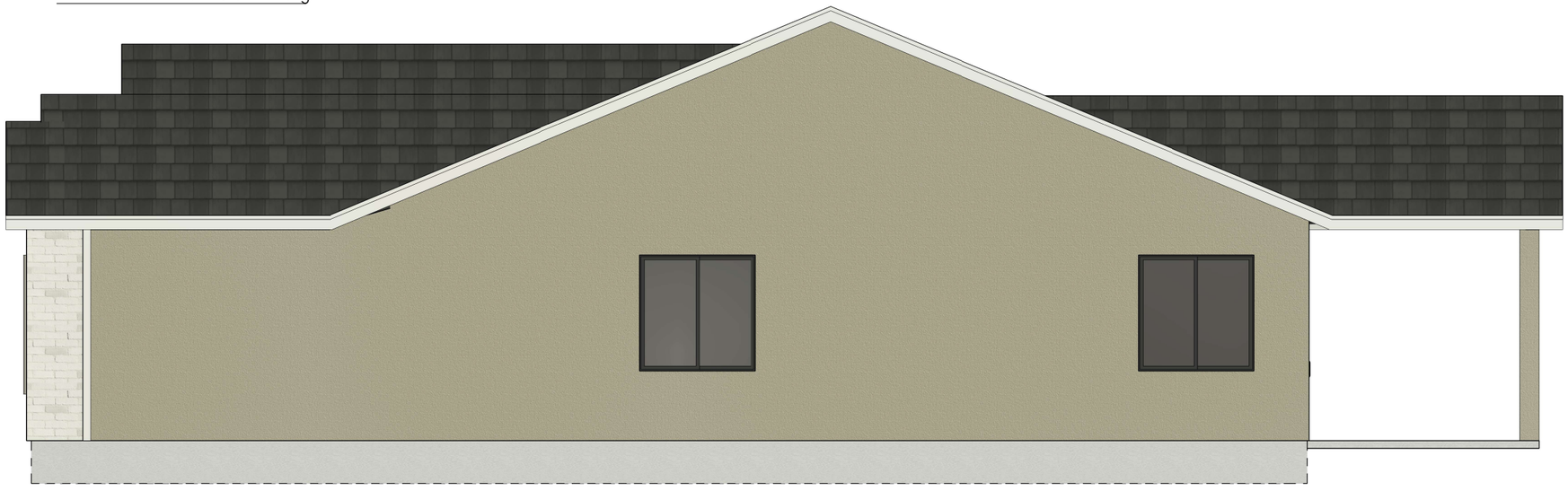
PLAN 01

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Left Elevation Rendering



Right Elevation Rendering

PLAN 01 - RAMBLER ELEVATION B

1/15/2023

RAMBLER

PLAN 01

SIDE ELEVATIONS RENDERINGS

A2.4



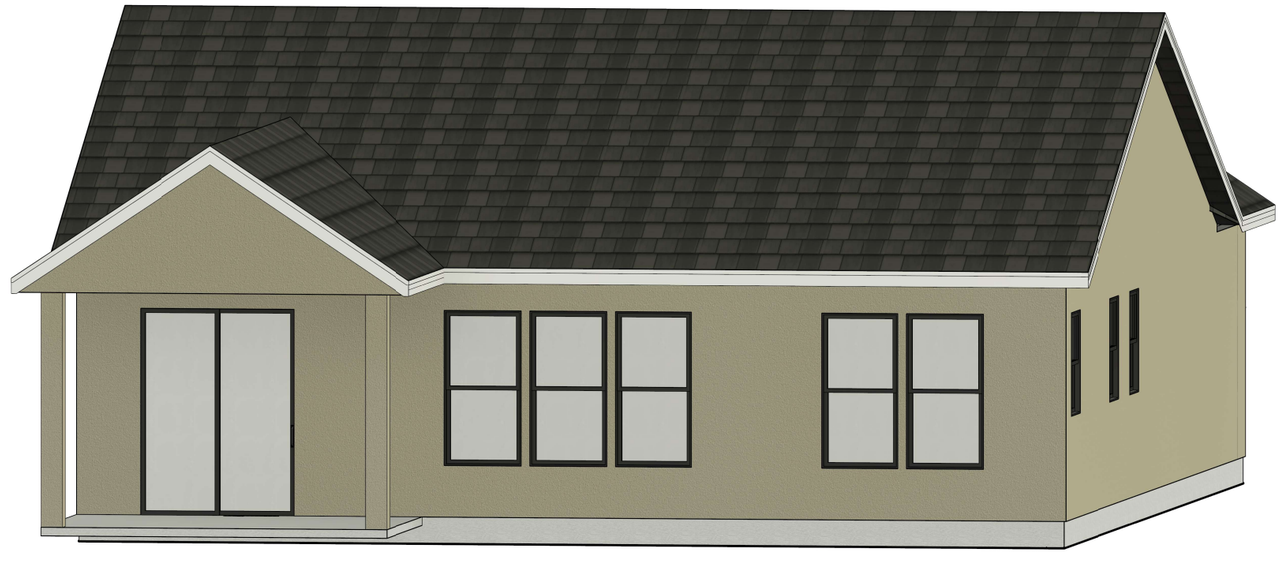
Front Left 3D View



Front Right 3D View



Back Left 3D View



Back Right 3D View



Front Elevation 3D View



Front Elevation Rendering



Rear Elevation Rendering

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Left Elevation Rendering



Right Elevation Rendering

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

SIDE ELEVATIONS RENDERINGS

A2.4



Front Left 3D View



Front Right 3D View

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

3D VIE S

A2.5



Back Left 3D View



Back Right 3D View

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

3D VIE S

A2.



Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

FRONT 3D VIE

A2.



Front Elevation Rendering



Rear Elevation Rendering

4 PLE ELEVATION A

VERS. 5

12/20/2022

PLE

SANTA LARA

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Right Elevation Rendering



Left Elevation Rendering

4 PLE ELEVATION A

VERS. 5

12/20/2022

PLE

SANTA LARA

SIDE ELEVATIONS
RENDERINGS

A2.4



Front Right 3D View



Front Left 3D View

A2.5

3D VIE S

PIONEER
POINT



Back Left 3D View



Back Right 3D View

A2.

3D VIE S

PIONEER
POINT



Front 3d View

A2.

FRONT 3D VIE

PIONEER
POINT



Front Elevation Rendering



Rear Elevation Rendering

PLE ELEVATION A

VERS.

12/20/2022

PLE

SANTA LARA

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Right Elevation Rendering



Left Elevation Rendering

PLE ELEVATION A

VERS.

12/20/2022

PLE

SANTA LARA

SIDE ELEVATIONS
RENDERINGS

A2.4



Front Right 3D View



Front Left 3D View

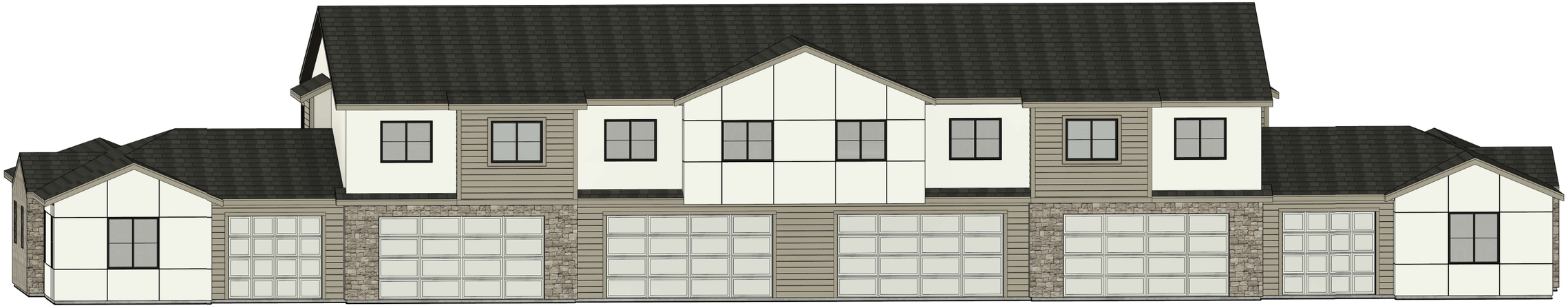
A2.5

3D VIE S

PIONEER
POINT



Back Left 3D View



Back Right 3D View

A2.

3D VIE S

PIONEER
POINT



A2.

FRONT 3D VIE

PIONEER
POINT



WFRMLS


WFRMLS


202


202

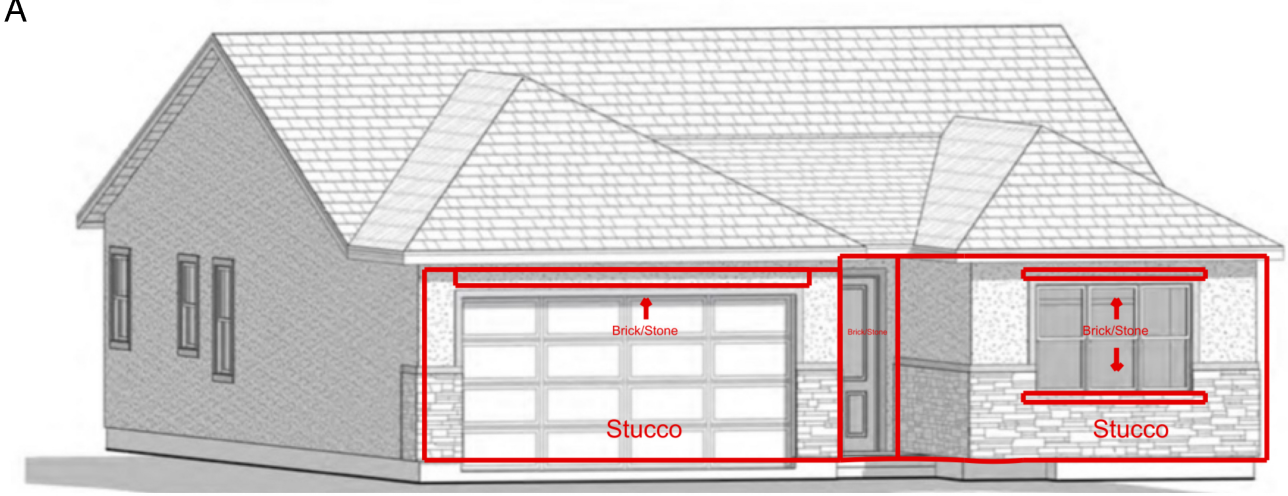

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202

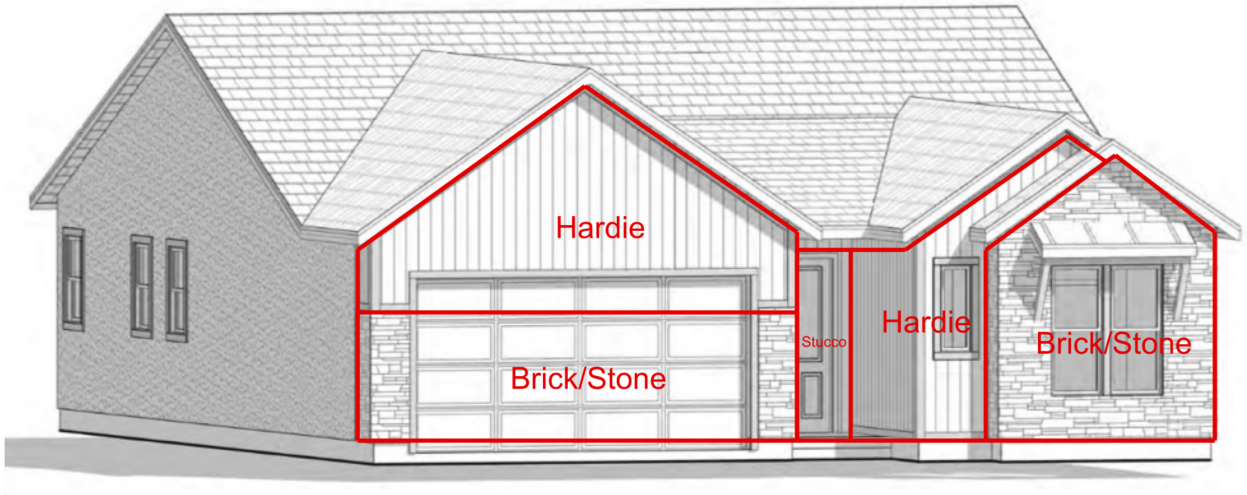
PIONEER POINTE

Ramblers

Plan A



Plan B

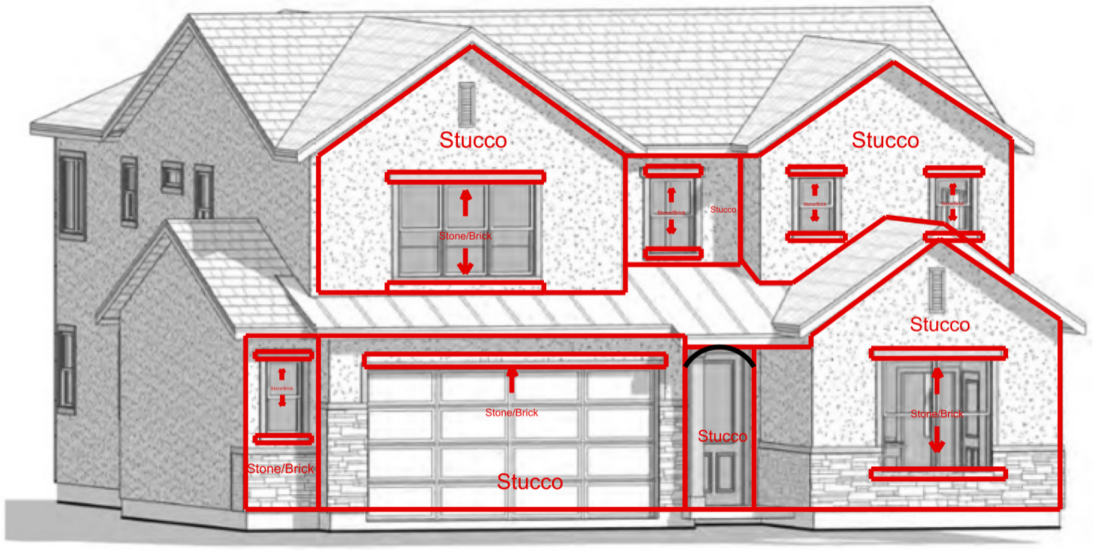


K | R
DESIGN + DECOR

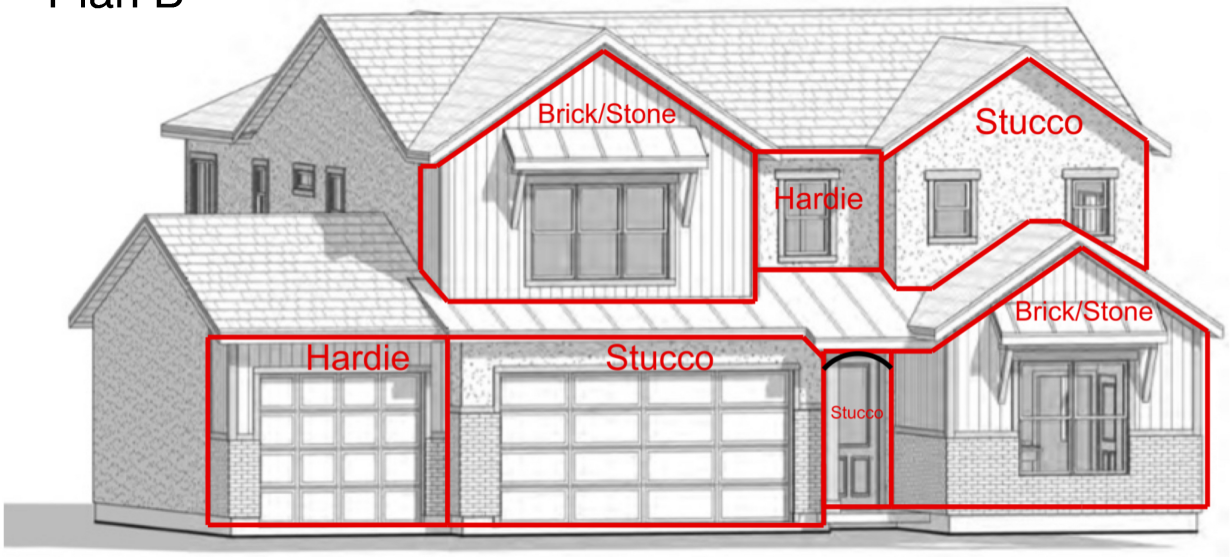
PIONEER POINTE

2 Story - Plan 2

Plan A



Plan B

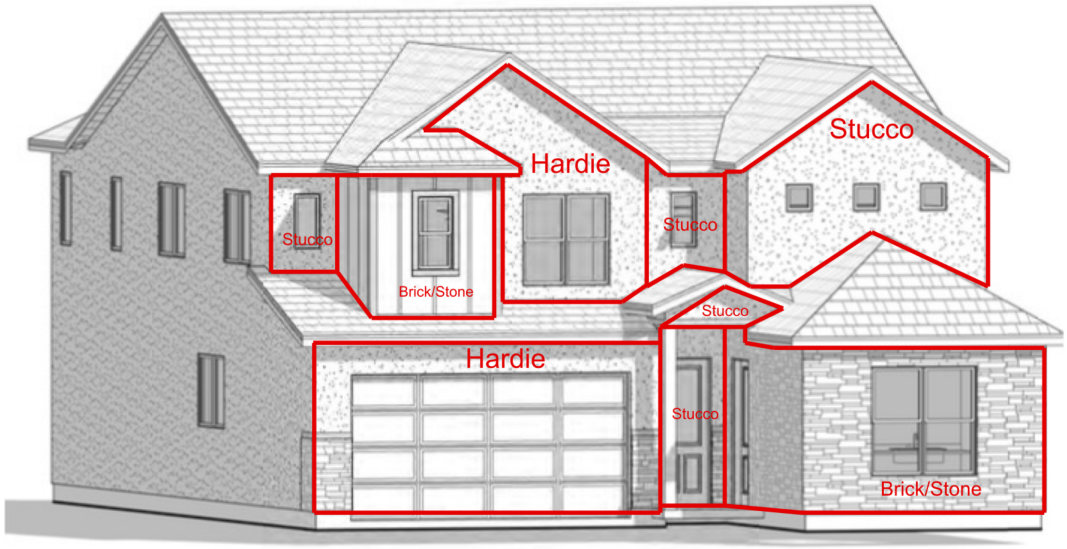


K | R
DESIGN + DECOR

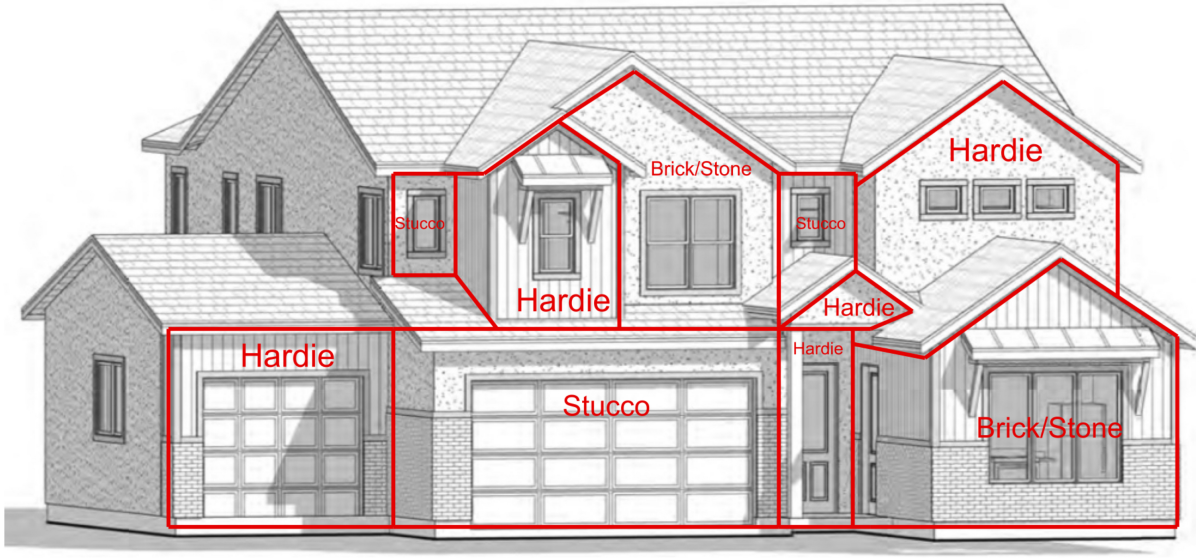
PIONEER POINTE

2 Story - Plan 3

Plan A



Plan B



K | R
DESIGN + DECOR

PIONEER POINTE

Single Family Homes

Brick Options

Iron Ore (7069)
Sherwin Williams
Hardie opt 1/soffit & facia

Simply White (2143-70)
Benjamin Moore
Hardie opt 2/soffit & facia

Sparrow (AF-720)
Benjamin Moore
Stucco





Aegean Olive (1491)
Benjamin Moore
Hardie opt 2/soffit & facia

Country Tweed (9519)
Sherwin Williams
Hardie opt 1/soffit & facia

Simply White (2143-70)
Benjamin Moore
Stucco





Simply White (2143-70)
Benjamin Moore
Hardie opt 1/soffit & facia

Iron Ore (7069)
Sherwin Williams
Hardie opt 2/soffit & facia

Smoke Grey (2120-40)
Benjamin Moore
Stucco





K | R
DESIGN + DECOR

PIONEER POINTE

Single Family Homes

Stone Options

Simply White (2143-70)
Benjamin Moore
Hardie opt 2/soffit & facia

Dragons Breath (1547)
Benjamin Moore
Hardie opt 1/soffit & facia

4697 Slate Range
Bel Air

Gateway Gray (7644)
Sherwin Williams
Stucco

Roughcut Casa Blanca
Eldorado Stone

Roughcut Moonlight
Eldorado Stone

Charcoal Slate (PM-8)
Benjamin Moore
Hardie opt 2/soffit & facia

Gateway Gray (7644)
Sherwin Williams
Hardie opt 1/soffit & facia

Simply White (2143-70)
Benjamin Moore
Stucco

4883 Hillsborough Blend
Bel Air

Roughcut Moonlight
Eldorado Stone

Aegean Olive (1491)
Benjamin Moore
Hardie opt 1/soffit & facia

Simply White (2143-70)
Benjamin Moore
Hardie opt 2/soffit & facia

Sparrow (AF-720)
Benjamin Moore
Stucco

4646 Sunset Blend
Bel Air

K | R
DESIGN + DECOR

PIONEER POINTE

Townhomes



Front Elevation Rendenng

Gateway Gray (7644)
Sherwin Williams
Hardi/Trim

Simply White (2143-70)
Benjamin Moore
Stucco

Dragons Breath (1547)
Benjamin Moore
Doors/Shutters

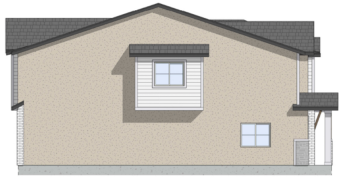


Iron Ore (7069)
Sherwin Williams
Doors/Shutters

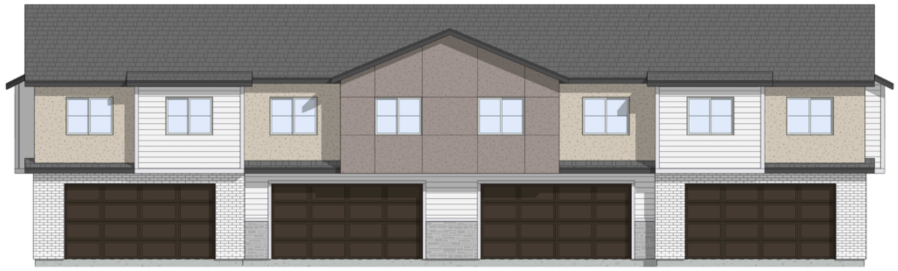
Smoke Grey (2120-40)
Benjamin Moore
Hardi/Trim

Simply White (2143-70)
Benjamin Moore
Stucco

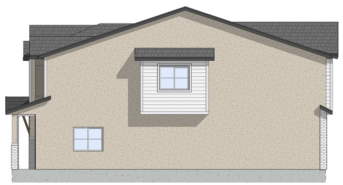




Right Elevation Rendenng



Rear Elevation Rendenng



Left Elevation Rendenng



K | R
DESIGN + DECOR



PIONEER POINTE SUBDIVISION
PLANT AND LANDSCAPE MATERIALS LEGEND

THE FOLLOWING IS A LIST OF PLANTS AND LANDSCAPE MATERIALS TO USE FOR THE PIONEER POINTE SUBDIVISION. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THIS LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	CHILOPSIS LINEARIS 'BURGUNDY LACE'	BURGUNDY LACE DESERT WILLOW	15 GAL / 24" BOX
	OLEA EUROPAEA 'WILSONII'	WILSON OLIVE	15 GAL / 24" BOX
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH CHINESE PISTACHE	15 GAL / 24" BOX
	PROSOPIS GLANDULOSA 'MAVERICK'	MAVERICK MESQUITE	15 GAL / 24" BOX
	PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR	15 GAL / 24" BOX
	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15 GAL / 24" BOX
	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	6-8' TALL
	ARTIFICIAL TURF		
	LANDSCAPE AREA		

0 50
25 100
SCALE: 1" = 50'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PIONEER POINTE
LANDSCAPE PLAN

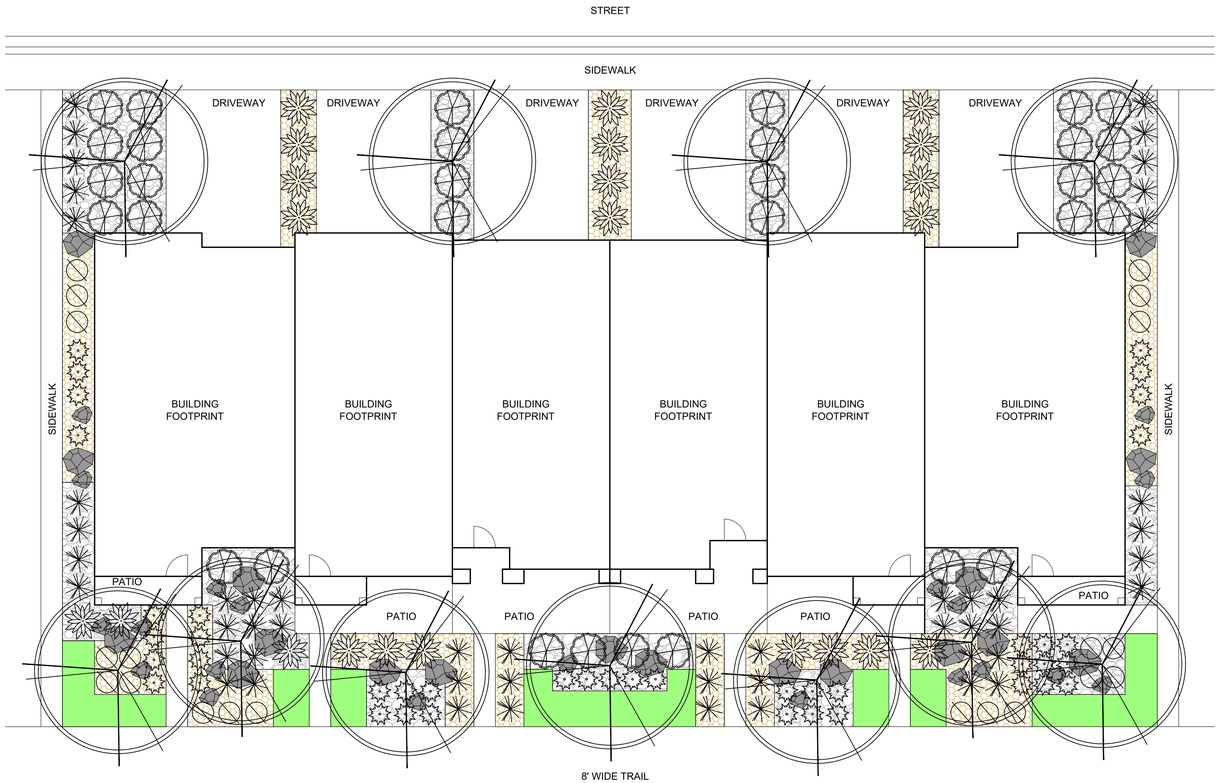
811 Know what's below. Call before you dig.

1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100
CivilScience

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO:	22141.00
DRAWN BY:	MG
DATE:	03/06/2023
SCALE OF SHEET	HORIZ: 1" = 50' VERT: NA
SHEET	L1

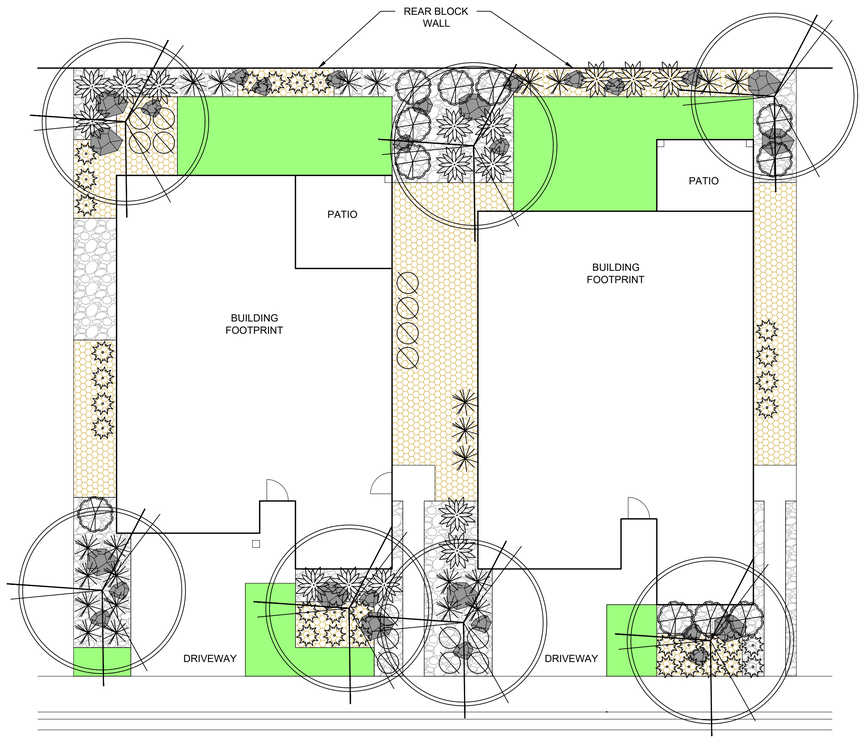
PIONEER POINTE SUBDIVISION TOWN HOMES
TYPICAL LANDSCAPE PLAN



NOTES
1. IT IS INTENDED THAT THE LANDSCAPE PLANS FOR EACH AREA AROUND THE TOWN HOMES IN THE PIONEER POINTE SUBDIVISION FOLLOW THE THEME OF THE TYPICAL LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

0 10
5 20
SCALE: 1" = 10'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PIONEER POINTE SUBDIVISION SINGLE FAMILY
TYPICAL LANDSCAPE PLAN



NOTES
1. LOT SIZES IN THE PIONEER POINTE SUBDIVISION ARE NOT THE SAME. IT IS INTENDED THAT THE LANDSCAPE PLANS FOR EACH LOT IN THE SUBDIVISION FOLLOW THE THEME OF THE TYPICAL LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

0 10
5 20
SCALE: 1" = 10'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PLANT AND LANDSCAPE MATERIALS LIST

THIS LIST IS TO PROVIDE OPTIONS FOR WHAT PLANT AND ROCK MATERIAL CAN BE USED FOR THE DIFFERENT PLANT AND ROCK TYPES/SIZES THAT ARE SHOWN ON THE ADJACENT TYPICAL LANDSCAPE PLANS. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THIS LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
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	OLEA EUROPAEA 'WILSONII'	WILSON OLIVE	15 GAL / 24" BOX
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH CHINESE PISTACHE	15 GAL / 24" BOX
	PROSOPIS GLANDULOSA 'MAVERICK'	MAVERICK MESQUITE	15 GAL / 24" BOX
	PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR	15 GAL / 24" BOX
	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15 GAL / 24" BOX
	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	6-8' TALL
LARGE SHRUBS			
	CAESALPINIA GILLIESII	YELLOW BIRD OF PARADISE	15 GAL
	CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	15 GAL
	LEUCOPHYLLUM CANDIDUM 'SILVER CLOUD	SILVER CLOUD TEXAS SAGE	5 GAL
	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	GREEN CLOUD TEXAS SAGE	5 GAL
	LEUCOPHYLLUM FRUTESCENS 'HEAVENLY CLOUD'	HEAVENLY CLOUD TEXAS SAGE	5 GAL
	NERIUM OLEANDER 'PETITE RED'	DWARF RED OLEANDER	5 GAL
	OLEA EUROPAEA 'LITTLE OLLIE'	LITTLE OLLIE OLIVE	5 GAL
SMALL SHRUBS			
	CHRYSACTINIA MEXICANA	DESERT DAISY	1 GAL
	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GAL
	MALEPHORA LUTEA	ROCKY POINT ICE PLANT	1 GAL
	PENSTEMON EATONII	FIRECRACKER PENSTEMON	1 GAL
	TEUCRIUM CHAMAEDRYS	GERMANDER	1 GAL
LARGE ACCENT/SUCCULENTS			
	AGAVE SCABRA	ROUGH-LEAVED AGAVE	5 GAL
	DASYLIRION WHEELERI	GRAY DESERT SPOON	5 GAL
	FOUQUIERIA SPLENDENS	OCOTILLO	6' TALL
	HESPERALOE FUNIFERA	GIANT HESPERALOE	5 GAL
	YUCCA BACCATA	BANANA YUCCA	5 GAL
	YUCCA ROSTRATA	BEAKED YUCCA	5 GAL

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
SMALL ACCENT/SUCCULENTS			
	AGAVE PARRYI VARIETY PARRYI	PARRY'S AGAVE	5 GAL
	ECHINOCEREUS GRUSONII	GOLDEN BARREL CACTUS	5 GAL
	EUPHORBIA RIGIDA	GOPHER PLANT	5 GAL
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL
GRASSES			
	BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMMA	5 GAL
	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST GRASS	5 GAL
	STIPA TENUISSIMA	MEXICAN FEATHER GRASS	5 GAL

BOULDERS
- SMALL: 2-3' DIAMETER, BLACK BASALT
- SMALL: 2-3' DIAMETER, TAN LIMESTONE
- LARGE: 4-5' DIAMETER, BLACK BASALT
- LARGE: 4-5' DIAMETER, TAN LIMESTONE

ROCK MULCH
- 1/2" BLACK BASALT, 2" DEPTH
- 1/2" TAN LIMESTONE, 2" DEPTH
- 1" BLACK LAVA CINDERS
- 1" KANOSH VALLEY RIVER ROCK
- 2-4" BLACK LAVA CINDERS, 6" DEPTH
- 2-4" KANOSH VALLEY RIVER ROCK
- 2-4" TAN LIMESTONE, 6" DEPTH

ARTIFICIAL TURF

PIONEER POINTE
TYPICAL LANDSCAPE PLAN

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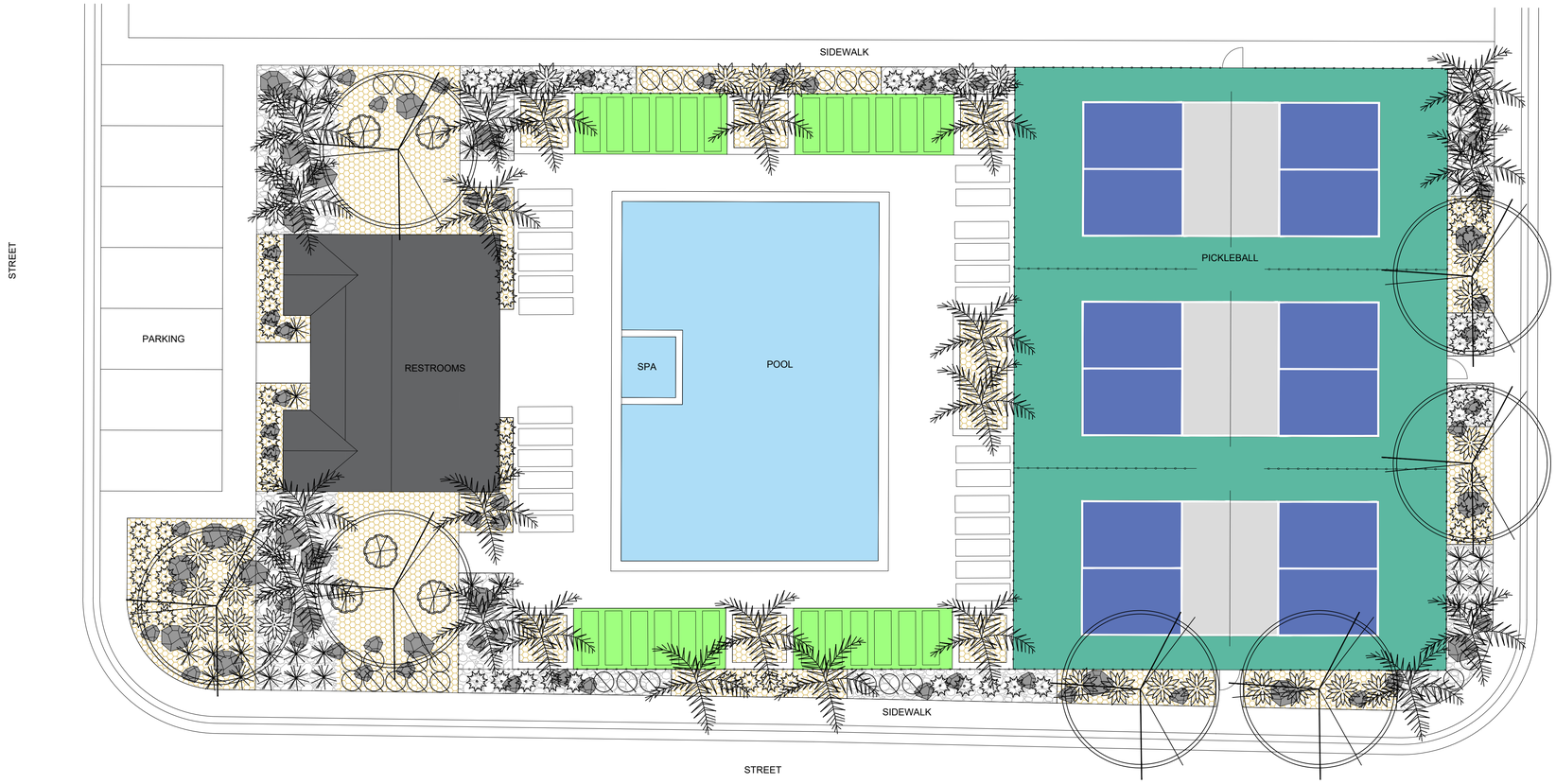
1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100
CivilScience

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO: 22141.00
DRAWN BY: MG
DATE: 03/06/2023
SCALE OF SHEET
HORIZ: 1" = 10'
VERT: NA

SHEET
L2

PIONEER POINTE SUBDIVISION CLUBHOUSE
LANDSCAPE PLAN



NOTES
1. IT IS INTENDED THAT THE LANDSCAPE PLAN FOR THE CLUBHOUSE IN THE PIONEER POINTE SUBDIVISION FOLLOW THE THEME OF THE LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

0 5 10 20

SCALE: 1" = 10'

(SCALE ONLY VALID FOR 24" x 36" PAPER)

PLANT AND LANDSCAPE MATERIALS LIST

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	PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR	15 GAL / 24" BOX
	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15 GAL / 24" BOX
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	CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	15 GAL
	LEUCOPHYLLUM CANDIDUM 'SILVER CLOUD	SILVER CLOUD TEXAS SAGE	5 GAL
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	LEUCOPHYLLUM FRUTESCENS 'HEAVENLY CLOUD'	HEAVENLY CLOUD TEXAS SAGE	5 GAL
	NERIUM OLEANDER 'PETITE RED'	DWARF RED OLEANDER	5 GAL
	OLEA EUROPAEA 'LITTLE OLLIE'	LITTLE OLLIE OLIVE	5 GAL
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	CHRYSACTINIA MEXICANA	DESERT DAISY	1 GAL
	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GAL
	MALEPHORA LUTEA	ROCKY POINT ICE PLANT	1 GAL
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SMALL: 2-3' DIAMETER, BLACK BASALT
SMALL: 2-3' DIAMETER, TAN LIMESTONE
LARGE: 4-5' DIAMETER, BLACK BASALT
LARGE: 4-5' DIAMETER, TAN LIMESTONE

ROCK MULCH

1/2" BLACK BASALT, 2" DEPTH
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1" BLACK LAVA CINDERS
1" KANOSH VALLEY RIVER ROCK
2-4" BLACK LAVA CINDERS, 6" DEPTH
2-4" KANOSH VALLEY RIVER ROCK
2-4" TAN LIMESTONE, 6" DEPTH

ARTIFICIAL TURF

PIONEER POINTE
CLUBHOUSE LANDSCAPE PLAN

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ST. GEORGE, UT 84770
435.986.0100

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO: 22141.00
DRAWN BY: MG
DATE: 03/06/2023
SCALE OF SHEET
HORIZ: 1" = 10'
VERT: NA

SHEET

L3

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 12/Jul/23 **Agenda Item:** 2

Applicant: Neil Walter **Requested by:** Jim McNulty

Subject: General Plan Amendment

Description:

The applicant, Granite Peaks Investment, LLC, is requesting a General Plan Amendment for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.43 acres). The applicant is proposing a General Plan Amendment from the Mixed Use Residential, MUR, and Neighborhood Center, NC land uses to the Main Street Commercial, MSC land use for the subject property.

Recommendation: N/A

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

Phone (435) 673-6712 Fax (435) 628-7338

City of Santa Clara
2603 Santa Clara Drive
(435) 656-4690, Ext. 225
jmcnulty@sccity.org

Staff Report

General Plan Amendment
Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: July 12, 2023
Current Zone: RA and R-1-10 Single-Family Residential
General Plan Designation: Mixed Use Residential, MUR and Neighborhood Center, NC
Property Location: Southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435)
Property Size: 2.43 Acres
Request: General Plan Amendment
Applicant Name: Granite Peaks Investment, LLC *(Neil Walter)*
Staff Planner: Jim McNulty
Meeting Type: Public Hearing

PROJECT DESCRIPTION

The applicant, ***Granite Peaks Investment, LLC,*** is requesting a General Plan Amendment for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.43 acres). The applicant is proposing a General Plan Amendment from the Mixed Use Residential, MUR, and Neighborhood Center, NC land uses to the Main Street Commercial, MSC land use for the subject property.

The applicant has submitted a Concept Plan along with architectural elevations for a proposed office building to be located on the southeast corner of Gates Lane & Santa Clara Drive. The proposed office building is ***a three-story structure that's approximately 35,000 square feet in size.*** This includes three levels of office space (each level is approximately 9,000 square feet), with a 7,500 square foot basketball court/gym facility.

Future Access to the property will be provided via Santa Clara Drive to Gates Lane to the future extension of Bonneli Trail. The extension of Bonneli Trail would be provided along the southern portion of the project.

Request: General Plan Amendment

HERITAGE COMMISSION REVIEW

The subject property is in the ***Santa Clara Historic District*** which requires Heritage Commission review. This item was ***presented to the Heritage Commission on May 18, 2023.*** In general, the Heritage Commission was in favor of the project moving forward through the process *(see attached meeting minutes).* One of the comments made during this meeting included the thought of this building being a bookend for the west end of the historic district, with City Hall being the eastern bookend.

The proposed building has been designed to accommodate the existing grade of the property which includes a 12' to 15' drop in elevation from north to south off Santa Clara Drive. As a result, the building would be 30' in height to the top of parapet along the street side (north building elevation), and 42' in height to the top of parapet/walkout basement side (south building elevation). The proposed building would be located close to Santa Clara Drive with parking to the rear of the building. A pedestrian-oriented streetscape with attractive landscaping is also proposed.

The proposed project will be required to go through a ***second public hearing process for a Rezoning & Project Plan*** where more discussion regarding the Building Design and Site Plan layout will be discussed if the General Plan Amendment is approved.

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan Map includes **two (2) land use designations for the property**. This includes Mixed Use Residential, MUR and Neighborhood Center, NC.

The description for MUR **(Section 3.4.2 Mixed-Use Land Uses)** states the following:

> *"The mix of uses is mostly residential, in the form of townhomes, multi-unit buildings, but also might include small-lot single-family homes. MUR may also include small retail stores, coffee shops, and offices at intersections with collector streets. Second-floor residences or offices are encouraged".*

The description for NC **(Section 3.4.2 Mixed-Use Land Uses)** states the following:

> *"Intended to support residential neighborhood convenience shopping, services, and community facilities, as well as mixed-use multi-family residential and office uses.*

The description for the proposed MSC designation **(Section 3.4.2 Mixed-Use Land Uses)** states the following:

> *"Predominantly commercial uses on the ground level, including uses such as stores, restaurants, and offices with residences and/or office on the 2nd and 3rd floors".*

The General Plan states that a **Mixed-Use designation**, **Section 3.4.2** encourages a mix of residential, retail, and employment uses that are typically segregated. **Policy 3.1 states** that all mixed-use development will be accompanied by:

1. Attractive landscaping.
2. Pushing buildings to the street or right-of-way.
3. Pedestrian-oriented streetscape.
4. Street trees.

Request: General Plan Amendment

Section 4.2 of the General Plan includes the "Historic Downtown Core" and states the following:

> *"Santa Clara's Historic Downtown Core includes the area from the Bluff to the Santa Clara River and from the East Gateway Subarea to where Santa Clara Drive climbs out of the valley towards Ivins. The downtown with its historic buildings and settlement patterns, has a character that makes it truly unique in the region. This identity is an asset for attracting and keeping residents, businesses, and visitors".*

Consistent with these goals, future development in the Subarea **(Section 4.2 Historic Downtown Core)** should strive to mix office, residential, and commercial uses. A large portion of the Subarea will retain its low-density character. Pedestrian access and appeal will be enhanced with a heritage trail along the Santa Clara River.

Policies to achieve the objective for the **Historic Downtown Core Subarea includes Policy 4.5** as follows:

> *"All Town Core development should be pedestrian-oriented, maintain the core area's existing small-scale character, and maintain historic building setbacks."*

Actions to achieve the objective for the **Historic Downtown Core Subarea includes Action 4.4** as follows:

> *"Work with the EDC to attract cottage/specialty retail, restaurants, businesses, and convenient commercial uses."*

Section 5.2.2 of the General Plan includes "Historic Preservation & Economic Development" and states the following:

> *"Without exception, economic development studies confirm that preservation and enhancement of historic resources yields significant economic benefits".*

There are distinct economic advantages to certain kinds of businesses and residents to locate in a unique, authentic, and attractive place such as a historic area. Public investment in historic areas, such as the recent improvements to Santa Clara Drive, increase the confidence of property owners to attract and leverage significant private capital. This, in turn, has a positive impact on property values, within the historic district and the entire community.

Section 6 of the General Plan includes "Economic Development" and states the following:

Economic Development Objective: Attract new businesses and retail to Santa Clara to broaden and increase the sales tax base and to provide increased local employment opportunities. **Policy 6.1 states the following:**

> *"The City supports development that proposes mixed-use land uses to help diversify the City's income and maintain City services".*

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within 300' of the subject property. The subject property was also posted as per State Code. ***A total of 8 individuals spoke during public comments*** *(see attached PC Minutes* from *June 22, 2023).* Additionally, a letter was submitted by Denise Webster on June 22, 2023, at approximately 3:00 PM. This letter *(attached)* was forwarded to Planning Commission members prior to the meeting. An email from Mandi Gubler *(attached)* in support of the project was received by staff and forwarded to the Planning Commission that afternoon as well. The City Council meeting on July 12, 2023, is a public meeting as the public hearing was already held by the Planning Commission on June 22, 2023.

Request: General Plan Amendment

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-404 includes requirements for a general plan amendment. To consider a general plan amendment and rezoning, a city must hold at least one public hearing. Additionally, a public hearing to consider the item requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. The city is also required to post on the State Public Notice website. Planning Staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

The Planning Commission held a public hearing on June 22, 2023. A motion was made to recommend approval to the City Council and passed on a vote of 4 to 2. City staff recommends that the City Council review the submitted General Plan Amendment to determine if the application is complete. If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:

1. That the proposed General Plan Amendment complies with Section 3.4.2 of the General Plan **(Mixed-Use Land Uses)**.
2. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan **(Policy 3.1, and Historic Downtown Core Subarea).**
3. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan **(Historic Downtown Core Objective, Policy 4.5)**.
4. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan **(Historic Downtown Core Objective, Action 4.4)**.
5. That the proposed General Plan Amendment complies with Section 5.2.2 of the General Plan **(Historic Preservation & Economic Development)**.
6. That the proposed General Plan Amendment complies with Section 6 of the General Plan **(Economic Development Objective and Policy 6.1).**

SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, June 22, 2023

Present: Mark Hendrickson, Chair
Logan Blake
Ryan Anderson
Shelly Harris
Curtis Whitehead
Mark Weston

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, City Building Official~~Engineer~~
Matt Ence, City Attorney
Selena Nez, Deputy City Recorder

Excused: James Call

1. Call to Order.

Chair Mark Hendrickson called the meeting to order at 5:30 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: Mark Weston.

B. Opening Comments (Invocation): Mark Weston.

3. Communications and Appearances.

There were no communications or appearances.

4. Working Agenda.

A. Public Hearing.

i. Consider a Proposed General Plan Amendment Application for Property located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, Described as 2.43 acres). Granite Peaks Investments, LLC is Proposing a General Plan Amendment from the Mixed-Use Residential ("MUR") and Neighborhood Center ("NC") Land Uses to the Main Street Commercial ("MSC") Land Use for the Subject Property.

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and recognized the presence of the applicant Neil Walter from Granite Peaks, LLC. The request is for a General Plan Amendment for a 2.43-acre property located on the southeast corner of Santa Clara

Drive and Gates Lane. The applicant is proposing a General Plan Amendment from the Mixed-Use Residential ("MUR") and Neighborhood Center ("NC") land use designation to the Main Street Commercial ("MSC") land use designation for the subject property. The applicant has submitted a Concept Plan along with architectural elevations for a proposed office building to be located on the southeast corner of Gates Lane and Santa Clara Drive. The proposed office building is a three-story structure that is approximately 35,000 square feet in size. This includes three levels of office space (each level is approximately 9,000 square feet), with a 7,500-square-foot basketball court/gym facility.

Future access to the property will be provided via Santa Clara Drive to Gates Lane to the future extension of Bonneli Trail. The extension of Bonneli Trail will be provided along the southern portion of the project. Notices were sent to property owners within 300 feet of the subject property and the subject property was also posted per State Code. A real estate sign was provided with a description of what is being proposed as well as a public hearing banner which is not required by the State Code and is used to be transparent and get the word out. No responses were received until later in the afternoon when a few emails were forwarded to the Planning Commission for their review after 3:00 p.m.

The subject property is in the Santa Clara Historic District, which requires Heritage Commission review. The item was presented to the Heritage Commission on May 18, 2023. In general, the Heritage Commission was in favor of the project moving forward through the process. One of the comments made during the meeting included the thought of the proposed building being a bookend for the west end of the Historic District and City Hall being the eastern bookend.

The proposed building has been designed to accommodate the existing grade of the property, which includes a 12 to 15-foot drop in elevation from north to south off of Santa Clara Drive. As a result, the building would be 30 feet in height to the top of the parapet along the street side (north building elevation) and 42 feet in height to the top of the parapet/walkout basement side (south building elevation). The proposed building will be located close to Santa Clara Drive with parking to the rear of the building. A pedestrian-oriented streetscape with attractive landscaping was also proposed.

The proposed project will be required to go through a second public hearing process for a Rezoning and Project Plan where more discussion regarding the Building Design and Site Plan layout will be discussed if the General Plan Amendment is approved.

Mr. McNulty explained that the Santa Clara City General Plan Map includes two land use designations for the property. This includes Mixed-Use Residential and Neighborhood Center.

The description for MUR (Section 3.4.2 Mixed-Use Land Uses) states the following:

> *"The mix of uses is mostly residential, in the form of townhomes, and multi-unit buildings, but also might include small-lot single-family homes. MUR may also include small retail stores, coffee shops, and offices at intersections with collector streets. Second-floor residences or offices are encouraged".*

The description for NC (Section 3.4.2 Mixed-Use Land Uses) states the following:

> *"Intended to support residential neighborhood convenience shopping, services, and community facilities, as well as mixed-use multi-family residential and office uses.*

Mr. McNulty explained that both designations would allow for a mix of uses and apartments on a second story.

The description for the proposed MSC designation (Section 3.4.2 Mixed-Use Land Uses) states the following:

> *"Predominantly commercial uses on the ground level, including uses such as stores, restaurants, and offices with residences and/or office on the 2nd and 3rd floors".*

The General Plan states that a Mixed-Use designation, Section 3.4.2 encourages a mix of residential, retail, and employment uses that are typically segregated. Policy 3.1 states that all mixed-use development will be accompanied by:

- Attractive landscaping.
- Pushing buildings to the street or right-of-way.
- Pedestrian-oriented streetscape.
- Street trees.

Section 4.2 of the General Plan includes the "Historic Downtown Core" and states the following:

> *"Santa Clara's Historic Downtown Core includes the area from the Bluff to the Santa Clara River and from the East Gateway Subarea to where Santa Clara Drive climbs out of the valley towards Ivins. The downtown with its historic buildings and settlement patterns, has a character that makes it truly unique in the region. This identity is an asset for attracting and keeping residents, businesses, and visitors".*

Consistent with these goals, future development in the Subarea (Section 4.2 Historic Downtown Core) should strive to mix office, residential, and commercial uses. A large portion of the Subarea will retain its low-density character. Pedestrian access and appeal will be enhanced with a heritage trail along the Santa Clara River.

Policies to achieve the objective for the Historic Downtown Core includes Policy 4.5 as follows:

> *"All Town Core development should be pedestrian-oriented, maintain the core area's existing small-scale character, and maintain historic building setbacks."*

Actions to achieve the objective for the Historic Downtown Core Subarea includes Action 4.4 as follows:

> *"Work with the Economic Development Committee ("EDC") to attract cottage/specialty retail, restaurants, businesses, and convenient commercial uses."*

Section 5.2.2 of the General Plan includes "Historic Preservation & Economic Development" and states the following:

> *"Without exception, economic development studies confirm that preservation and enhancement of historic resources yields significant economic benefits".*

There are distinct economic advantages to certain kinds of businesses and residents to locate in a unique, authentic, and attractive place such as a historic area. Public investment in historic areas, such as the recent improvements to Santa Clara Drive, increases the confidence of property owners to attract and leverage significant private capital. This, in turn, has a positive impact on property values, within the historic district and the entire community.

Section 6 of the General Plan includes "Economic Development" and states the following:

Economic Development Objective: Attract new businesses and retail to Santa Clara to broaden and increase the sales tax base and to provide increased local employment opportunities. Policy 6.1 states the following:

> *"The City supports development that proposes mixed-use land uses to help diversify the City's income and maintain City services".*

Staff recommended that the Planning Commission review the submitted General Plan Amendment to determine if the application is complete. If the application is determined to be complete, Staff would recommend that the Planning Commission forward a recommendation to the City Council for their review and consideration of the General Plan Amendment application subject to the conditions set forth in the Staff Report.

Mr. Walter identified himself as the owner of the property and was also representing the end user of the property, Onset Financial. He thanked City Staff for their help getting the project to this point. They met with the Heritage Commission who generously spent their time reviewing the project. He explained that one of the reasons they chose the use they did was because they wanted to identify what they thought would be the lowest impact use. Professional office is one of the lowest-impact uses and as they considered how they could be responsive to some of the concerns that were raised previously, they felt that they needed to come up with a low-impact use. Professional Office fit that criteria in terms of hours of operation, trips, and traffic.

The current zoning is RA and extends across the balance of the parcel that was originally proposed to be part of the assisted living center. They are only considering the 2.43 acres on the corner, which is in the Historic District. A sample of a residential concept was presented and is similar to other residential in the area. Mr. Walter explained that there is a significant elevation change between Santa Clara Drive and the subject property. They will likely have to either bring in an extraordinary amount of fill to get access to Santa Clara Drive or place the back of the property toward Santa Clara Drive. The concept that was presented a few years earlier was displayed and included 118,000 square feet with two stories with pitched roofs and heights of 30 feet. They listened to the comments received with many residents not wanting townhomes or apartments and feeling that the project was too large. They also did not want increased traffic or a Maverik, self-storage, or other high-impact use there. Mr. Walter stated that they tried to address the concerns that were raised at that time.

The current request is for Main Street Commercial. The project was originally to be set back near the river but it was recommended that it be moved close to the street. They underwent a massive change to the architecture based on feedback from staff. The buildings~~site~~ is approximately 35,000 square feet, which is about one-third the size of the original proposal. What is proposed is very low impact with no apartments or townhomes.

Mr. Walter reported that Onset Financial will ultimately be the owner and user of the building. They provide financing to companies that want to lease equipment. They do not sell equipment and are simply a financing firm that provides financing to manufacturing, mining, and aircraft companies throughout the country. They are based in Salt Lake City and would like to have two sites in Southern Utah. They have been very successful and will bring high-paying jobs to the community.

Onset Financial does a lot of charitable giving and examples of the work they have done were described. It has been rated as one of the best workplaces and has received numerous accolades. They expect to have 50 full-time employees and provide a professional career path for those who want to live and stay in the community. Mr. Walter stated that it provides a good opportunity to add an economic development component to Santa Clara City.

Mr. Walter stated that the hope is that the property owners will act to enhance the quality of the Historic District, which is what they are attempting to do. Five key elements were identified that they felt could be incorporated into the concept to enhance and add to Santa Clara Drive, which has become a destination. They focused on the following:

- Colors:
- Elevations;
- Building Materials;
- Porches; and
- Community Space.

Mr. Walter reported that they focused on colors found in the Jacob Hamblin Home. That building sets the tone for the color schemes.

There is not much commercial development on Santa Clara Drive and inside the Historic District, there is only one commercial building that is reflective of turn-of-the-century architecture, which was straight, clean lines set near the street with as much glass and natural light as possible. They felt that was the best example in the City of what historic commercial looks like.

On Santa Clara Drive, the most prevalent building material is brick. They felt that using brick would be consistent with what was most commonly used in the first structures that were built here. Porches were an important concept and many homes in the area have them. This building will incorporate an outdoor porch as well. Community space was identified as important and having a place where the community can gather. City Hall and the Old Relief Society House both serve as community space and draw the public in. He used Salt Lake City as an example of turn-of-the-century architecture, some of which they were trying to emulate.

Mr. Walter explained that the building was set close to the street in keeping with the homes that exist on the south side of the street. That allows them to use the outdoor space. All of the parking will be

set back. The street view was displayed showing the view from across the street. They tried to provide a number of angles to see the context, size, and scope of what is proposed. The proposed concept showed a walkout facing the river, which will allow them to use the space that drops off from Santa Clara Drive.

Commissioner Blake asked for a rendering of the east side. Mr. Walter did not have one but stated that there is currently a fence and wall there. It will be difficult to see as it will be set back at the same distance as the home that is next door. Commissioner Blake asked to see one when they present the zone change request. He asked if the applicant has plans for the strip of land between the existing home and the building. He was informed that there would not be any room there and that it would be a landscaped setback area. There could potentially, however, be room for a walkway there. It was noted that there could be employee parking behind the property. There is currently a sidewalk around the other side of the building and across the front.

Commissioner Blake commented that in considering the General Plan for Swiss Days, this will be a place where people can walk around and it would be nice for people to be able to access the site.

Mr. Walter commented on the rooftop and stated that the developers do not want to set any HVAC equipment on top of the roof. It has a very small parapet and they want a clean, beautiful building. It would instead be screened behind the building on the south side near the parking.

Chair Hendrickson noted that their previous buildings in St. George used the latest technology with a reduced impact.

Chair Hendrickson opened the public hearing.

Eric Marriott gave his address as 4335 Colby Loop in The Hills. He wished to read a statement from *Denise Webster*. Chair Hendrickson indicated that the Commission has already been provided with the letter and stated that it will be made part of the record. Mr. Marriott discussed his understanding of the project, the concept, and what is allowable. He had no objection to the proposed development and mixed-use and commented that the proposed building could not be considered a historic building as it is 1970s architecture. He preferred to see more wood, barn doors, and heavy timbers. He did not object to flat roofs but he did not believe that the concept fits in downtown historic Santa Clara. He did not understand how the proposal passed the Historic Committee. Mr. Marriott commented that if there are not going to be any roof penetrations he could see no screened areas where the condensers will be as they are not shown in the rendering. He did not think it had been thought through well and stated that a lot more detail needed to be provided with the building that doesn't show up in the renderings. He stated that the building looks very large and appears larger than City Hall. To him, the proposed building looks like a big box.

Niel Fiourum gave his address as 4447 Colby Loop and asked if the Onset Financial will be the sole occupant of the property. Chair Hendrickson responded that that is how it has been represented.

Justin Caplin gave his address as 1457 Boys Pond Circle and appreciated Mr. Walter's presentation. He did not object to the proposed use or building and thought it would be an attractive place for his law office. He remarked that although the Heritage Commission recommended approval of the request, it was with a modification to the exterior to make it look more historic. He agreed with the comments of the Heritage Commission and Mr. Marriott and agreed that it is not historic looking. He

commented that it will set the standard for the City. He suggested that rock be incorporated into the design so that it is not just a big box with large windows and gives it a more historic feel.

Penny Willard gave her address as 3262 Hamblin Drive and stated that she, her husband, and others in the area near the Jacob Hamblin Home are opposed to changing the General Plat and the zone. They have stated many times in the past that they want it to remain residential and agricultural. They do not want commercial buildings and businesses coming in. It is a nice building but not in the City's Historic District. They are trying to preserve this narrow area and stated that there is plenty of land all around. Mrs. Willard reported that she grew up in Santa Clara and was saddened by the fact that the historic areas are being developed. She asked that their wishes be honored and preserve what makes the valley so quaint. Many moved here because of the beauty of the area and she asked that this small portion of the City be preserved.

Melvin Taylor gave his address as 1401 Victor Street and stated that the world is driven by money and this land is valuable. If the change to commercial is allowed, it will only be the beginning of further development. He suggested that a survey be sent to all those in the Historic District to see if they support a zone change from Agricultural Residential to Commercial. If more than 50% agree, it should be allowed. Mr. Taylor stated that those living in the area do not want commercial and want it to remain residential.

Richard Hughes gave his address as 3298 Hamblin Drive and was pleased with the Heritage Commission's concern about the flat roof. He was concerned about the gym and wondered why one is needed when a new one was just built down the street. If the gym portion were eliminated the footprint would be much smaller.

Patty Warby gave her address as 3268 Santa Clara Drive and commented that when she looks out her front door she will see the proposed building as she lives on the corner of Gates Lane and Santa Clara Drive. Her preference was to leave the land as-is but realizes that things are changing and eventually there will be some type of structure built there. She would, however, like to see something more historic in nature in terms of architecture.

Alan Warby identified himself as the husband of Patty Warby. He commented that they built their home in 2004 at which time there were fields across the street. In January 2005, it changed significantly. When they built their home, they met with the contractor and the Historic District who gave feedback. As a result, there is a lot of brick and wood on their home. He has enjoyed having architecture that adds to the character of the area. He suggested that the proposed structure be modified to look more historic.

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

ii. Consider a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.08, Definitions. This includes an Updated Definition for Building Height in the City.

Mr. McNulty reported that the above item is a public hearing and staff recommended approval.

City Building Official~~Engineer~~, Cody Mitchell, reminded the Commission that the matter was before them on June 8, 2023 as a discussion item and before the City Council in a work meeting on May 17,

2023. Three sections in the current ordinance address building height. One is for the old township that takes an average subterranean home and a building definition. He commented that in his opinion, the current building height definition is dated. Some of the language does not pertain to the modern style of construction that is currently seen.

Commissioner Anderson's understanding was that they were going to do something different with Exception #1 regarding the upper and lower grades being 10 feet. He thought it would be worded differently. Mr. Mitchell stated that it was unclear to some and clear to others. He asked for direction but never received any so it remained unchanged. Chair Hendrickson suggested that the maximum variation be a maximum of 10 feet. Mr. Mitchell was not opposed to that. It was suggested that the language specify that the average grade be no more than five feet below the upper grade. Mr. Mitchell explained that the maximum height allowed is 35 feet but with the walkout dynamic, the upper and lower grades must not be more than 10 feet different. They then take the average, which is five feet. A walkout basement scenario decreases the maximum height of the structure by five feet. Mr. Mitchell stated that the current Code does not address walkout basements. He read from Code Section 17.08.010, which was used to calculate the average height of a building.

Chair Hendrickson opened the public hearing. There were no public comments. The public hearing was closed.

5. General Business.

A. Recommendation to City Council.

i. Recommendation to the City Council to consider a proposed General Plan Amendment application for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.43 acres). Granite Peaks Investments, LLC is proposing a General Plan Amendment from the Mixed Use Residential, MUR, and Neighborhood Center, NC land uses to the Main Street Commercial, MSC land use for the subject property.

Commissioner Whitehead asked if the request is approved and if the applicant decides to sell the ~~property, if~~property if it could be developed as proposed. City Attorney, Matt Ence, reported that a change to the City ordinance was passed that will change the way they deal with General Plan Amendment applications. The decision was made to only present General Plan Amendments to the Planning Commission once per quarter. If approved, a property owner would have one year to get a zone change approved consistent with that amendment. If they do not, after one year it would revert to the previous General Plan designation. Because this application predates that change, it would not apply. If the General Plan Amendment is approved by the City Council there would not be an automatic reversion in place for this particular application. It could, however, be listed as a condition.

Mr. Ence explained that many aspects of the project are not requirements of the General Plan Amendment and they have gone above and beyond to show the concept and elevations. The General Plan Amendment, however, would not incorporate those things, which will be formally considered and approved when the matter comes back for a zone change and project plan approval. Conditions can be set with any approval if so desired.

Mr. Ence stated that anytime there is a General Plan Amendment or a zone change, the final decision is made by the City Council. The Planning Commission's role is to serve as an information-gathering body. They review the application and input from the public and make a recommendation to the City Council. The City Council then has the responsibility as the City's legislative body, to make a decision and are given very broad deference. They can consider just about any information as long as their decision is not arbitrary, capricious, or illegal.

Commissioner Weston asked Mr. Walter if this same presentation was presented to the Heritage Commission. Mr. Walter stated that there are a couple of very minor changes but the renderings are the same. Commissioner Weston stated that the Heritage Commission recommended approval of the request based on a modification to the exterior to make it look more historic. He agreed with the comments made by the public, particularly Mrs. Warby.

Commissioner Blake was taken aback by the building that is proposed as it was not what he was expecting. He agreed that it should look more historic. He liked the glass on the bottom floor but felt that the top floor should have more windows and perhaps reveals in the brick. He has seen historic buildings with all brick with many have reveals and definition. He liked that the roof is empty and suggested skylights to accentuate that. He suggested that the upper floor be made to look more residential from the exterior. He liked the porch. Commissioner Blake had hangups about changing the General Plan and did not think it was necessary. He was opposed to changing the General Plan because he does not like what it matches. He liked the office use in Historic Downtown but did not like the idea of bringing certain businesses to the area. He was more inclined to expand the neighborhood center or allow what is proposed under mixed-use residential.

Mr. Walter reported that the General Plan request was made at the request of staff after discussing how to move through the process appropriately. They weren't trying to go a different direction but looked at the use with a residential component. The recommendation was to remain compliant with the various segments of the General Plan. In terms of architecture, he felt he could give the Planning Commission guidelines that might be helpful. There are various views regarding what is or might be historic. There are things they would be more than happy to accommodate and others they were not. They were not willing to do a pitched roof on the building. With regard to building materials, they were not comfortable moving forward with stone or block rather than brick. In terms of making adjustments to other features, there were things they were willing to do.

Commissioner Blake commented that Main Street Commercial does not match the recommendation. Mr. McNulty stated that it is difficult because they are limited in their land use designations. There are three in the mixed-use designations as follows:

- *Neighborhood Center* is limited and intended to support residential neighborhood convenience shopping, services, and community facilities as well as mixed-use multi-family residential and office uses.
- *Mixed-Use Residential* allows for a mix of uses that is mostly residential in the form of townhomes and multi-unit buildings but may include small lot single family, small retail stores, coffee shops, and offices.
- *Main Street Commercial* is closest to what is proposed and calls for predominantly commercial uses on the ground level including uses such as stores, restaurants, and offices with the potential for residential on the second or third floor.

Mr. McNulty explained that the applicants are seeking 100% office use and are not looking for a mix of uses that the designation allows for and what they are limited to. When the General Plan is rewritten, more land use designations need to be created. On the ground floor facing Santa Clara Drive, they may potentially have space that could be used as a coffee shop or small bistro-type use. Many startup companies also have a café on the interior for employees.

Mr. Ence supported Mr. McNulty's comments but clarified that this is not a staff-driven process. It is driven by a property owner who would like to develop his property. Mr. McNulty stressed that there is one land use designation on the property. Procedural issues were discussed. The request was to rezone from RA to Planned Development Commercial ("PDC"). With that application, the next step would be to submit additional project details. Tonight's request is conceptual in nature. The matter would also go back to the Heritage Commission prior to a zone change being granted.

Commissioner Blake was hesitant to change to Main Street Commercial. He sees a lot of PDC on Main Street that is not residential. He was of the opinion that the use works in the NC zone. He was not opposed to the use of the building and would simply like the top floor to look different. He was not concerned about the flat roof. Mr. McNulty referenced the renderings of the original Merc and the Post Office and they incorporated the flat roof and parapet type of design. Others were looking at property across the street from the Merc that might employ a similar design. Mr. McNulty explained that there are currently two land use designations on the property and the applicants were clear that they want there to be one land use designation on the property. With the split zone they made one zone. Having two land use designations and two zones creates problems.

Commissioner Whitehead compared it to the last time they received public input on the site and the current proposal seemed much less controversial. He did not think people were necessarily opposed to the commercial use but to the exterior of the building. The Heritage Commission also had concerns with the exterior. He was of the opinion that the proposal fits well as long as the design of the exterior can be modified to look more historic.

Commissioner Harris agreed with Commissioner Blake and was hesitant to recommend a General Plan Amendment. After reading the General Plan notes cited in the Staff Report, she could not make what is proposed fit. Particularly, the historic core refers to a small-town feel and scale. To her, what is proposed is not that.

Commissioner Weston liked what was proposed with caveats.

Commissioner Hendrickson moved to forward a recommendation of APPROVAL to the City Council for their review and consideration of the General Plan Amendment on the property at Santa Clara Drive and Gates Lane subject to the following:

Conditions:

1. **That the proposed General Plan Amendment complies with Section 3.4.2 of the General Plan (Mixed-Use Land Uses)**

2. **That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Policy 3.1, and Historic Downtown Core Subarea).**

3. **That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Historic Downtown Core Objective, Policy 4.5).**

4. **That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Historic Downtown Core Objective, Action 4.4).**

5. **That the proposed General Plan Amendment complies with Section 5.2.2 of the General Plan (Historic Preservation & Economic Development).**

6. **That the proposed General Plan Amendment complies with Section 6 of the General Plan (Economic Development Objective and Policy 6.1).**

7. **Take into consideration the ordinance passed last night giving a one-year time limit to get the zone changed to Planned Development Commercial ("PDC").**

Commissioner Weston seconded the motion. Vote on motion: Commissioner Blake-Nay, Commissioner Anderson-Aye, Commissioner Harris-Nay, Commissioner Whitehead-Aye, Commissioner Weston-Aye, Chair Hendrickson-Aye. The motion passed 4-to-2.

ii. **Recommendation to the City Council to Consider a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.08, Definitions. This includes an Updated Definition for Building Height in the City. Santa Clara City, Applicant.**

Commissioner Weston moved that the Planning Commission recommend APPROVAL to the City Council of the Code Amendment to the Santa Clara City Zoning Ordinance Section 17.08 regarding the Building Height definition in City Code, as described. Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

6. Discussion Items.

A. **None.**

7. Approval of Minutes.

A. **Request Approval of the Regular Meeting Minutes – June 8, 2023.**

Commissioner Blake moved to approve the minutes of the June 8, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

8. Adjournment

The Planning Commission Meeting adjourned at 7:02 p.m.

_____
Jim McNulty
Planning Manager

Approved: _____

From: Mandi Gubler
To: Chris Shelley; Jim McNulty
Subject: Public comment for Santa Clara Dr and Gates Lane
Date: Thursday, June 22, 2023 4:37:12 PM

I would like to go on the record and add my support for Neil Anderson's development project on the corner of Gates lane and Santa Clara drive. I think that the building use is ideal for that location. It is low impact and a great use for a difficult piece of property. I see this building in this space as a sort of book end to Santa Clara Dr, with the city offices as the one on the other end.

I recognize that the building design is more historic industrial than historic swiss. But I think that the care that went into it the design as well as the tremendous cost that is being incurred to finish the building with all brick vs stucco and a faux or engineered stone goes to show how intentional the design is. I would much rather see a tall building made of full brick like the true historic buildings in Santa Clara vs something inexpensive and trendy. Capturing the feeling of being historic is really really difficult to do well, and I think this building is a good balance of historic roots with something that is still beautiful and well designed in its own right. I love that they are making the front of the building level with the street and a part of Santa Clara Dr vs keeping the property the same.

I know that lots of residents will likely suggest that the property should be used for houses, but I wholly disagree. As someone that lives on Santa Clara Dr, I can say that no one should choose to do that. Factor that in with the flood plain situation and it seems very clear that would be the wrong use. If the homes are built without the extensive dirt work to bring them level with Santa Clara Dr, the roof line different between the old homes and the new homes will be so awkward. To match the feeling of Santa Clara Dr. the homes will need to be 1500sq ft on a half acre lot. It's never going to happen. Anything that gets built there will be large, let's put something there that is done with intention, that attracts this caliber of business, and that has limited impact on the residents.

Thanks!
Mandi Gubler
--

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Members of planning and zoning,

Thank you for allowing my letter to be read as i am out of the country.

Neil walter kindly approached me a couple of weeks ago to go over his proposed project. We have had wonderful conversations. I have studied his presentation and the city's historical guidelines. I would like to share my concerns.

This area is currently zoned residential/agriculture. While we are here for a general plan change, this is a first step in rezoning the property to commerical on both the general plan and city's zoning change.

My biggest issues are this:

1. A few weeks ago in the Santa Clara water board meeting, a representative from the city told the water board that the city is trying to purchase water rights in order to protect the agriculture land in santa clara. And that protecting agricultural land was their top priority. If this is true, then changing this land to commercial is in direct opposition to the city's goals.

The value of these acres of land is crucial as we recently lost 3 major pieces of agricultural land to developers.

1. Is the Shelby Frei property of 10 acres.
2. The Jason Lindsey property of 8 acres.
3. The Jim Ence property of 1 acre.

All of these parcels have been used agriculturally up until this year because of developments. My uncles have gardened 2 of these spots and have lost a lot of land to grow food on and have had to search for other property to use. The larger piece has also been used for hay, so all was being utilized as agriculture. We've lost a lot of acreage here in vital parts of the town to development. So which is really the most important to the city? Agriculture or developments? Don't let this be one more black eye on the city in favor of developers over our families and farmers. Because if developing is more important then the water board will know its not really about water, its about money. You cant have it both ways. You've told the waterboard agriculture land was a top priority and yet you've given up nearly 20 acres to developers and are now requesting giving up more for commercial.

2. And probably the largest concern I have is that changing the zones would open a pandoras box with all the property in the historical district. It would allow any property owner on Santa Clara drive in the historic district to switch their property to commercial to put a business in. If you allow one in, then it’s very difficult to close the box and tell others they can’t as well. The Multi Use residential keeps the downtown using the old homes as a business vs have a commercial business of any kind moving in.

Another reason of concern is that the property owner across the street from this on the other corner of Gates lane and directly across from Jacob Hamblin home told several of us residents following a city council meeting that “I own that property on the corner and I will build whatever I want there!” That threat continues to loom in the heads of all of us there. We believe it is real because money = power and those with a lot of money can use that power to get what they want. Money reveals the character of individuals and we have seen the character revealed in many over the last few years. Lots of lifelong friendships ruined.

I believe that by changing the zoning, we will create a monster that we can’t undo or get back and it would change the face of Santa Clara forever. If this gets rezoned commercial, the owner on the other side of the street now has the leverage needed to “put in whatever he wants.” We could put up a fight, but in the end, if the city allows one, they will have to allow another and then this little corner with the serene Jacob Hamblin home just becomes a commercial corner.

If this zone gets changed and this buyer backs out, it is now open to others to come in and build a commercial building of who knows what. This is part of that pandoras box.

Neil did show us in his presentation packet that they looked at a subdivision with 7 homes in it. We liked it much better than the office building. We would prefer that over the office building. As it is currently zoned residential. We would support and like to see homes here. Either the subdivision with 7 homes or even possibly 2 large 2 acre lots for 2 homes that could also have agriculture (animals and gardens) there. Obviously, other possibilities for ½ acre lots, too. This is what we prefer because of current zoning.

As far as the proposed office building goes, please note the entire building on the right if you are facing santa clara drive that runs north and south is a basketball court for the employees. So approx ⅓ - ½ of this building is just a business perk. It will not be for public use. It is only for the employees. Which is nice for them, but does add a lot to the overall size of the building. While the company and an office building is not a bad proposition, my main concern was the large size of the building facing Santa Clara Drive. Having a huge building in the middle of smaller homes in the historic district just doesnt fit for me. They are willing to lower it to a single level on the main road, which is awesome. However, they are unwilling to change the looks of the building. 0

3. While this did pass the historical committee (I’m not sure how), in my opinion, it doesn’t look historical at all and doesn’t fit in with the homes that surround it. It’s still just a really large commercial building plopped in the middle of a residential neighborhood. I reviewed the historical guidelines they listed and found that they didn’t really pass the majority of them (in my opinion). They are listed below as follows per their document with my commentary listed in paranthesis). To save time, i have highlighted these items for you to read and review. Please take the time to do so. Its crucial to understand our own guidelines vs what is being asked.

A “Unique and Important” Setting

Design Guideline Goals

1. Protect the architectural character and fabric of the Historic District (nothing architecturally in this building looks historic or like any other building in the historic district.)

2. Enhance and beautify all properties within the Historic District (While the grass in front is beautiful, the large size does not enhance the small homes around it.)

3. Provide owners and residents with information concerning rehabilitation of historic Structures (Not applicable. There is no historic structure on this property.)

4. Increase appreciation for the City's historical and architectural heritage (Absolutely does not do this. It does not look at all like a historical building. It's beautiful, but it looks like Harmon's or a school.)

5. Ensure new development respects the existing character of the Historic District (Again, does not do this at all. It's just a large modern building.)

6. Promote economic development (Does promote economics as it is a business, but is not historic.)

"it is hoped that property owners will act to enhance
the quality of the Historic District"

Design Guideline Goals

1. Protect the desirable and unique features of the Historic District (Does not do this at all.)

2. Perform rehabilitation and construction that will respect the character of the Historic District (architectural compatibility) (Again, does not do this at all.)

3. Demolition should be done in accordance with city requirements (Not applicable, no demolition to be done other than moving dirt and construction that would occur.)

4. Replacement structures should be compatible with established character of the Historic District and conform to adopted design standards (Does not do this at all, but to be fair, there are no real good guidelines set for someone wanting to build in the historic district. However this building does not look historic.)

Historical District Considerations

1. Colors (They did try to match some brick colors.)

2. Elevations (Not even close to what surrounds them because all but one home are single level. I know they are using the city office building as a base for the size of the building, but the city office tried to replicate the old school. While they tried to take the look of the Merc for their elevations, it really is not anything that looks historic in Santa Clara.)

3. Building materials (Chose brick. That's all)

4. Porches (Porches refer to a porch on the front of the houses you see on the main road. Not a big open breeze way.)

5. Community space (They kindly put grass and trees in the front setting the office building back a ways to allow the public to view the Swiss Days parade from their lawn. I can't really see any other use for the public aside from that.)

After reading the city's general plan which I listed in the beginning, it seems pretty obvious this building does not aesthetically look historic or fit the feel of downtown. They only qualified on 3 of the 16 points they listed.

3. Our own city general plan it states the following:

- 5.1 Historic Context and Character

- *Santa Clara played a central role in the pioneering settlement of the West. Through a combination of preservation efforts and lack of infill development, Santa Clara's downtown still reflects many of the historic building and landscape patterns created by the original settlers. These development patterns and architectural styles are part of Santa Clara's identity and attraction in the region.* ***If not managed properly, development pressure can threaten these historic resources and their potential benefits (e.g., economic development and potential tourism) to the entire community.*** *The goal of historic preservation in Santa Clara is a holistic approach that balances the needs of property owners with the benefits to the entire community. The desired result is to help evolve the downtown into a vibrant, pedestrian-friendly, mixed-use commercial center while* ***protecting the historic resources*** *that make Santa Clara a special place.*

- 5.2 Reasons for Historic Preservation in Santa Clara

- 5.2.1 *Unique Character Santa Clara's downtown has gradually evolved over 160 years, but it still retains the rich historic settlement pattern and landscape that reflects the community's common values. The result is a unique combination of buildings of various eras, interspersed with vacant lots, small pastures, and wood barns and sheds. These are all tied together in a traditional grid street pattern with a landscape of mature trees and Santa Clara's trademark rows of majestic sycamore trees along the main street.*

While some historic buildings and lot patterns have been lost, that which remains establishes a strong identity for Santa Clara. ***Such an identity cannot be designed; it has emerged gradually, and as such, is a priceless asset. Continuing and building upon this cultural heritage will reinforce the historic nucleus of the City, as well as its reputation in the region and the state.***

5.3 ***New buildings should keep the overall character of the core area by incorporating some of the characteristics of historic buildings such as gable (sloping) roof forms, covered porches to define entries, and using traditional materials (brick, stone and wood, etc.).***

- 5.2.2 *Economic Development Without exception, economic development studies confirm that the preservation and enhancement of historic resources yield significant economic benefits -* ***the more thorough the preservation and enhancement, the more successful the outcome****. The Jacob Hamblin Home already attracts visitors from the state, nation, and beyond. The restoration of the Relief Society building and nearby structures adds to the historic draw……****Heritage tourism is a rapidly growing form of economic development. It attracts people who have a discerning, broad appreciation of many aspects of the local culture. They are likely to stay longer and experience more while encouraging others to visit.***

One of the key reasons to preserve and protect a historical district is its value in tourism. Think of all the places you have traveled. Most likely, you went on a tour or specifically to visit something historical. The majority of Europe's tourism industry is due to people visiting historical buildings and towns. As I am in Ireland right now, I have observed much of how they preserve their culture and history! I've learned a lot and have some valuable insights. Preserving and protecting a small strip of land in Santa Clara is vital to our future– not just our children and grandchildren, but will also be important as a place for people to visit. This is what we'd like for the future of Santa Clara.

Once again we have someone who purchased property knowing exactly how it was zoned coming in and wanting to change it to meet their personal needs vs what the property was intended for. Once again we've heard the argument that people should be allowed to do what they want with their own property. So why not put a brothel there or a bar or a taco bell? Because there's laws? You mean like zoning laws? Hmmmm…. Seems the zoning laws are in place for the protection of the city and for those who purchase property around it and want to protect and preserve the city. Once again, it still doesn't make sense that we keep visiting this same issue. Owning the property and using it as intended should be the reason to purchase. Not to purchase with the intent to come in and change everything for their own personal benefit without consideration of their neighbors.

For the record, I know Neil personally. I used to babysit him and love his family dearly. Hes a good man, super smart, and a true cowboy. I do not know the owner of the propsed business at

all, so none of this is personal, it is completely about protecting and preserving historic downtown, the homes surrounding, and the current zoning. We know this corner needs something special there. A large office building doesnt fit the bill.

Personally, I'd prefer the subdivision with homes. But even more than that, we would support Neil in bringing his horses, cows, barn, stable, and his personal home to this property. THIS is what the residential agricultural zoning is for and this how we'd like it to remain.

Santa Clara City
2603 Santa Clara Dr.
Santa Clara, UT 84738
(435) 656-4690

Fee: $500.00 + acreage fees.

GENERAL PLAN AMENDMENT

Zone change requests which are not consistent with the General Plan of Santa Clara must submit this application to the Planning Division.

A TRC meeting (typically held each Thursday morning at 8:30 AM) is required prior to the application submittal; please call (435) 656-4690 Ext. 2 to make an appointment.

Date of TRC meeting: _____ Time: _____ Staff member assigned to process application: _____

APPLICATION SUBMITTAL CHECKLIST

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application doesn't guarantee that this application will be placed on the next Planning Commission agenda.

The following is required as part of the application form submittal:

1. **Submit one (1) original copy of a completed application** for staff and Technical Review Committee (TRC) review. An **additional 11 copies will need to be submitted**, which have incorporated staff recommended changes, for Planning Commission review.
2. **Exact legal description prepared** and stamped by a licensed surveyor and a survey map of the property ownership plat. If there are multiple property owners, all must submit one legal description. If there are multiple properties, all must be combined into one legal description, unless these properties are not contiguous, in which case a separate application and legal description must be submitted for each property. For requests for multiple General Plan amendments, a separate application and legal description must be submitted for each amendment required.
3. **Additional sheets, if necessary** with multiple owners' and/or applicants' information.
4. **Copy of deed restrictions**, if necessary.
5. **Fees of $500, plus an acreage** fee as follows;
   - less than one acre: no charge.
   - 1 – 100 acres: $50 per acre
   - 101 – 500 acres: $25 per acre
   - >500 acres: $10 per acre
6. **Some zoning classifications require additional items to be submitted** along with this application for a General Plan amendment. Please **refer to the table on the next sheet** for additional items potentially required by the amendment being requested.
7. **Development agreement**, unless not required by staff.

ADDITIONAL ITEMS TO BE SUBMITTED

Classification	Additional Items
Open Space Zone (OS)	None
Residential Agriculture Zone (RA)	None
Single-Family Residential Zone (R-1)	None
Commercial Zone	**Site Plan** if seeking approval at the same time the zoning map amendment is considered. The Site Plan must comply with the requirements outlined in Chapter 17.66 of the Santa Clara Municipal Code.
Planned Development Districts (PD)	**Project Plan**--See Chapter 17.68 of the Santa Clara Municipal Code for specific requirements. **PD Project Checklist**-provided by staff. **Phase Plan** if seeking phase plan approval at same time as the Project Plan approval—See Chapter 17.68 of the Santa Clara Municipal Code as well as the City's subdivision requirements found in Title 16 of the Santa Clara Municipal Code for specific requirements.
Historic District/Mixed Use Zone	**Site Plan**—See Chapter 17.74 of the Santa Clara Municipal code for specific requirements.
Historic District Overlay Zone	None

APPROVAL CRITERIA AND PROCESS

With regards to General Plan Amendments, the Planning Commission is the Land Use Authority to hear and act on applications to amend the General Plan, as stated in Santa Clara City Ordinances (**17.16.020, B, 2**).

Criteria for Utah Municipal General Plans can be found in **Utah Code, Title 10, Chapter 9a, Part 4 (10-9a-4)**

The process for a General Plan Amendment is as follows:

1. General Plan Amendment approval will be subject to **deliberation and recommendations** by TRC and Planning Commission.
2. After this, **a public hearing** will take place following a decision by the Planning Commission.
3. **After a public hearing, the Planning Commission may modify** the proposed amendment again based on feedback and input.
4. Planning Commission will then **make a recommendation** to City Council.
5. **City Council may make further revisions** to the amendment that it considers appropriate or necessary.
6. City Council may then **adopt or reject** the amendment.
7. If the amendment is **rejected, City Council may provide suggestions** to the Planning Commission for its reconsideration.
8. If the amendment is **approved**, City Council will adopt (as part of the amendment) **a land use element**, a **transportation and traffic circulation element**, and, **if applicable, an adjustment to the city's plan to meet estimated needs for moderate income housing**.

This is an abridged version of the process required in Utah Code for General Plan and General Plan Amendment adoption (**10-9a-404**). See Utah Code online at https://le.utah.gov/xcode/code.html.

FOR YOUR INFORMATION

This application can be filled out online at: https://sccity.org/building-planning-zoning/. Links to the Santa Clara City Zoning Ordinances and other helpful information can also be found at this web link.

GENERAL PLAN AMENDMENT APPLICATION

Date Submitted/Completed: _____ Fees (Office Use): _____ Receipt Number (Office Use): _____

PROPERTY OWNER CONTACT INFORMATION*

Name(s): Neil Walker - Granite Peaks Investments LLC

Phone: 435.628.1609 Email Address: N.walker@naiexcel.com

Mailing Address: 243 E. St. Geo Blvd #200 City: St. George State: UT ZIP: 84770

*If applicable, please attach an additional sheet containing the information requested above for each additional property owner.

AUTHORIZED REPRESENTATIVE CONTACT INFORMATION (IF APPLICABLE)*

Name(s): _____

Phone: _____ Email Address: _____

Mailing Address: _____ City: _____ State: ____ ZIP: _____

*If applicable, please attach an additional sheet containing the information requested above for each additional representative.

PROPERTY INFORMATION*

Full Address: SEC Santa Clara Dr + Gates Ln. Parcel ID: SC-6-2-16-435

*additional information requested on next page

ADDITIONAL INFORMATION*

What is the present zoning on the property?: RA + R-1-10

What is the current General Plan designation of the property/area?: MVR

What is your proposed General Plan designation of the property/area?: MSC

What is the purpose for amending the General Plan? (Please describe the proposal.): PROFESSIONAL OFFICE BUILDING

How will the proposed project affect adjoining properties?: VERY LOW IMPACT. VISITORS AND EMPLOYEES TO THE OFFICE WILL BE THERE PRIMARILY DURING THE DAY MONDAY - FRIDAY.

Total acreage of the proposed General Plan change? 2.43 ACRES

Does the property contain any floodplains, wetlands, and/or any slopes at or above 20%?: YES

If so, please describe: FLOODPLAIN ON THE SOUTHERN PORTION WHERE THE PARKING LOT IS DESIGNED

Will any major planned roads be affected by this proposed change?: NO

If so, please list: POWELL TRAIL TO BE BUILT AS PLANNED.

*Attach more sheets if necessary.

PROPERTY OWNER AFFIDAVIT

I (We), GRANITE PEAKS INVESTMENTS LLC, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached documents, and other exhibits are in all respect true and correct to the best of my (our) knowledge.

Property Owner
ITS MANAGER

Property Owner

Subscribed and sworn to me this 23 day of May, 2023.

Notary

NICOLE E BLACK
Notary Public, State of Utah
Commission # 721476
My Commission Expires
November 14, 2025

AUTHORIZED REPRESENTATIVE AFFIDAVIT

I (We), _____, the owner(s) of the property described in the attached application, do authorize as my (our) representative(s),

_____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body regarding the attached application and the act in all respects as my (our) agent in matters pertaining to the attached application.

Property Owner

Property Owner

Dated this ____ day of _____, 20___, personally appeared before me, _____, the signer(s) of the Authorized Representative Affidavit who duly acknowledged to me that the executed the same.

Notary



SANTA CLARA CITY HERITAGE COMMISSION
MEETING MINUTES
Santa Clara Town Hall Conference Room
2603 Santa Clara Drive
Thursday, May 18, 2023

Present:

Commission Members:	Bob Lamoreaux-Chairman Pam Graf Gardner Mandi Gubler Mimi McKenna
City Council Representative:	Leina Mathis
Staff:	Jim McNulty, City Planner Sherry Laier, Clerk
Others Present:	Roy Barker Chase Jensen Michelle Walter Via Zoom: Neil Walter Justin Neilsen Jonathan Gardner Brian Junge Pierre Lanque

Chair Bob Lamoreaux called the meeting to order at approximately 4:00 p.m.

1. Approval of Minutes for March 23, 2023.

Commissioner Mandi Gubler moved to approve the minutes of the March 23, 2023, Meeting. Commissioner Bob Lamoreaux seconded the motion. The motion passed with the unanimous consent of the Board.

BUSINESS ITEMS

2. Discussion and/or Approval of a Proposed Office Building on the Southeast Corner of Gates Lane and Santa Clara Drive, located in the Historic District Overlay/Residential Agriculture Zone. Applicant, Neil Walter.

City Planner, Jim McNulty, presented the Staff Report and stated that the proposal is for a 35,000-square-foot three-story building. It has three levels of office space with each being 9,000 square

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feet in size. Additionally, the east side of the building includes a 7,500-square-foot basketball court/gym type of facility. The proposed office building has been designed to accommodate the grade of the property including that 12 to 15-foot drop-off from Santa Clara Drive down the property as one proceeds on Gates Lane. The building will be 30 feet tall to the top of the parapet wall on the north elevation facing Santa Clara Drive. The rear elevation will be higher because of the drop-off at 42 feet. Each floor plate is 13 feet to accommodate the proposed office. The first floor facing Santa Clara Drive will be underground. It becomes exposed as the grade opens up as one heads down Gates Lane. So it will be similar to a daylight basement design. The applicants have drawings showing the cross-section height. A large balcony-style patio is proposed on the top floor for future employees. The future access will be via Gates Lane to the future extension of the Bonneli Trail along the southern edge of the project.

Mr. McNulty reviewed Code Section 17.76.060(E) which addresses the duties of the Heritage Commission. They are to function as the Design Review Committee ("DRC") for new construction, remodeling, and signs for the Historic District. Item G in the Design Guidelines addresses roof pitches. Mr. McNulty identified what has been proposed, what is applicable, and what is not in the report. Item I addresses building materials. Item J addresses colors. Item K addresses electrical lighting, which is important in the Historic District.

The Historic District Guidelines do not include guidance on the size and scale of buildings. Generally, buildings in the Historic District are smaller and fit into the fabric of the community. In this case, the City must determine if the proposed building or use is a good fit for the Historic District. An assisted living facility was previously proposed at this location; however, the City did not approve it. This meeting would be the first step in the process of the application. They have come to several TRC meetings on Thursdays to discuss this with city staff. The Heritage Commission is the next step where the applicants chose to have a review of the proposed building, the elevations, materials, and design. They would have to do a General Plan Amendment on this application and a rezoning of the property. According to the General Plan, it is in a Mixed-Use Residential and Neighborhood Commercial. The applicants would have to amend the General Plan to Main Street Commercial to allow for the use. The current zoning in the Historic District is Historic District Overlay Residential/Agricultural, which would have to be rezoned to a Planned Development Community Historic District to allow for the desired height. The maximum is 35 feet as measured from the front. This is the first step. The applicants would then have to go through a public hearing process for a General Plan amendment and then a public hearing process for rezoning the properties.

The applicant, Neil Walter thanked the Commission and staff for guiding them through the process. His team met with Mr. McNulty on site and spent time looking at the grade change between the street and the ground that remained after the 2005 flood. Mr. Walter and his brothers own and operate NAI Excel, a commercial real estate brokerage in St. George. He is a lifelong resident of Santa Clara and cares a great deal about the community. Mr. Walter introduced Architects Brian Junge and Pierre Lanque from Axis Architecture.

Mr. Walter also recognized Jonathan Gardner, who is one of the most successful developers in the State of Utah. The owner of the proposed building and the individual who will be operating his business there is Justin Neilsen. He is the CEO of Onset Financial, a successful technology and

finance company that has won numerous awards. They have been recognized as one of the top workplaces by *The Salt Lake Tribune*. MountainWest Capital Network, Inc. has recognized them in multiple contexts. He has been recognized multiple times as the Utah Business CEO of the Year. They have received customer service excellence awards. They have one of the most dynamic and exciting workforces and workplace opportunities on the Wasatch front. Mr. Neilsen likes St. George and is very interested in this business and economic opportunity in Santa Clara.

They looked through several different options. They tried to work through some considerations. They are working specifically to try and have a project that will be a great fit for the community. The current General Plan for the property. The zoning and the General Plan are inconsistent right now, so obviously, there would need to be an amendment to the current zoning.

The General Plan for this property is currently mixed-use. The use they are proposing is for offices. One of the reasons they are interested in office zoning is that retail can drive much traffic into the area, and there is no light. Multi-family houses can also create much impact. They did not feel the formerly proposed assisted living center was the right use for this corner. Right now, it is zoned residential, which is an approved use they could move forward with. However, they looked at it and thought about the lowest possible impact, lighting, and trips that would benefit the community economically. It would drive the City's tax base and help with some of its key municipal considerations. Offices have the lowest impact because they are traditionally business hours, no nights and weekends. It is not much traffic. It is mostly employees with few visitors. They will not create a huge impact in a place that is important to Santa Clara.

The current zoning is RA which is one-half acre lots. A Historical Overlay is part of the zoning, which they are working on with the Historical Commission. If they chose to move forward with a plan that is compliant with the current zoning they would not need to go to the Planning Commission or City Council. They felt that the office use on the corner would be a better fit in terms of the architectural elements. It would have a lower impact on the neighbors and a greater positive impact on the City in terms of economic development and tax base.

Rosenberg & Associates prepared a Residential Development Plan for the corner. Mr. Walter explained that if seven lots were developed with 4,000-square-foot homes on two stories, that would equate to 28,000 square feet of building, plus garages. It would be a substantial footprint that would occupy the bulk of the property. It is a large 2.5-acre property that could result in a lot of massing. The proposed plan focuses on leaving the open space and the view corridors around the river and preserving elements that are important to the community.

Mr. Walter's requests is for a General Plan Amendment allowing for a Professional Office. The property is designed to take advantage of the nearly 15-foot elevation change and nestle against the road, with plenty of open space for walking. At the same time, they wanted to leave the space around the river and preserve some of the view corridors. Access will come off of an extension of Bonelli Drive. The parking field will be mostly hidden. The neighbors with views and privacy to the east will not be impacted.

A significant amount of time was taken to review the historic guidelines and ensure conformity. The Historic Overlay is a unique and important setting in the community. Protecting the

architectural character and fabric of the Historic District is their top priority. A second priority is to enhance and beautify all properties within the Historic District. While they do not necessarily impact any other Historic District properties, they can provide owners and residents with information concerning rehabilitating historic structures.

Mr. Walter stated that they have increased appreciation for the City's history and heritage and intend to enhance that with their project. They will ensure that the proposed development respects the existing character of the Historic District. They have tried very hard to show extraordinary deference and respect to the Historic District. With regard to promoting economic development, the office building will provide high-paying jobs with an employer that has been recognized at the highest level.

Mr. Walter stated that the hope is that property owners will act to enhance the quality of the Historic District. The proposed project was expected to be a contribution to the Historic District. Reference was made to the City's Design Guidelines. Mr. Walter stated that they are trying to respect the character of the Historic District. They do not plan to do any demolition on the site. They are not taking anything down and are building a new structure. The project should be compatible with the established character of the Historic District and conform to the adopted Design Standards.

Mr. Walter identified the following five items from the Design Guidelines:

1. Color. The most iconic building in the community is the Jacob Hamblin Home. It was built with native materials and is the longest surviving structure in the City. The colors drawn from the mudstone that was native to the area were used to design the proposed building. They took note of the color variations and looked at the color scheme and tried to use those for this building. With colors, the Frederick and Mary F. Reber Home was built in 1900 and deeded to their son, Leo Reber, Mr. Walter's great-grandfather, in 1954. One can see those same construction elements. The color scheme, however, is slightly different. We recognize that these are the natural colors in the area that were used when Santa Clara was founded.

2. Elevation. One of the things that they like about The Merc is the clean, straight lines. It is set close to the street and is seen frequently in many Old Main Street Buildings. The intent is to bring the space into the community. How windows are addressed helps accomplish that.

3. Building Materials. As Santa Clara grew, the most common building material was brick. There are a range of colors and is a very common building material. The intent was to incorporate the extensive use of brick that is prevalent on Santa Clara Drive.

4. Porches. They were originally a way to get out of the summer heat and cook, gather, and visit. They wanted to ensure that there was a powerful porch element for people could enjoy the space. Examples were shared.

5. Community Space. City Hall has become a gathering space where the open space in front can bring the community together. It beautifies and enhances the park-like feel of the sidewalks and foliage that line Santa Clara Drive. The goal was to incorporate trees and landscaping and expand the community and allow people to feel comfortable as they see the addition to the community. As they looked at those elements, they developed a concept that incorporates them, bringing together a building that respects the intent behind what the community is trying to accomplish.

Mr. Walter stated that although there is a lot of square footage in the building, a lot of the space is amenity space that improves the experience of the employees. They recognize the quality of the work/life balance. They hope to match the mudstone used in the Jacob Hamblin Home in terms of colors. They will pull in the elevations and clean, straight lines and extensive use of glass, as demonstrated by The Merc and the Old Post Office. They want to bring in the building materials that became the most common turn-of-the-century building materials such as brick. They want to ensure they have an expansive porch that draws people together. They also want to set the building back off the street to create desirable community space. Placing the parking lot in front of the building would detract from the community space and will be hidden.

Mr. Walter presented the site plan and identified the elevation from the street. The Santa Clara City office buildings are 25 feet to the eaves plus the roof height and the glockenspiel. They will be 30 feet, which complies with City Code. There will be two stories to provide an open, inviting space. There are variations in the elevations of the building that provide variety. On the east side, one can see the open porch concept. Park-like views can be seen from the front of the building.

Mr. Walter presented an aerial view and commented on the amount of open space provided. He indicated that the neighbors will not lose their view. The plan enhances the river space and mirrors the community on the opposite side of the river where the homes are set back from the river. Open space will be located between the river and the homes.

Mr. Walter presented an alternative view of the walkway in front of the building. The intent is to incorporate the City's landscaping into the landscaping of the building. Because of the elevation change on the south side of the building, they incorporated a walk-out main floor concept to provide a less imposing view from the street. It will not be as tall as the Santa Clara Office Building from the street view but they can gain additional square feet in the workplace allowing them to make more efficient use of the property. The building reflects Justin Neilsen's commitment to providing a phenomenal place for people to work. Additional components were added to enhance the building amenities. The intent was to creatively use the building/topography and make it a one-of-a-kind building in the community. Mr. Walter presented an additional view of the building to show how it will enhance the community.

Brian Junge reported that when he visited Santa Clara for the first time, he recognized what the City's historic content meant to the citizens. As a result, they modified their first building design to work with the walkable community concept.

Commissioner Pam Graf Gardner felt that the project was well done and liked the aesthetics of the building.

Commissioner Mimi McKenna asked about the specific use of the building. Justin Neilsen from Onset Financial stated that the company does equipment financing. They focus on the culture they create for their team and employees. They do that through amenities, gatherings, and professionalism. It is a time in history when getting people to work is challenging. To draw talented people into the workplace, one needs to have a unique opportunity for amenities so that they want to come to work. They want to engage in the workplace each day. They have been extremely successful with this in Salt Lake City. They are excited about the opportunity to do something similar in Santa Clara. The hope was that they will add to the beautiful, quaint feeling of the street. They call on companies nationwide to finance the equipment they wish to purchase through their capital. They are in all 50 states and are the third largest, privately-owned equipment financing company in the United States. They look forward to thriving in Santa Clara. They also have a 501(c)(3) charity component called Onset Gives. They will also be headquartered in the building.

Mr. McNulty asked how many jobs the company will bring to the City and many employees will work in the office. Mr. Neilsen stated that they will start with around 50 employees and potentially grow to 75 to 100 over time.

Commissioner Mimi McKenna identified two issues and stated that it is a jump from Residential/Agricultural with a one-half-acre lot to a two-story on the front and a three-story on the rear building. The benefit to the city is jobs. She also asked how the city would benefit financially. Commissioner Mimi McKenna asked how a two-story brick building will not block the sight corridors. She was not convinced that there should be a zone change. She also questioned whether the proposed building will maintain the charm and character of the City. Commissioner Mimi McKenna agreed that it is a beautiful building but questioned whether it is what they want on Main Street. Mr. McNulty stated that a property owner has a right to petition the City for a rezone. In their mind, this is the best use of the property rather than developing it as residential. They feel it will be a benefit to bring in an employer with jobs. They can go through the process as a property owner.

Mr. Walker stated that there is a difference between the land use in the General Plan and zoning. Zoning is what is permitted today. The land use in the General Plan is what is contemplated and what they consider to be the highest and best use. Once something is developed, land use and zoning become much less impactful. On raw land, land use is an impactful planning tool for a community to determine the highest and best use. In this case, the zoning was left over from historical uses. If they develop the property as currently permitted, very large homes will most likely be built there. If there are large lots, they tend to have large homes. That would be nice for seven families, but it is much more difficult to contribute to the long-term character of the community.

The previous application did not consider the Land Use Plan. In this case, the land use is designed to be mixed-use residential. Where this is seen along the Wasatch Front and in St. George, it is retail or office commercial on the bottom floor and residential above. So if that were done here, it

would be a combination of residential and retail with apartments or condominiums on top of retail or offices. They felt that building that kind of residential density on top of the commercial was not as good of a fit as going to a low-impact office use. Mr. Walter noted that that type of use is already contemplated in the Land Use Plan and was the reason they chose to focus on office uses.

Mr. Walker noted that if they took the second story and developed loft apartments, they would comply with the General Plan. They felt that would have a higher impact, however, which was why they went with what is currently proposed.

Council Member Leina Mathis noted that the Planning Commission and City Council will consider what has been mentioned. She stated that over time, Santa Clara Drive will not include homes but acknowledged that the proposed building would never be placed in the middle of Santa Clara Drive. Commissioner Mandi Gubler agreed that it is a beautiful building but does not fit the Historic District. Council Member Leina Mathis asked if it would fit as a bookend with Town Hall on one end, a building like this on the other, and shops throughout the Historic District. She explained that the task of the Commission is to consider the aesthetics and design qualities and determine whether it fits the historic nature of the area.

Commissioner Mandi Gubler commented that the applicants have done a wonderful job with the plans and liked that they raised the second floor. It is a large building but it does not seem overwhelming. It is set back far enough. The windows and the open space prevent it from feeling like a behemoth structure. When she drives past the property she wonders how it will be developed. She would not want to build a house there and appreciated the investment proposed by the applicants. She personally would be concerned about potential flooding as well. Developing homes on the property would also encroach on the view. She stated that having just one building that is placed on the front of the property is desirable. She stated that currently, the open space is an eyesore. She supported the proposed use of the property.

Chair Bob Lamoreaux noted that eventually something will be built on the property. However, as a Heritage Commission, they only have so much say in what is built. A lot needs to happen before the project is approved. He appreciated the effort of the developer to study the area and match the architecture with what already exists.

Commissioner Mimi McKenna liked several aspects of the proposal such as the setback and that they raised the property up so that the building is more visible rather than the parking lot. She stated that she likes the proposed building but questioned whether it is the right location. She referred to the Town of Midway, Utah. They've done a good job of maintaining the character of the town as it has grown. She spoke to their staff and stated that a new commercial development called Springer Farms is coming in. She obtained a rendering of the main building and one of the buildings that has already been constructed. She wanted to see something similar on the property. She was not opposed to a commercial building but not the one that is proposed. She preferred something similar to Ancestor Square in St. George.

Mr. McNulty commented on what has taken place in Midway and stated that it is very quaint with a mix of offices and shops. Commissioner Mimi McKenna stated that the job of the Commission

is to protect the architectural character of the City. She did not believe that what is proposed accomplishes that.

Mr. McNulty stated that staff recommends the Heritage Commission review the proposed Gates Lane Office Building and consider providing a recommendation to the Planning Commission with the following considerations:

1. That the Heritage Commission provide a recommendation in favor or against the proposed office building.

2. That the Heritage Commission determine if the proposed building elevations, materials, colors, and height are acceptable.

3. That the applicant come back to Heritage Commission if changes to the building elevations, materials, colors, and height are proposed.

The Commission could also recommend revisions and changes and have the applicant return to another meeting before proceeding.

Possible changes were discussed that would make the building more historic in appearance. Mr. Junge felt there was a way to work with the Heritage Commission to make changes to move the proposed building forward. As architects, they are challenged every day to create community space. The more they understand Santa Clara, the better. Chair Bob Lamoreaux felt that they could work together. Mr. Junge suggested possible solutions such as breaking the scale of the building down into smaller pieces.

Mr. Walter discussed the process the building has gone through and stated that there has been nearly one year of work since the drawings were first submitted. He asked that the Historic Commission make a recommendation to move forward. It was noted that Mr. Neilsen also needs to know whether this is feasible a feasible location for his business.

Mr. Lanque stressed that as architects they must maintain some character for the building and not lose control of the cohesive nature of the design process. Mr. McNulty offered to bring the matter back to the Heritage Commission as it goes through the process with the Planning Commission and City Council.

There was discussion regarding the design of the building and whether it should have a cottage or a warehouse look. It was determined that elements that were agreed on by all parties were the setback and colors. Procedural issues were discussed.

Commissioner Pam Graf Gardner commented that they will not always be able to sell cottage-style businesses. The warehouse style looks better than what exists currently. Santa Clara is quaint and she likes the design. She feared what might be developed there if they do not work with the developers.

Mr. Junge stated that a community becomes unique through the rich mix of properties that are developed naturally. There is a risk to strongly legislating what is built. Parameters are necessary, which is what they were trying to work within. For that reason they are willing to work with the group; however, the natural evolution of a city is important. The idea of creating a building that fits within this time period says a lot about why a community stands the test of time. Something that is built recognizes the qualities of the historic buildings. He hoped they could find a solution. It was noted that the applicants preferred a recommendation be made tonight by the Historic Commission.

Reference was made to what exists across the street, which was considered more warm and inviting. The proposed building gives the impression of being stark. The majority of the Commission Members liked the industrial but not in the proposed location. It was recommended that the design of the buildings be more warmer and historic. It was suggested that something be added to the exterior with the existing height.

Mr. Walter asked that the Commission keep in mind that what is proposed is a functioning office building that offers tremendous value to Main Street. He asked that a recommendation be made based on factors they feel are important. They consider this to be a wonderful first step. They would come up with alternative designs to address the concerns raised.

Commissioner Mandi Gubler moved to APPROVE the proposed office building on the southeast corner of Gates Lane and Santa Clara Drive, located in the Historic District Overlay/Residential Agricultural Zone with the modification to the exterior to make it look more historic. Commissioner Pam Graf Gardner seconded the motion. The motion passed with the unanimous consent of the Commission.

3. Miscellaneous Items.

There were no miscellaneous items.

4. Adjournment.

The Heritage Commission Meeting adjourned at approximately 5:45 p.m.

Approved: _____
Sherry Laier, Clerk

ROSENBERG r ASSOCIATES™
CIVIL ENGINEERS LAND SURVEYORS

Exhibit "A"

Parcel 1:

Beginning at a point on the easterly line of Gates Lane, said point being South 89°35'38" East 221.56 feet along the center section line and North 247.62 feet from the West Quarter Corner of Section 16, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

thence northerly the following (3) courses along said easterly line of Gates lane;
thence North 20.02 feet along an arc of a 275.00 foot radius curve to the left (center bears North 83°05'10" West, long chord bears North 04°49'43" East 20.01 feet with a central angle of 04°10'15");
thence North 02°44'35" East 125.06 feet;
thence Northeasterly 46.73 feet along an arc of a 30.00 foot radius curve to the right (center bears South 87°15'25" East, long chord bears North 47°22'02" East 42.15 feet with a central angle of 89°14'55") to the southerly line of Santa Clara Drive;
thence South 88°00'30" East 228.50 feet;
thence South 03°11'55" West 90.70 feet;
thence South 65°19'05" East 102.41 feet;
thence South 00°13'13" West 78.28 feet;
thence South 00°19'26" West 187.83 feet;
thence South 44°16'08" West 80.56 feet;
thence Northwesterly 71.03 feet along an arc of a 5,488.64 foot radius curve to the right (center bears North 44°16'08" East, long chord bears North 45°21'38" West 71.03 feet with a central angle of 00°44'29");
thence North 44°17'29" West 141.04 feet;
thence North 44°17'29" West 90.00 feet;
thence North 44°17'29" West 48.14 feet;
thence Northwesterly 66.94 feet along an arc of a 250.42 foot radius curve to the left (center bears South 46°33'44" West, long chord bears North 51°05'46" West 66.74 feet with a central angle of 15°19'00") to the Point of Beginning.

Containing 105,810 square feet or 2.43 acres.

CITY OF SANTA CLARA
ORDINANCE NO. 2023-16

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, AMENDING THE GENERAL PLAN & LAND USE MAP FROM MIXED USE RESIDENTIAL (MUR) AND NEIGHBORHOOD CENTER (NC) TO MAIN STREET COMMERCIAL (MSC), ON 2.43 ACRES, LOCATED AT THE SOUTHEAST CORNER OF GATES LANE AND SANTA CLARA DRIVE, PARCEL NO. SC-6-2-16-435.

WHEREAS, the applicant, Granite Peaks Investment, LLC, is requesting an amendment of the General Plan and Land Use Map from Mixed Use Residential (MUR) and Neighborhood Center (NC) to Main Street Commercial (MSC), on property located at the southeast corner of Gates Lane and Santa Clara Drive, upon approximately 2.43 acres including Parcel No. SC-6-2-16-435; and

WHEREAS, the purposes for the amendment are to unify the land use designations on the property into a single designation, and to permit application for a zone change from Residential Agricultural (RA) to an appropriate commercial zone, due to applicant's desire to develop a professional office building; and

WHEREAS, pursuant to the requirements of the Santa Clara City Code, the Planning Commission conducted properly advertised a public hearing on the proposed General Plan and Land Use Map amendment on June 22, 2023; and

WHEREAS, the Planning Commission, during its regular meeting held on said date, voted to recommend approval of the proposed amendment to the City Council, with certain conditions; and

WHEREAS, the City Council, during its regular meeting held on July 12, 2023, considered the applications for the proposed amendment, the public comments received, and the Planning Commission's recommendation of approval, and voted to approve the proposed amendment.

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

Section 1. Classification

This ordinance amends the General Plan and Land Use Map of the City of Santa Clara, Utah.

Section 2. Amendment

The General Plan and Land Use Map of the City of Santa Clara, Utah, is hereby amended to change the following described property from Mixed Use Residential (MUR) and Neighborhood Center (NC) to Main Street Commercial (MSC).

DESCRIPTION:

Property located at the southeast corner of Gates Lane and Santa Clara Drive, identified as Parcel No. SC-6-2-16-435, and more particularly described as follows:

See Exhibit A attached and incorporated with this reference.

Section 3. Findings, Conditions

The amendment approved herein is subject to the following findings:

1. That the proposed General Plan Amendment complies with Section 3.4.2 of the General Plan (Mixed-Use Land Uses).

2. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Policy 3.1, and Historic Downtown Core Subarea).

3. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Historic Downtown Core Objective, Policy 4.5).

4. That the proposed General Plan Amendment complies with Section 4.2 of the General Plan (Historic Downtown Core Objective, Action 4.4).

5. That the proposed General Plan Amendment complies with Section 5.2.2 of the General Plan (Historic Preservation & Economic Development).

6. That the proposed General Plan Amendment complies with Section 6 of the General Plan (Economic Development Objective and Policy 6.1).

The amendment approved herein is subject to the following conditions:

1. That this amendment is approved subject to the approval of a zone change consistent with the applicant's presentation within one year of the date of approval of this amendment, and if not approved within one year, the land use designation shall revert back as if this amendment had not been approved;

2. That the building design and elevations presented to the City with this application be modified so that the proposed building be more historic, based on the feedback given to the applicant by the Heritage Commission, Planning Commission, and City Council; and

3. That the application for zone change to follow be reviewed by and a recommendation for approval or denial on that application made by the Heritage Commission prior to the Planning Commission's public hearing on the zone change application.

Section 4. Effective Date

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

ADOPTED by a duly constituted quorum of the Santa Clara City Council this 12th day of July, 2023.

IN WITNESS THERETO:

Attest:

_____	_____
Rick Rosenberg, Mayor	Selena Nez, Deputy City Recorder

Planning Commission Presentation

R. Neil Walter, CFA

nwalter@naiexcel.com
www.naiexcel.com

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COMMERCIAL REAL ESTATE SERVICES, WORLDWIDE

Agenda

1. General Plan
2. Zoning
3. About Onset Financial
4. Historic District Design Guidelines
5. Proposed Concept

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General Plan

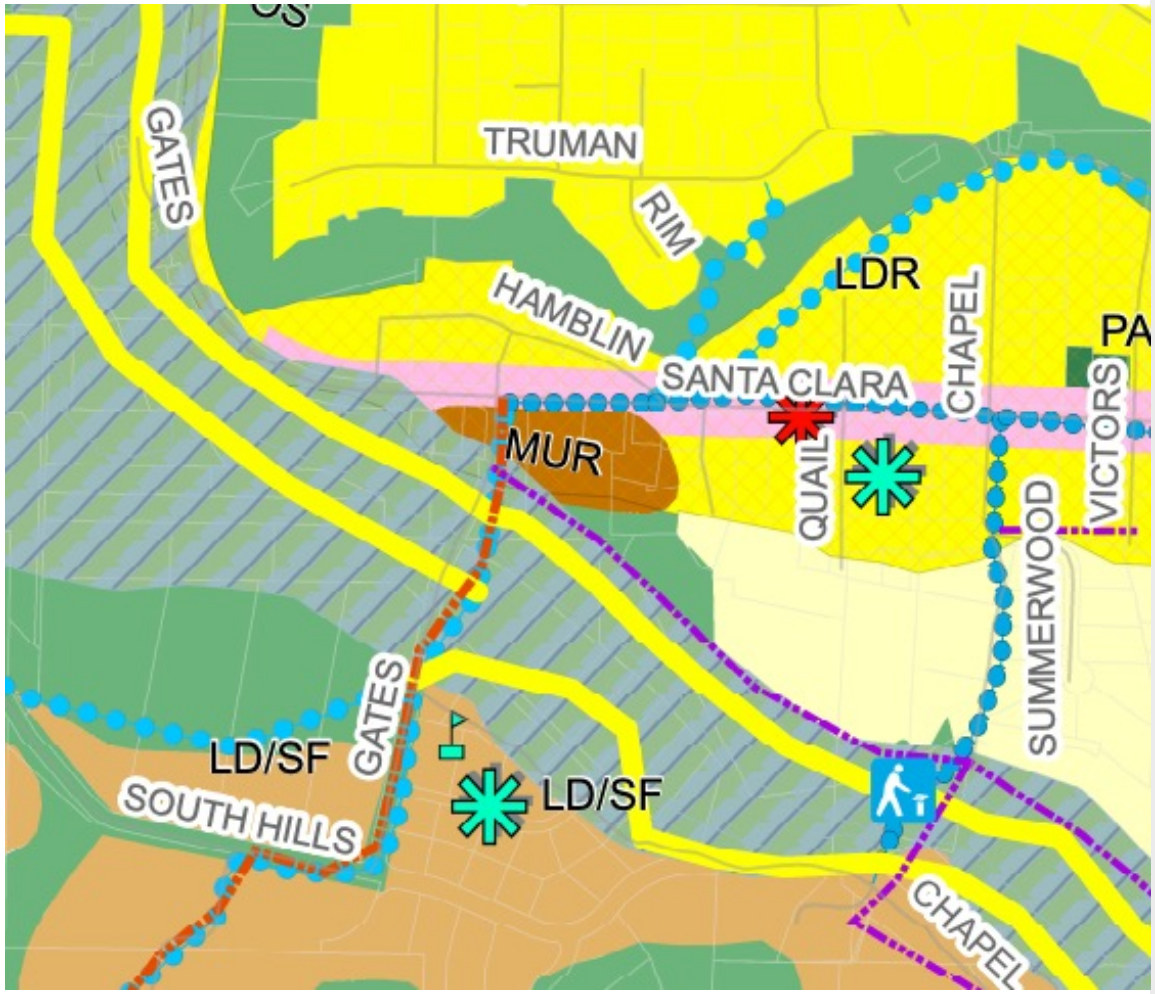
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General Plan is Mixed Use Residential

MUR is typically multi-family on top of office or retail space.

We are requesting a lower impact land use.

Professional office is the lowest impact land use based on trips, traffic, and hours of operation.



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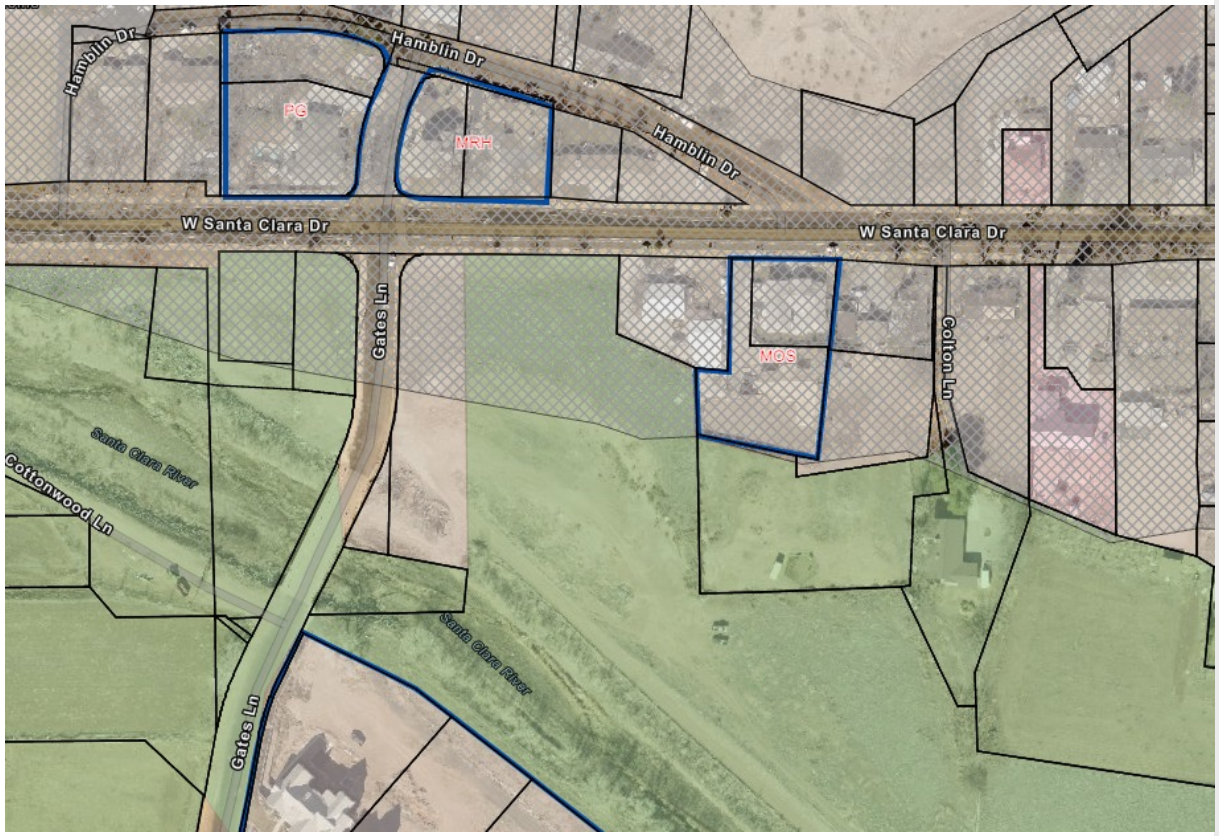
Zoning

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Zoning is RA

Residential Agriculture (RA) is lots as small as 1/2 acre.

You can see the Historic District overlay in the thatched area to the north.



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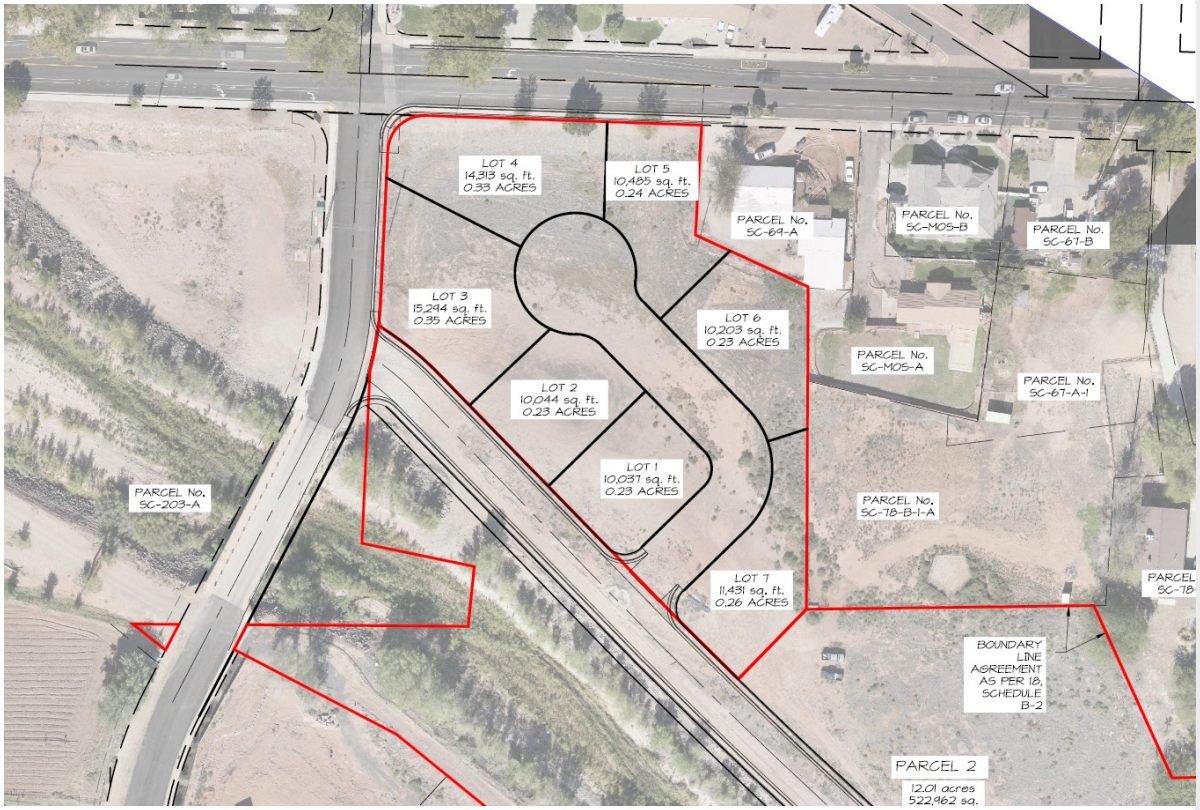
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Residential Concept

Conceptual layout similar to neighboring residential properties in the area.

Two story pitched roofs would also be tall.

Homes would back Santa Clara Drive and Gates Lane (15 foot elevation change).



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Prior Proposal

118,000 SF
Two story with pitched roof
Approximately 30’ Tall

<u>Public Comments:</u>
No townhomes/apartments
Too large, scale back a little
Too much traffic
Don’t want plans to change
Want to see renderings
No Maverik or storage



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Planning Commission Request

General Plan change to
Main Street Commercial (MSC)
for professional office use

Site: 2.43 acres
+-35,000 SF

Low traffic impact
No apartments/townhomes
1/3 the size of Assisted Living
Building Renderings Included



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Onset Financial

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About Onset Financial

Founded in 2008, Onset Financial is a dominant force and leader in the equipment lease and finance industry. Onset offers flexibility in leasing structures and has funded over $2.5 Billion in equipment finance transactions for companies that range from small businesses to the Fortune 500 and has an award-winning culture with over a decade of consistent growth.



OUR BALANCE SHEET BOASTS NEARLY

$1 BILLION

IN TOTAL ASSETS

AS IMPRESSIVE AS THIS IS, IT JUST KEEPS GROWING!

WE HAVE FUNDED OVER

$2.5 BILLION

ONSET HAS HELPED COMPANIES ACHIEVE MORE THAN 50 BILLION DOLLARS IN ANNUAL REVENUES.



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Family of Companies



onsetfinancial

onsetgives

MAZUMA CAPITAL

CAPTECH FINANCIAL

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Onset Financial

AIRCRAFT PARTS SUPPLIER
$50,000,000
EQUIPMENT
Black hawks

ALTERNATIVE ENERGY SOLUTIONS
$15,000,000
EQUIPMENT
Energy equipment on a sale and leaseback

AUTOMOTIVE SALES
$1,050,000
EQUIPMENT
Energy equipment on a sale and leaseback

COMMUNICATIONS, NETWORKING, & STORAGE
$3,000,000
EQUIPMENT
Technology

DIE CAST MACHINES
$54,000,000
EQUIPMENT
CNC Machines

ENERGY
$14,000,000
EQUIPMENT
Critical energy equipment

ENERGY MAINTENANCE PROVIDER
$37,000,000
EQUIPMENT
Technology

ENERGY, OIL, & GAS
$60,000,000
EQUIPMENT
Mission-critical equipment for extraction

FEDERALLY-REGULATED INSURANCE COMPANY
$2,000,000
EQUIPMENT
Computers & Electric data processing equipment

FITNESS, HEALTH, & WELLNESS
$5,000,000
EQUIPMENT
Gym equipment and renovations

FOOD SERVICES
$4,200,000
EQUIPMENT
Packing equipment

HOSPITALITY
$2,300,000
EQUIPMENT
Furniture, fixtures, & equipment

INTERNATIONAL AEROSPACE MANUFACTURER
$11,000,000
EQUIPMENT
Manufacturing equipment

INTERNATIONAL ENERGY PROVIDER
$39,000,000
EQUIPMENT
Mission-critical energy equipment

INTERNATIONAL MEDICAL DEVICE COMPANY
$15,000,000
EQUIPMENT
Healthcare devices

LOGISTICS AND TRANSPORTATION
$28,000,000
EQUIPMENT
Tractors and trailers

AWESOME FUNDINGS

LUMBER PROCESSING
$15,000,000
EQUIPMENT
New & used lumber equipment

MEDICAL DIAGNOSTICS FACILITIES
$22,000,000
EQUIPMENT
Medical

MEDICAL DIAGNOSTICS EQUIPMENT
$36,000,000
EQUIPMENT
Production equipment & soft costs

MEDICAL RECORDS SOFTWARE
$10,000,000
EQUIPMENT
Software

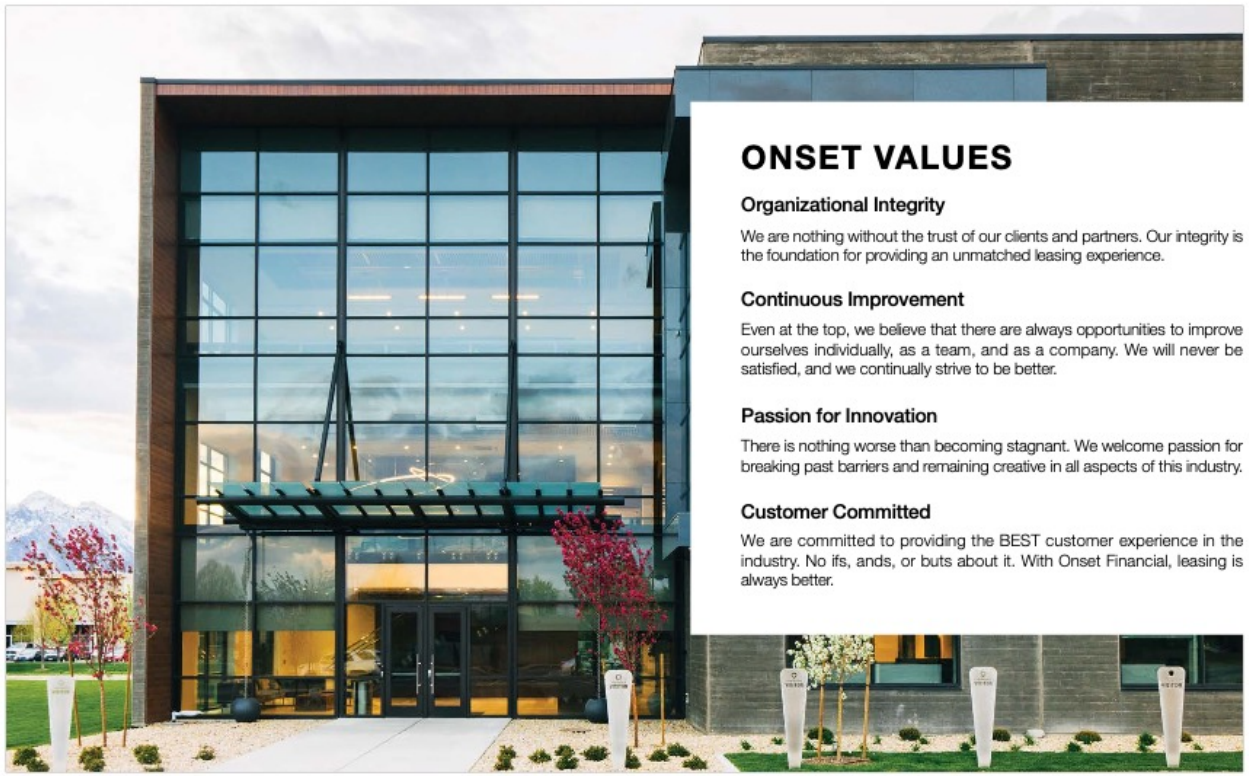
PAPER MANUFACTURING
$4,000,000
EQUIPMENT
IT infrastructure & software

SUSTAINABLE PLASTIC MANUFACTURING
$35,000,000
EQUIPMENT
Highly-specialized R&D Equipment

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Onset Values



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Onset Accolades



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Economic Development Impact

Approximately 50± Full Time Employees

High Paying Jobs

Professional Career Path



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Historical District Design Guidelines

Build, Remodel, Replace

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A “Unique and Important” Setting

Design Guideline Goals

1. Protect the architectural character and fabric of the Historic District
2. Enhance and beautify all properties within the Historic District
3. Provide owners and residents with information concerning rehabilitation of historic structures
4. Increase appreciation for the City’s historical and architectural heritage
5. Ensure new development respects the existing character of the Historic District
6. Promote economic development

“it is hoped that property owners will act to enhance the quality of the Historic District”

Design Guideline Goals

1. Protect the desirable and unique features of the Historic District

2. Perform rehabilitation and construction that will respect the character of the Historic District (architectural compatibility)

3. Demolition should be done in accordance with city requirements

4. Replacement structures should be compatible with established character of the Historic District and conform to adopted design standards

Historical District Considerations

1. Colors
2. Elevations
3. Building materials
4. Porches
5. Community space

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Colors

The Jacob Hamblin home is the longest surviving structure in the City. The colors are drawn from the mudstone used to construct this historic building.



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Colors

The Fredrick and Mary F. Reber house was built in 1900 and deeded to their son (my great grandfather) Leo Reber in 1954.



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Elevations



The Santa Clara Merc and the Santa Clara Post Office used clean, straight building lines set close to the street with extensive use of glass.

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Building Materials

Brick in a range of colors (and architectural styles up through the 1960s). The Leo and Tessie Reber home was built by my Great Grandfather.







Porches

Porches were an important part of the community. They created shade and a place for families to gather and receive friends.

Frei's Fruit Market, the Fredrick & Anna Maria Reber House and the John and Emma Hafen Graf Home (my great grandmother was born here) are examples.







Community Space

Santa Clara Town Hall and Heritage Square are examples of the value of community space where landscaping and trees bring the community together.



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Redevelopment in Utah



The Post District (SLC) Mixed Use Development



Main Street (St. George)



25th Street (Ogden)

Proposed Concept

Historical District Considerations

1. Colors: Colors match the mudstone used in the original building materials
2. Elevations: Match the clean lines and extensive use of glass in the Merc/Post Office
3. Building materials: Brick is the most common construction material in variety of colors
4. Porches: Bring the outside in with a one-of-a-kind porch facing west
5. Community space: Extend the landscaping of Santa Clara Drive into the building space and make room for the community on Santa Clara Drive.



NFO SANTA CLARA
SANTA CLARA, UTAH

Axis Architects



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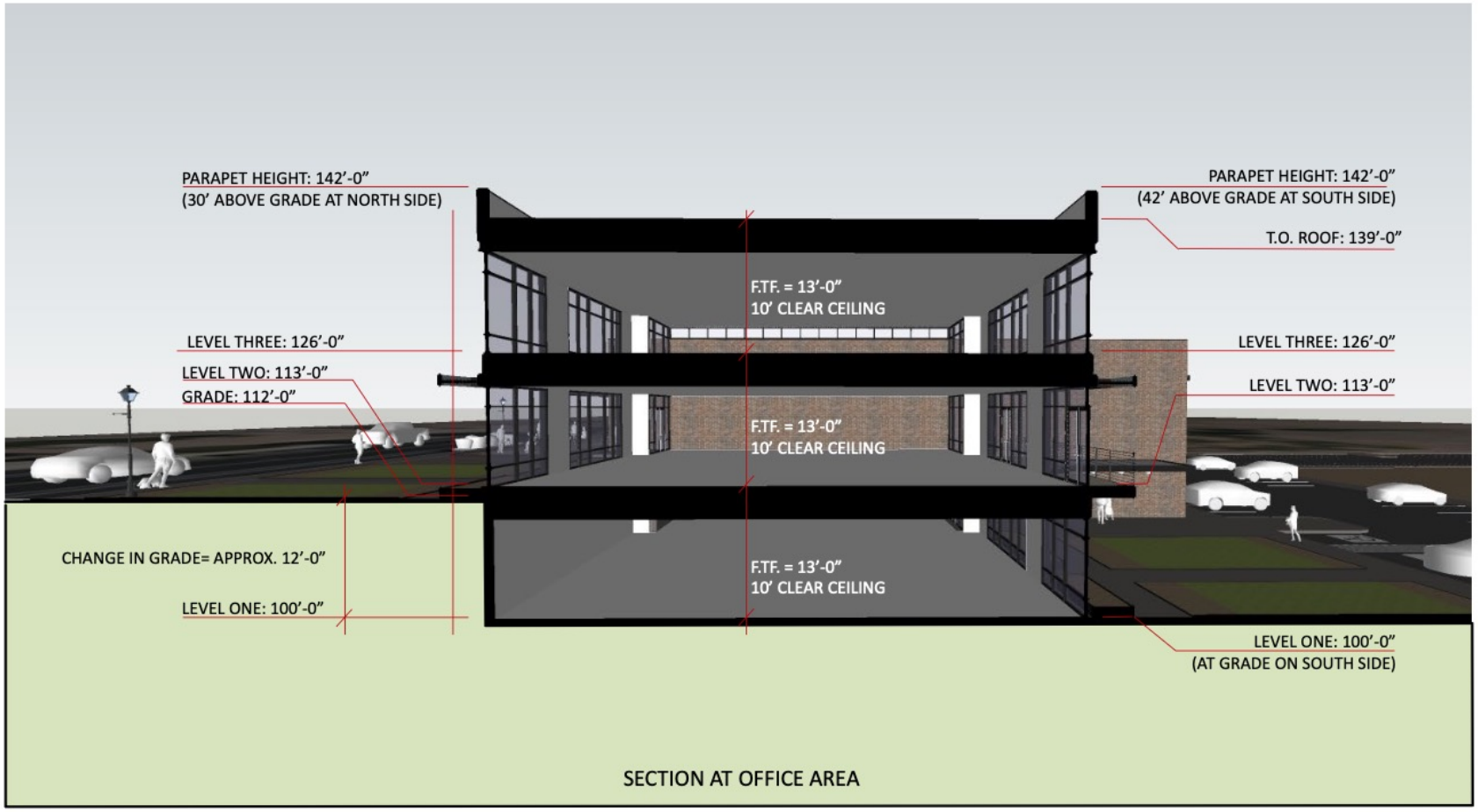
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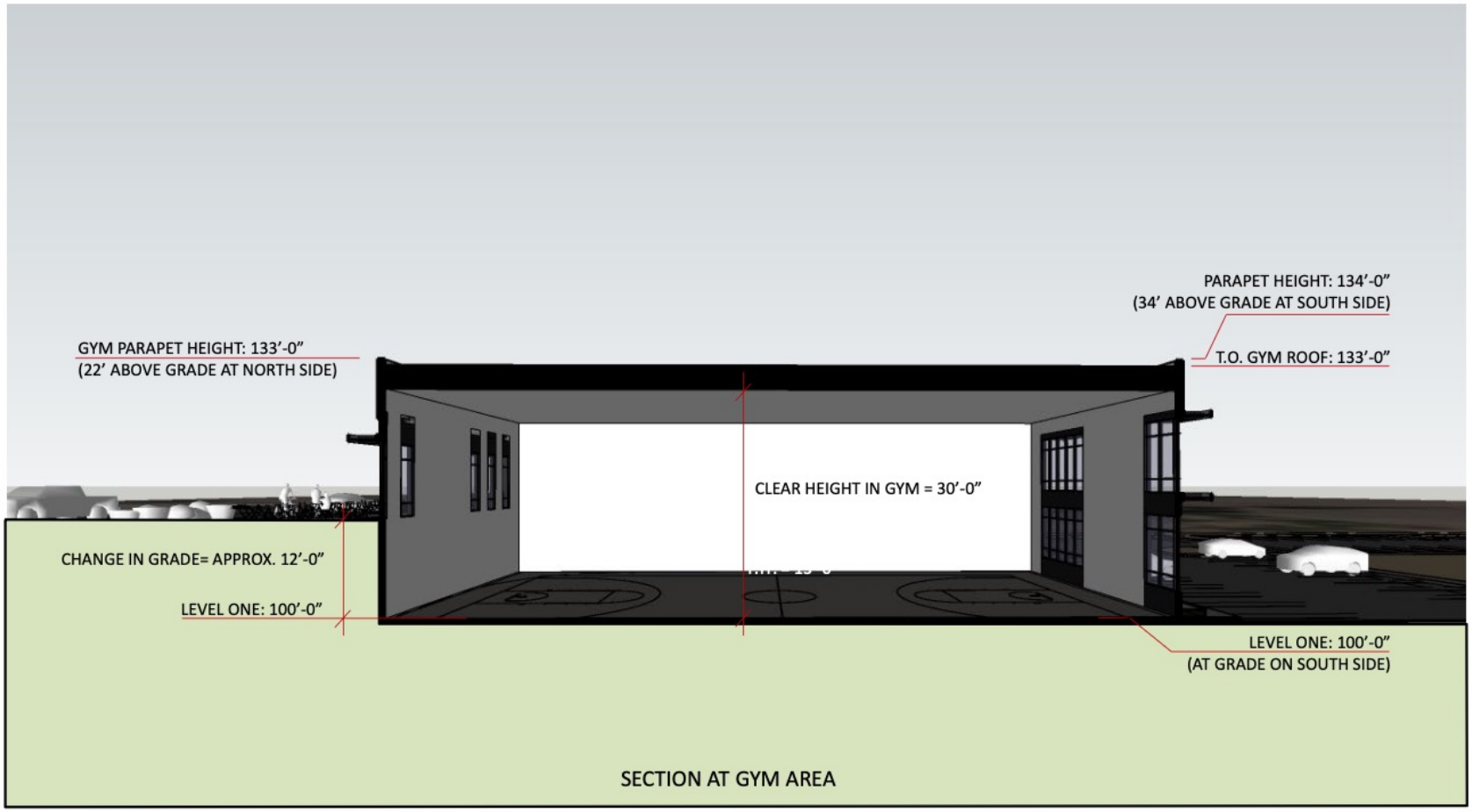


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SECTION AT OFFICE AREA


PARAPET HEIGHT: 134'-0"
(34' ABOVE GRADE AT SOUTH SIDE)
GYM PARAPET HEIGHT: 133'-0"
(22' ABOVE GRADE AT NORTH SIDE)
T.O. GYM ROOF: 133'-0"
CLEAR HEIGHT IN GYM = 30'-0"
CHANGE IN GRADE= APPROX. 12'-0"
LEVEL ONE: 100'-0"
LEVEL ONE: 100'-0"
(AT GRADE ON SOUTH SIDE)
SECTION AT GYM AREA

Questions

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 12/Jul/23 **Agenda Item:** 3

Applicant: Santa Clara City **Requested by:** Jim McNulty

Subject: Chapter 17.08, Building Height Definition

Description:

City staff has been working on an update to Chapter 17.08, Building height Definition. A draft copy is attached for your review and consideration.

Recommendation: Approval **Attachments:** N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338

CITY OF
SANTA CLARA
FOUNDED 1854

TO: Santa Clara City Council

FROM: Jim McNulty, Planning Manager

DATE: July 12, 2023

RE: Chapter 17.08, Building Height Definition

City staff has been working on an update to Chapter 17.08, Building Height Definition. A draft copy is attached for your review. The draft ordinance update for Chapter 17.08, includes the following:

- Section 17.08, Building Height Definition.

On June 22, 2023, the Planning Commission held a public hearing and forwarded a recommendation of approval to the City council. Staff had an opportunity to discuss this item recently with the City Council during a Council work meeting. Additionally, this item was discussed with the Planning Commission on June 8, 2023. The City Council and Planning Commission were in favor of proceeding with this item.

State Code Requirements:

Utah State Code, Section 10-9a-205 includes requirements for land use ordinance amendments. To amend an ordinance, a city Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. City Staff has determined that all State Code requirements have been met with this application.

Recommendation:

City Staff recommends that the City Council approve the proposed Code Amendment to Chapter 17.08, updated Building Height Definition.

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Christa Hinton
Leina Mathis
Ben Shakespeare
Jarett Wait

CURRENT ORDINANCES:

17.08.010: TERMS DEFINED:
Height Of Building: The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the height of the highest peak of a pitched or hipped roof. The grade shall be the elevation of the sidewalk at the center point of the sidewalk in front of the dwelling, or if no sidewalk exists by the crown of the road.

17.20.140: MINIMUM HEIGHT OF MAIN DWELLING:
No dwelling shall be erected to a height of less than one story above grade.

17.74.040: DIMENSIONAL REQUIREMENTS:
A. Primary Building Height: Primary building height shall be the average height of adjacent units on the same block unless a greater height is approved by the Planning Commission, upon recommendation from the Heritage Commission, as being necessary for proper compatibility of various elements of the overall development plan, and to ensure that any infill and replacement dwellings are compatible with the dimensions of the adjacent dwellings. Accessory buildings shall not exceed two (2) stories in height, up to twenty-five feet (25') in height unless a taller building is approved by the City Council after considering the recommendations from the Heritage Commission and Planning Commission and based on the compatibility of the architectural design with the other buildings in the Historic District.

PROPOSED DEFINITION:

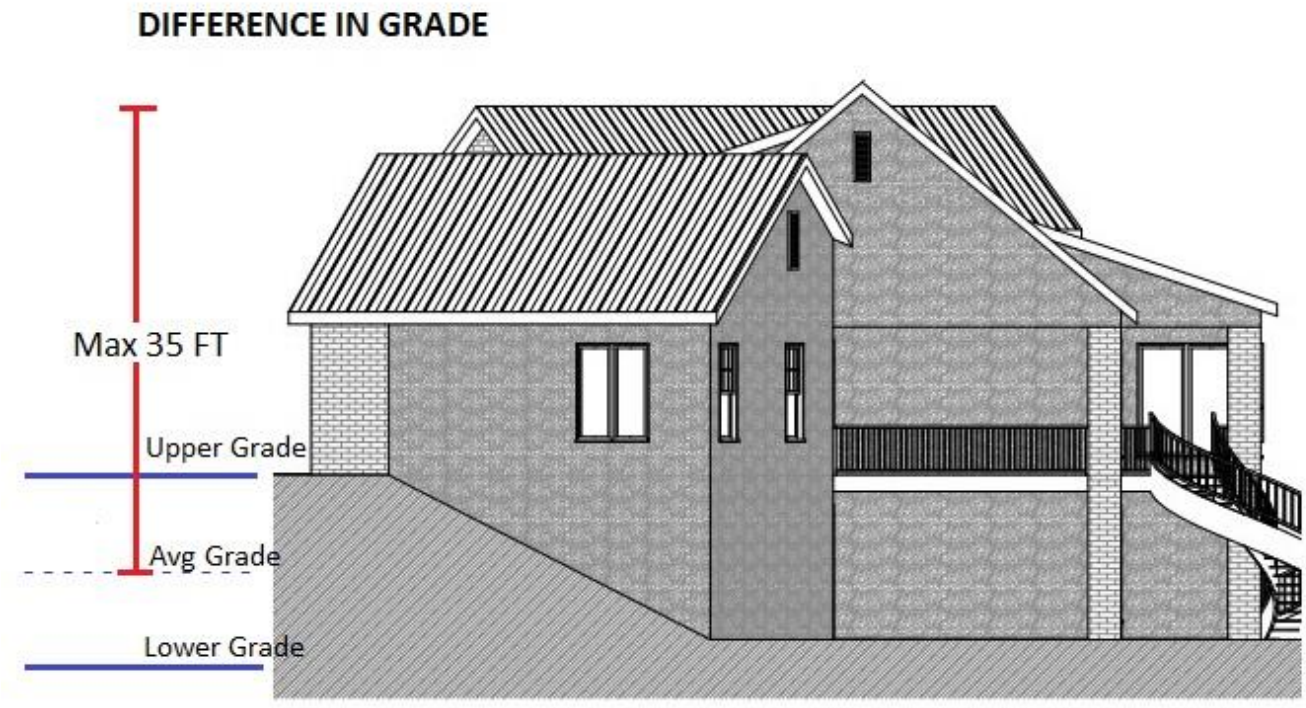
BUILDING HEIGHT:

A. The vertical distance measured from the average natural grade of a building pad or approved finished grade of a building lot (whichever is applicable), to the highest point of the building or structure, including architectural features, chimneys, and rooftop mounted equipment.

Exception: Where there is a difference in finish grade on a lot or parcel, the building height shall be measured from the "average grade" height as measured between the "upper grade" and the "lower grade" with the following restrictions:

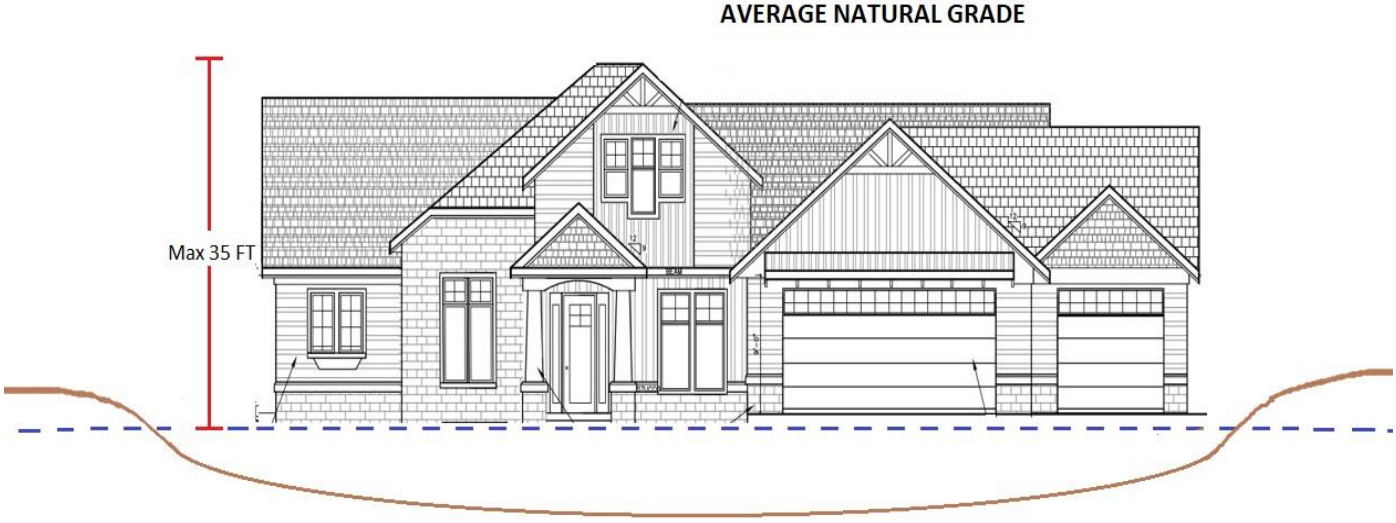
1. The maximum variation allowed between "upper grade" and "lower grade" is ten feet (10').
2. The highest point on a building or structure, as defined in the section, shall not exceed the maximum allowed height as measured from the "average grade."

B. In the event a building pad is substantially higher than the street grade (greater than 3' measured from top back of curb) the approved building pad elevation shall be established by the natural topography and approved by the Hillside Review Board prior to building permit issuance. In no case shall a building pad be artificially elevated to accomplish a favorable viewshed.



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ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, TO AMEND IN PART SECTION 17.08.010 OF THE MUNICIPAL CODE OF SANTA CLARA PERTAINING TO THE DEFINITION OF BUILDING HEIGHT

WHEREAS, it is important for the City of Santa Clara to update its code from time to time to remain relevant, reflective, and clear in its rules and regulations for use by homeowners and developers;

WHEREAS, upon discussions with City Staff, the Planning Commission determined that a certain amendment is necessary to make the rules and regulations governing building height throughout the City Code clearer, more consistent, and more understandable for homeowners and developers; and

WHEREAS, in a meeting on June 8, 2023, the Planning Commission reviewed and voted to recommend adoption of a revised method for determining building height in City Code Section 17.08.010 as contained herein, and has forwarded its recommendation to the City Council regarding these proposed changes; and

WHEREAS, the Santa Clara City Council has reviewed the recommendations of the Planning Commission and now desires to amend and replace the current definition for "Height of Building" found in section 17.08.010 with the definition of "Building Height," including certain graphical depictions entitled "difference in grade," "approved grade," and "average natural grade," contained therein, to clarify the appropriate method of determining building height as required in certain provisions of the City Code.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of Santa Clara, Utah, that Santa Clara City Code Section 17.08.010 be amended in part as provided herein, the remainder of said section to remain unchanged, by deleting the current definition of "Height of Building" and replacing it with the new definition of "Building Height," including certain graphical depictions entitled "difference in grade," "approved grade," and "average natural grade," as follows:

Building Height:

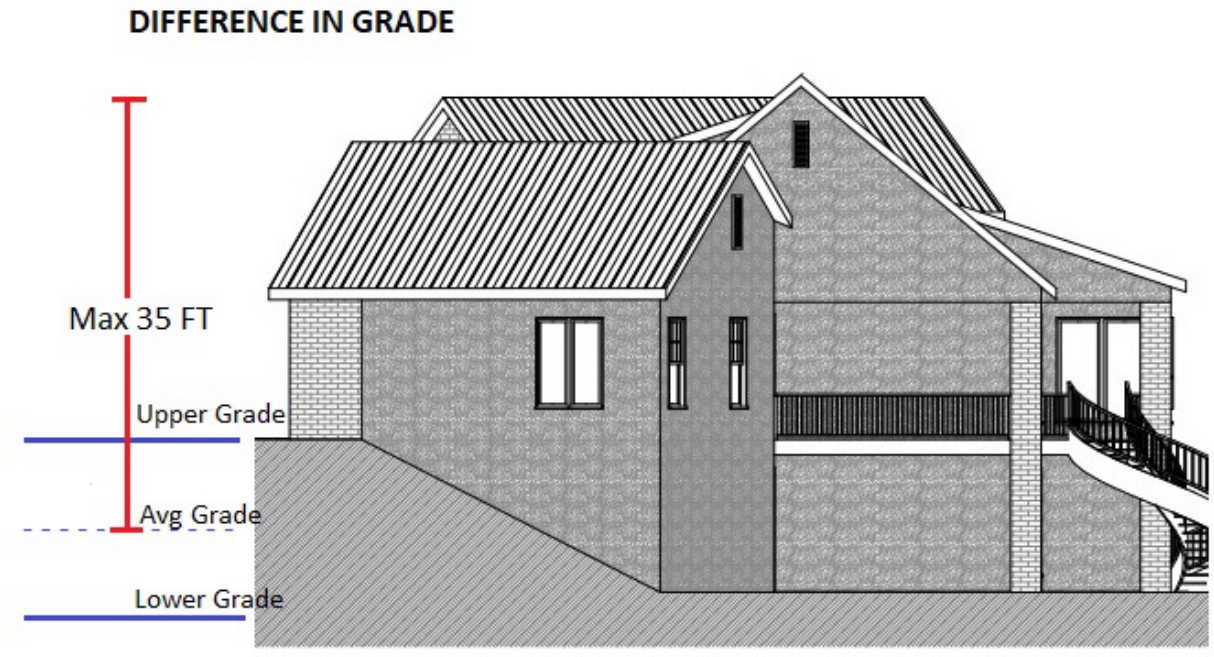
A. The vertical distance measured from the average natural grade of a building pad or approved finished grade of a building lot (whichever is applicable), to the highest point of the building or structure, including architectural features, chimneys, and rooftop mounted equipment.

Exception: Where there is a difference in finish grade on a lot or parcel, the building height shall be measured from the "average grade" height as measured between the "upper grade" and the "lower grade" with the following restrictions:

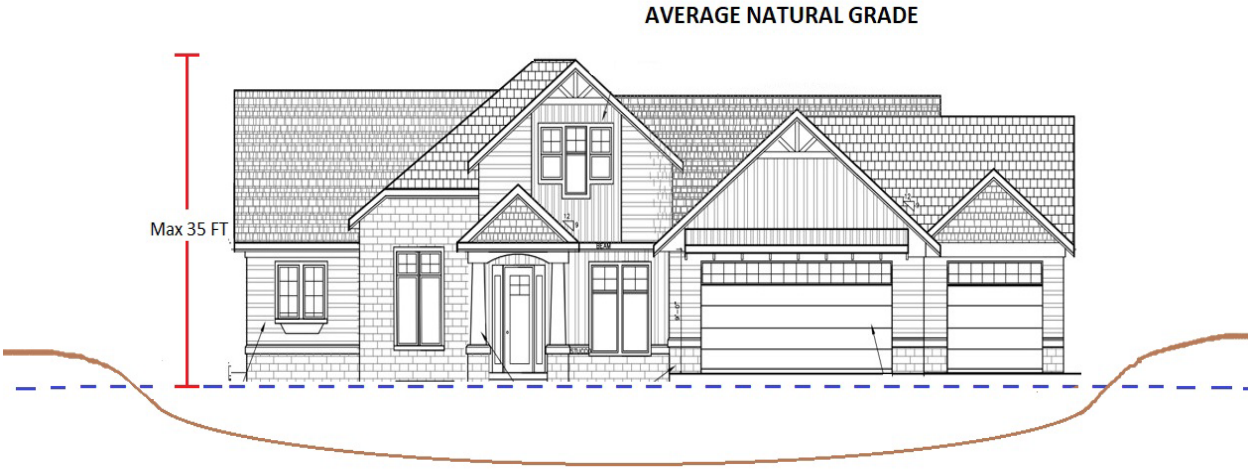
1. The maximum variation allowed between "upper grade" and "lower grade" is ten feet (10').
2. The highest point on a building or structure, as defined in the section, shall not

exceed the maximum allowed height as measured from the “average grade.”

B. In the event a building pad is substantially higher than the street grade (greater than 3’ measured from top back of curb) the approved building pad elevation shall be established by the natural topography and approved by the Hillside Review Board prior to building permit issuance. In no case shall a building pad be artificially elevated to accomplish a favorable viewshed.







BE IT FURTHER ORDAINED that this Ordinance shall take effect on January 12, 2022 after publication and posting as required by law and shall supersede any other ordinance or provision in conflict with the terms hereof.

ADOPTED AND APPROVED by a duly constituted quorum of the City Council of the City of Santa Clara, State of Utah, on this 12th day of July, 2023.

CITY OF SANTA CLARA

_____
Rick Rosenberg, Mayor

Attest:

_____
Selena Nez, Deputy City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 12/Jul/23 **Agenda Item:** 4

Applicant: N/A **Requested by:** Dustin Mouritsen

Subject: Updates to the City Construction Standards

Description:

Consider approval of Resolution to update the City's Construction Standards to allow a 10% warranty bond as maximum that is allowed by state law from 20% and to allow 4' sidewalks instead of 5'sidewalks in the streets project area and adjacent areas or as determined by a city representative.

Recommendation: Approval **Attachments:** Yes

Cost: 0

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

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2.3.1 REQUESTS FOR INSPECTION. A request for inspection shall be made to the City by the person responsible for the construction. Notice shall be given at least twenty-four hours (or as otherwise directed) in advance of the starting of work. Any work requiring backfill or cover shall not be backfilled or covered prior to inspection. It should be noted that any inspection or observation by the city is for the City's sole use and does not relieve the Contractor or Developer from complying with City standards. The city provides inspections throughout the course of work. These inspections should not be confused with that of providing full time observation or inspection. It is recommended that the Developer retain the use of a professional engineering firm during construction to provide the necessary periodic special inspections to ensure that said standards are met and to certify as such. Said certification is required for private developments.

2.3.2 CONSTRUCTION COMPLETION INSPECTION (FINAL INSPECTION). After all construction work is complete, the Developer shall request a Construction Completion Inspection. Upon receipt of the request the City shall schedule this inspection with the appropriate parties. Any faulty or defective work shall be detailed in the City's inspection report. All faulty and defective work shall be corrected within 30 days from the date of the City's inspection report. If, after thirty days, the faulty or defective work has not been completed, another A final inspection may be conducted by the city to determine if additional corrective work is required. The development will not be released, and the guarantee period will not commence until all faulty work has been corrected.

2.3.3. GUARANTEE/WARRANTY . All work shall be warranted and guaranteed to remain in good condition for a period of one year after the date indicated in Section 2.3.2 or other date as determined by the city representative. The responsible party shall agree to make all repairs to and maintain the improvements and every part thereof in good condition during the specified time at no cost to the City. A 10% improvement guarantee provided by the Developer of improvements will be required by the city for the period of the one-year guarantee.

The determination for the necessity of repairs and maintenance of the work shall rest with the City representative. His decision upon the matter shall be final and binding. The guarantee hereby stipulated shall extend to and include but shal not be limited to the entire road base, power system, all pipes, joints, valves, backfill and compaction as well as the working surface, curbs, gutters, sidewalks, and other accessories that shall be constructed. Whenever, in the judgment of the city representative, said work shall need repairs, maintenance, or rebuilding, he shall cause a written or other notice to be served the responsible party and thereupon the responsible party shall undertake and complete such repairs, maintenance, or rebuilding. If the responsible party fails to do so within thirty days from the date of the service of such notice, the city representative may have such repairs made, and the cost of such repairs shall be paid by the responsible party together with 25 percent of the cost of the repairs in addition thereto, for stipulated damages for such failure on the part of the responsible party to make the repairs. Any omission on the

turning and stacking distances, intersection spacing, traffic progression, etc. Generally, the minimum distance will be 650 feet for arterials and 1/4 mile for major arterials. The city representative shall review and give final approval to any intersection requests on arterials.

3.2.4.4 Maximum Design Volume

A. The maximum design volume shown on Table 3.1 shall be used unless otherwise approved by the city representative. A request to increase these volumes may be submitted for consideration to the city representative. This request shall include all necessary and required information including support and justification from the Traffic Impact Study.

Conditions which must be considered when reviewing a request for an increase in maximum design volume include hillsides, safety, parking, traffic studies, access requirements, etc.

3.2.4.5 Cul-de-Sac Streets

A. Such streets shall not exceed eight hundred (800') feet in length as measured from center of cross street to center of cul-de-sac. The turn-around pavement radius shall not be less than forty-two and one-half feet (42' – 6"), or (50 feet at property line). Commercial pavement radii shall be no less than fortyseven and one-half feet (47' – 6"), or (55 feet at property line). No road shall be ended without a properly designed cul-de-sac turnaround unless otherwise approved by the city representative. Major collectors and higher order roads shall not be permanently dead ended.

3.2.4.6 Sidewalks

A. Sidewalk (pedestrian access) shall be required in all residential and commercial developments. See Table 3.1.

B. For developments which are within hillside areas, see the City of Santa Clara Hillside Ordinance.

C. Sidewalks in areas of high pedestrian traffic may require a greater width as determined by the city representative.

D. Sidewalks in the designated "Streets project area" ord. 16.24.060 or adjacent to the "streets project area" are allowed 4' sidewalks or as determined by a city representative.

3.2.4.7 Curb and Gutter

A. All public or private streets shall use curb and gutter of the type shown in standard drawings unless otherwise approved by the city representative. In large subdivisions, in rural or agricultural settings, the curb and gutter may be eliminated (although the use of the rural curb is recommended) unless

16.24.050: STORM DRAINAGE AND NUISANCE WATER CONTROL:

A. A storm or nuisance water drainage system shall be provided and shall be separate and independent from the sanitary sewer system.

B. No ditch or canal shall be approved as suitable for the use of storm drainage without the written permission of the appropriate ditch or canal company or of the water users for such use, and the approval of the city. No ditch or canal shall be used for stormwater unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach the subdivision, canal, or ditch. Where subdivision improvements affect existing canals or ditches, specific modifications shall be in accordance with the requirements of the irrigation company and the city. In situations where the city already has a drainage plan or system in place, the owner shall be expected to participate in the expansion, extension, or enlargement of such system to accommodate water from the subdivision. Retention basins developed as a part of the subdivision may also be required.

C. Drainage and flood control shall be designed in conformance with the Washington County Flood Control Authority Storm Drainage Systems Design and Management Manual and the city Storm Water Master Plan. Public drainage easements or dedications with a minimum width of fifteen feet (15') shall be provided along all drainageways as determined by the city. (Ord. 2023-04 § 1: Ord. 2009-02 § 1)

16.24.060: STREET IMPROVEMENTS:

A. Definitions: For purposes of this Section 16.24.060, each reference to a "subdivision" herein shall mean and refer to either (1) a "subdivision," as defined in Santa Clara City Code § 16.08.010 ; or (2) a "streets project area," as may be defined by the city council from time to time, on recommendation of the technical review committee (TRC) and planning commission.

B. Streets Project Areas: The purpose of defining a "streets project area" is so that existing parcels not requiring further subdivision before development may still have the benefit of complete and well-maintained street improvements. A streets project area shall be created when at least eighty percent (80%) of the owners on the public street in the proposed streets project area, as measured by linear foot of frontage, have signed a document notifying the city of their agreement with the conditions of such designation. Such designation shall signify the intent of the signing owners to bear a share of costs to improve the public street to applicable city standards, as set forth in this section. The following areas of the city shall, for purposes of this section, each be considered a potential streets project area:

1. Vernon Street, North of Santa Clara Drive.
2. Vernon Street, South of Santa Clara Drive.
3. Victors Street, North of Santa Clara Drive.
4. Victors Street, South of Santa Clara Drive.
5. Quail Street, North of Santa Clara Drive.
6. Quail Street, South of Santa Clara Drive.
7. Hamblin Drive and Gates Lane, North of Santa Clara Drive.
8. West Vineyard Drive, from Old Farm Road to Heights Drive.
9. West Arrowhead Trail, from Arrowhead Circle to Santa Clara Parkway.
10. South Arrowhead Trail, from Pearl Rose Drive to Concord Drive.

Any other combination of adjacent parcels, having direct access from the same public street, may also seek recognition as a "streets project area" by obtaining a recommendation from the technical review committee and planning commission and approval from the city council.

C. When multiple streets project areas are designated or eligible by designation, the city council shall have the right to determine the relative priority of the projects for application of available city resources. The city council will consider the following information when determining priority between any two (2) streets project areas:

1. Citizen input;

CITY OF SANTA CLARA
RESOLUTION NO. 2023-12R

A RESOLUTION OF THE SANTA CLARA CITY COUNCIL APPROVING MINOR AMENDMENTS TO THE SANTA CLARA CITY CONSTRUCTION DESIGN STANDARDS

WHEREAS, pursuant to Santa Clara City Code Chapter 16.24, the design of all public infrastructure improvements constructed within the City are required to meet the City's official standards and specifications; and

WHEREAS, the City Council on February 8, 2023, adopted revised and updated general conditions, standards, and instructions for such design and construction entitled "Santa Clara City Construction Design Standards" (hereafter the "Standards"); and

WHEREAS, City staff have proposed two amendments to the recently updated construction design standards: to Section 2.3.3, to update performance guarantee requirements, and to Section 3.2.4.6, to adjust sidewalk standards; and

WHEREAS, the proposed amendments to the Standards were presented to and discussed by the City Council at a work meeting held on June 28, 2023; and

WHEREAS, the City Council desires to adopt the proposed amendments to the Standards, for the reasons identified above, which the City Council finds will promote and maintain the general health, safety, and welfare of Santa Clara residents and the public in general.

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

City Council hereby adopts the following amendments to the Santa Clara City Construction Design Standards (2023 Update), finding that these amendments will maintain and promote the general health, safety and welfare of City residents and the public in general, for the reasons set forth above:

The first paragraph of Section 2.3.3 is amended to read as follows:

> All work shall be warranted and guaranteed to remain in good condition for a period of one year after the date indicated in Section 2.3.2 or other date as determined by the city representative. The responsible party shall agree to make all repairs to and maintain the improvements and every part thereof in good condition during the specified time at no cost to the City. A 10% improvement guarantee provided by the Developer of improvements will be required by the city for the period of the one-year guarantee.

Section 3.2.4.6 is amended to read as follows:

A. Sidewalk (pedestrian access) shall be required in all residential and commercial developments. See Table 3.1.

B. For developments which are within hillside areas, see the City of Santa Clara Hillside Ordinance.

C. Sidewalks in areas of high pedestrian traffic may require a greater width as determined by the city representative.

D. Sidewalks in the designated "Streets project area" City Code Section 16.24.060 or adjacent to the "streets project area" are allowed 4' sidewalks or as determined by a city representative.

This resolution shall be effective on the date it is adopted.

RESOLVED by a duly constituted quorum of the Santa Clara City Council this 12th day of July, 2022.

SANTA CLARA CITY

_____
Rick Rosenberg, Mayor

ATTEST:

_____
Selena Nez, Deputy City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 12/Jul/23 **Agenda Item:** 5

Applicant: Santa Clara City **Requested by:** Jim McNulty

Subject: Planning Commission Appointment

Description:

Appointment of Kristen Walton to the Santa Clara City Planning Commission.

Recommendation: N/A **Attachments:** N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

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