

**SANTA CLARA CITY PLANNING COMMISSION  
MEETING MINUTES  
2603 Santa Clara Drive  
Thursday, February 23, 2023**

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

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

**Excused:** Ryan Anderson  
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 PDC Zone Amendment and Site Plan Application for the Undeveloped Property on the Corner of Lava Flow Drive and Santa Clara Drive Adjacent to the Heritage Pointe Townhomes. The Applicant, Keith Reber, Proposes to Develop the Site to Include a 5,000 Square-Foot Office Building. The Subject Property (Parcel #SC-6-2-15-326) is 0.64 Acres in size.**

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and stated that the applicant, Keith Reber, is requesting a Planned Development Commercial (“PDC”) Zone Amendment and Site Plan Review for a Medical Office Building. The proposed plan

includes a 4,979-square-foot office building that will include two office spaces. One will be used as a medical office and another may be used as a dental office. Each office space is proposed at 2,490 square feet in size and the property is approximately 0.64 acres (27,878 square feet) in size.

Mr. McNulty reported that the subject property is one of two commercial properties that were included in the property rezoning for the overall Heritage Point Project. The two commercial properties are zoned PDC, with the Heritage Point Townhome Project being zoned PDR. The 55-unit project is under construction and is 90% complete. The property is located on the northeast corner of Santa Clara and Lava Flow Drives. Major cross streets in the vicinity include Santa Clara Drive, Lava Flow Drive, and Warrior Way.

Mr. McNulty noted that City Staff has identified the following items that need to be addressed as part of the Site Plan Review:

1. Site Plan Layout: Access to the site is proposed off Santa Clara Drive. The primary access will be gained from Heritage Drive, which goes into the Heritage Point Townhomes off Santa Clara Drive. Secondary access can be gained off of Lava Flow Drive to Heritage Drive; however, the building does not have frontage at this location. A 4,979-square-foot building is proposed on the site that meets all setback requirements. To meet the Americans with Disabilities Act (“ADA”) requirements, a five-foot walkway was provided from the front of the building to the existing sidewalk along Santa Clara Drive as well as a connection to the sidewalk for Heritage Point. A dumpster enclosure was been shown on the site and will be required to comply with City Code Chapter 17.36.110.
2. Building Design & Materials: The proposed building is very nice and City Staff believes it will be a good addition to the community. It includes a timeless design with light grey and dark grey stucco, brick veneer (Coronado used brick), metal awnings and window treatments (black), and cable supports. Architectural metal panels (Dusty Grey) have been added above the brick in the middle sections of the building to provide visual interest. A parapet wall (off-white stucco) has also been provided at the top of the building. The building height is approximately 24 feet to the top of the parapet wall. If any rooftop mechanical equipment is proposed, it will need to be located behind the parapet wall to allow for appropriate screening.
3. Project Landscaping: The final landscape and irrigation plans will be required to comply with Ordinance #22-05 (Water Efficient Landscaping & Conservation Standards). The applicant has hired a Landscape Architect to do this work. It appears that the submitted Landscape and Irrigation Plan meets the Code requirements; however, Staff will conduct a more thorough review at the time of Building Permit submittal. The total landscaped area is 11,020 square feet in size, which is approximately 39% of the overall site. In addition, all street frontages will be landscaped per Code requirements, which require a minimum 10-foot landscape buffer.

4. Outdoor Lighting: Chapter 17.32.070 allows for parking lot light standards with a maximum height of 16 feet, using indirect, hooded light sources. Chapter 17.68.040 specifies that all outdoor lighting shall not adversely impact surrounding residential uses. All lighting shall be shielded and directed downward to avoid light spills.
5. Required Parking: The project is required to have a minimum of 20 parking spaces for the proposed medical office uses per Chapter 17.32. The Site Plan specifies a total of 31 parking spaces, including two ADA parking spaces near the building entrance.
6. Fencing: No project fencing is proposed. The Heritage Point Townhomes to the south and east include a solid wall around the perimeter of the project (along Santa Clara Drive, Lava Flow Drive, and the commercial site to the east). This site has frontage on Santa Clara and Lava Flow Drives.
7. Project Signage: Chapter 17.44 allows for wall signs, entry signs, and monument signs. The applicant is proposing wall signs for both office spaces on the east side of the building. This is allowed by Code; however, the wall sign area shall be no greater than 10% of the total wall square footage of the wall on which the sign is placed. A monument sign is also proposed on the corner of Santa Clara Drive and Lava Flow Drive. City staff will review each sign for Code compliance prior to bringing the final sign package back to the Planning Commission for approval at a later date, as required in the PDC Zone.
8. 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 obtaining a Building Permit.
9. Dust Control: The applicant will be required to submit a Dust Control Plan for the site prior to obtaining a Building Permit. The project is adjacent to a residential neighborhood, so precautionary measures are needed to protect the general health, safety, and welfare of residents and visitors in the vicinity.

Notices were sent to all property owners within 300 feet of the subject property. The subject property was also posted per State Code. Mr. McNulty stated that no responses have been received by City Staff as of the writing of the Staff Report.

Mr. McNulty reported that the Santa Clara City General Plan shows a Main Street Commercial (“MSC”) Land Use for the subject property. The existing PDC Zone complies with the intent of the General Plan. The proposed application does not include a mixed-use development, but it does include office uses as encouraged by the General Plan.

To amend the PDC Zone, the City must hold at least one public hearing. Planning Staff determined that all State Code requirements have been met with this application. Staff recommended the Planning Commission forward a positive recommendation to the City Council for a PDC Zone

Amendment, and Site Plan Approval for the Keith Reber Medical Office Building, subject to the conditions set forth in the staff report.

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

Commissioner Blake asked if there was a reason not to have a larger building. Project Architect, Jeff Mathis, from MRW Design Associates gave his address as 73 East 100 South in Saint George. He reported that Dr. Reber does not want a large building and requested as much parking as possible. They felt that the west corner would be a good location. Chair Hendrickson commented that the building size balances the corner well.

The applicant, Keith Reber, stated that parking is always at a premium for medical buildings and he wanted to have more parking rather than less.

Commissioner Whitehead asked if there will be any issues with people visiting the Heritage Townhomes trying to park in Dr. Reber's parking spots. Dr. Reber stated that in his discussions with the developer, the developer indicated that it should not be an issue. If it does become an issue he will address it. Dr. Reber pointed out that Heritage Townhomes has six parking stalls directly across the street for visitors and several parking stalls surrounding the Heritage Townhomes Project.

Mr. McNulty commented that there will also be an option to park on the public street. If parking becomes an issue, the applicant or the building owner will address it with the Homeowners Association ("HOA"). Mr. McNulty added that signs can be posted to remind people that the parking stalls are only for the use of the medical building.

- ii. **Consider a Proposed General Plan Amendment Application for Property located at Approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18, Described at 1.48 acres). Split Rock Construction is Proposing a General Plan Amendment from Low-Density Residential, LDR, and Main Street Commercial, MSC to Medium-Density Residential, MDR for the property. The proposed General Plan Amendment is part of the Process to Allow for a Single-Family Residential Subdivision.**

Mr. McNulty presented the Staff Report and reminded the Commission that a month or so ago, the Commission discussed a different application for a General Plan Amendment and rezone. Currently, the General Plan Amendment Application is being considered. If approved, the applicant, Split Rock Construction, will continue to the next step in the process, which involves rezoning the property to R-1-6 to accommodate the single-family subdivision use they desire. Mr. McNulty reported that there is currently a split General Plan designation on the property of Low-Density Residential ("LDR") and Main Street Commercial ("MSC"). The applicant is asking that the General Plan be amended to allow for Medium-Density Residential ("MDR") rather than LDR and MSC. The property is located at approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18, described as 1.48 acres).

Mr. McNulty reported that the applicant submitted a Concept Plan that includes a seven-lot single-family subdivision design with lots ranging in size from 6,000 to 12,000 square feet. The Concept Plan was provided to give the Planning Commission an idea of what is intended to be developed on the property.

The proposed General Plan Amendment to MDR would allow for 3 to 12 dwelling units per acre. The applicant, however, intends to develop a single-family subdivision with seven lots, which equates to a density of 4.76 units per acre. The applicant intends to rezone the property to R-1-6 if the General Plan Amendment is approved.

Mr. McNulty reported that notices were sent to all property owners within 300 feet of the subject property. The subject property was also posted per State Code. No responses were received by City Staff as of the writing of the Staff Report. The General Plan Map includes two land use designations for the property, which include LDR along the frontage of Arrowhead Trail and MSC on the northern portion of the property without Arrowhead Trail frontage.

The description for LDR (Section 3.4, Land Uses) states the following:

*“A suburban type of density allowing primarily single-family detached homes with a density range of 2 – 4 dwelling units per acre”.*

The description for MSC (Section 3.4.2 Mixed-Use Land Uses), which the northern half of the property is currently designated, states the following:

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

The description for the MDR (Section 3.4, Land Uses) that the application has requested states the following:

*“Single-family structures, and townhomes on small lots with a density range of 3 – 12 dwelling units per acre”.*

Section 2.5 of the General Plan includes “Appropriate Land Use Transitions” and states the following:

*“The General Plan encourages gradual transitions in housing types and densities, especially near mixed-use, commercial developments, along arterials, and at major intersections, to ensure compatibility with adjacent existing development.”*

Section 3.3 of the General Plan includes Residential Density Ranges and Average Density and states the following:

*“The City will consider granting higher density in the range relative to demonstrated significant public benefits to be achieved by the project. In most areas, the density*

*designation may be considered an overall average to be achieved by using a mix of unit types and/or lot sizes within the range. For example, in the MDR, the average of 5 units per acre could be achieved by mixing single-family homes with townhomes.”*

Mr. McNulty indicated that in this case, the density proposed is about 4.76 units per acre.

Section 3.3.1 of the General Plan includes “Density Transitions.” In general, gradual higher densities are encouraged near mixed-use, commercial developments, along arterials, and at major intersections. Land uses and building types on both sides of a street should be similar. Transitions between land use should occur in the middle of the block rather than in the middle of a street.

Section 8.1.1 of the General Plan includes “Santa Clara Street Classification” and states the following:

*“The Santa Clara Street system is made up of four street types based on function and capacity. The four street types include Arterial, Major Collector, Collector, and Local”.*

Mr. McNulty indicated that both Arrowhead Trail and a portion of Lava Flow Drive are identified as local streets. Table 7 within the General Plan specifies that the use of a local street includes access to neighborhoods and low-traffic demand land uses. City Staff and legal counsel discussed the proposed General Plan Amendment application and believe that the proposed GPA application is in harmony with the existing single-family neighborhood. Previously, City Staff recommended that the applicant consider developing the site as a small lot single-family subdivision per the recently adopted R-1-6 Zone. On January 12, 2023, the Planning Commission recommended denial of the previous General Plan Amendment and Rezoning Application per Staff’s recommendation. On January 25, 2023, the City Council denied the General Plan Amendment and Rezoning application.

Mr. McNulty reported that all statute and State Code requirements for an application of this type of General Plan Amendment have been met. Staff recommended that the Planning Commission recommend approval of the proposed General Plan Amendment to the City Council, for property located at approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC -9-A-12, and #SC-9-A-18, described as 1.48 acres), subject to the findings set forth in the staff report.

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

Commissioner Blake commented that it seemed like the project is close to meeting the R-1-10 Zone requirements. The applicant, Jared Bates from Rosenberg Associates agreed that it is close but stated that they did not look at it that way due to the odd size of the parcel and the location. They felt that the small lots would be a better fit considering the cost as well as what they would be able to sell them for.

Mr. McNulty reported that five of the seven lots are closer to 6,000 square feet in size. When the R-1-6 Zone was created, the intent was for it to be used for infill properties like this that are challenging to design and lay out. In addition, it would be less costly to sell the lots if they are in

the R-1-6 Zone. Staff supported the R-1-6 Zone. Chair Hendrickson expressed support for the R-1-6 Zone and commented that it will help the project be more affordable.

Commissioner Whitehead asked if the applicant could decide to put in all townhomes instead as long as the density requirements are met. Mr. McNulty explained that during the next step in the rezone process, a condition could be added to limit the project to single-family housing. There will also be a subdivision plat process. He also noted that there will be another public hearing.

**iii. Consider a Proposed Code Amendment to Title 16, Subdivisions, and Chapter 17.04, General Provisions of City Code. This Includes Updates to the Subdivision Ordinance, Zoning Ordinance, and General Clean-Up. Santa Clara City, Applicant.**

Mr. McNulty reported that City Staff had an opportunity to discuss the above item with the City Council on February 1, 2023, during a Work Meeting. The matter was also discussed with the Planning Commission on February 9, 2023. Both the City Council and the Planning Commission were in favor of proceeding forward. The proposed Code Amendments are to Title 16-Subdivisions, and Chapter 17.04-General Provisions. Since time was spent at the last Planning Commission Meeting reading through the sections, Mr. McNulty reviewed only the sections that are rewrites rather than the ones that are general clean-up. He referenced Section 16.16.070, which addresses the plat approval procedure. He noted that the Final Plat Approval procedure in Section 16.20.070 is very similar.

For Section 16.28.020-Guarantee Form, Commissioners Harris and Blake asked about another form of guarantee and whether a Letter of Credit would be allowed. Mr. McNulty discussed this with City Attorney, Matt Ence, who indicated that two forms of guarantee are required. Mr. McNulty stated that the two forms being proposed are cash and an escrow bond. However, if the Planning Commission wants to consider a Letter of Credit as a third option, that could be forwarded to the City Council for their consideration. Mr. McNulty explained that the most common option is cash bond or an escrow bond.

Mr. McNulty reported that a question was raised by Commissioner Blake at the meeting regarding terminology. Commissioner Blake serves on the Review Committee that is modifying the Design Standards, which references an authorized or City representative. This document, however, references the City Engineer or authorized representative. Mr. McNulty consulted Mr. Ence who indicated that the terminology in the two documents does not need to match. Mr. Ence preferred that the reference be to the City Engineer.

Mr. McNulty reported that Staff noticed the matter in accordance with State Statute and determined that all State Code requirements have been met. Staff recommended that the Planning Commission conduct a public hearing and forward a recommendation of approval for the Code Amendments for Title 16-Subdivisions and Chapter 17.04-General Provisions to the City Council.

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

Commissioners Harris and Blake expressed support for recommending a Letter of Credit as a third form of guarantee. Mr. McNulty confirmed that an updated form was being created as per the proposed new language.

Commissioner Whitehead asked Mr. McNulty if he had ever seen any problems accepting a Letter of Credit. Mr. McNulty had not but stated that they can be more difficult to draw on than an escrow. Cash and escrow are easier but Letters of Credit make sense as another option.

Commissioner Whitehead asked what would happen if the City accepted a Letter of Credit from a developer who goes bankrupt. Commissioner Harris stated that the City would be obligated to honor it. Chair Hendrickson commented that the lender serves as the guarantor. Commissioner Blake stated that to get a Letter of Credit, the developer needs to have money in the bank as backing. Commissioner Harris stated that banks only grant Letters of Credit to developers who are solvent and who the bank believes will not go bankrupt. Chair Hendrickson agreed and stated that it is not easy to obtain a Letter of Credit.

Commissioner Harris commented that once the Letter of Credit given to a City is exercised, the City is obligated. She also pointed out that Letters of Credit are only issued for a certain period of time. The bank has the option at the end of the period to notify the City that the Letter of Credit will not be renewed. The Commissioners were comfortable with offering a Letter of Credit as an option.

## **5. General Business.**

### **A. Recommendation to City Council.**

- i. Recommendation to the City Council to Consider a Proposed PDC Zone Amendment and Site Plan Application for the Undeveloped Property on the Corner of Lava Flow Drive and Santa Clara Drive Adjacent to the Heritage Pointe Townhomes. The Applicant, Keith Reber, Proposes to Develop the Site to Include a 5,000 Square-Foot Office Building. The Subject Property (Parcel #SC-6-2-15-326) is 0.64 Acres in Size.**

**Commissioner Blake moved to recommend that the City Council APPROVE the PDC Zone Amendment for the Keith Reber Medical Office Building, subject to the following conditions:**

- 1. The applicant shall be required to comply with the recommendations from all City reviewing departments.**
- 2. The applicant shall be required to install site improvements that meet City standards.**
- 3. The project shall be built according to the approved Site Plan. This includes but is not limited to all items listed in the Staff Report.**



4. The building design and materials shall include light grey and dark grey stucco, brick veneer (Coronado used brick), metal awnings, window treatments, and cable supports (black). Architectural metal panels (Dusty Grey) be included above the brick sections of the building. That a parapet wall (off-white stucco) be provided and used to screen rooftop mechanical equipment if proposed. That the building height be allowed at 24 feet.
5. The Final Landscape and Irrigation Plans shall be required to comply with Ordinance #22-05 (Water Efficient Landscaping and Conservation Standards). That all street frontages be landscaped as per City code requirements. That the total landscaped area be approved at approximately 39% of the site.
6. Parking light lighting shall be limited to light standards with a maximum height of 16 feet (including base of light standard) as per City Code requirements. That all lighting uses be indirect, hooded light sources, and shielded and directed downward to avoid light spill.
7. 31 parking spaces, including 2 ADA spaces, shall be provided for the site as per City Code requirements.
8. The dumpster enclosure for the site shall be required to comply with City Code.
9. All project signage shall be required to comply with the Sign Code. The wall signs and monument sign shall come back to Planning Commission for approval (PDC Zone) at a later date prior to building permit issuance.
10. The applicant shall be required to obtain a Will-Serve Letter or other verified documentation from the Washington County Water Conservancy District (“WCWCD”) prior to obtaining a Building Permit.
11. The applicant shall submit a Dust Control Plan for the site prior to obtaining a Building Permit.
12. The applicant shall be required to obtain a Building Permit before site construction begins.

**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 General Plan Amendment Application for Property located at Approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18, Described as 1.48 acres). Split Rock Construction is Proposing a General Plan Amendment from Low-Density Residential, LDR, and Main Street Commercial, MSC to Medium-Density Residential, MDR for the property. The Proposed General Plan Amendment is Part of the Process for a Single-Family Residential Subdivision.**

Commissioner Whitehead moved to recommend that the City Council APPROVE the General Plan Amendment for the property located at 2276 Arrowhead Trail subject to the following Staff recommendations:

1. The proposed General Plan Amendment shall comply with Section 2.5 of the General Plan (Appropriate Land Use Transitions).
2. The proposed General Plan Amendment shall comply with Section 3.3 of the General Plan (Residential Density Ranges & Average Density).
3. The proposed General Plan Amendment shall comply with Section 3.3.1 of the General Plan (Density Transitions).
4. The proposed General Plan Amendment shall comply with Section 8.1.1, Table 7 of the General Plan (Santa Clara Street Classification System).
5. The proposed General Plan Amendment (MDR land use designation) is in harmony with the existing single-family neighborhood.

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

- iii. **Recommendation to City Council to Consider a Proposed Code Amendment to Title 16, Subdivisions, and Chapter 17.04, General Provisions of City Code. This Includes Updates to the Subdivision Ordinance, Zoning Ordinance, and General Clean-Up. Santa Clara City, Applicant.**

Commissioner Weston moved to recommend that the City Council APPROVE the proposed Code Amendment to Title 16, Subdivisions, and Chapter 17.04, General Provisions of City Code, including a recommendation that a Letter of Credit be accepted as the third available option. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

**B. Planning Commission Approval.**

**i. Approval of Great Clips Wall Signs at 3542 Pioneer Parkway, Suite #102. Trent Bateman and Adam Lyman with U-Design, Applicants.**

Mr. McNulty reported that the applicant, Trent Bateman, is requesting Wall Sign Approval for the Great Clips to be located at 3542 Pioneer Parkway, Suite #102. Santa Clara City Sign Ordinance Chapter 17.44 specifies that wall signs are allowed in the PDC Zone subject to Planning Commission approval. The business will be in the commercial building on Pad A of the Harmons Shopping Center.

Mr. McNulty reported that a total of two wall signs are proposed for the business. City Code Section 17.44.090(c) states that wall signs may not exceed 10% of the total square footage of the wall on which the wall sign is placed. The applicant provided calculations, which indicate that 10% would allow for a sign of up to 43 square feet on both the east and west building elevations. The west building elevation wall sign facing Rachel Drive is proposed at 35 square feet. This wall sign includes internally illuminated white letters mounted to the building. The east building elevation wall sign facing the Harmons parking lot is also proposed at 35 square feet. In addition, the wall sign includes internally illuminated white building-mounted letters. The proposed signs meet the standards for wall signs as per Chapter 17.44 of City Code.

Mr. McNulty indicated that no items of concern were identified for the application. Staff recommended that the Planning Commission approve the proposed Wall Signs for the Great Clips located at 3542 Pioneer Parkway, Suite #102, subject to conditions set forth in the staff report.

**Commissioner Whitehead moved to APPROVE the Great Clips Wall Signs at 3542 Pioneer Parkway, Suite #102, subject to the following conditions:**

- 1. The west building elevation wall sign (facing Rachel Drive) shall be allowed at 35 square feet with internally illuminated white letters.**
- 2. The east building elevation wall sign (facing the Harmons parking lot) shall be allowed at 35 square feet with internally illuminated white letters.**
- 3. A building permit shall be applied for and obtained prior to the placement of the wall signs on the building.**

**Commissioner Weston 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 – February 9, 2023.**

Commissioner Harris moved to APPROVE the minutes of the February 9, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Blake seconded the motion. The motion passed with the unanimous consent of the Commission.

8. **Adjournment**

The Planning Commission Meeting adjourned at 6:18 p.m.

*Jim McNulty*

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Jim McNulty  
Planning Manager

Approved: March 9, 2023