

**SANTA CLARA CITY COUNCIL SPECIAL MEETING
WEDNESDAY, SEPTEMBER 5, 2007**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a special meeting on Wednesday, September 5, 2007 at 7 p.m. in the J. Ballard Hafen Chamber of the City Office Building at 2721 Santa Clara Drive, Santa Clara, Utah.

Present: Mayor: Rick Rosenberg
Council Members: Mary Jo Hafen, Bruce Anderson, Matt Ence,
Jerry Amundsen.
City Manager: Matthew Brower
Recorder: Barbara Salmon

Others Present: Robert Hansen, Public Safety Director; Wally Ritchie, Finance Officer, Russ Gallian, City Attorney; Todd Edwards, City Engineer; John Willie, City Planner; Corey Bundy, City Building Inspector/Planning Administrator; Shannon Montano; Darrel & Marsha Anderson; Mike & Holly Stewart; Gemini Bush; Kevin Wright; Douglas Shaw; Allen Hall; Keith & Phillip Gubler; Ferron Leavitt; Sally DeMille; Doug McArthur; R.J. Hughes; David Leavitt; Marsha Gubler.

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 7:07 p.m.
2. **Opening Ceremony:** Jerry Amundsen led the Pledge of Allegiance and then offered an invocation.
3. **Communications & Appearances:** None.
4. **Working Agenda:**
 - A. **New Business:**
 1. Consider Approval of Road Dedication Plat for Sun Ridge Subdivision Main Access Road.
 - John Willie: Most concerns of Planning Commission have been addressed and that body recommended approval of the plat.
 - Todd Edwards asked about the easement, the bond, ownership issues all addressed, and if improvements would be bonded or built prior to recording. He also needs an Engineer's Estimate of Cost.

- a. The improvements will be bonded for – all ownership agreements are in place – a title report will be sent to Russ Gallian.
- 28 feet of asphalt will be installed in a 50' Right of Way (ROW).
- Future developers will complete the improvements.

Phillip Gubler: Has a survey been done of the legal description and could the points be marked on the ground? (Yes)

- The road should be fully improved on the Gubler property except for the sidewalk on the south side.
- Asked for written assurance from the city not to change any requirements for Gublers to develop in the future.
 - a. Russ Gallian replied that this council cannot bind future councils; developers must develop under the requirements at the time of their development.

Todd Edwards: There will be a trail on one side, sidewalk on the other and curb & gutter on both sides. The trail determination was made by city staff.

Jason Smith: On the north, the curb is 1 foot from the ROW line; on the south it is 9 feet from the ROW line.

The historical drainage comes on to the Gubler property – the developer has done a drainage study and kept the water where it historically flows; culverts under the road. Curb & gutter contains flow off the road and directs it to existing drainage pattern.

Phillip Gubler: The ditch is gone and the storm drain has been sized to handle only the Gubler property's water, it needs to be upsized if others are going to be allowed to connect to it.

Jason Smith: The Sun Ridge development does not increase the drainage – it handles its own run-off.

Staff asked Todd Edwards to review the drain line and make sure the design is adequate – it will be a city-owned and maintained drain line.

Jason Smith: The current washes all have culverts under the road – additional run-off goes to the river. 24" storm drain adequate?

Phillip Gubler: Sun Ridge, Leavitts, etc. benefit from the drain line – they should pay for an upsize if that is needed.

He also stated the Sun Ridge Drive was not an acceptable name for the road. He would like to see an historical name.

This Road Dedication Plat is for private development – the city is

not concerned with timing – Gublers’ need to work it out with the developer.

******Motion to table a decision on this matter until resolution of the issues between the property owners and developer.**

Motion by Matt Ence; seconded by Bruce Anderson with all members present voting aye.

Motion Carried.

2. Consider Approval of Phase 1 Final Plat for Sun Ridge Subdivision.

******Motion to table action on this item until the road dedication plat issues are resolved.**

Motion by Matt Ence; seconded by Jerry Amundsen with all members present voting aye.

Motion Carried.

3. Consider Approval of Preliminary Plats 2, 3 and 4 of the Sun Ridge Subdivision

John Willie: These plats have been reviewed by staff and by the Planning Commission and approval is recommended.

- Some temporary turn-arounds will be needed pending future development.
- Some roads are less than the 50 feet ROW and an approval motion will need to include approval of these smaller roads.
- Guest parking has been increased.
- Construction details will be provided at final. Eg. erosion hazard line in Ph. 4.

Mike Stewart: Concerned about how this zoning happened ; was it properly Noticed?

John Willie: At the time this zone change was requested, State law required Notice by the posting of meeting agenda at least 24 hours in advance of the meeting and City Council advertising of a Public Hearing. This was done.

- State law now has changed and the Land Use Authority holds the Public Hearing. Santa Clara still requires the City Council to have a Hearing in addition to the Land Use Authority. Both Notices are published in The Spectrum and posted at three locations in the city. The zone change notice is also posted on the property involved, although state law does not require this.
- State requirements were met for this zone change.

Phillip Gubler: concerned that property owners did not know about the Hearing.

Doug McArthur: Could Notices also be put in the City Newsletter?

Sally DeMille: Worried about the increased traffic because of this subdivision.

- Was this addressed in the design of the streetscape?

Jerry Amundsen: The streetscape design was not intended to diminish traffic, but to slow it down; to make the area safe and walkable. In order to have a full turn lane the length of the street, the city would lose some trees and all on-street parking. The traffic study showed there was room for traffic to increase; the road will not be at capacity right now.

Ferron Leavitt: Realizes the city probably met state requirements for Noticing, but is that enough? He has worked with the developer, but now wishes he had not; he was not fully aware of the density of the development. He also feels the city should remove the planter boxes on Santa Clara Drive to widen the road. Jack Taylor had indicated to him that an upsize of the storm drain was being considered. Storm drain agreements are in place for Sun Ridge and he will honor them. Hopes the city will enforce future developers to handle their own run-off.

Shannon Montano: Knows that this development will not be fenced; concerned about the residents there and the possible abuse of the adjacent River Reserve by 4-wheelers. Also concerned about the garbage left by workers on this development – they need to clean up after themselves. She is disappointed with the streetscape, the development and the traffic.

Gemini Bush: Does not like this growth – she has been here 3 years and was disappointed not to be notified of this development.

R. J. Hughes: There are no culverts in the road (they will be installed as it is built). Felt there should be a 2nd access to this development – fire safety concern – (Master Planned for more accesses as future development takes place)

Matthew Brower: City policy has been to not allow development across the river until a permanent, adequate access was provided – the bridge now provides that.

Mike Stewart: Are property owners across the river going to be assessed for the bridge? (No-the developer of Sun Ridge is paying for it) Can something be done at this point to change the development – its density?

Russ Gallian: Land use is controlled by Zoning - rights are given by the Zoning of the property.

- Allan Hall: Wondered what density these property owners would like to have across the river – right now, this development's density is not much more than on the Heights.
- Holly Stewart: These developers will move on – would any of the City Council want to live in this development?
- David Leavitt: Was excited about the subdivision until he saw the plan.
- Kevin Wright: Member of development team.
When this development was started, the average home in Santa Clara cost \$318,000. This development provides nice, affordable homes. The land was purchased from long-time residents of Santa Clara. The developers will do a quality job and have followed all state and city requirements.
- Mary Jo Hafen: Is surprised that the residents did not know of this development. It has been going on for a long time. The city needs affordable housing. The city council members are between a rock and a hard place and can't please everyone.
- Mayor Rosenberg: Asked who in the room had participated in Vision Dixie? (3 hands were raised) Expressed that the overlying feeling from the Vision Dixie process has been a desire for just this kind of development. There has to be a place for people to start out– everyone can't afford a ½ acre – starter homes are no longer available. The city is charged with providing housing for all ranges of people, the young, the elderly, etc. not just the elite - those who can afford higher end homes.
- Bruce Anderson: Started out in a 12' X 60' mobile home – couldn't afford his home today – thinks this development is great – kids need to be able to afford a home – development has put a lot of money into the bridge – if there were only ½ acre lots to pay for it, they would have to be priced too high – other property owners across the river will benefit.
- Matt Ence: Grew up here – empathizes with the frustrations expressed in this meeting, but took his city council responsibility knowing that not all decisions would be pleasing to all residents – change will happen and the council must try to steer it to the best interest of the city – affordable housing is a need – property owners' rights need to be considered – can't see any other way – developer has followed all the requirements and processes – can't penalize him because everyone did not read the notices or get one mailed to their homes – loves to have public input, but can't call everyone when something like this comes up – feels this is the right thing to do because the property owner has done all he was supposed to do.

Jerry Amundsen: Has been involved with the Planning Commission in the past and there have been lots of empty chambers during those meetings. The city has made changes to the Noticing to help alleviate people not knowing – want public input – need dialog to help make decisions – excited to see the bridge being installed to the benefit of all property owners across the river – property values and options will increase because of it – city council has seen renderings of the homes to be built in this development and they will be nice-looking homes – can't revise the zone change since all correct processes were followed.

Mary Jo Hafen: Surprised that people, seeing the bridge going in, wouldn't take an interest in finding out what was going on before now – the city is charged with providing affordable housing.

Marsha Gubler: Knew about the bridge and the development, but not the high density. (density is about 4.5 units per acre)

Mary Jo Hafen: This was all public information.

******Motion to give Preliminary approval to the Sun Ridge Phases 2, 3 & 4 development plats with a caveat that some of the roads will have a smaller than 50' right of way.**

Motion by Matt Ence; seconded by Jerry Amundsen.

Voting Aye: Matt Ence, Mary Jo Hafen and Jerry Amundsen.

Voting Nay: Bruce Anderson – density is too high.

Motion Carried.

Matthew Brower: The Zoning Ordinance has been amended for 3rd party Public Notices
– a sign will be posted on the property – newsletter timing will be difficult for Noticing that way.

Mayor Rosenberg: The council will review some options for increased Noticing.

Mary Jo Hafen: Asked the public in attendance to be alert to development for the entire area – there is pressure to provide affordable housing – area having difficulty getting teachers as they can't find affordable housing.

3. Adjournment:

Meeting adjourned at 8:56 p.m.

Motion by Mary Jo Hafen

Seconded by Bruce Anderson

Barbara Salmon – Recorder

Date Approved: _____