

**MINUTES OF THE CITY OF HOLLADAY
PLANNING COMMISSION MEETING**

**Tuesday, January 24, 2017
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

John Garver, Chair
Jan Bradshaw
Alyssa Lloyd
Ann Mackin
Marianne Ricks

City Staff:

Paul Allred, Community Development Director
Tosh Kano, City Traffic Engineer

REGULAR BUSINESS MEETING

1. CONVENE REGULAR MEETING – Public Welcome and Chair Opening Statement.

Chair John Garver called the Regular Meeting to order at 7:09 p.m. and read the Chair statement.

ACTION ITEMS

2. PUBLIC HEARING – Rick Service Retail Addition – 2304 East Murray Holladay Road.

The above item was tabled until the February 7, 2017 Meeting.

3. PUBLIC HEARING – Sleepy Hollow #2 Amendment, Two-Lot Subdivision – Conceptual and Preliminary Subdivision Review – 2820 East Valley View Drive, Applicants Shane and Natalie Smith.

(19:11:27) Community Development Director, Paul Allred, presented the staff report and stated that the first request is for the vacation of property out of one subdivision and bringing in property from outside the subdivision. The applicants wish to subdivide the lot that is to be vacated. That can be accomplished by dividing the lot and amending the subdivision that it is in to include a new lot. Another option was to take the property both outside and inside the existing plat and vacate it to create a new two-lot subdivision with a different name. Both options involve amending one plat and creating another. The main issue for the Commission to consider was whether it complies with zoning.

The items still needing to be resolved were:

1. Get an approved name for the new two-lot subdivision.
2. Relocate the Upper Canal flood control easement to include the actual waterway. Over time the canal has moved away its original course and out of the recorded easement.

3. Plat notes that no storm water from the site shall be allowed to drain into the Upper Canal waterway.
4. Utility service letters are needed for the new lot.
5. Public Utility Easement modifications were required.
6. The southernmost leg of the newly proposed lot #2 shall be noted as unbuildable due to the location of the canal waterway and its narrow shape.

Procedural issues were discussed. Staff recommended approval with the findings and conditions set forth in the staff report.

Commissioner Bradshaw questioned why the lots were being joined if the back property is not part of the square footage for the two homes. The applicant, Shane Smith, gave his address as 2528 Lila Lane and stated that the secondary piece is included in the division because it makes more sense to have it there than to separate it and have no utility at all. It is not, however, necessary to meet the current zoning requirements as it has sufficient area already excluding the narrow parcel. The applicants' intention was to make two nicer pieces of property. Maintenance will be covered by the shares included with the canal.

Mr. Smith clarified that he will not develop or occupy either of the lots and simply plans to sell them. When he and his wife purchased the property five years ago, it was with the intent of building a home on it. They later decided to build a home in a different subdivision and tried to sell the property. It is such a large parcel in the neighborhood that they had difficulty finding someone who wanted to spend that amount and then build a home that would not fit into the neighborhood properly. Having two pieces of property with homes that fit the current neighborhood seemed to make more sense. This will also provide an opportunity for individuals to purchase property in Holladay that is more affordable. It was noted that the property is already zoned R-1-10.

In response to a question raised by Commissioner Bradshaw about where the homes will be placed on the lots, Mr. Allred stated that it would be done at the building permit stage.

Mr. Smith commented on the general feedback received at the neighborhood meeting, which was held the previous day. Many of the neighbors wished the applicants would build a home on the property. There were also concerns about what would be built there. One of the neighbors mentioned that perhaps two homes would fit into the neighborhood better than one large home on the lot. Another neighbor wanted the Smith's to wait until the summer to see if they can sell the property as one single lot. Erland Reber was very clear about not wanting the project and expressed concerns about his views at the neighborhood meeting. Mr. Reber was encouraged to attend tonight's meeting and voice his opinion and was present tonight.

The public hearing was opened.

(19:31:54) Erland Reber gave his address as 2801 Valley View Avenue and stated that he preferred one single home on the property. He indicated to Mr. Smith that they know very little

about what will be built on the property and did not want his views to be impacted. He commented that his neighbor will be more impacted and feels the same way he does. Mr. Reber stated that the request is cash driven. He urged the Commission to carefully consider the request and look at other options and the market in the spring. He reported that he has lived in his home since 1969 and stated that it is a great neighborhood and a wonderful place to raise a family.

(19:34:15) Pam Scott reported that she lives on the west side of the property at 2802 Valley View Avenue. Her concern was that there is no way to know how the property will be divided and how large the houses will be on each lot in terms of privacy and the potential obstruction of views.

Chair Jensen stated that the preliminary site plan shows a division of where the homes will be located. Mr. Allred explained that there are several controls in place with respect to how tall a home can be on the lot and where it can be placed. There is a maximum height limitation and on either of the two lots a home could not be taller than 32 feet. There is also a graduated height requirement, which is a fixed point eight feet above the property line that goes in on a 45-degree angle. There are impervious surface and lot coverage regulations as well that will control the size of the home. In addition, each lot must have 25% of its lot width in the front yard to meet the setback requirements.

Mr. Allred reported that the changes were instituted approximately 10 years ago. When the City of Holladay was incorporated, this neighborhood was part of the original City and the rules came from the County. Mr. Reber indicated that he lives next to a right-of-way that runs along the canal. He wondered if that had been changed in any way. Mr. Allred stated that there is a stream protection easement that will have to be relocated.

(19:42:38) There were no further public comments. The public hearing was closed.

Mr. Allred explained that the action before the Commission is not quasi-judicial. If the request meets the ordinance, the Commission's role is to approve.

(19:51:15) *Commissioner Ricks moved to approve the conceptual and preliminary subdivision for property located at 2820 East Valley View Avenue with the approval procedure set forth in Holladay Ordinance 13.08.110(d). Approval was subject to the following:*

Findings:

- 1. The proposal meets the general plan for low density residential development.*
- 2. All utility services exist in Valley View Ave to serve this new lot.*
- 3. The newly proposed lots exceed both the minimum size and width standards for a new lot in the R-1-10 zone.*

Conditions:

- 1. A preliminary site plan be submitted which meet the TRC's needed corrections noted on 11/7/2017.*

2. *A Salt Lake County Recorders' approved name for the two-lot subdivision*
3. *Relocate the Upper Canal flood control easement to include the actual waterway.*
4. *Plat notes that no storm water from the site shall be allowed to drain into the Upper Canal.*
5. *Utility service letters are needed for the new lot.*
6. *Public Utility Easement modifications were required.*
7. *The southernmost leg of the newly proposed Lot #2 shall be noted as unbuildable due to the location of within the canal waterway.*

The motion was seconded by Commissioner Bradshaw. Vote on motion: Jan Bradshaw-Aye, Ann Mackin-Aye, Marianne Ricks-Aye, Alyssa Lloyd-Aye, Chair John Garver-Aye. The motion passed unanimously.

(19:52:10) Commissioner Bradshaw moved to amend the previous approval and defer final approval of the property at 2820 East Valley View Drive to the Technical Review Committee. The motion was seconded by Commissioner Mackin. Vote on motion: Jan Bradshaw-Aye, Ann Mackin-Aye, Marianne Ricks-Aye, Alyssa Lloyd-Aye, Chair John Garver-Aye. The motion passed unanimously.

4. CONTINUED – Holladay Market – Preliminary Site Plan – 4650 thru 4680 South Holladay Boulevard, Applicant, Tom Henroid.

(19:53:10) Mr. Allred presented the staff report and stated that approval of the site plan was not recommended tonight. A meeting was held the previous week with Mr. Henroid and his team. In an effort to keep the item on schedule for preliminary approval, and the timeline desired by the applicants, which is to demolish in the next three weeks, staff recommended that substantive issues be discussed. Another staff report would be prepared for a meeting to be held the following week.

The following items were identified and discussed:

- Grade change from west to east;
- Screening of the parking area from the street – and overview of landscaping plan for the site;
- Landscaping at base of the north building along Phyliden/2300 frontage including the relocation of the curb;
- Update on revised building design for the north, mixed use building per items required at last meeting;

- Dumpster re-location and design;
- Perimeter fencing design and cross access issues;
- Raised median in 2300 East to prevent left turns into and out of the site;
- Depth and safety of proposed angled stalls on 2300 East;
- Lighting plans for north building and for the site as a whole;
- Conflicts between the Harmons building and the traffic signal pole at MH Road/2300 Intersection;
- Possible reduction/re-design of balconies on 2300 E. and MH Road;
- Problems with underground utilities as they relate to support columns for balconies;
- Acceptance of retaining wall design for Harmons to coordinate with similar wall for the north building, including redesign of steps/access from sidewalk to patios, etc.;
- Possible subtle shifting of Harmons building northward;
- General overview of easements, encroachments, vacations, property dedications, cooperative agreements with developer;
- Planning Commission and City Council responsibilities regarding the development of this block;
- Parking, landscaping and sidewalks along MH Road; and
- Removal/replacement of some trees along the perimeter of site due to construction activity.

With regard to the raised median, City Traffic Engineer, Tosh Kano, stated that the height of the curb will be nine inches rather than the standard six. He did not want SUVs to jump the curb. He also wanted to place a median from Phylden to Murray Holladay Road. He wanted to make sure there are no gaps to prevent U-turns, especially for vehicles parked on the west side of 2300 East. Mr. Allred stated that City Council approval will be required. The concept of the site plan is the need to handle increased future traffic. He noted that going forward more growth will be seen in the Village. Mr. Kano stated that the timing of the signal needs to be changed to make it more accessible for Harmons customers. Parking and traffic movement issues were discussed. The effectiveness of angled stalls was discussed. Mr. Allred felt that with the volume of vehicles, it may not be advisable to have them back directly into the lane. Staff would analyze the issue further.

(20:11:03) Mr. Allred stated that the most significant issue to be addressed tonight is the conflict between the traffic signal pole at the corner of Murray Holladay Road and 2300 Intersection. The previous week, staff was informed that there was a conflict between the balcony on the proposed building that was approved by the Planning Commission. It will be necessary to keep the balcony away from the pole because the pole, according to Salt Lake County, cannot be moved any closer to the right-of-way, which is seven to nine feet from the back of the pole to the right-of-way. If they try to move it any closer, they risk collisions from people driving off the road. The County is resistant to moving the pole any closer to the street and it would cost. In the end, the pole will likely have to be left in its present location. That being the case, the balcony on the west side of the building will have to stop short and not wrap the corner. Staff needs to find the minimum safety distance between the pole and the edge of the balcony. Harmons indicated that they are unwilling to build the balcony on the south side because it cannot wrap.

Mr. Allred stated that problems were also raised the previous week with a series of underground utilities that run through the sidewalk. As a result, some of the columns that were supporting the balcony need to be removed. The solution reached with Harmons' Architect was that instead of trying to reduce the balcony they could move the columns closer to the street to avoid those utilities. There had been discussions with Harmons about potentially shifting the building a bit to the north as well

With regard to easements, encroachments, vacations, property dedications, and cooperative agreements Mr. Allred stated that those issues will be worked out with the City Council and the developer in the next few weeks. Harmons' engineer provided a graphic showing the location of the easements, dedications, and encroachments. Procedural issues were discussed.

Mr. Allred recommended that where trees need to be moved for the sake of construction, that they be planted at City Hall and new trees planted in place of the old ones. It was noted that the number of parallel stalls was reduced from five to two.

Mr. Allred was asked how the proposed substantial potential changes will impact the approval granted previously for the building design. Mr. Allred stated that the design was very well received by the Council. He recommended the Commission work with the applicant and specify what their preference would be moving forward. He believed that the Planning Commission should support and amend the balcony if necessary. Because it is unrealistic to move the pole, there will need to be an adjustment to the balcony. He recommended that the Commission direct staff to find out from the Salt Lake County the minimum distance between any balcony and the pole. Mr. Kano estimated the encroachment to be three to five feet. He stated that space would be needed to maneuver. Possible options were discussed. Mr. Allred explained that the pole probably cannot be moved closer to the street.

(20:32:42) The applicant, Tom Henroid, from Rockworth Companies, stated that the issue is that there is a conflict of existing improvements with a changed ordinance. The Holladay Village Zone has requested that buildings come up to the sidewalk. As big of an issue as the light pole are the utilities in the sidewalk. Even the balcony that can remain will be difficult to find a footing among utility pipes. He considered moving the building up to the corner to be a practical problem.

With regard to the grade change from west to east, Mr. Allred stated that he spoke to the engineer earlier in the day about the drainage and asked that they resolve the issue with the developers.

Mr. Henroid reported that the screening of the parking area from the street was accomplished with the design of the wall and the landscaping along the back of the wall. With respect to the landscaping at the base of the north side of the building along Phylden that was addressed at the previous meeting, Mr. Allred was working with the City Engineer, the developer's engineer, and the City Council to widen the sidewalk to give them room to put planters in front of the columns. The update of the revised building design was approved at the previous meeting. The proposed fencing will be pre-cast or similar. Commissioner Ricks asked why he was opposed to having a break for the residents of the condominium. Mr. Henroid stated that it was for liability.

Mr. Henroid commented that with regard to the raised median on 2300 East they understood that a left-in was not going to be available. The depth and safety of the proposed angled stalls were greatly desired by the developer and accomplish several things. They give people who patronize the center a feeling that they can get a front row parking spot. That feeling attracts people who would not otherwise come. The angled stalls are convenient and contribute to the urban feel to be created by the Holladay Village zone. He stated that there are many examples of where angled stalls pull directly out into oncoming traffic and slow traffic.

(20:38:06) Mr. Allred stated that eight feet is generally the bare minimum of space needed to safely back out without impacting the travel lane. In front of City Hall there is 12 feet from the back of the stalls to the edge of the travel lane. At the plaza, it's eight feet. Mr. Henroid stated that the desire is for traffic to slow down. Ted Didas mentioned at a previous meeting that often they talk about site plans and make rules for the busiest one hour of the day. Mr. Henroid felt that that was the case here. He stated that they can also push the stalls further toward the sidewalk if they are to reduce the sidewalk width at that location. Mr. Allred stated that he and Mr. Kano will revisit the issue. Early on they made a calculation on the total depth needed and thought that had been factored into the site plan. Staff will measure what exists currently and look at the site plan and see what can be done to get those stalls.

Commissioner Ricks liked the 12 feet, which gives space and provides breathing room. Mr. Allred stated that staff wants them as badly as the developer and will work to find a way to make them happen. Dr. Perrin had been emphatic that unless there is the right backing distance they work but otherwise, he did not recommend them at this location. Mr. Allred considered it to be more of a problem traveling southbound rather than northbound. As designed, the stalls have a few feet behind them but they need to get to eight feet from the back of the stall strip, which is 16 feet deep to the travel lane. He estimated that they are three feet off. Mr. Henroid commented that they like them because they slow traffic down.

Mr. Henroid stated that the design has been approved by both the City and Harmons. Upon further planning, they discovered various conflicts. Distance from the balcony to the light pole was needed to prevent access. Ways to proceed were discussed.

(18:47:13) With regard to the underground utilities, Mr. Allred stated that the architect indicated that Harmons did not object to moving the columns out to avoid conflict underground. Chair

Garver wanted to avoid having nothing on the west side, which he feared could happen. Mr. Henroid assured him that that will not happen. Chair Garver urged Mr. Henroid to figure out what is in the ground and where the footings and foundations are going to go.

Mr. Henroid commented that shifting the building northward was not something Harmons was willing to do. The sidewalk pinches at the locations of the columns, which are only about two feet wide. The developers feel that the five-foot sidewalk on the north side of the building serves a great purpose because people can get out of their car and walk on the sidewalk to enter the building. Changes to be incorporated into the plan were mentioned including the widening the stairways along the frontage.

(20:52:02) Commissioner Ricks commented that the south side has been significant for the City and the developer is now removing the key element they liked about it. She asked what they can provide on the south side instead. Mr. Henroid stated that the City's job is to get the best project possible that meets the ordinance. Without the balcony on the south side it will meet the ordinance. Commissioner Ricks' opinion was that without this architectural feature, the two negative votes on the approval would have been three or four. Chair Garver felt it was enough of a change on the corner to warrant another rendering of the plan. Mr. Henroid agreed.

Mr. Henroid did not consider the balcony to be a deal breaker. Mr. Allred recognized that it is a sensitive issue and suggested that he and Mr. Kano first find out from Salt Lake County how far the balconies need to be separated from the pole. That will help the architect know where the balconies on Murray Holladay Road and 2300 East need to be separated. He expressed a willingness to try to resolve the balcony situation.

(21:00:34) Ken Melby gave his address as 4725 South Holladay Boulevard and identified himself as the property owner of this corner, the corner across the street, and the Holladay Village. He stated that he will be impacted by a new building in Holladay. He agreed that a way should be found to allow the angled parking stalls. The pole in its current location made a balcony seem unlikely. He agreed that a balcony on the west side is very important in terms of what they are trying to accomplish. In addition, the developers did not want the balcony to go away entirely. He was confident that the issue could be resolved.

Landscaping issues were discussed. It was noted that the City has a parking requirement that is so low that no retailers are interested in locating in a center with so few stalls. Mr. Allred stated that to get the parking between the two buildings, they are already at the bare minimum tolerances for the depth of the stall, the width of the backing aisle between stalls, and the stalls going to the other building. If the space were available, parking lot landscaping would be considered.

Mr. Melby stated that although it looks like a parking intensive project, in reality it is lower than they would prefer in any other municipality. It was noted that the parking requirement for the site is less than four per 1,000 square feet. By comparison, Sandy City requires 10 per 1,000 square feet for a restaurant. Mr. Melby commented that they feel they are barely adequately parked. Mr. Allred stated that there are some stalls against the south side of the north building for compact cars that are 16' x 9' rather than the standard 18' x 9'.

Mr. Melby stated that with respect to parking, when they pick their tenants they choose complementary uses. He commented that his belief is that they will be fully parked but not overparked. Mr. Allred indicated that according to Dr. Perrin, there are 1,100 to 1,400 total existing and available stalls in the Village. The desire in the Village was to create a walkable ambiance. He remarked that there is a great deal of parking and stalls that go unused all along Holladay Boulevard and Zions in the evening.

(21:20:24) Commissioner Lloyd moved to continue agenda item number four until the next meeting. Commissioner Ricks seconded the motion. Vote on motion: Ann Mackin-Aye, Marianne Ricks-Aye, Alyssa Lloyd-Aye, Chair John Garver-Aye. The motion passed unanimously. Commissioner Bradshaw was not present for the vote.

Mr. Kano was asked to comment on the traffic situation at the school on Murray Holladay Road. Mr. Kano responded that the traffic has quieted down quite a bit. Currently, the main problem is parents parking at Creekside Park. The County is not maintaining snow removal on the sidewalk and parents and the children are walking on Murray Holladay Road. Mr. Kano asked the City's Code Enforcement Officers to approach the County and make sure that the sidewalk is maintained. As far as traffic, the school has staggered times and left the gate open so parents can arrive early and go all the way around the building to load/unload students.

Timing issues of the Harmons project were discussed. Mr. Allred stated that they want to begin demolition mid-February and begin construction about one month later. Timing issues were discussed. Mr. Allred did not want to delay the project and hoped to reach a middle ground. It was noted that the existing businesses will be relocating. Lettuce and Ladles is relocating to 6200 South near Snider Brother's Meats. Great Harvest is moving next to Ace Hardware temporarily and may move back to the north building.

5. Discussion of Proposed Ordinance Amendments.

The above item was not addressed.

6. Approval of Minutes – December 6 and 20, 2016.

(21:41:31) Commissioner Lloyd moved to defer approval of the minutes. Commissioner Ricks seconded the motion. The motion passed with the unanimous consent of the Commission.

DISCUSSION ITEMS

7. Ordinance Amendments.

The above item was not discussed.

ADJOURN

(21:42:01) Commissioner Bradshaw moved to adjourn. Commissioner Ricks seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 9:42 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the City of Holladay Planning Commission Meeting held Tuesday, January 24, 2017.

A handwritten signature in black ink that reads "Teri Forbes". The signature is written in a cursive style and is positioned above a horizontal line.

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: 3/21/17