

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

Tuesday, May 2, 2017

7:00 p.m.

**Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Matt Snow, Chair
Jan Bradshaw
Jim Carter
John Garver
Alyssa Lloyd
Ann Mackin
Marianne Ricks

City Staff:

Paul Allred, Community Development Director
Jonathan Teerlink, City Planner

PRE-MEETING / WORK SESSION

(18:49:14) The agenda items were reviewed and discussed. With regard to the Sunnyside Heights Subdivision Plat Amendment, City Planner, Jonathan Teerlink, reported that the zone requires a minimum lot size of 10,000 square feet. The intent was to prevent the creation of a lot that is landlocked and ensure that the property owner can access the property legally. Mr. Teerlink indicated that there is a sidewalk along 2700 East behind some landscaping on the applicants' property. At the time the plat was approved, the County dedicated a public easement across the property, which was unique. Mr. Teerlink was not sure if the applicant, Paul Channell, intends to sell the property. Community Development Director, Paul Allred, recalled that when the applicant approached the City years ago and wanted to develop a car wash, the process was difficult. His understanding was that Mr. Channel owns the entire center.

Commissioner Bradshaw commented that she uses the car wash frequently and it is very clean and a manager is always on site. Commissioner Mackin looked forward to the entire site being redeveloped. Mr. Allred agreed and thought it was ripe for redevelopment. Mr. Teerlink stated that he received a phone call from a citizen who had clarification questions.

The Holladay Heights Subdivision was next discussed. Mr. Allred stated that the area is very desirable. There are two homes that currently exist there. Possible options were discussed. The intent tonight was to take public input. The request is to vacate the two properties and create a new three-lot subdivision. The two existing homes on the site will be razed and three built in their place. The lots were determined to comply in terms of area and width. Each of the three lots will be about one-third acre or larger in size. Mr. Allred pointed out that all of the concerns that existed originally have been resolved.

(18:54:50) Commissioner Carter commented that the new homes will be set back farther into the lot. Access to the third lot will be from a driveway on the southeast side. Procedural issues were discussed. Mr. Allred recommended the Commission wait to vacate the lot until the conceptual stage. It was reported that staff received no phone calls on this matter.

The Commission next discussed the Base Camp Townhomes. Mr. Teerlink stated that the applicants have just enough property for 32 dwellings. The main concerns for the TRC were how each of the homes will be accessed. A 26-foot wide swath of private land will connect 4500 South to Holladay Boulevard. The caveat is that the road area would not count toward the net land for calculation of allowable density. The

property is in the RM zone, which allows for a maximum density of 16 units per acre. Amenities for the project are proposed. Mr. Teerlink reported that the result will be to take a nearly 100% impervious surface area and convert it into the minimum required 60% impervious surface coverage with 40% landscaping. Mr. Allred pointed out that the impervious surface area includes roads, driveways, and buildings.

(19:04:30) *Commissioner Carter moved to adjourn the Work Session. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.*

REGULAR BUSINESS MEETING

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

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

ACTION ITEMS

2. Sunnyside Heights Subdivision, Plat Amendment – Retail Subdivision – Preliminary Review 3970 South 2700 East – C-1 Zone.

(9:10:52) City Planner, Jonathan Teerlink, presented the staff report and stated that Oakwood Plaza consists of 3 ½ acres and is improved with two retail strip centers and a car wash. All of the buildings are on one lot. The request tonight is to create a lot out of the larger piece around the car wash. The zone, which is the regulating ordinance for the property, is the C-1 zone. It stipulates that when a lot is created within the zone, it has to be a minimum of 10,000 square feet. The size of the lot the applicant is proposing is 13,500 square feet. The most critical issue is access. The Technical Review Committee (TRC) has obtained the easement descriptions to ensure that the lot will always have easement rights from 2700 East across the main parcel. Staff was comfortable that the applicant has met all requirements and recommended concept and preliminary approval. If desired, final approval could be deferred to staff.

The applicant, Paul Channell, reported that everything is existing and the car wash has been in existence for eight years. Their intention is to sell the lot to someone who would like to take over the business and add on to what is already there. Mr. Channell stated that the new owner has big plans for the site and he was confident that he will do a very good job.

(19:17:00) Chair Snow opened the public hearing. There were no public comments. The public hearing was closed.

In response to a question raised, Mr. Teerlink stated that the small hatched area on the plan represents the cross-access easement that contains access and parking.

(19:18:24) *Commissioner Lloyd moved to recommend the concept and preliminary approval for the Sunnyside Heights Number 4 Plat Amendment creating an additional lot for the Oakmont Car Wash and defer the additional plat information and recording to staff. Approval was based on the following: Findings:*

- 1. The proposal meets the General Plan for supporting existing retail development.*
- 2. The new lot meets the C-1 minimum lot standard.*
- 3. The new lot has been granted by plat notes all required access and utility easements.*

Commissioner Carter seconded the motion. Vote on motion: John Garver-Aye, Ann Mackin-Aye, Jan Bradshaw-Aye, Alyssa Lloyd-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Chair Matt Snow-Aye. The motion passed unanimously.

3. Holladay Heights Subdivision Plat Amendment – Residential Subdivision – Conceptual Review 2013 and 2015 East Lincoln Circle – R-1-15 Zone.

(19:19:50) Community Development Director, Paul Allred, presented the staff report and stated that the proposal is to take two existing homes and lots and reconfigure them. The homes will be razed and the properties reconfigured into three lots. What is proposed requires a public hearing. The request specifically is to vacate the existing two lots and take them out of the subdivision and create a new three-lot subdivision. Mr. Allred clarified that zoning will not change as it is not necessary to construct an additional home on the property. The properties together have more than enough land for an additional lot that meets the minimum zoning in the area.

Mr. Allred stated that that the first two lots will be accessed from the circle as they are currently. There will be a 40-foot wide access for the largest lot. Each of the new lots as proposed meets the minimum square footage required in the zone. They also meet the area in terms of width. Mr. Allred reported that staff received no calls from the public regarding the request. The two issues were identified as vacating the lots out of the existing subdivision and platting of the three new lots.

Staff's concerns/comments were as follows:

- Irrigation facility protection to rear (north) of site must be concerned and addressed.
- Need documentation of utility provider review and approval.
- The property is generally flat and should pose no problem, generally speaking, for building height or drainage issues. Topo information should be supplied by applicants as soon as possible.
- The revised side-by-side lot configuration is superior to earlier designs presented to the TRC.
- No street dedication is necessary and there is no private road to approve either.
- Fire access is excellent but hydrant(s) may be needed.

Staff recommended approval of the concept plan, as proposed, subject to the requirements set forth in the staff report.

(19:32:42) The applicant, Brandon Fry, stated that his intent was to increase what exists from two lots to three and do so in as efficient a manner as possible. The majority of the feedback had to do with the cul-de-sac. One of the lots would have had a side view to Lincoln Circle, which would have changed the setbacks. It was determined to be better to have the lots face Lincoln Circle. The intent was to maintain the integrity of the street. It was determined that all of the setbacks will be met. Mr. Fry was proposing that Lincoln Place be the subdivision name and agreed to confirm that with Salt Lake County. All other concerns had been addressed. Mr. Fry expressed appreciation to staff for their assistance.

Chair Snow opened the public hearing.

(19:35:53) Kim Blair - 2022 E Lincoln Cir. His preference was for the circle to remain as it is recognizing the rights of the property owners to develop in accordance with the ordinances to proceed. He thanked the applicant and staff for the process followed to amend the design of the subdivision. He had concerns with the design that was presented at the neighborhood meeting, which have since been resolved.

Darron Taylor - 2021 Alison Cir and reported that he has lived in Holladay for the last four years. He questioned why a higher density was being proposed. He was opposed to the proposal and was in favor of keeping the lots as they are and redeveloping but limiting the density to two homes on the property.

Mr. Allred informed Mr. Taylor that there was a previous proposal involving a different applicant that would have included four homes on the property. That request complied with the ordinance and could potentially have been approved.

(19:40:07) Jim Giaugue gave his address as 2082 Marwood Drive and stated that he has a very serene backyard. He asked that the beauty from the Marwood Drive side and the view and trees that are there be protected.

City of Holladay Planning Commission Meeting – 05/02/2017

Setback issues and home placement issues were discussed. Mr. Allred explained that if the issue is continued, additional public comment will be allowed. If the conceptual plan is approved, the Planning Commission is not required to hold a public hearing, although it is a public meeting. The City will not be sending out notices from this point on in terms of the subdivision; however, both the Planning Commission and City Council are often willing to take public comment even when a public hearing is not scheduled. With regard to fencing, Mr. Allred stated that fences greater than six feet in height and up to eight feet are allowed if the neighbors agree along the side or rear property lines.

Mr. Allred informed the Commission that the City is working on a Tree Protection Ordinance. Many in the City want to restrict private property owners from taking down trees on their property regardless of whether it is under development. If adopted as proposed, anyone wishing to take down a significant tree on their property would have to replace it. An Open House was to be scheduled in the near future on the Tree Ordinance. Mr. Allred stated that the City takes the concerns of residents very seriously about the wanton destruction of trees and the clear cutting of properties. He clarified that the removal of trees is not allowed in certain areas but the new ordinance would go beyond that.

(19:51:43) Lynn Wilson, a Marwood Dr resident, asked if the applicant would be allowed to have three different swimming pools that go up to the edge of the property. Chair Snow clarified that the same setbacks would have to be respected. It was also noted that the irrigation canal could not be tapped into.

Rob Spangler - 2135 East Suada Dr and stated that in the mornings he frequently runs on Lincoln Circle. He noticed that of the homes that exist, the one on the left is two stories tall and was on the market for several months. He was interested in it but it was cost prohibitive. He commented that the home on the left needs work. He felt that having three lots with newer homes would be an improvement.

(19:54:37) Lynn Davis - 2032 t Lincoln Cir and considered the current design to be better than what he had heard it was. His issue had to do with the culture of the neighborhood. He explained that Lincoln Circle was designed, planned, and thought out over 60 years ago with the intent of having large lots with homes all facing the street, large backyards, and open space. He did not see why that has to be rethought now. He was concerned that an investor could purchase both homes and turn it into three. Mr. Davis commented that the design does not show the setbacks of the existing homes that will be on the east and west sides. He did not support the proposal.

There were no further public comments. Chair Snow closed the public hearing.

Mr. Fry commented that he is a Holladay resident and he and his family love living here because of the quaintness and the mature trees. As a developer and builder it was his intent to keep and maintain all of the outlining trees along the property lines. From an investment standpoint, the request does not make a lot of sense. His intent was to maintain the integrity of the neighborhood. He noted that the front setbacks will be equal or adequate for the street. One of the two lots is over one-half acre and the other is over one-third. There are other lots on the street that are one-third acre in size but they are not desirable. He commented that a developer's goal is to maximize the density. Mr. Fry felt that the cul-de-sac option would be more attractive but would cost more. The feedback from staff was to pursue the current proposal, which meets all of the zoning requirements, faces Lincoln Circle, and has great frontage from the street. Mr. Fry stated that his mindset was to be compatible with the neighbors and the neighborhood. He clarified that he is both the developer and the builder.

(20:02:15) Commissioner Lloyd asked Mr. Fry for an idea of the style of homes that will be developed. Mr. Fry stated that he intends for the homes to be of a traditional east coast style. He noted that many of his developments are in Park City and Deer Valley. The proposed homes will have around a 3,000 square-foot building pad.

City of Holladay Planning Commission Meeting – 05/02/2017

Commissioner Carter referred to Lot 3 and stated that the front setback will be much larger than what exists. It appeared that the setback of Lot 2 is about the same as the current setback. Lot 1 looks to be slightly farther back from the street, which would create some variability in terms of front yard setbacks. He liked that they were all oriented to the street. He personally preferred street front lots. Commissioner Carter shared the concerns of residents with regard to the redevelopment of Holladay where the lots are larger than the underlying zoning. He supported that approach but liked the idea of downzoning to match the existing lot size to inhibit further subdividing. Commissioner Carter considered what was proposed to be a change in the neighborhood but it does not disrupt the fabric or layout. He was supportive of the proposal and thought it was important to acknowledge the property rights of the owners. He expected similar development to occur for the foreseeable future because there are a lot of smaller houses on very large lots. He found it more disruptive to max out the envelope on a one-half acre lot.

(20:08:12) Commissioner Lloyd asked about the irrigation ditch. Mr. Fry stated that the ditch is owned by Upper Canal. It comes off of Cumberland up above. It cannot be terminated because there are users down the line.

Building footprint issues were discussed. Mr. Allred pointed out that the areas identified on the plat map do not specify where the home has to be built. Portions of the home could be in front of or behind it and must simply meet the minimum lot width.

(20:16:15) *Commissioner Carter moved to approve the conceptual three-lot subdivision plan and continue the decision on the plat vacation for property at 2013 and 2015 East Lincoln Circle. The motion was subject to the following:*

Requirements:

1. *Submittal of topo information, hydrant location, correction of labeling errors (label existing irrigation lateral, ownership, etc.).*
2. *Submittal of a Title Report as soon as possible to allow the TRC to review clouds or encumbrances on the land.*
3. *Verification of proposed name of the development from Salt Lake County.*

Commissioner Ricks seconded the motion. Vote on motion: John Garver-Aye, Ann Mackin-Aye, Jan Bradshaw-Aye, Alyssa Lloyd-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Chair Matt Snow-Aye. The motion passed unanimously.

4. Base Camp Townhomes – Residential Subdivision – Conceptual Review – 2180 East 4500 South – RM Zone.

(20:23:30) Mr. Teerlink presented the staff report and stated that the request is for a redevelopment project in the RM zone. He explained that the RM zone is a holdover zone from Salt Lake County. It was adopted in 1999 when it was rolled over into the City of Holladay ordinances. The City's founding Council froze the RM zone at 16 units per acre and/or professional office use. The proposed project would completely change the use from professional office to residential. The entire site is 2.3 acres in size and although 16 units per acre is allowed, the road that runs through the property cannot be counted in the density calculation. That brings the density to no more than 32 units. The units will be accessed by 4500 South and Holladay Boulevard by a private road. Mr. Teerlink reported that the property to the east will have shared access.

Parking issues were discussed. Mr. Teerlink explained that on the east side there is parking that is accessed from the main driveway where the monument sign is for the medical plaza, which will be a shared access. The TRC reviewed the project and discovered that neither 4500 South or Holladay Boulevard have a storm drain system, all of the storm water generated from this development will have to

be retained on site. There will be a better opportunity to capture the storm water on site once the project is complete because of the landscaping. The Fire Department reviewed the request and will require the 26-foot access that runs from Holladay Boulevard on the west through the project to 4500 South due to the number of units and the height. There was previous discussion about a traffic study but it was deemed unnecessary for the time being due to the location of the project. Mr. Teerlink addressed fencing and stated that the backyards will be fenced. No fencing was proposed along the perimeter. In response to a question raised, Mr. Teerlink stated that no architectural review is required in the RM zone.

Chair Snow opened the public hearing.

(20:35:05) Brent Godfrey identified himself as one of the owners of the office complex to the east and inquired about the location of the lot line. With regard to the shared access, he asked what the limitations would be. Mr. Teerlink explained that the property line is down the middle of the drive approach. The new residents will need to get permission from the owners of the office complex to cross their property. Mr. Teerlink suggested Mr. Godfrey have a conversation with the property owner. Mr. Allred indicated that the applicant owns half of the driveway but they have an easement across the other half. Access and ownership issues were discussed. Commissioner Carter suggested that the County records be referred to since typically when there are two condominium projects next to one another, there are shared easements. Mr. Allred suggested a title report be obtained, which will show everything that has been recorded. He indicated that the applicant will be required to provide the City with a title report.

Dr. Darell Richards identified himself as the owner of one of the office suites. In response to a question, Mr. Allred explained that the units will be townhomes that will be for sale. The units can be rented by the owners. With regard to parking, the minimum requirement will be 64 stalls or two stalls per unit. The applicant intends to make 112 stalls available. With regard to road widths, Mr. Teerlink stated that the main road that goes east and west is 26 feet wide. The alleyway that runs south through the project has a width of 20 feet. That may eventually need to be widened to 26 feet. With regard to green space, Mr. Teerlink explained that 40% of the lot area will be dedicated as green space. In the southeast corner, there will be garden plots.

(20:49:35) Dr. Michael Smith stated that his office is currently in the medical village that is to be razed. He received no prior notice of the proposal. He asked about the timing of the project and wanted to ensure that they have adequate time to relocate. Dr. Smith asked if a future expansion of 4500 South was envisioned. Mr. Teerlink explained that the applicant has been in contact with UDOT and there are no further improvements planned.

Mr. Godfrey asked why the project could not be reconfigured to provide an access off of 4500 South. Doing so would make more sense and be less conflicting with the neighbors. Road widening issues were discussed.

(20:55:14) There were no further public comments. The public hearing was closed.

Matt Scott, was present on behalf of JF Holladay Partners, a subsidiary of JF Capital. With regard to fencing, they have not yet determined what the material will be. They will be working with their architects and designers and present that information at a future meeting. With regard to the boundary and shared access, according to their title reports and surveys, there is a shared access easement there. Additional information will be obtained to determine where it is plotted. With regard to parking, it will be addressed in their community CC&Rs and restrictions on parking in the adjacent parking lot. Their desire was not to infringe on office property. They are currently in the preliminary stages to determine whether the project is feasible. He reported that a significant amount of time will be given for the current tenants to relocate. Mr. Scott stated that they are currently under contract to purchase the property.

(20:59:00) David Vitek, from JF Holladay Properties, LLC, reported that if they look at their timelines for land planning, they are eight to 12 months away from receiving their final approvals to break ground. He believed there was a blanket prescriptive easement for access in favor of both property owners. He agreed to get Mr. Godfrey's contact information and stay in contact with him as the project progresses.

Commissioner Ricks asked for clarification on the location of guest parking. Mr. Vitek stated that the proposed 112 parking spaces include the two-car garages. Each unit will have a two-car garage as well as two parking stalls in front of each garage. There will also be off-street parking throughout the community. With regard to additional parking restrictions on the adjacent property, they would be open to including parking restrictions within the shared access easement in the CC&Rs if the easement does not address them. In response to a question, Mr. Vitek stated that the bedroom counts are not complete but he anticipated there will be two to three bedrooms per unit.

(21:04:47) Melissa Hilton gave her address as 2121 Kayland Way and asked if the townhouses will load from east or west. It was clarified that they load from the east.

Commissioner Carter considered the conceptual review to be challenging while most are concerned about what it will look like and how will the overflow parking be controlled on adjacent properties. He also inquired about the width of the mutual shared access easement. As proposed, he believed that the project meets the conceptual project approval thresholds. He commented that the proposed configuration will only be allowed if the applicants have the legal right to a shared access off of 4500 South.

As someone who will not live in the community, Commissioner Lloyd appreciated that the applicants went to the effort of facing the homes toward the street so that they will appeal to people passing by. Commissioner Garver expressed concern with the building to the east and the access into the garages. He also liked the reduction in the impervious surface coverage.

Commissioner Carter commented that moving from 100% impervious surface coverage to 60% was a good thing. The preliminary plan also shows a play area as well as informal landscaped areas and community gardens on the south edge of the property. This will soften the visual impact and the environmental impact and provide for better drainage management.

(21:15:39) *Commissioner Garver moved to approve the concept plan for the Base Camp Townhome Project at 2180 East 4500 South subject to the following:*

Findings:

1. *The proposal meets the General Plan vision for the creation of residential developments within existing zoning.*
2. *The proposed density meets the RM zone allowances.*
3. *The development has been reviewed and approved by the TRC at concept level.*

Requirements:

1. *Preliminary level subdivision drawings shall be submitted to the TRC for review.*
2. *Preliminary drawings must note that 26-foot emergency access shall continue to include the easternmost homes/buildings and units.*
3. *Verification from UDOT that no further dedication/improvements of 4500 South is required.*
4. *Determination from the Public Works Director regarding the necessity, or not, of a traffic evaluation for this site for Preliminary review.*
5. *The City shall receive evidence that there is adequate room for an access.*
6. *Perimeter fencing shall be added at the preliminary stage.*

Commissioner Garver seconded the motion. Vote on motion: John Garver-Aye, Ann Mackin-Aye, Jan Bradshaw-Aye, Alyssa Lloyd-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Chair Matt Snow-Aye. The motion passed unanimously.

DISCUSSION ITEMS

4. Ordinance Amendment Drafts:

a. Highland Drive Master Plan; Consideration of Amendments for Allowable Densities for Segment B.

(21:20:30) Mr. Allred had nothing new to report but stated that since the last meeting he had reported the Planning Commission's comments to the City Council on the list he prepared. The next step would be for staff to draft an ordinance. In order to meet the moratorium deadline, the amendment would have to be voted on by June 20.

b. Fencing Regulations Amendment.

Chair Snow asked if it would be possible to impose a moratorium on fences over three feet high that run parallel to major public roads. Mr. Allred stated that such a request could be made to the Council. Moratorium issues were discussed. The need for additional staff help was discussed.

With regard to the Mall property, Mr. Allred stated that General Growth Properties hired DPZ who hired several architects and conducted a design charrette. A group of 50 people with varying expertise met daily at the Mall for one month before it was torn down. They spent \$1 million designing the project. When they approached the City, staff was amazed by what was presented and simply identified areas of concern. The result was that the project went much more quickly because of the applicant's efforts.

c. Holladay Tree Protection Amendments.

ADJOURN

(21:33:37) Commissioner Lloyd moved to adjourn. Commissioner Carter seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 9:21 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, May 2, 2017.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: June 6, 2017