

**MINUTES OF THE CITY OF HOLLADAY
PLANNING COMMISSION MEETING
Tuesday, October 3, 2017
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Jan Bradshaw
Chris Layton
Alyssa Lloyd
Ann Mackin
Marianne Ricks

City Staff:

Paul Allred, Community Development Director
Jonathan Teerlink, City Planner

REGULAR BUSINESS MEETING

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

In the absence of Chair Carter, Marianne Ricks assumed the Chair. She called the Regular Meeting to order at 7:06 p.m. and read the Chair statement.

ACTION ITEMS

2. PUBLIC HEARING – “Aspen Hollow” Residential Subdivision Plat – 4454 South Aspen Hollow Drive.

(19:07:30) City Planner, Jonathan Teerlink, presented the staff report and stated that the applicant, Millie Olson approached the Technical Review Committee (TRC) with a request to subdivide her .46-acre property per the R-1-8 zone. The lot is in the newly annexed 8,000 square-foot area on 4500 South. The TRC reviewed the drawings submitted by the applicant and confirmed that both lots meet or exceed the minimum standards. Staff recommended conceptual approval but clarified that the applicant is required to hold a neighborhood meeting prior to tonight’s meeting, which had not occurred. Staff recommended that that meeting take place. Staff suggested that public comment be taken tonight as noticed and the matter be continued to the October 17 meeting or hold a special meeting. Overall staff was comfortable that the subdivision meets the minimum standards for the zone. They continued to wait on utility availability letters for the second lot.

In response to a question raised, Mr. Teerlink estimated the area of the two lots to be 8,700 and 11,300 square feet respectively. The matter was before the Commission because the request is to create a subdivision of land. It was noted that issues pertaining to standards such as lot size are decided on in a public hearing.

The applicant, Millie Olson, gave her address as 2830 Oakhurst Drive in Salt Lake City. She stated that they purchased the home and made the decision to subdivide the property and sell off the lot that contains the existing home separately. Their intent is to construct a new home on the second lot. Ms. Olson stated that the neighborhood meeting was scheduled for the following Wednesday.

Chair Ricks opened the public hearing.

(19:12:35) Travis Corns gave his address as 3051 East 4505 South and stated that he shares a fence line to the south of the subject property. He expressed opposition and concern with the blueprints displayed. His understanding was that the applicants intend to build a new home that will be eight feet from the fence on the south side of the lot. Mr. Teerlink could neither confirm nor deny that claim since he had not yet seen any building permits. He thought the applicants had only proposed the lots. As proposed out, the existing home could remain as-is with an eight-foot setback to the north and 40 feet to the south of the property line. Mr. Corns had heard that the Olsons want to raze the existing home and build two new homes on the property. Ms. Olson stated that they intend to leave the existing home. Mr. Corns commented that it is an odd-shaped lot, which was of concern to him. He noted that there is a slight slope onto his property and stated that currently there are no retaining walls on the property.

It was reported that the zoning regulations would allow for a home to be built up to eight feet from the property line that adjoins Mr. Corns' property. Mr. Corns stated that currently the home is approximately 50 feet from the fence and he would not want a new home to be built with the allowed eight-foot setback. He commented that if a two-story home were built that close to his home it would block his view.

(19:15:58) Kevin Aagaard gave his address as 3039 East 4505 South and stated that the property slopes and a retaining wall has been needed for at least the last 18 years. He commented that the power lines are very low as a result of the slope. A gopher problem exists on the property and if excavation takes place the gophers will scatter throughout the neighborhood.

It was suggested that the impact on the neighbors be evaluated and dealt with properly. Mr. Teerlink explained that Focus Engineering, Ms. Olson's engineering firm, has provided areas that will be set aside for storm water retention. Staff wanted to make sure that there is retainage on the site. At the time of building permit review, they will look at specifics such as retaining walls.

A question was raised as to whether an entrance is planned from 4500 South or Aspen Hollow Lane. Mr. Teerlink's understanding was that access will be from Aspen Hollow.

(19:20:25) Susan Wood gave her address as 4509 Aspen Hollow Lane. Her husband, Steve wrote a letter, which was read and made part of the record. Mr. Wood was not in favor of the subdivision and has several concerns. Some of the liabilities he claimed exist are the potential for additional parking and a safety issue on the corner for pedestrians. Water runoff from 4500 South was also of concern. Currently, that portion of the lot is lower and placing a driveway there would be problematic. His issues with the neighborhood pertained to privacy and views, which may be dramatically affected. Home values also may be negatively impacted by the subdivision. In his letter Mr. Wood also claimed that traffic will increase and change the flow on and off of 4500 South. It was noted that the neighborhood has an average home to property ratio and what is proposed is out of sync with that ratio.

Mr. Corns commented that someone could potentially build a new home on the lot. If the current or future owner decides to raze and rebuild the home, he asked if such an event would trigger another event such as this one that would allow for feedback. Chair Ricks stated that a public hearing will not be required as long as what is requested complies with the existing rules and regulations. In response to a question raised, Ms. Olson indicated that they intent to sell the existing home, which is currently vacant.

(19:23:51) Connie Mackay gave her address as 2991 East 4505 South asked if there are CC&Rs in the area that would place restrictions on height. Mr. Teerlink stated that the subject property is a metes and bounds lot and is not part of a subdivision. Only properties within subdivisions with HOAs have CC&Rs.

Ms. Olson commented that when they purchased the property in April they were told by the realtor that the City was interested in something similar to the proposed developed. It was their feeling that the neighbors would be happy to see something nice built on the corner. She pointed out that they have plans for the water runoff. With regard to privacy and views, they do not plan to build a home themselves and may sell it to a builder. Ms. Olson stated that she is a realtor in the area and expects home values to increase as a result of a nice residence being built on the corner. She noted that they have invested a great deal of time, work, and money to preserve the existing home.

Mr. Teerlink commented on the property to land ratio. He explained that this area, when it was proposed to be annexed into the City went through a fairly rigorous study in terms of the type of zone that would apply in the area. A study conducted two years earlier showed that the majority of the properties are 10,000 square feet in size or less.

(19:28:21) Henry Kesler gave his address as 4597 Aspen Hollow Lane and stated that their street and the Olson's lot was part of Holladay when the City was incorporated and was not annexed at a later date. Mr. Teerlink confirmed that that was the case and clarified that in addressing the annexed property he was referring to the north side of the street.

Commissioner Layton asked about the height restriction in the zone. Mr. Teerlink responded that since the lots are less than 15,000 square feet, the height limit is 32 feet from the ridgeline to existing grade.

There were no further public comments. The public hearing was continued to the October 17, 2017 Meeting.

(19:30:31) Commissioner Mackin moved to continue the matter until the next meeting scheduled for October 17, 2017 to allow for the neighborhood meeting to be held on October 11, 2017. Commissioner Bradshaw seconded the motion. Vote on motion: Chris Layton-Aye, Alyssa Lloyd-Aye, Jan Bradshaw-Aye, Ann Mackin-Aye, Marianne Ricks-Aye. The motion passed unanimously.

3. Big Cottonwood Cove” Residential Subdivision Plat – 2150 East 5200 South.

(19:32:11) Mr. Teerlink presented the staff report and stated that the applicant, Jay Rice, has worked with the TRC to develop preliminary drawings for preliminary plat approval for Big Cottonwood Cove Subdivision. On September 19, 2017, the Planning Commission granted concept approval of the proposed seven-lot subdivision. The concept approval was an amendment to a previous approval that had the same number of lots but in a different configuration with the private lane. The TRC focused specifically on the irrigation lateral the Unified Fire Authority’s (UFA) requirement for a pull-out area. Typically, with subdivisions on private lanes the UFA prefers to have a 26-foot wide street. The TRC negotiated with the UFA to make some of the 26-foot wide street useful for pedestrians. A four-foot wide sidewalk will be part of the lane design in addition to a small pull out. This will allow a fire truck to pull into an emergency and still allow for people to exit the property.

Mr. Teerlink reported that the details for the dedication of 6200 South were not at the required 80-foot width and a seven-foot dedication was needed. The City requested that the applicant address the situation for tree canopy protection. Currently, the ordinance has no requirement addressing tree protection. The intent was to at least identify which trees were to be removed. This was done by the applicant. There are approximately 18 trees in the way of the development that have no health issues. The trees need to be removed to allow for the street dedications, the public improvements on 6200 South, and the public utility easements. The remaining 26 trees were proposed to be left in place.

The final issues were with the abutting property owner, John Quick, who would be entering into an agreement with the property owner to connect him to the sewer once the property is redeveloped. The TRC was confident that the Planning Commission can grant preliminary plat approval tonight. It was requested that final plat approval be deferred to staff.

The applicant, Jay Rice, commented on the value of trees and stated that they will preserve as many as possible. In response to a question raised, Mr. Rice stated that their intent is to build the homes. Commissioner Bradshaw expressed support for the agreement between the neighbor and the developer and liked to see the two working together.

(19:44:37) Commissioner Lloyd moved to approve the preliminary plat for the Big Cottonwood Cove seven-lot subdivision located at 2150 East 6200 South for a single-family residential development in the R-1-8 zone based on the following:

Findings:

- 1. The documents provided have been verified that this project meets the health and safety requirements.*
- 2. This project has been reviewed and verified that it meets required preliminary plat construction elements.*
- 3. The UFA has approved emergency access and hydrant placement.*

Final plat review approval was deferred to the Technical Review Committee subject to the following:

Requirements:

1. *Submit to the TRC a Tree Protection Plan for as many health trees as possible.*
2. *Work with the TRC to submit final plat level drawings for final approvals.*
3. *Submit a title report for all properties.*
4. *Submit Covenants Codes and Restrictions (CC&Rs) for Homeowners Association Maintenance Agreements.*
5. *Special attention shall be given to any street trees that are necessary along 6200 South and possibly the lane.*

Commissioner Layton seconded the motion. Vote on motion: Chris Layton-Aye, Alyssa Lloyd-Aye, Jan Bradshaw-Aye, Ann Mackin-Aye, Marianne Ricks-Aye. The motion passed unanimously.

4. Approval of Minutes – 8/1/17.

(19:46:52) The minutes were reviewed and modified.

Commissioner Bradshaw moved to approve the Planning Commission Meeting minutes of Tuesday, August 1, 2017, as corrected. Commissioner Mackin seconded the motion. Vote on motion: Chris Layton-Aye, Alyssa Lloyd-Aye, Jan Bradshaw-Aye, Ann Mackin-Aye, Marianne Ricks-Aye. The motion passed unanimously.

DISCUSSION ITEMS

5. Proposed Ordinance Amendment – “Preamble” to Tree Canopy Protection.

The above discussion was postponed to the October 17, 2017 meeting.

Mr. Teerlink stated that Code amendments may come forth to the Planning Commission from staff as a result of public concerns with the process and procedure for requiring off-site improvements. They plan to propose a text amendment to address it. In addition, a rezone application was to be submitted at the next meeting.

ADJOURN

Commissioner Mackin moved to adjourn. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 7:50 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, October 3, 2017.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: **January 8, 2018**

City of Holladay Planning Commission Meeting – 10/03/2017