

**MINUTES OF THE CITY OF HOLLADAY  
PLANNING COMMISSION MEETING  
Tuesday, October 17, 2017  
7:00 p.m.  
Holladay Municipal Center  
4580 South 2300 East**

**ATTENDANCE:**

**Planning Commission Members:**

Jim Carter, Chair  
Chris Layton  
Alyssa Lloyd  
Ann Mackin  
Marianne Ricks  
Jan Bradshaw  
Troy Holbrook

**City Staff:**

Paul Allred, Community Development Director  
Pat Hanson, City Planner

**PRE-MEETING/WORK SESSION**

The Work Session was called to order at 6:45 p.m.

**Presentation, Knudsen Park Update.**

Features of Knudsen Park were described. It was noted that the water feature is interactive. The intent was to tie into an existing well and use a hand pump. A hammock garden was also proposed. The intent was for the majority of users to bring their own hammocks with a few hammocks being on site. In many cases there will be a tree strap around an existing tree. The park will have two themes; nature and history.

Community Development Director, Paul Allred, commented that the sidewalk along 6200 South is in poor condition on both sides. The intent where possible was to get people off the road and into the park as soon as possible. A Letter of Intent was submitted for a grant to obtain money for the bridge.

The open space areas were described. The intent was not to create formal soccer fields. Other amenities were described. Mr. Allred stated that on November 16 the hope was that the City Council will promote the conceptual plan developed by Eric and the Hughes Team. When that occurs, staff will bring the plan forward as an update to the Small Area Master Plan. Improvements to be made over the winter were described.

The Work Session adjourned at 7:00 p.m.

**1. CONVENE REGULAR MEETING**

Planning Commission Chair, Jim Carter, called the meeting to order at 7:04 p.m. and read the Commission statement.

New Planning Commission Member, Troy Holbrook, was introduced from District 1. He was appointed two weeks earlier. He served previously on the Planning Commission several years earlier.

## **ACTION ITEMS**

### **2. PUBLIC HEARING – Beck Rezone Proposal – 2411 East 4500 South.**

Community Development Director, Paul Allred, presented the staff report and stated that the applicants own two lots. One home faces 4500 South and the other faces Butternut. The applicants would like to up zone one of the parcels from R-1-10 to R-1-8 to get enough land to create a third lot out of the two that exist. The zoning of the surrounding properties was discussed. Mr. Allred stated that 8 or 9 properties to the west are zoned R-1-10, however, they are below R-1-10 in terms of area. The proposed rezone, from a staff perspective, would create another lot that is in the same genre as the ones that exist to the west. Mr. Allred reported that the General Plan calls for higher density. He noted the area is Medium-Density Residential and is transitional in nature. There is R-2 zoning on the opposite side of the street. Staff recommended approval of the request based on the findings set forth in the staff report.

Chair Carter clarified that the suggested zoning based on the General Plan is R-2-8 or R-2-10, which would be two units per 8,000 or 10,000 square-foot lot. The request was for R-1-8 zoning, which would equate to one unit on an 8,000 square-foot lot.

The applicant, Jeff Beck, gave his address as 4434 South Butternut Road and reported that they purchased the property seven years earlier. At that time, it faced 4500 South. They have since remodeled the home to face Butternut and changed the address. A few years earlier, they purchased the home behind them and have been renting it out. Mr. Beck stated that their family is growing, and they need a larger home. Because they own property to the north of both lots they hoped to create a third lot. After conducting research, they decided to request a rezone. The intent is to create a third lot to be zoned R-1-10 that will face Butternut Road. The home they currently reside in will remain zoned R-1-10 and they plan to rezone the home that faces 4500 South to R-1-8.

In response to a question raised, Mr. Beck described the dimensions of the lot on a rendering displayed. It was noted that the current lot line on Butternut is 194 feet. The new lot would be 75 feet in the front and expand out in the back. Mr. Beck commented that building a new home in the neighborhood will improve it. The lot where the existing home on the corner sits will be over 10,000 square feet in size as will the new lot. The rezoned lot will be 8,000 square feet.

Chair Carter opened the public hearing. There were no members of the public wishing to speak. The public hearing was closed.

Jan Bradshaw reported that she met Jeff and Caitlin Beck in a social environment where they discussed their plans with her to get her input. Commissioner Bradshaw informed them that she thought the proposal was a great idea but indicated that she alone cannot make the decision. She advised them to come before the Planning Commission. It was noted that the request is compatible with the General Plan in the area.

Mr. Allred reported that there are rules about driveway approaches and stated that the location of driveway away from the corner is ideal. He questioned whether the applicants had worked through the result of the rezone and a subsequent subdivision of the property in terms of the setbacks. Mr. Beck commented that he spoke with City Planner, Jonathan Teerlink, about the fact that the rear yard of the current home does not comply with the current rear yard setbacks. The new lot, the existing lot, and the rezone would result in all being in compliance with the current zoning.

Commissioner Lloyd commented that as the Planning Commission Member that represents this area, she walks by the property several times per week. She considered what is proposed to be a very good solution. She supports people wanting to stay in the area rather than having a developer come in and make a profit. She expressed her support.

***Commissioner Ricks moved to recommend approval of the request to rezone the property at 2411 East 4500 South from R-1-10 to R-1-8 based on the following:***

**Findings:**

- 1. The proposal is compliant with the General Plan's long-range land use envisioning plan for the area.***
- 2. As per the General Plan, the larger lot sizes leave "unclaimed property" available for an additional new development.***
- 3. This site should be looked at as to be more compatible with existing development which fronts 4500 South – in fact a larger section of R-1-8 could extend from this corner west, along 4500 South to 2300 East.***

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

**3. CONTINUED – "Aspen Hollow" Residential Subdivision Plat – 4454 South Aspen Hollow Drive.**

Mr. Allred presented the staff report and stated that the matter is a continuation of an item that was postponed because the neighborhood meeting had not been held. Conceptual and preliminary approval was requested tonight. The request was to take the lot on the corner of Aspen Hollow and 4500 South and create two lots with a new home facing Aspen Hollow. Mr. Allred indicated that there are no obstacles to developing the property. The TRC recommended approval of the conceptual subdivision. They reviewed the engineering and were confident that a preliminary subdivision plat could be combined with the final approval and deferred to the TRC.

The applicant, Millie Olson, gave her address as 2830 Oakhurst Drive and reported that four neighbors attended the neighborhood meeting. Their concern was with the term "subdivision" and did not realize it was a lot split. The neighbor to the south was concerned about his view being obstructed. Ms. Olson reassured him that they will keep the existing home and will be remodeling and selling it. They then plan to split the lot and sell it off separately. Many of the

neighbors observed that the property had been a weed patch for a number of years and they were pleased to see a nice home being built there. The feedback was positive and by the end of the meeting all were in support. Ms. Olson read a letter from another neighbor who expressing support for the proposal.

Chair Carter reopened the public hearing.

Barbara Aagard gave her address as 3039 East 4505 South and stated that she lives south of the property. She was unable to attend the neighborhood meeting. She commented that property is not part of the newly annexed area as the City has reported. This was brought up at the last meeting. Her concern was with power in that there have been numerous power problems in the neighborhood. Mr. Allred stated that all new homes in the City have to be serviced underground. As a result, it was unlikely that a new pole would be installed. Additional information could be obtained from Rocky Mountain Power. Mr. Allred provided the name of an individual to contact at Rocky Mountain Power for assistance. He clarified that the City does not do power planning for the site.

There were no further public comments. The public hearing was closed.

In response to a question raised about whether it is still a buildable lot, Ms. Olson indicated that the intent was to have a walkout basement similar to the existing home. Chair Carter indicated that the TRC noted that the lot meets the 65-foot lot width requirement, not including areas of slope greater than 30%.

***Commissioner Layton moved to approve the concept plan and preliminary plat for the Aspen Hollow two-lot subdivision located at 4454 South Aspen Hollow Drive, for single-family residential development in the R-1-8 zone based on the following:***

**Findings:**

- 1. Each lot meets the minimum 8,000 square-foot standards.***
- 2. Each lot meets the 65-foot lot width requirement – not including areas of slope greater than 30%.***
- 3. Sidewalk and gutter will be required street improvements to Aspen Hollow.***
- 4. Utility providers can service the new lot without taking away from existing utility service that residents have.***
- 5. No dedication is required of 4500 South or Aspen Hollow Drive.***
- 6. The applicant will provide onsite storm water retention facilities.***
- 7. Final plat review and approval shall be deferred to the Technical Review Committee who will look at the allowable building area as part of their review.***

***Commissioner Mackin seconded the motion.***

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*Commissioner Bradshaw made a friendly amendment to ensure that the plat map shows that there is a buildable space on the lot with conforming setbacks. Commissioner Layton accepted the friendly amendment. Commissioner Mackin seconded the amendment. Vote on motion: Troy Holbrook-Aye, Jan Bradshaw-Aye, Alyssa Lloyd-Aye, Ann Mackin-Aye, Marianne Ricks-Aye, Chris Layton-Aye, Chair Jim Carter-Aye. The motion passed unanimously.*

**4. “Woodruff Cove” Residential Subdivision Plat – 2150 East 6200 South.**

Mr. Allred described the history of the project and stated that 10 or 11 years ago development was proposed in the area. In the last few years, however, the applicants have received approval for a rezone. The property was rezoned from R-1-10 to R-2 to accommodate two twin homes at the bottom of 6060 South. After speaking with the applicant, Brandon Butcher, about the property he indicated that they would prefer to have three single-family homes rather than two twin homes. The request was to amend a previous approval that keeps the zoning in place, and approve an amended preliminary plat.

Ditch issues were discussed. Mr. Allred indicated that he spoke to Dave Chisholm earlier in the day who owns property in the neighborhood and is the City’s Emergency Preparedness Manager. Mr. Chisholm’s understanding was that no one owns the ditch and there has been no water flowing in it for many hears. Mr. Butcher was asked to obtain a letter from the owner of the ditch and the water. Mr. Chisholm, however, claimed that he will not need it because no water is being run through it. Water issues were discussed. One of staff’s concerns was that the applicant needs to obtain adequate verification.

Chris Layton thought the applicants had done a very good job of trying to create three usable lots. He commented that there seemed to be an inordinate amount of water detention. Mr. Allred agreed but after researching the issue discovered that there is much more driveway area. The intent was to grade the site so that it drains to the east instead of to the west. Staff recommended approval subject to the conditions set forth in the staff report.

Commissioner Ricks commented on a nearby home that is very rundown and the impact it will have on the value of the proposed homes. Mr. Allred commented that the City has tried for many years to work with Bolinder family, who owns the home. It was noted that there are two accesses to the property. Other surrounding uses were identified.

*Commissioner Ricks moved to approve an amended preliminary plat for Woodruff Cove, a three-lot subdivision located at 2040 East 6060 South for single-family residential development in the R-2-10 zone subject to the following:*

**Findings:**

- 1. The new lot sizes meet/exceed the minimum lot size standard of the R-2-10 zone (6,250 square feet.)*
- 2. The documents provided have been verified that this project meets health and safety requirements.*

3. *This project has been reviewed and verified that it meets the required preliminary plat construction elements.*
4. *The UFA has approved emergency access and hydrant placement.*

**Requirements:**

1. *Submit to the TRC an irrigation abandonment letter for irrigation line at the eastern boundary.*
2. *Work with the TRC to submit final plat level drawings for final approvals.*
3. *Submit a title report for the property.*
4. *Submit Covenants, Codes, and Restrictions for Homeowners' Association maintenance agreements.*
5. *Final plat review and approval shall be deferred to the TRC.*

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

City Planner, Jonathan Teerlink, was commended for the great work he does for the City.

**5. Approval of Minutes – 8/29/17.**

The minutes were reviewed and modified.

*Commissioner Lloyd moved to approve the minutes of August 29, 2017 with the minor changes identified. Commissioner Bradshaw seconded the motion. The motion passed unanimously with one abstention. Commissioner Holbrook abstained from the vote as he was not a Commission Member at the time of the meeting.*

**DISCUSSION ITEMS**

**6. Review of the Site Development Master Plan Details for the R-M/U Zone.**

City Planner, Pat Hanson, reviewed what was originally approved with the original Mall approval. She explained that it was the largest project they would ever approve and was approved faster than any she had ever seen. The developer, General Growth, was completely prepared and great to work with.

Chair Carter commented that he had always heard that this would be a regional commercial center that would support other uses, activities, and residential uses. Subsequent conversations were that a regional commercial center may not be a viable core use on the site. It seemed likely that the next application will consist primarily of residential and office uses.

Mr. Allred reported that a few months earlier, the Mayor announced that Ivory and Howard Hughes are working together. A few weeks ago, it appeared that that had fallen through. Mr.

Allred's understanding was that the dialog was ongoing, and the two parties may still reach an agreement. Staff wanted to provide background for what occurred.

Ms. Hanson stated that regardless of what comes, certain decisions will need to be made. She explained that the zone chapter provides an outline and specifies that the project must be approved through a site development master plan, which is similar to a small area master plan. When a project is submitted, a General Plan amendment will be needed, and a new site plan will be reviewed. The Community Development Director determines when a significant change is made to the site development master plan. A significant change requires an applicant to go back through the process.

Chair Carter commented that most communities have historically looked closely at the tax revenue bottom line for projects. Many communities zone competitively to attract businesses. They now realize that the benefits may be short lived and may not be a long-term solution. They are refocusing the commercial they are pursuing with the commercial they want to have. The desire is to zone for the uses that are desired rather than focus solely on tax revenue. Mr. Carter saw no point to pursuing commercial that is not viable.

Commissioner Bradshaw commented that currently it is very difficult to refinance shopping malls because anchor tenants are disappearing and there is a great deal of on-line shopping. She suggested the Commission use caution and not authorize something that isn't viable. Ms. Hanson commented that in terms of the Cottonwood Mall, the Planning Commission is only a recommending body. She explained that the development agreement component of the zone allows the City Council to go further into making decisions about what happens there. She noted that some of the decision making will come from the RDA. In conjunction with the RDA, the City committed to allow 100 units of moderate-income housing. She did not expect that to go away with the new project and commented that the City will likely have the same expectation with the new developers.

Ms. Hanson explained that moderate-income housing is defined as 80% of the AMI, which is the median household income. A cap is set based on the cost of a home. Someone earning 80% of the AMI should not have to spend more than 30% of the total income on housing. There were no homes for sale in the City at 30% of the AMI, which is considered the poverty level. For those in the 50% range, which is out of the poverty range but not moderate income, there were four homes for sale in the City. Within the 80% threshold, there were 24 homes in that price range. In all, there are 11,000 dwelling units in the City. Nearly all of the rentals are in the 80% range or lower. It was noted that the AMI is calculated by the County. Ms. Hanson commented that there is an adequate number of housing units in the City for rent. She reported that there is a significant amount of Section 8 housing in the City as well and is primarily located west of the Mall. One entire apartment complex is owned by the Housing Authority and has about 350 units.

Ms. Hanson reported that in 2010, surveys were sent to the owners of more than four rental units. They were asked if they have Section 8 housing and if not, if they would accept it. Nearly all responded that they already have one or two, but would take all they can. Mr. Allred clarified that many believe that moderate-income housing is for the rental of homes only. He pointed out that it is for any kind of dwelling. When cities are faced with the prospect of preparing a

moderate-income housing plan, all dwellings are factored in. There is no State-mandated minimum for moderately priced housing. Mr. Allred explained that moderate-income housing ranges from zero to 80% of the AMI. Many cities focus on the 80% but the State would like cities to go further.

Mr. Allred indicated that cities also make the mistake of zoning one area for moderate-income housing. Problems result when poverty is concentrated rather than spread throughout the community. Children do poorly in school and families do not thrive when they are surrounded by others with a similar income level.

Chair Carter hoped to have a conversation about the significance of the subject parcel and how it can benefit the City beyond tax generation. Ms. Hanson indicated that they tried to get General Growth to include bus routes in the project, but they were adamant about limiting bus stops to Highland Drive. She hoped the City would have another opportunity to recover. If there is a concentration of homes there, she suggested that all modes of transportation be considered, and specifically bus service. Chair Carter commented that UTA has a new Director of Planning who is very capable and creative. He was optimistic that there will be opportunities for transit from that site to other parts of the Valley in the context of UTA.

Commissioner Lloyd expected there to be significant changes requested by the applicant. She considered this to be a timely conversation and hoped there could be give and take. She personally hoped to see more dedicated green space and this parcel be part of the community and not gated in the middle of the City. Commissioner Lloyd recommended the City be proactive and make the City's aspirations for the future known. Commissioner Ricks did not agree and felt the City will need to react to what is presented to them. Mr. Allred commented that the City has a plan on the books that is unlikely to come to fruition. He, however, thought it was worthwhile to be proactive and keep an open dialogue. Commissioner Ricks suggested an expert be consulted to help understand how the proposal will best benefit the City.

Mr. Allred commented that if they were going to have large-scale development on the site, it would have been completed by now. It has not come to fruition because of shifting demographics and the geography of the area. He stated that the reality is that development in this location is a risk that no developer is going to take on. What is best for the City is a use with low impact that generates a lot of tax revenue. The reality is that there is bad and good. The previous plan was well done but is not going to become a reality. He doubted the Council would be able to meet in a joint session between now and the end of the year and suspected that a plan will be submitted before that can happen.

Chair Carter liked Commissioner Ricks' suggestion that they each speak with the Council Member from their district and get their feedback. It was recommended that the Commission also speak with their constituents and get feedback.

## **ADJOURN**

*Ann Mackin moved to adjourn. Commissioner Ricks seconded the motion. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at 8:49 p.m.

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*I hereby certify that the foregoing represents a true, accurate and complete record of the City of Holladay Planning Commission Meeting held Tuesday, October 17, 2017.*



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Teri Forbes  
T Forbes Group  
Minutes Secretary

Minutes approved: **January 8 , 2018**