

**MINUTES OF THE CITY OF HOLLADAY
PLANNING COMMISSION MEETING
Tuesday, November 21, 2017
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

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

City Staff:

Paul Allred, Community Development Director
Jonathan Teerlink, City Planner
Megan Booth, Assistant City Planner

1. CONVENE REGULAR MEETING

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

ACTION ITEMS

2. PUBLIC HEARING – Amendment to the Cottonwood Mall Site Development Master Plan (SDMP) R/M-U Zone – 4835 South Highland Drive.

Chair Carter reported that the application is to amend the Site Development Master Plan (SDMP). There is an existing SDMP for the property that was approved 10 years ago that has not been acted on. The proponents were present to request a changed SDMP. He explained that this is the beginning of the process and one that will continue for at least two months. There are currently nine public events scheduled on the matter and there will be many more opportunities for the public to comment. Procedural issues were discussed.

Chris Gamvroulas identified himself as the President of Ivory Development who is the applicant. The development team included representatives from the Howard Hughes Corporation and their partners from the Woodbury Corporation. Mr. Gamvroulas gave a history of the site and reported that the Cottonwood Mall was built in 1961. At the time they calculated that about 36 acres of the overall 56-acre site was asphalt parking. The height of the JC Penney store was similar to Macy's at three stories.

Mr. Gamvroulas explained that that they are proposing to amend the Site Development Master Plan and not rezone the site. The site has a zoning designation of Regional Mixed-Use that is already established. The 25-page SDMP document contains all of the project details. The original plan included four one-third to one-half acre lots on the south end which were the only single-family lots in the plan. The remaining 300 units were attached townhomes and office uses. Nearly 1,000,000 square feet of commercial and office was planned for the site. By

comparison, the Cottonwood Mall had roughly 750,000 square feet of commercial retail and restaurants.

A rendering of what the original project would have looked like was displayed. The SDMP currently allows for a 90-foot height on roughly 70% of the area. The plan included one and two-story homes along Memory and Arbor Lanes and four and five-story townhomes and six-story buildings. The Macy's was to have remained with a surface parking lot in front.

Chris Curry, Senior Executive Vice President for Howard Hughes Corporation, reported that he visited Utah in mid-September and met with Mayor Dahle to express their enthusiastic support for the Ivory Homes and Woodbury Plan. He explained that the Howard Hughes Corporation is a large mixed-use national development company with properties from New York to Hawaii. They build communities and own some of the largest most successful master-planned communities in the country. Howard Hughes, as a spinoff of General Growth, took control of the Cottonwood Mall in late 2010 with the intention of executing a plan that was approved in 2007. Ivory Homes and Woodbury were present tonight to modify that plan.

Mr. Curry stated that the 2007 plan was not built because it was not supported by the market. Ivory Homes has remained fiercely committed from the beginning to developing the right project for the community on the site. Mr. Curry believed what is proposed is the highest and best use of the property. He explained that if the plan modification is not ultimately approved, the site will most likely sit vacant for years to come.

Mr. Gamvroulas reported that the overall area is just over 56 acres in size and bordered by Big Cottonwood Creek. General Growth spent about \$50 million performing reclamation on the site, which includes roughly 39 acres of residential for sale property with attached and detached single-family units. The creek is an important part of the plan that will ultimately be turned into a community amenity. Other site amenities include a clubhouse and swimming pool for the residents that will be managed by the HOA.

Woodbury Corporation Representative, Jeff Woodbury, gave his address as 2240 South 2300 East and stated that he is a neighbor to the project and intends to be for many years. For that reason, it was important to him for the project to be built. He explained that they are spending most of their time focusing on development and redevelopment areas. Their goal is to create a walkable and sustainable community that ties together live, work, and play. In order to accomplish that they need to create office space, housing, retail, and recreational space within the development. They want to create a village atmosphere and a gathering place. They had found that in order to be successful they must attract a large number of people to the space. They also need housing. They need to create recreational areas that can draw from inside and outside of the immediate community to accommodate various activities.

Mr. Woodbury was aware that they are proposing tall buildings but stated that the intent is to maximize the views. Their intent is to have height on the corners so that it will have the least impact on the surrounding neighborhoods. They are requesting to exceed the existing 90-foot limit. Their intent is to first develop the parcels along Highland Drive as part of the first phase and have the flexibility to place uses that have proven to be successful on Parcels C and D. It

was noted that the garages on all of the properties will be interior although there will also be street side parking. Mr. Woodbury stated that their hope is to build enough mass on the corner to make the retail space very successful. In Sugarhouse, it was reported that over 50% of the business is walk up versus drive up. That was due to housing being developed in the area.

Mr. Gamvroulas commented that one of the reasons they reached out to Woodbury was because they share their vision for the property. Traffic Engineer, Ryan Hales, from Hales Engineering reported that 25,000 trips per day were generated by the Cottonwood Mall at its peak. Those were eclipsed by the GGP project which had 19,400 trips per day. The new Ivory development plans to generate about 12,500 trips. Traffic exiting and entering the mall site was through three different traffic signals, which were identified. The signals helped disburse traffic around the site. Traffic counts were also performed at each intersection and they studied how each of the intersections function. Simulations and projections were also described with each intersection being given a letter grade. Mr. Hales noted that level of service D or better is acceptable. They will be able to make all of the intersections function at a level of service D or better with the exception of Arbor Drive.

Mr. Hales reported that traveling westbound on Murray Holladay Road approaching Highland Drive, the traffic backs up in the two thru lanes and there is no way to get the right turns around them. As a result, they are proposing to build a right turn pocket to allow the right turning vehicles to pull up toward the intersection and move around the thru vehicles that are traveling west bound and make a right turn to go north on Highland Drive. They would also like to retime the traffic lights so that they function better.

Clark Ivory, a Holladay resident, thanked those present and welcomed their input. He stated that it has taken them 10 years of working with Howard Hughes and GGP to come forward. In the past they did not have full confidence in the plan and doubted it would succeed. Today, they are completely committed to the plan. Mr. Ivory reported that there will be numerous meetings held to give the public an opportunity to comment. They will take the input received and invite the public to participate in focus groups.

Mr. Gamvroulas commented that the SDMP is the guiding document for the property going forward. The site plans for the mixed-use and plats for the residential will come back for further review. They will show how it fits with the SDMP and how it complies.

Chair Carter opened the public hearing.

Trisha Topham spoke on behalf of her husband, Dr. Barry Topham, one of the City's founders who was unable to be present. Mrs. Topham reported that the reason Holladay was incorporated was to maintain the single-family large lot, tree covered atmosphere that exists. She was saddened to be faced with the prospect of 130-foot buildings. She stated that the view of the mountains will be blocked for much of the traffic that that comes through Holladay and for those who live on the opposite side of the intersection. Dr. Topham, in his written comments, stated that the proposed development will greatly change the nature of the City with very large apartment condominium buildings and hundreds of additional residential units in rowhouse style. The increased traffic and impact on schools, churches, and City services will be dramatic. He

also stated that the City was created to represent the best interests of Holladay residents and not developers. The mall property has not contributed any significant revenue to the City for eight or nine years and they can do without it until it is developed appropriately. Dr. Topham claimed that most residents would greatly prefer a small property tax increase to a massive project that will change their way of life and the nature of the City. It was noted that on a \$500,000 home, a 20% increase in municipal services taxes would cost just \$32 per year. Dr. Topham was opposed to the site including high-density residential and preferred a few restaurants, single-family residences, and open space.

Chair Carter reported that ultimately the City Council will make the final decision on how to proceed with the amendment to the SDMP.

Assistant City Planner, Megan Booth, reported that she and the Assistant City Manager distributed a public comment form to be filled out by the public.

Lane Mecham recommended that there be adequate space for all to sit down in public meetings and that all be able to hear what is said. He commented on taxes and the claim that taxes will not be affected. He also remarked that currently the site is not an eyesore.

Ryan Steele gave his address as 4876 South Colony Drive and stated that he and his wife have lived in various parts of the country and witnessed firsthand the negative effects that high-density housing inflicts on a community. He felt that the height, density, lack of open space, and tax incentives will benefit only the developer and negatively impact the community. He was concerned that the plan does not adapt to the community. He expressed concern with the height, which includes several stories of high-density housing in addition to retail shops. He recalled that the community was very unhappy with the four-story apartment buildings constructed along Murray Holladay Road earlier in the year. The proposed buildings will be triple the height and are entirely inappropriate for Holladay. The density is also problematic. Based on the current proposal, the average space allotted per residence will be smaller than his driveway.

Mr. Steele identified the lack of open space as another problem. The summary project page states that about 30% of the project will be open space while the actual number is less than 9%. On average each resident will have only 68 square feet of open space. Mr. Steele challenged the Commission to ask Ivory to do their homework and make a reasonable effort. He called on the Commission to limit building heights to four stories, which is consistent with the maximum height in the rest of the City. He recommended residential density be limited and insist that 50% of the development be devoted to public open space.

Lori McCullough gave her address as 2270 East Murray Holladay Road and asked that in the future the City find a more suitable location for public hearings to be held so that all present can participate. She expressed concern with the lack of law enforcement being present as well. Ms. McCullough asked how much the City will profit from the proposed project and what kind of residual income it will bring the City. She had heard concerns about traffic previously associated with the Cottonwood Mall but pointed out that it brought the City residual income. This project will not. She questioned how much it will cost the City in terms of future infrastructures to support the project. She also pointed out that there is no light rail service into the City, which

will result in more traffic and congestion. She agreed with the concept of the right turn lane, which will reduce traffic. She commented on the creek location and asked how it will change the flood plain for the surrounding areas. Ms. McCullough recommended the developer provide something to the current residents to enhance the community and their lifestyle. She suggested that the developers bring in a crane to show how the height of the tallest buildings. With regard to walking communities she noted that only 9% of the project will be for the current residents. She moved to the City 20 years ago to avoid the type of lifestyle that is envisioned. She also expressed concern about the ratio of commercial to residential, which is 110,000 square feet of commercial compared to 1,267,000 of residential.

Chris Jensen gave his address as 1878 East Lincoln Lane and reported that he is a life-long Holladay resident. He has also served on the Planning Commission and currently serves on the Design Review Board (DRB). He mentioned that in 2007 the City spent a great deal of time creating the Development Plan. Tax credits were also allowed. He commented that the Cottonwood Mall site is key in the City and he questioned the community benefit associated with the site. What was presented appeared to be a large single-family subdivision with no parks and no benefit to the community. Mr. Jensen stated that the proposed plan will benefit only the developer. He was concerned with the lack of oversight and requested that the Planning Commission establish an Oversight Committee to ensure that certain issues are being addressed. He also questioned why this site warrants a higher height limit than the rest of the City. He did not recommend granting a height greater than originally approved. He commented that the project should complement the Village and the densities and/or commercial square footages should not be changed since they are needed for tax base purposes to benefit the community.

Devin Walker gave his address as 2177 East Carriage Lane and supported the previous comments made. He also expressed concern with how area schools will be affected. He commented that there is not nearly enough green space and was concerned about turning all of the property into a large HOA. His opinion was that the developers were trying to put too many people into a small space.

Tim Schimandle gave his address as 1577 East Delaware Lane and stated that he moved to the City two years ago because of the view of Mount Olympus. He was concerned with the height of the proposed building and stated that it will be visible from 7½ miles away. He did not want it to mar his view of Mount Olympus. He was also concerned about green space and stated that the current proposal shows a strip of land next to the creek that it is largely undevelopable. He wanted instead to see usable tangible green space. Mr. Schimandle was concerned about the potential or an RDA agreement with the developers and stated that the original agreement allocated 75% of the incremental tax revenue back to the developer as an incentive to proceed with the plan. He considered that to be a distortion of free market economics. If the economics of the site make sense, he thought the developer should spend their own money to pay for it.

Adrian Lee gave his address 5038 South Memory Lane and stated that he is the father of six children, five of whom are in school. He did not consider the proposed project to be the best use for the community and stated that it defies the reasonable expectations of all Holladay residents. He had concerns with traffic patterns, views, and density. Mr. Lee did not want his children to have to attend a new school so that the developer can make a profit.

Tim Soran, a 15-year resident, gave his address as 1605 Moor Dale Lane. He reported that he is a 20-year member of the St. Vincent De Paul Catholic Church and plans to remain in the City for years to come. He expressed concern with traffic circulation and connectivity. If the project is approved, he suggested the developers convert Holladay Boulevard to three lanes in each direction to the interstate. He noted that Spring Lane is not scheduled to be upgraded or rebuilt for at least another 10 years, which was of concern to him due to the impact of the project.

Lance Howell, a 12-year Holladay resident, gave his address as 4832 Wander Lane and identified himself as the President of Biltmore Company, a luxury home builder. He also serves as the Vice President of Construction Services for Cottonwood Residential, LLC, a property management company that manages over \$1.6 billion in multi-family properties. As a developer, they understand what is necessary to have a successful project. He was concerned about the financial viability of the proposal and reported that currently Cottonwood Residential is constructing a seven-story 341-unit complex in Sugarhouse. It was zoned for 10 stories, but it was not financially viable. As a developer they had to cut back to make it a successful model. Mr. Howell explained that a high-rise development becomes Type 1 construction, which costs about 50% more to build. He identified problems with the project and did not see how it would be financially viable. His preferred vacant land to two vacant buildings that are not sustainable. He thought it was absurd to consider such a tall building and felt the request was driven by profitability for the developer and not the best interests of the community. He asked that the Commission deny the request for an increase in building height.

Carol Hintze, a 20-year resident, gave her address as 4654 South Locust Lane. She and her husband helped establish the City so that the residents would have a voice. She stated that ample opportunity will be given for citizens to give input. She encouraged the Commission to listen to the comments. She compared the proposed height to IMC in Murray. Ms. Hintze suggested that the developer reduce the building height and accept less profit.

Katie Tullis gave her address as 2284 Arbor Lane and stated that she has lived in Holladay her entire life and raised her children here. She is currently building a new home at 4960 Memory Lane. Ms. Tullis was concerned by the proposal and preferred to see the property remain undeveloped until a better plan is proposed. She focused her comments on the likelihood of the developers pursuing the proposed plan. She referred to the two proposed ingress and egress access points onto Arbor and Memory Lanes and believed that the proposed emergency access onto Memory Lane will create an avenue for neighborhood cut through traffic unless it is strictly for emergency vehicles. Ivory is proposing to direct traffic onto Arbor Lane near Highland Drive. Ms. Tullis stated that the City of Holladay has a limited number of sidewalks and streetlights and there are several of teenagers and young children in the neighborhood. She feared for their safety. The street along the creek is also very narrow and there are several blind corners. If access is restricted onto Arbor and Memory Lanes, Ivory residents will most likely use Highland Drive and Murray Holladay Road to travel to popular destinations rather than cut through her neighborhood.

Brett Stohlton gave his address as 5444 Wayman and reported that he recently moved to the area from Southern California and chose Holladay for many of the reasons expressed. He was

concerned that the proposed plan will disrupt the values that currently exist. Mr. Stohlton commented that there are many examples of well done retail developments in affluent neighborhoods that are thriving. He stated that while shopping habits may have changed people are still shopping. He suggested there be further study into the shifting of the existing plan and what is proposed with respect to the tax benefits to the community. His understanding was that there is a material difference in the tax base that goes to the local community with respect to retail commercial than with residential. He thought the community should be aware of those changes. Mr. Stohlton commented that much of the study seemed to be centered on the ingress/egress that is proximate to the site. He suggested that a third-party study be conducted to show the traffic patterns further downstream. It was recommended that the City not provide any incentives to the developers and that the project stand on its own economic merits. Mr. Stohlton suggested the City ask the developers what they plan to do with respect to supporting the infrastructure needs of the community. None were in support of the proposed height and stated that it is not in keeping with the historical standards of the community.

Christopher Quick gave his address as 2061 Sycamore Lane and stated that he has lived in Holladay most of his adult life. He suggested that the Planning Commission do a better job of holding public meetings in a larger facility such as Olympus Junior High or High School. He agreed with much of what had been said and urged the Commission to not allow high density urban sprawl in the City. He also asked that building heights not be allowed to exceed four stories. Mr. Quick did not consider the open space offered by the developer to be usable.

Jonathan Johnson gave his address as 2070 East Arbor Lane and echoed many of the previous comments made. He was present as Chairman of Cottonwood, Inc., the entity that contracted with the original Cottonwood Mall owner and revised the contract with the current owner. They have a recorded easement for a buffer along the southern and eastern edges of the property. He liked that the developers have not tried to place access point roads on the southern and eastern edges. He noted that they are abiding by their agreement. He asked the City to abide by it as well. He noted that the current plan restricts left turns on the southern road that accesses Arbor Lane and prevents traffic from turning east into the neighborhood. The proposed plan removed that restriction. In addition, no traffic impact studies had been conducted on what will happen on Arbor and Memory Lanes and up into the neighborhood if the current restriction is removed. He asked the Planning Commission to keep the current restriction in place.

Mr. Johnson was also concerned with the phased development. His understanding was that the last phase to be developed is the southern section. The current approved plan includes four one-half acre lots there. Several very small lots are now proposed. The developers have indicated that they intend to build homes there but will build what is most economically feasible and what the City will allow. Mr. Johnson recommended that the southern portion be built first as homes. He commented that there have been three fires on the property across the street from his home this last summer and there was significant fire damage. If approved, he asked that the developers be required to construct a landscaped fence or wall along the southern and eastern edges so that there will be an incentive to maintain the property. Mr. Johnson noted that the current owners are not caring for it.

Laura Pinnock gave her address as 4919 South Marilyn Drive. She commented that although the citizens may want the property to be developed, they do not want this particular development as proposed. She wished the developers had held neighborhood meetings to determine what the citizens want to see developed there. The citizens do not want the height or the density that is proposed and desire more open space. She questioned whether the City needs the proposed development. She did not believe that was the case since the City fiscally is doing well. Since the project is not wanted or needed, she requested that it not be approved.

Chad Booth gave his address as 2089 East 5290 South and reported that he moved to Holladay in 1956. He stated that the property is not public land and is owned by someone as an investment. As a result, the citizens need to understand that there needs to be an opportunity for a return. He also recognized that the project will have a major impact on the community. Mr. Booth's major concern pertained to traffic. He reported that at its peak the Cottonwood Mall generated 25,000 cars per day. One concern was that once the project is developed, traffic will extend down Highland Drive to I-215 since other projects have no alternative ingress or egress from their communities other than Highland Drive. He also noted that tax revenues should be directed toward infrastructure. His view was that the flavor of the community is the task of the Planning Commission and they have the responsibility to plan and zone for the community standard.

Curt Datwyler gave his address as 5803 Holladay Boulevard and stated that he arrived prior the meeting and many who planned to attend left due to the crowd present. As a result, the Commission did not receive their written comments or hear their remarks. He recommended that a bigger facility be made available for future meetings. Mr. Datwyler stated that he owns property in downtown Salt Lake City and is in the process of pursuing a project there. He is limited to a height of 75 feet without a variance. With a variance, he can go to 100 feet. He is also limited to one parking stall per unit. The engineering study failed to mention that the 25,000 trips generated by the Mall at its peak were Holladay residents. He felt that pursuing the proposed development will only exacerbate the traffic problem that already exists.

Larry Thomas, a Suncrest Drive resident, was interested in his own property rights and for that reason he spoke on behalf of the rights of the current property owner of the Cottonwood Mall site. He remarked that it should be up to the property owner to decide what is built there, not the neighbors, the neighborhood, or local City officials. The developers also have responsibilities and risk failure. Mr. Thomas opposed tax breaks, subsidies, or other use of public money for the project.

Ken Dietrich gave his address as 1894 Winesap Drive and urged those present to remember what makes the City unique. The intent of the City's founders was to keep the City different and distinct. He agreed with the previous comment about property rights and did not think a property owner should be told what to do with his property except to the extent that there are defined zoning restrictions that are intended to protect the interest of all. Mr. Dietrich stated that the developers are asking for more than they expect to receive with the intent of receiving more than they should. He disagreed with Clark Ivory's claim that what is proposed is good for the City.

Phil Blonquist, a Longview Drive resident, stated that most residents want the property to be developed in a way that is positive and is done properly. He urged the Commission to do the right thing.

Leslie Rice, a Butternut Road resident, was concerned with the Planning Commission and City Council who she did not believe listen to the citizens. She considered Ivory and Woodbury to be good developers who together can create a wonderful project. She was, however, concerned about two or more high-rise buildings being proposed. Parking issues were also addressed. She urged the Commission to consider what is best for the City and not what the maximum should be.

Tim Larsen was grateful for the opportunity to comment. He thought more clarity was needed with respect to what is being proposed. Parking concerns were also addressed as well as whether green space will be available with each residence. He hoped that the open space that is developed will be usable.

Ken Sperling, a 44-year resident, gave his address as 5855 Brentwood Drive. He considered the proposal to have been reverse engineered. He commented that the Howard Hughes Corporation is dictating how the property is master planned when in actuality; it is not worth what they are forcing Ivory to pay for it. Mr. Sperling reported that he has worked in the real estate industry for 48 years. He stated that it is rare to find buildings that are as tall as the one proposed on the east side of the Valley. The site is so far from a freeway that a great deal of traffic will be placed on the surrounding surface streets.

Neil Petersen commented that he is a new resident and moved to the area because he loves it. He has an affinity for the Woodbury Corporation and Ivory. As an interior designer, he works with architects and others in the business. He was excited to hear about the project at first and has confidence in both companies but was concerned about the project for all of the reasons previously mentioned. The clubhouse and swimming pool seemed small based on the number of people who will be using them. He also was concerned about the potential need for an HOA and stated that often they are not well managed. He was worried that this will not be a top-notch product and that property values will suffer.

Paul Draper reported that he owns two homes in Holladay and his family has lived in Holladay since the 1970s. He is a regular on the Hallmark Channel and does a magic show in Las Vegas. He commented on the mass of people that showed up tonight and noted that reporters from two news stations were also present. In addition to those present tonight, he stated that there are many others who feel the same way. The Commission now has the opportunity to represent the citizens who have indicated that this is not what they want. He stated that there is a great deal of excitement in the community to pursue something other than what is being proposed.

Written comments were submitted and made part of the record.

Commissioner Lloyd moved to continue the public hearing to Wednesday December 13, 2017, and request that staff look into another location so that all can be heard and hear what is presented.

Community Development Director, Paul Allred, stated that he would work with the City Manager and City Recorder on meeting in a larger venue in the future.

Commissioner Mackin seconded the motion. The motion passed with the unanimous consent of the Commission.

3. Approval of Minutes; September 19, and October 3, 2017.

DISCUSSION ITEMS

4. Community Development Director's Report on Impending Land Use Actions/Applications.

5. 2018 Planning Calendar Review.

ADJOURN

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

The Planning Commission Meeting adjourned at approximately 9:35 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, November 21, 2017.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: **January 8, 2018**