

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, November 16, 2006
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION & WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Council Member Peterson conducted the briefing and work session which convened at 5:15pm. The Council reviewed the items on the agenda and the public hearing. Council Member Peterson reminded the Council that this was a public hearing and that we will just be hearing comments, no decision will be made tonight.

The Council then began discussion on the following work meeting items:

a. Discussion on Legislative Breakfast

Manager Fitts reminded the Council of the legislative breakfast on November 28 at 7:30am. Some of the items that will be discussed include schools and redevelopment agencies. If there are other items, please get them to the City Manager.

b. Update on School Feasibility Study

Council Member Pace reported that the feasibility study will be done by the end of the year. The committee has been discussing the schools going to the district without any cost and we just take over the maintenance. Also looking on how to divide assets fair and equitably.

c. Discussion on Traffic Calming

Manager Fitts discussed with the Council some traffic calming measures. The most effective way to slow

traffic is stop signs and the flashing speed limit signs, which are expensive. The question is how do you determine who gets the measures and how much is spent. There needs to be some parameters/ criteria put in place (is there really a health and safety issue), a needs assessment and study before measures are put in place. A possible way to expend the funds would be based on when they applied and the funds available. We need to identify the problem and offer solutions, which may be a stop sign or other measure. The Council asked Manager Fitts to bring them options for funding and calming measures.

Due to time constraints the remaining items will be scheduled for discussion at a future meeting.

REGULAR MEETING - 6:00pm

ATTENDANCE

Mayor Dennis Webb- excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Citizens: Linda Leckman, Joel & Elaine Miller, Mark & Matt Steffensen, Betty & Jon Poescle, Peter & Ruth Taillac, Steve & Jeanne , Doug Shelby, Ian & Nikki Dowie, Robert Stacey, Debra Wessman, Heidi ??, Matt , Russ & Shelly Davidson, Kelly Hansen, Carol & Dan Kotler, Michael Sulprizio, Blake Jones, Craig Wessman, Justin Hansen, JoLynn Criddle, Clark & Alice Vanderhoof, Bonnie Rokiach, Gloria Hansen, Ric Hammond, Chester Johnson, Debbie Anderson, Sharron Horsey, Liz Bowman, Carole Gassert, Bryan Fishburn, Eunice Jones, Charles Hawker, Ann Goodart, Kevin Smith, Mary & Bryan Hemard, Michael Pusey, Bret Mathews, Terry C., Cathy Sanderson, Brent Hargreaves, Rob Reese, Laura McNichols, Elizabeth Bradely-Wilson, Chris Allison, Steve Luczak, Katie Abrams, Scot Safford, DJ & Laurie Priano, Les & Leslie Chatelain, Kelli & Andy Vander Veur

I. **Welcome** -Council Member Peterson

Council Member Peterson called the meeting to order at 6:05 pm and welcomed those in attendance.

II. **Pledge of Allegiance**

The Pledge of Allegiance was led by Randy Fitts.

III. **Public Comments**

Kellie VanderVeur – 2836 Wayman View Ct. She commented on her experience at a recent Planning Commission meeting. All they want to do is build a new home and they were basically put on trial. It was appalling own a lot that is 2/3 of an acre and the home being proposed covers less that 40%. They are well within the building code requirements and their closest neighbor is 35 ft away. All they are asking for is the right to develop their property.

IV. **Public Hearing on Proposed Vacation of a Portion of Right-of-Way Located at Approximately 6593 S Canyon Cove Dr** (6:13:15)

Paul Allred provided a brief staff report. The Planning Commission has recommended approval to close the road. Staff has researched the County council minutes on a statement that was made that this

road was to be closed. Jon Teerlink summarized his findings. He found records on the Boyer Company's Big Cottonwood Estates subdivision where they County required two accesses. Canyon Cove Dr. was a cul-de-sac and was never intended to be extended. There was no motion to close that road, only significant discussion.

Council Member Peterson opened the public hearing at 6:21pm

Craig Hansen – President of the Canyon Cove Homeowners Assoc. He introduced four individuals who would be speaking tonight.

Bryan Fishburn. He provided the history and background on this closure issue. He has been involved with this issue since 1994. Canyon Cove abuts the city boundary of Holladay and Cottonwood Heights and the residents are asking the city to vacate the last 7ft of the road. County Councilmember Horiuchi wanted Canyon Cove to be a secondary access and link via Gun Club Rd. Boyer withdrew the request for a secondary access road at the county level. Mr. Shelby assured residents this was a dead issue, until a year ago when barriers that were placed at the end of the road by the County were removed at the end of Canyon Cove Dr without permits or notice to the city or the residents. No one will be materially injured if those last 7ft were closed off. The Walker family owns 155 acres and they have access along a public road and can have access through Cottonwood Estates and a third access point is Gun Club Rd. Vacating this road is in the public interest, is overwhelming supported by the resident and it will hurt no one. If this road is extended there are serious safety issues.

Lori Khodadad – 6575 Canyon Crest Dr. Spoke on the safety issue along Canyon Cove Dr. She and others are concerned with the safety of streets along Canyon Cove Dr. , they are very steep and windy. Speed is also an issue due to the incline; the grade is over 15%. Buses have difficulty maneuvering the streets during bad weather and cars cannot make it up or down due to the incline. There is plenty of access along Wasatch Dr. to provide a secondary access road to this and future developments. Please take into account the safety of the neighbors; it does not make sense to add more traffic to a potentially hazardous steep, neighborhood.

Peter Tallik – 3439 Canyon Cove Dr. He lives on the steepest portion of the drive and is the poster child for what happens when roads are poorly built and Canyon Cove was poorly built to start with. It does not meet current standards – grade is 15%. Just above his home the road is negatively banked, so as you come down it banks and straight into his mailbox and basketball court. He has had a number of cars end up on his court and has even put up boulders to help with accidents. Every year mailboxes are knocked down. The school bus pick up is in front of his house at the steepest portion of the hill and fears that on a snowy day a car will hit the bus and kids. We can prevent building more homes that will increase traffic on a poorly designed road.

Council Member Pace asked how many roads connect to Wasatch Blvd? How many homes are in

subdivision?

Mr. Tallik responded that there are three access points: Gun Club Rd, Canyon Cove Dr, which is the main access for a majority of the homes and Heughs Canyon, to the north. There are 200 homes and most use Canyon Cove (70-80% use it because it is the main artery). There are mostly trucks that use Gun Club Rd, which turns private about 100 ft up and is also very dangerous.

Craig Hansen- 6517 S Canyon Cove Dr. Lived there for nine years. The developers built an unsafe road and we want to keep more traffic from using the road. When Boyer wanted to develop the property a secondary access was not even a consideration on Canyon Cove Dr, they were talking about Gun Club Rd. The Walker family had an opportunity at that time to build a nice safe road down through the property but they elected to reject this development. The big problem is this is a dangerous situation we need to address above and beyond Canyon Cove Dr and Gun Club Rd. The impact on those roads of the heavy trucks needs to be looked at. The County turned down the Boyer subdivision a number of times because of no secondary access. We now bear the burden of developers trying to make money. Look at safety first. You have the opportunity to make it right. The City has been up front from the beginning and is working with the citizens.

Kevin Smith – Cottonwood Heights Deputy City Manager. Read a letter from the City Council opposing the closure of Canyon Cove. *(a copy of that letter is attached)*. Some of the main points include: connectivity and regional planning, road designations, timing of this consideration, secondary fire access, Canyon Cove Dr is a public road, design of Canyon Cove Drive and Utah Code 18-8-8.5. For all these reasons the Cottonwood Heights City Council encourages the Holladay City Council to deny any request for closure of Canyon Cove Dr.

Council Member Diederich commented that he had talked to two Council Members from Cottonwood Heights who knew very little about this issue. He is very disappointed that they would come up with this letter without talking to Holladay.

Craig Hanson – he feels the comments from Cottonwood Heights are embarrassing. He met with their Planning and Zoning Commission and they said they would have never approved that road. Also said they would never approve a road with that type of grade.

Council Member Pace commented that this is a public hearing not a debate.

(7:00)

Doug Shelby – 4318 Lynne Lane and also a General Partner of Walker Development. Provide a plat of Canyon Cove #2 and how road is designed. There has never been a road designed like that which is a cul-de-sac. Dan Jensen, was one of the planners who oversaw this development, at the County. The County commission wanted to put the entire load of the Big Cottonwood Estates on Canyon Cove Dr. Mr. Jensen was researching what the road was designed to hold. In 1995 the County made him an offer to buy

that that strip of land between the end Canyon Cove Dr and Gun Club road, which we declined. The County attorney determined Gun Club Rd was a private road which is why Boyer withdrew their request. The barriers are there to keep jeeps off his property. He moved the barriers and he believes he can move those barriers at any time and there is no recourse the city can take. Canyon Cove Dr is a public road and he has access to it. All the utilities are there and the issue is whether we have the right to continue the road and I believe we do. We will do whatever it takes to maintain it. Only public access to his property is Canyon Cove Dr.

Council Member Peterson closed the public hearing at 7:12:06pm.

V. *Consent Agenda*

a. Approval of Minutes of November 2, 2006

This item was postponed to the next meeting.

VI. *Council Reports*

There were no reports.

VII. *Adjourn to Joint Work Meeting with Planning Commission to Discuss the Temporary Regulations Moratorium*

Council Member Pace moved to adjourn to a joint work meeting after a short recess. Council Member Diederich seconded the motion. The meeting adjourned at 7:22pm

JOINT WORK MEETING - November 16, 2006

ATTENDANCE

Mayor Dennis Webb- excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

Planning Commission

Jim Palmer, Chair

Gene Carr

Cy McKell

Richard Kimball

Paul Shupe

Brad Scott

Lynda Shields

City Staff

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Paul Allred, Community Development Dir

Pat Hanson, Planner

Clarence Kemp, City Engineer

Council Member Peterson called the joint work meeting to order at 7:25pm and thanked the Planning Commission for being here tonight.

The City Council and Planning Commission discussed the draft of the temporary regulations moratorium. Mr. Allred stated that the staff has tried to address the concerns about the temporary zoning regulations. The Planning Commission will hold a public hearing next Tuesday on this draft. He then addressed four issues: 1) the outcomes of the moratorium, 2) harmony and compatibility (old vs. new), 3) private vs. public, and 4) what was the cause for this moratorium. Staff is under the opinion that we don't have a monster home issue as much as a tear-down issue. We need to look at how we define neighborhoods, right now it is by zoning district, and maybe creating neighborhood districts would be the way to go.

The Council and Commission talked about tying height to lot size, offering a set of regulations that lets everyone know what is acceptable, and averaging setbacks. There have been 100 homes built in the city and only three problems. The discussed the issue of graduated height and having height measured at the natural grade to ridgeline. We need to also look at architectural features. Staff would like to bring in some developers to get their input on the ordinance and what works and doesn't.

The Council liked the idea of neighborhood zoning districts and asked staff to look at that down the road. The Council & Commission also talked about the need to better inspections. Need to have verification of elevation and foundation before framing begins.

There was a discussion on PUD's and the proposal is to stick with what we have in the moratorium, 3 and 5 acre minimums. Discussed that density and height should not be changed.

The Council and Commission discussed other items such as infill development and other issues.

There being no further business Council Member Pignanelli moved to adjourn. Council Member Orton seconded the motion. The Council voted in the affirmative and the meeting adjourned at 9:16pm

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, November 16, 2006

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 12-14-06