

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

**Tuesday, May 2, 2006  
5:00 p.m.  
Council Chambers  
4707 S Holladay Blvd.**

***ATTENDANCE***

**Planning Commission Members:**

Jim Palmer, Chair  
Gene Carr  
Richard Kimball, Alternate  
Cyrus McKell, Vice Chair  
Lynda Shields  
Paul Shupe  
Howard Diederich

**City Staff:**

Paul Allred, Community Development Dir  
Alma Haskell, City Planner  
Pat Hanson, City Planner

**Excused:**

Brad Scott

The Commission left for the field trip at 5:00 pm and returned at 6:45. At 7:00 PM the Commissioners adjourned the work meeting and convened in the council chambers to hear the following decision item

**Field Trip and Discussion Items -**

1. **A Beautiful You Spa-** 06-2-03 , 3975 S Highland Dr (Salon Utopia), Applicant: Naoma Capson - Proposal: Permanent Makeup

*The Commissioners had no problems with this but wondered if these could be reclassified for staff 's approval as a routine and uncontested matter.*

2. **Landa Subdivision-** 06-1-04-6073 S. 2300 E. -Applicant: Roselands Real Estate/Jack Goodman Trust - Proposal: Three lot subdivision in R-1-87 Zone

*When the Commissioners realized this is a standard subdivision and all the lots would meet the R1-87 zone, they didn't have any further questions. Staff pointed out that the access to the third lot from Field Rose Drive will need to be verified and proof that the easement is unencumbered will need to come with the next staff report.*

3. **Caladora Cove Rezone** -06-4-03 - 4813 S Bonair St -Applicant: Land Direct, Joe Freed and Jack Patterson, agents -Proposal: Rezone from R1-21 to R1-10

*Some of the Commissioners wondered if the entire area should be rezoned. Staff gave them copies of the previous zone review that came through when the Phillips property was rezoned. They are anxious to hear from the neighbors. One concern expressed by staff was the property to the west*

which was denied R-1-10 zoning about 4 years ago. The issue of nonconforming lots is once again a concern here.

4. **Cumberland Lane PUD** –06-2-04 -4002 S Cumberland Rd. - Applicant: Land Form Inc., Frank Ivory, agent -Proposal: Four unit, detached residential planned unit development

*The applicant met the Commissioners on site and gave them a letter stating his future plans for the lots. He pointed out the problem of grade on the property and the need to raise the ground level on the west portion to make the sewer connections work. He is asking for an exception to the height requirements and/or a setback reduction. Since this is a PUD, the Commission has some flexibility in the ordinance to make these kinds of decisions. Staff expressed concerns about potential drainage problems on the west end of the site, the request for additional building height given recent complaints from citizens about the height and scale of buildings in both single family and PUD projects around the city, the preservation of as many trees as possible within the development and questioned the need for a 30 foot wide road.*

5. **Madsen Manor Estates Subdivision** – 03-1-06 - 5930 S Holladay Blvd. -Applicant: Donna Williamson - Proposal: Revised Preliminary Plat for a seven lot subdivision

*This project has been on the Commission’s agenda off and on for a couple of years now. There have been many problems with access to these large lots between Holladay Blvd and Cottonwood Creek. The applicant has proposed another design for the lots and the access. The Commission and staff are hopeful this new plan might work.*

## **6. Staff report**

### **Ordinance re-write update**

*Mr. Allred told the Commissioners we will be working with Neil Lindberg, a consultant, to finish up the LUDMA language and to help us get the HVC zone adopted, while working with the city over the next few months to reorganize and streamline the zoning ordinance. The Commissioners should be having some proposed language within the next couple of months. Mr. Allred asked them to send any ordinance problems they see to staff to add to the list of things to work on in the next few months.*

### **Recap of CC/PC work meeting and to-do list**

*Mr. Allred told the Commissioners that Chairman Palmer and the Mayor should have a tentative meeting schedule worked out in the next week or so to get through the HVC moratorium including the proposed adoption of the HVC zone and the visual guidelines for the HVC area.*

**Knudsen Park Plan update** - nothing new as yet.

### **Group Home Language amendment**

*Mr. Allred told the Commissioners this would hopefully be coming in June as soon as the draft is ready.*

### **Decision Item**

Chairman Palmer was excused and Vice Chairman McKell called the meeting to order at 7:04pm and read the Chair’s statement

## **Highland Estates Rezone –5310 S Highland Dr**

Paul Allred reviewed the following staff report with the Commissioners.

### **Background:**

The applicant is requesting a rezone for the property at 5310 S Highland Drive. The proposal is to amend the zone classification from R-1-21 to R-2-10 in order for a 10 unit PUD (5 twin homes) to be developed. The homes, if built, will be fairly large, of a good quality design and relatively expensive. This property was discussed in detail at the hearings for the Highland/VanWinkle Annexation meetings. The Planning Commissioners recommended assigning an R-2-10 zone to the property but the Council members opted to wait until a specific project was proposed before changing the zoning. The General Plan language designation for this property is Transitional Residential (TR), a district which anticipates higher densities than the single family zoning currently in the area, especially along Highland Drive. In other TR districts within the City, R-2-10 is the typical zone. This is because low density single family homes are generally not considered as desirable and realistic along busy collector and arterial streets whereas clustered and medium to high density developments are.

The applicant is proposing five twin homes on the 67,495 SF parcel. The plan anticipates 33% coverage by buildings and 41% of the project will be landscaped. The plan provides for two-car garages and five additional guest spaces. A private driveway is anticipated to service the residents and it is not proposed that the driveway will in any way connect to the neighborhood surrounding the site which we hear may be a concern to the neighbors.

The applicant held a neighborhood meeting and the minutes and attendance is included with this staff report. The applicants have purchased a home immediately to the southwest of this site which abuts this parcel and plan to move there.

### **Staff Recommendation:**

**4/18/06** Staff believes the rezone will be in harmony with the General Plan for the area and will result in land use that is efficient and attractive. The area would easily support the additional density and provides a housing alternative to the mostly single family detached homes in the area. A majority of the zoning along Highland is for multi-family developments and commercial properties. This project will fit that development pattern. The applicant has requested the Commission review and make a decision on the PUD concurrent with the rezone. This could help shorten the approval process. However, without the rezone, approval of the concept plan could be premature. Staff asks the Commissioners to discuss and decide how this application should move through the process.

### **Staff Report Addendum - 5/2/06**

The staff have spoken with the applicant a couple of times since the meeting and have discussed various alternatives to the site plans and zoning that are proposed. The applicant indicates that he is considering all options at this point but still feels strongly that the current plan is the best one and that it will have little or no actual *quantifiable* impact on anyone in the area. Staff has received several letters from city residents since the meeting supporting the zoning change. It should be noted that of those letters, most do not live in the immediate vicinity of the site.

It is clear at this point that the proposal has both supporters and detractors. Staff has made a positive recommendation already and feels that no additional recommendation is needed at this time. The PC may wish to explore different zoning or density alternatives with the applicant at the meeting to see if any of those ideas will result in a better development.

**Proposed Findings to Support the Rezone:**

1. The proposed rezone and housing project will be an asset to the properties in the area and will contribute to the overall community housing stock.
2. The proposed rezone and subsequent project will provide an alternative to the most single family detached housing in the immediate vicinity.
3. The project will fit in with existing development patterns, which is Transitional Residential (TR) along Highland Drive in the area and will not negatively impact existing property values in the area.
4. The project will comply with the intent of long range plans for the area according to the City's General Plan.

**Discussion:**

*Gary Purk – 5331 Baywood Cir.* Went over the development with the Commission. In the city's general plan there is a statement with regards to moderate and higher density housing along the periphery associated with the major traffic routes, particularly Highland Dr. He is here today asking the Commission to endorse and implement the plan along the lines of this development. This is a project that preserves the view corridor of the neighborhood and enhances the character of Holladay. The requested zoning is consistent with how lots are zoned along Highland Dr. Ready to make improvements to the area by providing high demand, high value homes that are friendly to the neighbors in terms of height and upkeep and lastly the neighbors that are most impacted to the north and south do not oppose this development. We have chosen to emphasize the horizontal density vs the vertical density to preserve the view corridor and the sq ft above ground is 16,500 sq ft. and is less dense than six homes. Secondly, he believes this project will increase home values in Holladay on a price per sq ft basis. The price per sq ft on these homes will be much higher than for ½ acre homes. The average sales price in the 84117 zip code is \$122/sq ft, we are proposing a selling price of \$270/per sq ft. He asked the Planning Commission to approve this project based on its merits. He reiterated that there is NO road from Baywood Cir into this property.

Mr. Purk then went over the drawings and visuals of the development, this portion of the discussion took place away from the microphone.

*Stan Garel.* He has been involved with this project the last three years and is also a realtor. There is a need for PUD's with more square footage, and there are already over 200 names of people interested in this project. Secondly, we have tried to meet the needs of the clients by providing them with more yard. These are very nice individual homes with one attached wall. The size and quality of these homes is in demand.

*Eve Bier – 5246 S Highland Dr.* She lives in the house to the north and has been very involved in the rezoning meetings this past year. The reality is that if there were three homes they would be very large homes and they would be very impacted. She wants to see the least amount of impact and

changes along Holladay Blvd. She is in favor of this project and pleased that the Purk's are working with the neighbors and community.

*Paul Colosimo – 4972 Boabab Cir.* He feels this project would be a good buffer along Highland Dr. This is a benefit to the neighborhood and increases the value of the property.

*Roy Farley – 5240 S Highland Dr.* Supports this project and feels it is something that needs to be done.

*Kay Howells – 5337 Baywood Cir.* She feels this is the lesser of two evils. This property has been in disarray for too long.

*Heidi Harris – 5307 Baywood Cir.* She is not opposed and feels it is a great project. She is concerned that five units (10 houses) are too much in such a little area. She would like to see some compromise, maybe 4 units. Her other concern is that the property line is too close (6ft) to her home.

*Andrew Novetzke – 5321 Baywood Cir.* He would like to see fewer units and some type of meandering design that preserves more of the trees.

*April Hasna – 5343 Baywood Cir.* She wants to make sure this is the right development for the area. Feels that 10 homes is too many and that twin homes are unappealing and doesn't see a need for them. She is worried that Mr. Purk does not want to compromise on the zoning.

*Dwight Ricks – 5309 Baywood Cir.* He doesn't feel they need this type of density in the exclusive, Baywood, country club area. Why should we change the rule for him? He feels you could sell single family homes along Highland Dr and the density for this request is too high.

*Brad Hasna – 5343 Baywood Cir.* Concerned over access from Baywood and wants some type of security that what he is proposing happens (rock wall). He also feels there is one to many homes on the lot.

*David Meadows – 5241 S Highland Dr.* Highland Dr is a transitional zone and it should be a higher density area but we do need to preserve the larger lots behind. These issues of zoning will not go away.

Mr. Allred commented that this is just step one. If the council approves the rezone, the applicant still has to go through a detailed subdivision and conditional use process. Concerns over height, access, design, etc. will all be addressed then at another hearing.

Mr. Purk addressed some of the comments that were made. This development will be no closer than what a ½ acre lot would allow and the height will be lower than what is allowed in a ½ acre. We have zero intention of having a street go from Baywood Cir into this project. As for pedestrian access, if I were Holladay I would like to promote walk ability around neighborhoods. If access from that property to Baywood Cir via pedestrian access and a locked gate were desired by the City and the neighbors then we would consider it. This piece of property is not a premier neighborhood; right

now it is a piece of trash and an embarrassment. There is a very distinct line between this property and the neighborhood behind. He has made several compromises with regards to height; he has gone from 12 to 10 units and we are adding value. Lastly, he has a hard time understanding why properties to the west would have any different say than any other citizen in Holladay. They don't want anything to do with this property and are not impacted.

*Ann Ricks – 5309 Baywood Cir.* Feel he is coming to the game and wanting to change all the rules. There are many homes in the area on ½ acres. Would like to see something nice built there and this is extremely dense. Consider how this will affect the rest of Highland Dr.

Commissioner Carr asked if this would be a gated community as far as a front gate is concerned?

Mr. Purk stated it will have a fence up front but have not yet decided on a gate and is still up for debate.

Commissioner McKell commented that the Commission has seen a number of developments which have gates, but there is always the problem of having space to get off the road and into the gate.

Commissioner Kimball commented that looking at the zoning of areas adjacent to Highland Dr he can easily accept consideration of doubling the density of those R1-21 and R1-43 if they abut Highland Dr. This request though seems like it is four times.

Commissioner Shupe commented that through all the discussion with the applicant it seems to be quite apparent that a R2-10 zoning doesn't work for anybody. He likes the project and feels it will add value but rezone to an R2-10 doesn't meet anyone's goals or expectations.

Mr. Allred added that during the general plan hearings it was this Commission's recommendation to the Council for R2-10 and the Council decided to keep it at R1-21. There is language in there that supports medium to higher density along Highland Dr.

Commissioner Shields stated it is hard for her to see these projects come along that don't add a lot to our community with the deep lots, long driveways and a row of homes. Maybe we need to consider another type of zone or create a new zone (R2-21 or R2-15).

Mr. Allred clarified that if the Commission is looking at R2-15 that is the equivalent of two units per 15000/sq ft which is with 7% of the R1-8 zone which is one of our most dense zones.

Commissioner Shupe stated that the Commission is trying to get a format that we can feel comfortable with and go forward on so when other applications come in we are more organized. This is one of our biggest discussions is continuity and consistency with other applicants.

Commissioner Carr commented that the Commission has looked at several of these that were on a line like this in one direction that provided almost no common space or yard. He feels that this developer has made an excellent proposal to provide a usable backyard for each unit and feels this project is superior to most of the ones we have dealt with in the past.

8:23:45 Commissioner Kimball made a motion to recommend to the Council to rezone the project area from R1-21 to R2-10 based on the plan submitted by the applicant. Commissioner Carr seconded the motion. The Planning Commission roll call vote is as follows: Commissioners Shupe, Kimball, Carr and McKell in favor with Commissioner Shields opposed. The motion passed by a majority vote.

**Adjourn**

The Planning Commission Meeting adjourned at 8:30 pm

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Planning Commission meeting held Tuesday, May 2, 2006.*

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Patricia Hanson  
Planner

Minutes approved: 5-16-06