

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

Tuesday, November 20, 2007

5:00 p.m.

**Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Jim Palmer, Chair
Gene Carr
Richard Kimball
Brad Scott
Lynda Shields
Paul Shupe

City Staff:

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

The work meeting commenced at 6:10 p.m. Chairman Jim Palmer suggested the Commission dispense with the first five items that were field tripped and discuss them when they come up on the agenda. The Commission moved directly to the discussion of agenda item 1.6.

- 1. Field Trip/Discussion.**
- 1.1 Dreyfous Farms PUD – 07-1-19 – 5950 South 2300 East – Concept Plan for five-lot PUD.**
- 1.2 Berrett Garage – 07-2-10 – 2019 East Waldo Drive – Conditional Use Permit for a 1288 square-foot garage.**
- 1.3 Holladay Cottages – 07-2-09 – 2448 East 3900 South – Concept Plan for a six-unit development on one lot in RM zone.**
- 1.4 Regency Court Subdivision – 07-1-18 – 2703 East Casto Lane – Six-lot subdivision in the R-1-10 zone.**
- 1.5 Spring Creek Terraces Conc. – 06-2-09 – 1930 East Nunley Court – Concept plan changes question.**
- 1.6 Cottonwood Mall Master Site Development Plan – 4835 South Highland Drive.**

(18:12:52) Commissioner Palmer remarked that procedurally the public hearing was still open. The Commission would hear from the public, close the public hearing, and begin discussion with the applicant. The Commission Members were encouraged to be direct with their comments and concerns. Commissioner Palmer reported that the City Council had the matter noticed for a public hearing on Thursday, December 6. Ideally the Council would like to have a recommendation from the Commission before that time. From a timing perspective, the developer was looking for two things. First was approval from the City Council, which was contingent upon a recommendation from the Planning Commission. Second, was the tax increment funding from the RDA Board.

The basic concerns Commissioner Palmer had heard were building heights and maximum/minimum square footages. In the table containing commercial and residential square footages proposed by the applicant, General Growth would have a vested right for 1,779,000 square feet. Commissioner Palmer's recollection was that historically a square footage maximum of around 1.1 million was discussed. Community Development Director, Paul Allred, addressed the square footage issue early on with the applicants who denied ever agreeing to 1.1 to 1.2 million. As a result of the increase, Mr. Allred started to question the data in the parking analysis. Commissioner Palmer stated that the proposed range for impervious structures, parking decks, and streets was 1.4 million to 3 million square feet.

Grading issues were discussed. General Growth Representative, Kris Longson, explained that their proposal was to keep the proposed grade, which would make the site buildable. He explained that the current site was in the flood plain. If they measure from the new proposed grade, they would reduce their maximums. He stressed that measuring from the revised grade would get them to a buildable condition.

(18:30:54) The residential building height on the single-family was discussed. Mr. Longson responded that in order to get the needed square footage they asked for 40 feet. He noted that there would be three level homes in certain areas. Because of the water table, the applicants would be prevented from building basements. Height issues were discussed. Mr. Longson explained that the most impacted neighbors supported the project and what was proposed.

Mr. Allred remarked that he had had questions from individuals wanting to know the present amount of impervious surface compared to what it will be. Mr. Longson estimated that the impervious surface presently was 45 to 50 acres. The proposed footprint showed about 20 acres. Mr. Allred explained that there would be a net increase of green space within the acreage compared to what currently exists.

(18:50:20) City Planner, Alma Haskell, presented a concept on Memory Court. He explained that a slight change was proposed to the concept approval where the project would be shifted to the east. The applicants were working on their final engineering drawings and wondered if the change was significant enough to require re-approval of the concept. Looking at the elevations it appeared that the applicants would meet the graduated height requirement. The applicant, Brett Hanson, indicated that the neighbor to the west wrote a letter accepting the proposed change.

Mr. Haskell agreed to move forward with preliminary engineering and present it to the Commission with the belief that the proposed modification was not a substantial change to the concept. Any issues that might come up with the preliminary could be addressed at that time.

Height issues were addressed. Commissioner Palmer wanted to know the size of the commercial and residential aspects of the project. He thought the difference between 1.4 million and 1.8 million was a significant variation. The issue he had with the plan was that if approved, the applicants would be given the authority to build 1.8 million square feet. He did not believe that was what the parking or traffic calculations were based on. Mr. Longson explained that they wanted to maintain flexibility. If necessary they would conduct additional studies to support

what they were building. For that reason, the Commission would not really be granting a blanket approval.

(18:59:08) Commissioner Palmer suggested an aggregate maximum be established. He thought that would actually give the applicants a bigger entitlement in the end based on approval of the studies. Mr. Longson thought 1.6 million would be acceptable.

1.7 PC Policy and Procedures.

Commissioner Palmer called the regular meeting to order at 7:09 p.m. and read the Commission statement. Mr. Haskell stated that at the last meeting it was stated that the Poulos Estates subdivision on Valley View would most likely be heard tonight and that notice would be sent out. The matter was not noticed so it would not be heard tonight. Notice had since been provided for the next scheduled meeting at which time the item would definitely be heard.

Commissioner McKell was excused from the remainder of the meeting.

2. PUBLIC HEARINGS/DISCUSSION/RECOMMENDATION.

2.1 Cottonwood Mall Site Development Master Plan – 4835 South Highland Drive.

(19:12:45) Mr. Allred described changes made in the last two weeks. He reported that staff met with the applicant weekly to discuss intricate details of the process, the project, and the specific document. The most recent document was dated November 14. Staff met with the applicants the previous day and had a lengthy discussion on five or six items. He described what was still needed from a staff perspective within the document.

1. Mr. Allred had a conversation the Darlene Batatian, the City’s consulting geologist, who had some suggestions for the geological pages. They pertained primarily to additional geological studies to be undertaken when the buildings are proposed. Ms. Batatian would also recommend that further trenching be done on the site since it was within the City’s fault study area. She felt that the comments could be placed within the document as a condition of approval by the City Council. If the Planning Commission was agreeable to that idea she would send the wording through tonight as a suggestion.

2. Building height issues were addressed. Mr. Allred explained that overall building height and how the City measures building height was something General Growth was asked to discuss tonight. The applicants were asked to be extremely open and explain in a very simple way so all can understand how the heights will be measured. Mr. Allred commented that the City’s policy was to measure buildings from existing natural grade before the ground is manipulated. As was known, a significant portion of the site would have to be elevated to get it out of the flood plain. The applicants had applied through the federal government to amend the flood maps and get the entire project out of the flood plain. In order to do that, a great deal of fill dirt would be needed on the site. That would make it very difficult to measure building height from existing grade.

3. The applicants would explain how they propose to measure the building heights and how that will relate to the City’s method of measurement. A discussion took place previously about whether the City would allow buildings to be taller than the heights allowed on any abutting

residential zone. The applicants were proposing a 40-foot height limit on the single-family homes in the Arbor Lane area. Staff strongly suggested they consider 35 feet.

4. Drainage issues were discussed. After meeting with the applicants the previous day, staff realized there was still more work to do on the part of both the City and the applicant's engineer. Mr. Palmer stated that if the Commission were to decide to send a recommendation on to the City Council tonight to approve the document, any outstanding items could be added before the Council considers the document.

5. Traffic control issues during construction were discussed. Staff thought the issue had merit with regard to how traffic on the surrounding residential streets will be controlled. Mr. Palmer's understanding was that the applicants had some suggestions on how they would do that. It was possible that signage could be done to help minimize unnecessary traffic.

(19:18:03) Kris Longson was asked to describe what significant changes had been made since the last meeting. He stated that they had had their geotechnical consultant get with the City to work out what additional studies needed to be done. They were not opposed to conducting more studies, but just ones that are warranted.

With regard to the building height measurement, the applicants were proposing that all measurements be taken from the new proposed grade. Mr. Longson explained that the present elevation was not buildable. The site would have to be raised in certain areas to get it to a buildable condition. He proposed that it be measured from the new buildable height. They proposed height center points. He thought it would be much easier to measure height from the grade that exists on the site at the time building commences. The applicants agreed to an 80-foot height, excluding the mechanical and parapet wall screening that had always been part of the proposal in the SDMP. To establish the proposal very clearly, they would add it as an extra page to the SDMP and the document adopted to reference the proposed grades and the center points from which the elevations would be measured. He described the elevation of some of the single-family lots.

With regard to building elevations, Mr. Longson thought it was very important for them to have the 40 feet with the town homes, which would be three levels. On the single-family lots he thought they could be consistent with the ordinance with a limit of 35 feet. He did not think with the single-family lots that the 35 feet would impact what they were trying to do. In other areas, however, they would still need the 40 feet in order to build what they proposed in the plans.

(19:23:14) Traffic control issues during construction were discussed. Mr. Longson stated that the contractor was not to access the site from Arbor or Memory Lanes at any time unless his work involved utility or other work needing to be done on those streets. Workers would be required to enter from Highland Drive and Murray Holladay Road. They were putting into place a 24-hour hotline for neighbors to call. Maunsell Pearce was provided with the cell phone number for the demolition contractor at Reynolds Brothers. He could also be contacted if immediate assistance was necessary.

General Growth Representative, Spencer Angerbauer, stated that numerous changes had been made to the plan since the last meeting. He remarked that the landscaping and open space areas would total 13 acres. In response to a question raised by Commissioner Palmer, Mr. Angerbauer commented that the green space on top of the parking deck was rolled into the open space component and separated from the impervious structure itself.

Changes to the general development guidelines were reviewed. In conducting a general audit, they found the total open space increased on the maximum and minimum ends. All of the other numbers remained basically the same. Changes to page 3 were described. Page 4 was modified to show four phases rather than three. Mr. Longson explained that the proposed phasing plan was market driven. They agreed to build everything at one time if they found that there was sufficient demand to justify it.

(19:31:38) Commissioner Palmer remarked on the table on residential uses by block. He noted that it showed 454 to 614 residential units. Mr. Longson responded that the surface and vertical square footages were basically set. They did not know today whether the market would demand 1800 square feet or 2400 square feet. Based on that, they would change the unit count. That was the reasoning behind the flexibility in those units. The 534 figure often referred to was the average between the two numbers. It was based on a 1600 square foot average. Most of the information provided in the studies suggested that the 1600 square foot average should be smaller.

Mr. Longson referred to the table for the commercial uses by block and stated that originally they showed a building in Block A, which had since moved. The Block A square footage on commercial was rolled into Block B. The total had not changed. In the current plan, Block A was shown as a parking lot. It would be a surface lot with a landscaping component.

City Planner, Pat Hanson, calculated the densities per block and divided it by the minimum and maximum. On Block C, the maximum density would be 30 units per acre and at the minimum 22 units per acre. Block B was generally the same at 31 and 23. Block E dropped down to 21 units at the maximum to 16 at the minimum. Block F ranged from 16 and 12; Block G was 13 and 10; Block L was 4 and 3; Block H was 7 and 5; Block 8 was 5 and 4; Block J was 5 and 4; and Block K was 5 and 4. If the density were spread out through the project Ms. Hanson thought the residential densities were compatible with what was already existing in the City.

(19:40:30) Commissioner Scott did not want to give the impression that there were fewer units going in when there is retail and residential going in above it. They were putting in numbers that are easier to grasp but he recognized there was a lot going on. Kris Longson commented that they were consistently trying to keep the density along Murray Holladay Road and Highland Drive in a core area. The project was designed to integrate out into the existing fabric of the neighborhood.

Page 8 was referred to. It was noted that the applicants had a good conversation with staff on understanding the minimum parking requirements versus general parking guidelines. The minimum parking requirements would be required prior to each subdivision approval. As they build each block and come in for each subdivision permit they would be held to the minimum

parking criteria. The general parking guidelines give overall site guidelines for parking, taking into account the shared parking ratio discount.

Commissioner Palmer commented that at the last meeting there was some conflict within the document where the parking calculations differed. He asked how that was resolved. Mr. Longson explained that the minimums were different than the general parking guidelines. Parking stall sizes would be a minimum of 9 by 18 feet.

With regard to page 9, the applicants had a good conversation with staff clarifying that there was a concern raised that the numbers were not matching up. The applicants pointed out that when they did the parking analysis it was done with the same square footages proposed, just under different criteria. Mr. Allred explained that staff and the applicant had some discussions a few months earlier when the process first began. Staff was under the impression that the site square footage was significantly less than what was originally proposed by the applicants. The analysis study performed by the applicants used figures between 1.3 and 1.7 million square feet to generate the figures. Staff was comfortable that the statements on the left side of the sheet correlated with the square footage figures.

(19:48:00) Pat Hanson referred to page 11 and stated that the applicants would be asked to add a note that the turning radius on the streets are subject to approval. Mr. Longson stated that their traffic engineer had met with the fire marshal and reviewed the issues. Staff thought the 10-foot turning radius was too tight. Staff had a question on the bridge and wanted more information on the sidewalks and whether there was any protection for pedestrians. More clarification was sought.

Page 15 was discussed. It was noted that the only substantive change was to the open space, which was increased by one or two acres.

To page 17 it was thought that some of the language pertaining to the light levels was ambiguous. The applicants had since clarified the language. The standards remained the same but were clarified more as to the foot-candle counts.

Changes and additions made to page 23 were reviewed. A note was added indicating that GGP would comply with all Salt Lake County noise ordinances. Reference was also made to compliance with UPDES. Commissioner Palmer asked for more clarification on the draft response around sustainable commitment and credentials. Mr. Angerbauer responded that it went through General Growth's sustainability and what the company was doing in most of the projects they were building out. Some of the consultants they had hired were known across the nation and around the world as "green" consultants helping with LEEDS certification and similar pathways. The section emphasized their commitment to sustainability, low-carbon footprint, and similar issues.

(19:54:04) The public comment portion of the public hearing was opened.

Steve Glaser gave his address as 2052 Arbor Lane. He identified the Regional Mixed-Use Zoning District Ordinance and focused specifically on the Site Construction Control and Overall

Environmental Quality Control Hazard Mitigation and Monitoring Plan. He believed a couple of elements were missing. He saw no monitoring with respect to dust or noise mentioned. He thought that was something General Growth should be doing as part of the project. The City employed a part-time code enforcement officer and his impression was that he was very busy already. If there was an issue with noise or dust it should not take weeks before the City can look into it. It would be better for GGP to have a monitoring program with real time monitoring and day recording. In order to do that, however, standards would be needed to compare to. For dust, Mr. Glaser saw nothing that looked like a standard and proposed EPA's air quality standards for particulate matter along the perimeter. Noise issues were discussed. He did not think loud noises would be desirable next to restaurants, for example. He also suggested precautions be taken with respect to noise for the protection of the neighborhood.

In looking back at the title within the zoning ordinance, just before the monitoring plan, it addressed a hazard mitigation plan. Mr. Glaser saw nothing addressing the mitigation of noise. He knew that there were time pressures associated with the project and wondered if it might make sense for there to be a requirement for a separate more detailed plan before building permits are issued. With regard to requiring adherence to the Salt Lake Valley Health Department standards, he thought the same exception was needed as in the City's ordinance to make sure it is not superseded. Specifically, Mr. Glaser suggested that any reference to seven o'clock in the Health Department's ordinance become eight o'clock.

With regard to environmental sustainability, he appreciated what General Growth was doing on a company-wide basis but he wanted to know what they planned to do specific to this project. He thought as a community they were doing a lot for General Growth. He thought it would be fair to have some sort of exchange back and a sustainability requirement that would be a silver-level LEEDS or something comparable. As to density, Mr. Glaser thought it would be appropriate to look at the acreages associated with the higher density units. He suggested the City look at the overall acreage and remember that streets were included in the acreage.

(20:00:15) Mr. Glaser expressed continued concern with construction hours. He was not opposed to the applicants maintaining the 8:00 a.m. to 10:00 p.m. flexibility, however, he was concerned with them filling up all of those hours. He suggested there be a limitation of 60 hours per week with them being able to choose which of those hours to fill between 8:00 a.m. and 10:00 p.m. He thought that would be an entirely appropriate requirement to include.

(20:01:10) Barry Topham gave his address as 2520 Haven Lane. He commented that he spoke to the Planning Commission two weeks prior at which time he had considerable angst over what he viewed as lack of information coming to the public. Since then he has had some discussions with Commissioner Palmer as well as the Mayor and City Manager Randy Fitz, Kris Longson, Bob Springmeyer, and John Springmeyer from Bonneville Research. Dr. Topham requested the meeting because he wanted to know about the finances of the project. It seemed to him that Holladay might be financially hamstrung for the next 20 years by entering into the tax rebate proposals, which he later found out were necessary. After the recent meetings he has had many of his questions answered.

Dr. Topham was provided with a lengthy print out of public meetings held on the project and recognized that the matter of redevelopment of the mall was a matter of tremendous import in the community. He thought many more people would be in attendance if they had been directly notified. He proposed to the Mayor and Randy Fitz that there be a direct mailing to all residents of the City prior to the next public hearing scheduled before the City Council on December 6.

Dr. Topham commented that there were some things about the project that still concerned him. One was cut-through traffic on Arbor Lane if it is kept open to Highland Drive. He was hopeful that it could be closed off so that traffic is not diverted onto interior roads to get to and from the mall. He was very concerned about the density and the parking for both residents and guests of the residents. He thought going to a larger size of unit could alleviate the problem. This would decrease the number of units and provide more space per unit for parking. He thought 2 ½ to 3 spaces would be necessary. His proposal would also decrease the overall density. Dr. Topham had no objection to the Commission forwarding a recommendation to the City Council.

(20:06:00) Jeff Levitan gave his address as 4575 South Park Manor. His perspective was from someone living in the area. He owns a home approximately two miles from the Cottonwood Mall and shops, travels, dines, and recreates in the area. He does not want to have his views blocked by buildings. He was concerned about the height of the buildings and how close they are to the street. With regard to the new proposed higher grade, he is opposed to the applicants measuring the buildings from the new higher elevation level unless the surrounding streets are raised an equal amount.

(20:08:45) Camille Pearce gave her address as 2052 East Arbor Lane. She had seen the master plan and was happy to see that a post office had been added to the permitted uses. She was concerned about hospitals, hotels, funeral homes, and churches also being part of the permitted uses. She commented that the environmental page of the new draft gives resumes on the developer and contracting companies but did not include specifics on what guidelines are to be followed in the contract or what actions will be taken. She was concerned that the final plan was the binding document for the development, particularly since in the prior draft of 10/31/07 it appeared that GGP's main office was directing the local project staff to be less than open. The document specifically stated that energy analysis should be kept confidential, long-term agreements should be avoided, and numbers and future plans should not be shared. Other language from GGP in the prior draft was deemed vague and non-committal. She asked that the City require GGP to either obtain at least a silver level of LEEDS certification or provide the City with monies sufficient to hire an independent LEEDS certified architect to oversee the development to ascertain that it is meeting the proper level of green building. Ms. Pearce also asked that the visual impact of the three-story town houses siding on Arbor Lane be reduced by requiring greater setbacks and planting mature trees and bushes. She was still concerned about landscaping being shown only inside the project but not along Memory Lane.

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

(20:13:10) Commissioner Shields asked for verification that the applicants had agreed to reduce heights from 100 feet to 80 feet. Mr. Longson confirmed that that was the case in the open zone; however, it would be measured from the new proposed grade and would not include the

mechanical screening and parapet walls. Commissioner Shields agreed with Dr. Topham and hoped there would be a lower density in the project. She thought it would be difficult for many who have lived in the area for a long time to have such high densities thrust upon them. The bulk of the people who will be affected use Highland Drive and Murray Holladay Road and will be hugely impacted by a mini city that will grow up. She hoped that General Growth would see fit to make the residential portion less dense.

Commissioner Palmer asked about the height and the allowance for the mechanical equipment. He shared the concern that the language was broad and had no sort of maximum associated with it. Mr. Longson suggested a 100-foot maximum be imposed. Commissioner Palmer suggested there be a 10% allowance for mechanical equipment. Mr. Allred remarked that he had seen HVAC units on the roofs that are six or seven feet tall. They don't tend to be very vertical but are mostly spread out. He thought what was proposed by the applicant would result in an overall small net reduction from 100 feet. After some discussion, Mr. Longson agreed to 80 feet on the building and to not exceed 90 feet with the parapets and mechanical screening.

(20:20:19) Commissioner Carr remarked that it was almost impossible for the Commission to anticipate the impact of the project until they see the working model. Although it would still just be a model, it would show the actual width of the streets, the height of the buildings, and the impact it might have. Mr. Longson thought the model would confuse some people since it can be looked at from many different perspectives. Commissioner Carr thought a model would provide more information than what was available now. Commissioner Palmer's experience with the Holladay Village Center was that that the cardboard model was very helpful. He agreed that a model was needed. Mr. Longson stated that the information provided was more complete and detailed by far than any project that had been approved in the State.

Commissioner Shupe commended the applicants and thought they had done a great job addressing the concerns of the Commission and the public. He asked if the applicant would agree to a lower density in the residential. Mr. Longson responded that they would agree to the aggregate not being larger than 1.6 million. They had agreed to the average of the minimum and maximum on the commercial and would not support to the minimum on the residential. He explained that the commercial was important to the City from a tax base standpoint but the residential would carry the economics of the project. If they had to go to the minimums on the residential they could not potentially build the project. Commissioner Shupe was not suggesting that the minimum was all that could be built, but rather when the minimum is reached the impacts could be evaluated as a joint effort. Mr. Longson suggested those things be evaluated now based on the aggregate discussed. They would have to know what the range is and what they can build today. The minimum was not what they were planning on today but rather the average of the minimum and maximum. There was flexibility to address market variations.

Mr. Longson remarked that they had worked very hard on the project and tightened the plan up to the extent possible to allow them to be able to build the project. They were comfortable that what was proposed gave enough flexibility to allow them to build the project. He explained that in talking with the City Manager he would encourage them to build as much commercial as possible because it has the most tax base. At the end of the day, however, they as a company would own the commercial portion. He stated that they were limited in other areas as well with

the density calculations per block that would prevent the density from getting out of hand on the commercial portions.

(20:31:28) Mr. Angerbauer commented that when they calculated the maximum on the residential that was how they set the maximum density by district. Therefore, technically they can never exceed the maximum of the residential. Commissioner Scott pointed out that the applicants were building retail first and building out the retail square footage. He thought that had a check to it in that the residential has to work with the retail that is there. He liked that. He also liked that the market would be the correcting factor.

Project Planner, Francisco Garcia from Duany Plater Zyberk, sensed that the City was still struggling with the potential adverse impact a project of this magnitude might have in terms of its demands on the City infrastructure. He remarked that they had designed a number of similar projects and understood the dynamics of how they affect communities positively. He offered two thoughts. In terms of the impact of the residential component versus the commercial, they would work integrally and essentially cancel each other out. During the day the commercial and office component becomes active and at night the reverse happens. The end result is a lively site for 12 to 14 hours per day. It would create a safe environment to inhabit and was good for the area in general because it brings an added desirability. Property values in the end would increase. In terms of density in particular, they were not introducing a density that does not presently exist elsewhere in the City. In the City of Holladay currently there were densities higher than any of those proposed on the site on a block-by-block basis, on a zone-by-zone basis, or on an overall site basis.

Mr. Garcia stated that the project proposed to take a large site and compress the build form on the site in order to leave a substantial amount of open space. It was designed open space that would include parks, amenities, and hardscape that was carefully framed. There was a need for a residential presence as well that will feed the commercial and office on site and vice versa. Mr. Garcia stated that the project had been given a lot of thought and they were very comfortable with it. They had done similar projects in the United States and elsewhere in the world. They believed the project would work in the shape in which it was presented.

(20:39:54) Commissioner Shupe commented that on the restricted residential they talked about the principle building with one accessory building. He asked how the parking would work. Mr. Longson explained that with only one exception the residential parking would be integrated in with the unit itself. Block L would refer only to the four single-family lots. It would include 1,000 square feet of habital area. The accessory unit would be a secondary residential unit. Originally it was shown within the SDMP as a 500 square foot unit. Staff questioned that and the applicants increased it to 1,000 square feet. Mr. Allred stated that accessory units were often seen in new traditional neighborhood developments around the U.S. where there is a single-family home with an accessory unit or a secondary residential unit in the back over a garage or in a detached building. He believed it was limited to just the four residential single-family units and was not throughout the project. Commissioner Palmer commented that it was limited to anyone with one-fifth of an acre and restricted to Block L. Mr. Longson explained that there were four lots on Block L that border Arbor Lane and are larger than one-fifth of an acre. Mr. Allred commented that he had visited places that had more than one unit on the same lot

with a single-family detached home and an accessory unit in a separate outbuilding, usually over a garage, on lots that were 40 to 50 feet wide and 120 to 130 feet long. He stated that they worked extremely well on long, narrow lots. The lots within the proposed project were larger than the ones he saw.

(20:45:19) Commissioner Shupe commented that in reality on Block L the density would not be three or four but instead six to eight. Mr. Allred responded that eight was the combined figure including the accessory units. With regard to density, he explained that it was regulated in the SDMP by the R/M-U zone, which was very specific. It stated that the density cannot be changed in a specific sector and it was not regulated by block. He stated that when the applicants come through for subdivision approvals the following year they will not be looking at the specific lot but instead track the number of units in the open, limited, or restricted areas.

Commissioner Palmer addressed the LEEDS issue and stated that the applicant believed he was building somewhere between silver and gold, however, there was concern about the cost of going for the certification. Mr. Longson stated that nothing had changed in that regard. They would not make a commitment to go to LEEDS. Building what was proposed would get them to at least a minimum a silver level. There was no requirement that they be LEEDS certified. He explained that LEEDS was a private organization that had been created.

Mr. Garcia commented that General Growth had already submitted an application for the LEEDS certification process. Had the project not met the necessary requisites, it would not be up for consideration. The project as designed had already met the prerequisites set forth by the USDBC for new development. Above and beyond that, the construction and design processes would have to go through separate certification processes.

(20:51:40) Commissioner Scott asked about grading. Mr. Longson responded that as they looked at the site from existing grade, the deepest fill area they found was seven or eight feet. The biggest fill area was near JC Penney. He noted that the actual Macy's building was not in the flood plain.

Commissioner Palmer asked Mr. Longson why they were not allowed to build a 10-foot berm along the edge of the creek rather than raise the whole site. Mr. Longson was not sure of the specifics but stated that aesthetically it would not be pleasing.

Square footage and density issues were discussed. Commissioner Kimball asked about the present square footage of the existing Macy's store. Mr. Longson stated that in terms of retail space, it was just under 200,000 square feet not including the two areas occupied in the current mall today for their home store, their office, and women's ready to wear on the west side. The height of the existing Macy's building was 65 feet.

Commissioner Kimball's preference was that Arbor Lane remain open. Commissioner Palmer commented that road closures were under the purview of the City Council and would not be part of the development agreement.

(21:04:30) Commissioner Kimball did not think that the additional traffic on Highland Drive would be a problem. Commissioner Shields disagreed and thought it was a big problem. Commissioner Kimball suspected that it would be less than it was 30 years ago. Commissioner Palmer explained that according to the traffic study submitted, the net trip generation from the level of service standpoint at peak hours would be less with a mixed-use project than the mall was at its peak 20 years ago. There was much more traffic on Highland Drive. Mr. Longson commented that the study compared a fully functioning mall today and a fully functioning mixed-use project today. The trip generation was done based on the square footage that the mall occupied. It was not a comparison of the number of trips that would be generated if the mall were brought back to life. The mixed-use project would generate fewer trips because of internal capture because they would expect about 20% of the trips to stay within the project. Based on what had been seen nationally, those numbers were conservative. Generally, the internal capture was greater than what was estimated.

Commissioner Palmer asked about the traffic study review to be done by Joe Perrin. Mr. Allred responded that to date City Engineer, Clarence Kemp, had not been given any results from Dr. Perrin.

(21:10:08) *Commissioner Scott made a motion on the basis of the following:*

Staff Recommendation:

Prior to the November 7th meeting, staff sent a notice to the surrounding property owners indicating that public comment will be taken at that meeting and at this meeting. The notice did not indicate any further public input at later meetings. A notice has been published for the City Council's first public hearing on December 6th. The Commission may make a recommendation at this meeting or they may continue the discussion. However, if the Commission feels additional time is warranted, they should discuss holding an extra meeting on November 27th in order to forward a recommendation to the Council prior to that meeting.

Findings:

- 1. In general, the submitted plan for the development of the site meets the intent and vision for the R/M-U zone and addresses all of the technical items required by the zone regulations.***
- 2. Submitted traffic studies show the project will have no overall increased impacts to the surrounding streets and very little modification of existing streets is warranted.***
- 3. Proposed residential densities are compatible with the existing residential development in the area.***
- 4. Proposed building heights are an integral part of the overall design and function of the project and are warranted in this area of the City.***

5. *The proposed residential and commercial development will foster redevelopment and increased property values of all of the properties in the vicinity.*
6. *The proposed commercial development is a needed component of the City's economic stability.*

Commissioner Scott moved to recommend approval of the Cottonwood Mall Site Development Master Plan to the City Council with the following recommended changes:

1. *The maximum height for the homes on the four single-family lots fronting onto Arbor Lane shall not exceed 35 FT.*
2. *The maximum height for all structures within the Open District shall not exceed 80 Ft, not including screening walls for mechanical equipment which cannot exceed an additional 10 Ft in height.*
3. *All building/structure heights shall be measured from the proposed finished grades at the midpoint of each building using grade elevations shown on a newly submitted graphic/page to be added to the SDMP.*
4. *A note shall be included on page 25 indicating that additional geotechnical investigation and study will be required during subdivision approval and/or prior to issue of any building permit...(The note included in this draft should be amended to read: ""Prior to approval of each subdivision/phase/building permit(s) a site-specific geotechnical report, including liquefaction analysis and foundation design recommendation must be submitted for review. Additional fault investigations are required to be completed prior to approval of subdivision/phase/building permit(s))*
5. *Proposed site drainage plans shall be submitted by the developer, reviewed by the City Engineer for completeness and added to the SDMP. (This has yet to be submitted to Clarence for his review and approval)*
6. *Details regarding construction traffic control during site development shall be added to the document. (This has yet to be submitted to staff for review and approval)*
7. *The following note shall be added to page 11: All turning radii on the street cross-sections are subject to final approval by the City Traffic Engineer and the City's Fire Prevention Officer.*
8. *The bridge detail on page 11 should be amended to show the specific width of the bridges and pedestrian walks including any design detail regarding pedestrian protection measures.*
9. *Minor corrections from the Technical Review Committee meeting of 11/19/07 shall be included in the document.*
10. *The note on page 23 referencing the Salt Lake Valley Noise Ordinance shall reference to Holladay's amendment to that ordinance regarding shortened working hours; specifically 8:00 a.m. to 10:00 p.m.*
11. *The total aggregate floor area of all structures, commercial and residential, shall not exceed 1.6 million square feet, excluding parking decks. (This recommendation is not reflected on the submitted drawings.)*
12. *Additional discussion regarding dust control during all phases of construction need to be undertaken prior to application for further demolition permits and approval of the SDMP by the City Council.*

Mr. Allred commented that the fugitive dust control plan was tied into the UPDES, which was a permit that was required on all construction sites over one acre in size. The applicants would be bound by the UPDES permit.

Commissioner Carr seconded the motion. Vote on motion. Gene Carr-Aye, Paul Shupe-Nay, Brad Scott-Aye, Lynda Shields-Nay, Richard Kimball-Aye, Jim Palmer-Aye. The motion passed 4-to-2.

Commissioner Shupe told the applicant that he liked the design and concept of the project. He had not, however, been able to comprehend the density.

Commissioner Scott agreed with Commissioner Shupe’s sentiments but appreciated General Growth’s willingness to reduce the height of the buildings to 80 feet and the height of the single-family homes to 35 feet. He thought both were significant concessions. He thought those were general indicators that the applicants wanted to deal with the community and be sensitive to their needs.

Commissioner Shields appreciated the fact that the applicants were trying to work with the City. She was concerned that the City would be left with a big problem if the project does not work correctly. She wished the 200,000 square feet discussed would go into commercial rather than residential.

3. AGENDA ITEMS.

3.1 PC Policy and Procedures.

(21:28:54) Pat Hanson stated that a few changes had been made to the document since it was last reviewed by the Commission. Mr. Allred also identified areas that were worthy of discussion. The copy provided to the Commission Members included comments made by Mr. Allred and Commissioner Carr.

Ms. Hanson referred to Paragraph A and compared it to the ordinance. She found that the reference to “City Manager” should have been “City Mayor”. Commissioner Palmer responded that the error was actually in the ordinance and the document should in fact refer to the City Manager. Under the City’s present form of government, the City Manager holds the executive power and makes appointments. It was determined that the document was correct as written.

With regard to meeting times, Ms. Hanson suggested changes be made to indicate that each of the two Commission Meetings held each month are regular meetings. Commissioner Palmer commented that that was how the Commission had been operating for the last 18 months anyway. Works meetings and field trips would continue to be conducted prior to each meeting at 5:00 p.m.

Changes to the document were reviewed.

The issue of when a decision becomes valid was discussed. Mr. Allred believed a decision was valid once a vote is taken on an item. Another theory was that a decision was valid at the time

the minutes are approved. Commissioner Palmer was concerned that tonight, for example, minutes from October 2 were being considered for approval. Mr. Allred did not think that was proper. His belief was that a vote is official the night the motion is made. Commissioner Palmer's preference would be to go back to sending letters out to applicants within five to ten days of a decision and include a line in the letter that states that under Utah law the decision may be modified upon final approval of the minutes.

(21:41:05) Commissioner Palmer suggested to the Commission Members that each time a motion is made that they start with the findings.

Commissioner Palmer was not in favor of making motions to open and close the public portion of each informal hearing. He believed that an informal hearing should not require a formal motion. He thought doing that would really slow down meetings. He recommended the language reflect that the chair shall open and close the public portion of an informal hearing and add language that there shall be a motion to open and close formal public hearings. Commissioner Palmer remarked that informal is when the Commission allows public comment on any agenda item. The item would not have been noticed and the public is allowed to speak as a courtesy. A formal public hearing is one that is required by law.

Commissioner Carr questioned the language about the chair generally not making motions. He thought there could be a time when no one will make a motion and the chair will have to do it. Mr. Allred agreed and stated that recently the Board of Adjustment was dealing with a very difficult issue. The chair finally made the motion. He thought it was appropriate and that the chair had the best handle on the issue and should not have been prohibited from making a motion. Commissioner Palmer said that there can be language prohibiting the chair from making a motion. The result in a difficult situation, however, would be that the chair will resign his chairmanship and let the vice chair take over and make a motion. Commissioner Carr thought the chair should be able to make a motion. Commissioner Palmer thought it was better for the chair to orchestrate and not make motions.

(21:47:20) Conflict of interest issues were discussed. Commissioner Palmer stated that state law merely requires a conflict of interest to be announced and then a member can proceed to vote. Mr. Allred supported tighter language. He explained that a conflict of interest was when a member has either a personal, family, or business interest in an item being considered. Commissioner Carr commented that the APA's code of conduct recommends that a person with a conflict leave the room.

Procedural issues pertaining to motions were discussed.

(21:58:10) *Commissioner Shields moved to approve the Rules of Procedure with the changes discussed. Commissioner Kimball seconded the motion. Vote on motion. Gene Carr-Nay, Paul Shupe-Aye, Brad Scott-Aye, Lynda Shields-Aye, Richard Kimball-Aye, Jim Palmer-Aye. The motion passed 5-to-1.*

4. CONSENT ITEMS.

4.1 Approval of Minutes – Planning Commission Meeting – October 16, 2007 and October 2, 2007, November 11, 2007.

(21:59:55) Commissioner Carr referenced item 4.1 of the November 11 minutes and stated that his comments actually occurred during the work meeting. He wanted a statement made by Mr. Garcia to be added to the minutes where he stated that the way the rendering was drawn might be misleading. The proposed change was provided to staff; however, the change was not included in the copy provided to the Commission Members. Commissioner Carr had numerous language suggestions for item 2.1.

As Commissioner Kimball was no longer an alternate Commission Member, he suggested the word “alternate” be removed from each set of minutes.

Commissioner Carr thought it would be far more understandable to someone reading the minutes at some time in the future if the changes he recommended to the November 7 minutes were made. Ms. Hanson agreed to meet with Commissioner Carr and make the requested changes to the November 11 minutes and provide them to the Commission Members in time for the December 2 meeting.

Commissioner Kimball referred to page 10, line 5, of the October 2 minutes and recommended “sun and solstice” be changed to “sun at the solstice”.

(22:04:16) Commissioner Palmer moved to suspend the rules and approve the minutes of October 16, 2007, and October 2, 2007, as amended. Vote on motion. Gene Carr-Aye, Paul Shupe-Aye, Brad Scott-Aye, Lynda Shields-Aye, Richard Kimball-Aye, Jim Palmer-Aye. The motion by unanimous consent.

5. ADJOURN.

The Planning Commission Meeting adjourned at 10:06 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Planning Commission meeting held Tuesday, November 20, 2007.

A handwritten signature in black ink that reads "Teri Forbes". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Teri Forbes
T Forbes Group, Inc.
Minutes Secretary

Minutes approved: 12-4-07