

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

**Tuesday, March 3, 2015
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Les Chatelain, Chair
Matt Snow, Vice Chair
Spence Bowthorpe
Jim Carter
John Garver

City Staff:

Paul Allred, Community Development Director
Rick Whiting, City Planner
Jonathan Teerlink, City Planner
Pat Hanson, City Planner

FIELD TRIP

1. Commissioners Chatelain, Snow, Carter, Garver & Bowthorpe participated in the field trip. Paul Allred and Pat Hanson from the staff were also present. No members of the general public or the applicants/property owners were in attendance. They left City Hall at approx. 6:05 pm and visited only one site on the agenda, the Risen Life Church and the site of the contemplated Abbington Assisted Living Center at 3900 South and 2700 East. They returned to City Hall at about 6:25 pm.

PRE-MEETING/WORK SESSION

2. **All Agenda Items May Be Discussed. No Decisions Will be Made.**

Chair Les Chatelain called the work session to order at 6:30 p.m.

City Planner, Jonathan Teerlink, presented the Driveway Approach and Private Lane Width Exceptions and stated that since the previous meeting, the width was amended from 35 feet to 30 feet. He stated that the special exceptions were removed completely. Details regarding special circumstances and exceptions were discussed.

The Risen Life Church/Abbington Senior Care Rezone was next discussed. Commissioner Bowthorpe commented that if it is rezoned, having controls to ensure that the proposed project is actually built is desirable. Community Development Director, Paul Allred, stated that there are tools available such as a reverter clause on the rezone and a development agreement. Alternate zones were discussed.

(18:59:45) Commissioner Snow moved to close the Work Meeting and move to the Council Chambers for the Regular Meeting. Commissioner Carter seconded the motion. The motion passed with the unanimous consent of the Commission.

CONVENE REGULAR MEETING

Chair Les Chatelain called the Regular Meeting to order at 7:05 p.m.

3. Welcome & Chair Opening Statement.

Chair Chatelain described the role of the Planning Commission and stated that they are to make recommendations to the City Council who makes the final determination. The Planning Commission is a regulatory quasi-judicial body that reviews applications and determines whether they fall within the regulations. He noted that Members of the Planning Commissioners serve as volunteers.

ACTION ITEMS

4. Driveway Approach and Private Lane Width Exceptions – Amendment to City of Holladay Ordinance 13.08.150 “Special Exceptions Authorized”.

(19:08:27) Chair Chatelain stated that the Commission studied the regulations and was recommending changes to be made by the City Council.

City Planner, Jonathan Teerlink, presented the staff report and stated that Code amendments are proposed to Section 13.08 and various sections of Title 14 that pertain to development in public rights-of-way. The City Council requested that staff formulate proposed changes to the sections pertaining to special exceptions. The special exception was that a residential property owner may petition the legislative body to increase the maximum width of a driveway approach as it enters a private property. This is a standard that has historically been 25 feet. Several applications have been heard by the Planning Commission and City Council that include requests to increase the width on loosely based criteria. The City Council asked staff to adjust the approvable standards and move it on to the Community Development Department, which is made up of the Technical Review Committee. The proposed changes were described.

Chair Chatelain opened the public hearing. There were no public comments. The public hearing was closed.

(19:12:30) Chair Chatelain recommended the Commission postpone further discussion until after item six, which would allow the majority of those present to be heard prior to engaging in a lengthy discussion about driveway widths. Commissioner Bowthorpe seconded the motion. The motion passed unanimously with one abstention.

Discussion of this item was resumed upon reconvening.

Mr. Teerlink considered these types of exceptions to be useful. Chair Chatelain preferred that any exceptions be removed for private driveways only. Commissioner Carter brought up the issue of vehicle speed and felt that could be managed by limiting the number of curb cuts and driveway entrances onto high speed thoroughfares. It was noted that there had been no request for a wider driveway on one of the higher speed streets. Width and access issues were discussed.

(20:50:17) Chair Chatelain moved to recommend approval to the City Council of the text amendment to City of Holladay Ordinance 13.08.150 “Special Exceptions Authorized” but remove the Item A, “Driveway Approach” from the exceptions. Commissioner Bowthorpe seconded the motion. Vote on motion: John Garver-Aye, Spence Bowthorpe-Aye, Matt Snow-Aye, Jim Carter-Aye, and Chair Les Chatelain-Aye. The motion passed unanimously.

5. Risen Life Church/Abbington Senior Care Rezone – 3909 South 2700 East. – Staff Planner: Pat Hansen.

(19:12:50) City Planner, Pat Hansen, presented the staff report and stated that the request was for a rezone of the westernmost portion of the church's property. The rezone is to facilitate the development of a new two-story 77-unit senior care facility. A neighborhood meeting was held where 28 people were in attendance. Questions were raised about the proposed new structure and use.

The property for which the rezone was requested is currently developed with two single-family homes on the north quarter of the lots. The rear portion, south, of the properties is vacant. The church is located directly to the east of the property along with the associated parking lot. To the west there are single-family homes and to the south are duplexes. In the general neighborhood are the Oakwood Shopping Center and a large multi-family complex. Since the area was recently annexed, the City had not yet formally adopted a General Plan designation for the area. The designation the County had for the area was "stable". Ms. Hansen explained that the majority of the City is built out and development patterns have been established. As a result, few changes were anticipated.

The assisted living use was described as a quasi-residential use that will be an improvement to the busy intersection and an asset to the neighborhood. Ms. Hansen recommended the proposed rezone to RM. Ms. Hanson explained that the RM Zone is broad and allows for multi-family housing, assisted living, and professional offices.

Russ Watts was present on behalf of Abbington Senior Care. He stated that they build, develop, and manage senior care facilities. Rick Walker and Matt Walker were identified as members of the Management Team. Jared Humphries was present on behalf of the Woodbury Group. Mr. Watts reported that the proposed facility will have 77 units with 17 secured memory care units and 60 studio, one-bedroom, and two-bedroom units. The amenities inside the building were described. They include a bistro, hair salon, rehab facility, theater, discovery center, and exercise room. The average age of residents is 85 years. The community is quiet and brings a lot of quality to the social structure of the area. Residents enjoy being involved in community events and traveling.

Mr. Watts stated that they are licensed as an Assisted Living 2 (AL2) by the State of Utah where they can assist with medications and provide assistance to seniors. They require fire and health approval from the State and their building will be inspected on an annual basis. Certain fire requirements also need to be met in terms of building construction. The Fire Chief had been consulted with regard to those requirements.

At the neighborhood meeting concerns were expressed with regard to building massing. Mr. Watts stated that they are well below the 40-foot allowable height. The structure will have two stories. Another issue raised pertained to the setback from the southern boundary line from which the building will be set back 45 feet.

With regard to parking, the proposed building requires 21 stalls, however, 40 are planned. The applicants also entered into an agreement with the Risen Life Church to have a cross easement where parking will be shared.

(19:27:40) Chair Chatelain opened the public hearing.

Fernanda Dalrymple gave her address as 3916 South 2700 East and stated that her residence is on the west side of the subject property. She expressed concern with additional traffic on 2700 East. Currently there is a significant amount of foot traffic that passes by her home and there is no sidewalk. This makes backing out of her driveway very dangerous. Crossing the street is also hazardous because there is no crosswalk. She felt that adding additional traffic to the road without making changes will be problematic for residents on the west side of the property.

(19:30:20) M. Thomas Boley stated that he and his wife, Ann live at 2439 Olympus Drive. They have had parents and elderly relatives live in assisted living facilities. One problem with these types of facilities is that it can be dangerous when a resident leaves the facility on foot.

Dayle Swenson gave his address as 2775 East 3900 South and expressed concern with traffic and the potential for an increased number of emergency vehicles. His concern was if the facility cannot be filled and cannot sustain itself. Economically it seemed to him that the rooms will have to be filled. If they are not occupied by the elderly he was concerned that they will be occupied by other types of residents in the future.

(19:36:45) Dave Jensen lives adjacent to the property in question and gave his address as 3953 South 2700 East. He had no objection to the proposed use of the property but was concerned about the traffic situation on 3900 South and 2700 East. Over the past 19 years that he has lived in the area, he had seen serious accidents occur at the intersection. His concern with ingress/egress off of 3900 South was the tendency for people to travel down the hill very fast and try to beat the light. He recommended a left turn lane be installed there.

(19:39:35) Commissioner Bowthorpe recognized that the City will require pedestrian improvements along 3900 South and 2700 East and stated that the property line is set in significantly from the edge of asphalt. Mr. Watts stated that their property line is approximately 14 feet from the edge of asphalt. Their four-foot sidewalk will be 9 feet from the existing asphalt. The distance is greater off of 3900 South. Additional road widths will be added to both 3900 South and 2700 East.

(19:43:06) Commissioner Carter visited the site prior to tonight's meeting and had concerns about rezoning. He noted that the General Plan does not cover this area. He wanted some context and studied the map included in the staff report, which shows other nearby uses that are not single-family residential. He was comfortable with the use in the proposed location with certain conditions. He understood that the neighborhood is primarily residential and quiet in nature. The proposed use seemed to be one of very few that would work well since traffic will be minimal. He was comfortable forwarding a positive recommendation as long as rezoning is tied to this use or another one that is very similar.

Glen Apgar was presented on behalf of the Risen Life Church and stated that they would like to see the property rezoned and tied to this specific use and project. They want good neighbors and they want this use next to them.

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

(19:51:18) *Commissioner Carter moved that the Planning Commission recommend the rezone from P to RM (Multi-Family Residential) of property located at 2780 East 3900 South subject to the following:*

Conditions:

- 1. The rezoning shall be tied to this specific application or an application very similar to this for this type of use.*

Commissioner Bowthorpe made a friendly amendment to add the following condition:

- 2. The project must commence construction by a certain date at the discretion of the City Council or the zoning should revert to the existing zoning in place at this time*

Commissioner Carter accepted the friendly amendment. Commissioner Snow seconded the motion. Vote on motion: John Garver-Aye, Spence Bowthorpe-Aye, Matt Snow-Aye, Jim Carter-Aye, and Chair Les Chatelain-Nay. The motion passed 4-to-1.

6. Holladay Condominiums – 2350 East Murray-Holladay Road – HV Zone Preliminary Site Plan.

(19:56:00) Community Development Director, Paul Allred, presented the staff report and stated that this is the second step in the approval process for the Holladay Condominiums, which may undergo a name change. The site plan was modified slightly since it was last before the Planning Commission approximately 10 months ago. Text amendments resulted from an appeal and areas of confusion were resolved with respect to this and other Holladay Village Zone issues. Minor corrections still needed to be addressed on the two sets of plans. Staff's opinion was that the latest changes improve the overall site plan and that the project will benefit the Village. Staff recommended approval subject to addressing the items in the staff report that require correction or clarification.

An applicant, Jerry Robinson, gave his address as 6242 South 1250 East and stated that they have been working on the project since the fall of 2013. With regard to lighting, his preference was to use a combination of photo cells and timers. A six-foot opaque concrete block fence was planned along the east side. There are numerous trees on the site and they plan to keep as many as possible. Those that are removed will be replaced.

Another applicant, Ken Bell, gave his address as 2893 County Road. They have owned the property for 10 years and Mr. Robinson serves as their architect. There were boundary line disputes on the south side, which had been resolved. Chair Chatelain remarked that signed documents to that effect had not yet been provided to the City. Mr. Allred stressed the importance of them being provided with the signed documents and stated that the preliminary site plan being considered is based on property lines. Mr. Bell stated that one agreement was signed and recorded and the other was prepared and ready to be signed. In response to questions raised, Mr. Bell stated that with regard to parking they were proposing two per unit for a total of 35 parking stalls. There would be two on-street parking spaces. Their target market was retired or semi-retired individuals.

(20:18:58) Mr. Robinson commented that they are assuming that the majority of residents will be people downsizing and moving out of large homes. Parking issues were discussed. The units will average 2,000 square feet in size and the parking stalls will be 10' to 11' wide with a 26-foot

backing aisle. The standard is 9' x 18' with a 24-foot backing aisle. Parking issues were discussed. Procedural issues were discussed. Mr. Allred stated that there will be one additional step, which may be delegated to staff or handled by the Commission. The preliminary and final subdivision plats also need to be completed. Mr. Bell requested final site plan approval subject to the review and approval of the Technical Review Committee.

(20:30:51) Commissioner Carter moved to approve the preliminary site plan for a mixed use project titled the Holladay Condominiums, at 2350 East Murray Holladay Road subject to the following:

Findings:

- 1. It complies with the requirements for preliminary site plan.*
- 2. It is consistent with the Holladay Village Plan.*

Conditions:

- 1. Minor detail on the operation and type of the exterior lights on the building.*
- 2. Minor clarifications on fencing on the perimeter.*
- 3. Engineering detail as noted for content, correctly, and clarification by Clarence Kemp on the grading and drainage plan and the site utility plan.*
- 4. Proposed CC&Rs are needed before final approval.*
- 5. The geotechnical report shows no concerns regarding groundwater, liquefaction, or stability of the soil.*
- 6. Utility provider letters.*
- 7. A statement or documents relating to any recent property line adjustments and agreements with abutting property owners. Specifically, the remaining signed property line/fence agreement with Ms. Petilos must be obtained.*
- 8. Receipt of the signed documentation regarding the property boundary adjustment.*
- 9. Delegated approval of the site plan to staff or the TRC.*

Commissioner Garver seconded the motion. Vote on motion: John Garver-Aye, Spence Bowthorpe-Aye, Matt Snow-Aye, Jim Carter-Aye, and Chair Les Chatelain-Aye. The motion passed unanimously.

The Commission next continued their discussion of agenda item number four after which they continued with the agenda as printed.

7. Section 13.014.100 – Exposed Wall Height – Proposed Text Amendment (continued) – Staff Planner: Jonathan Teerlink.

The above item was tabled.

8. Updates or follow-up on items currently in the development review process.

(20:51:35) Reference was made to the property south of Café Madrid where the applicants vowed to save every tree they could but in the end removed them all. Mr. Allred stated that staff held a preconstruction meeting with the applicant earlier in the day. They indicated that during demolition they were asked by several neighbors to remove trees that were troubling along the property lines. Staff was told that many of the trees were dead and dangerous and they could not save any of them. The applicants did, however, plan to plant healthy young trees to replace the ones that were removed.

Mr. Allred reported that he received numerous positive comments from citizens about the assisted living center on 5600 S. and Highland Drive who are happy with the number of trees that were planted.

(20:55:29) Mr. Allred stated that the recent General Plan Meeting was poorly attended. The Advisory Committee Meeting, however, was very successful with valuable input received. With regard to the meeting held on Wednesday, February 25, Mr. Allred stated that staff went to great lengths to reach out to the public. Regardless, the turnout was still lower than the one held in December. The consultants participated in an interactive exercise with the community and strong comments were received. They will now create more full documents over the next three months. The next Advisory Committee Meeting will be held in approximately six weeks and a public event not long after that. The public hearing process will begin in June or July.

Mr. Allred reported that the General Plan is one of the staff's main focuses. Bids were to be received later in the month for the revised bike routes throughout the City. In two weeks a public hearing was scheduled to correct something staff considered to be an oversight in the ordinance, which are setbacks on private roads for R2 development. In the R1 zones, a 25-foot setback is allowed on private roads. Staff felt the setbacks should be 20 feet in both zones.

9. Report from Staff on Upcoming Applications.

(21:02:57) Mr. Allred reported that the rezone and care center were coming forward. He stated that the demand for development has increased recently. He acknowledged that it is challenging to find undeveloped ground.

Mr. Whiting commented that staff is working on a backlog of projects that needs to be finalized.

Mr. Teerlink reported that the Building Department is extremely busy. Forsgren Engineering is currently acting as the City's contract engineering firm and provides inspection and plan review services. In addition, a new permit tracking software has been implemented. It allows contractors to log on to a website and follow their permit through the process. Staff is also using a drone for land surveying and to get aerial shots of properties and land. It saves the City a great deal of money in surveying costs and will be used more often.

Ms. Hansen discussed the annexation area, which includes about 1,300 dwellings. It was noted that the park will remain with the County.

Mr. Allred stated that few building permits have been received in the Olympus Hills area. Those who have attended meetings, however, have been very happy to be part of the City of Holladay.

(21:14:55) With regard to previous comments staff agreed that there is a lack of architectural standards. It, however, has to be balanced with their ability to do the work before them. He recommended that the Planning Commission form a subcommittee to create a wish list that staff can work on.

OTHER BUSINESS

10. Discussion of Possible Future Amendments to Code.

Mr. Teerlink commented that staff decided to table the Exposed Wall Code Amendment matter to a future meeting. Several drawings still need to be reviewed.

ADJOURN

(21:21:16) Commissioner Garver moved to adjourn. Commissioner Snow seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 9:21 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, March 3, 2015.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: March 17, 2015