

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

**Tuesday, March 18, 2014
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Chris Jensen, Chair
Spence Bowthorpe, Vice Chair
Lori Khodadad
Les Chatelain
John Garver
Matt Snow

City Staff:

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

PRE-MEETING/WORK SESSION

Chair Jensen called the meeting to order at 6:35 p.m. The agenda items were reviewed and discussed. City Planner, Pat Hanson, discussed the Beekeeping Ordinance and stated that there have been ongoing inquiries over the years regarding the keeping of bees.

Jack Reneo, a local bee expert, detailed the requirements and risks of keeping bees and reported that bees pollinate two-thirds of the world's food crops. He described the abandonment of the hives by worker bees, also known as Collapse Disorder and stated that beekeeping is encouraged in order to replenish the population. Researchers believe that new pesticides may be contributing to their depletion throughout the United States. The Utah Department of Agriculture will issue a license for a \$25 fee, which allows for up to 10 hives, and requires a 25-foot distance from any residence or business. Labeling the hives properly is also required. Risks and safety measures were discussed.

CONVENE REGULAR MEETING

Chair Jensen called the Regular Meeting to order at 7:06 p.m.

ACTION ITEMS

1. Chapter 13.76.240: Family Food Production (Beekeeping) - Staff: Pat Hanson, City Planner.

(19:04:55) City Planner, Pat Hanson, presented Chapter 13.76.240 of the Holladay Code regarding family food production and beekeeping as detailed in the staff report. She stated that the draft was structured in the same manner as the rest of the Animal section. Allowances were detailed.

Chair Jensen opened the public hearing.

Glora Chapman gave her address as 1900 Frontier Road and expressed an interest in keeping bees. She urged the Commission to allow them in Holladay.

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

(19:12:00) *Commissioner Bowthorpe moved to approve Chapter 13.76.240 Family Food Production and Beekeeping Ordinance and recommended it be forwarded to the City Council for a final decision. Commissioner Khodadad seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.*

2. Oakwood Villa Estates PUD – 3939 S Woodline Dr. – Plat Amendment – Conceptual Plan & Preliminary Plat - Staff: Rick Whiting, City Planner.

(19:25:54) City Planner, Rick Whiting, presented the Oakwood Villa Estates PUD located at 3939 South Woodline Drive and stated that the proposal is to combine two lots, which reduces the subdivision by one lot. Staff recommended approval.

Nick Mingo, the applicant's representative, stated that they are combining two lots and constructing a swimming pool. The utility easement was discussed.

Chair Jensen opened the public hearing.

Kristen Brown gave her address as 1784 East 3900 South and expressed her support for the proposed project.

Brad Knickerbocker gave his address as 1782 East 3900 South and was also in favor of the proposed project.

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

(19:22:03) *Commissioner Khodadad moved to approve the application for an amended plat for the Oakwood Villa Estates PUD at 3939 South Woodline Drive in the R-1-15 zone, subject to the following:*

Findings:

- A. *The proposed amendment meets the requirements for amending a residential subdivision.*
- B. *The proposed amendment has been reviewed by the TRC and meets City requirements for Amended Plat.*

Requirements:

1. *A 20-foot utility service easement must be vacated prior to recordation of the proposed amendment.*
2. *Letters to be provided by the utility companies stating that any easements have been vacated.*

Commissioner Garver seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.

Commissioner Khodadad moved to amend the agenda to discuss the minutes. Commissioner Chatelain seconded the motion. The motion passed with the unanimous consent of the Commission.

3. Beautiful Mind Tutoring – 2532 East Capricorn Way – R-1-10 Zone – Conditional Use Permit – Home Occupation with Customers – Staff: Rick Whiting, City Planner.

(19:30:30) Mr. Whiting presented the request from Beautiful Mind Tutoring located at 2532 East Capricorn Way as detailed in the staff report. Staff recommended the request be favorably considered.

Michele Chisholm, the applicant, gave her address as 2532 East Capricorn Way and expressed her desire to have a small tutoring business with one student served at a time. She reported that she has ample driveway parking.

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

(19:34:15) *Commissioner Khodadad moved to approve the application for a home occupation with customers for Beautiful Mind Tutoring located at 2532 East Capricorn Way in an R-1-10 zone subject to the following:*

Findings:

- A. The use is allowed by the zone in which the property is located.*
- B. The use is compatible with the character of the neighborhood and provides a much needed service to the wider community.*
- C. Vehicular access to the site will not materially degrade the existing level of service of the abutting streets and the required off-street parking is provided by the use.*

Conditions

- 1. Only one student will be allowed at the residence at any given time.*
- 2. Hours of operation will be Monday through Friday, 8:00 a.m. to 3:00 p.m.*
- 3. No on street parking will be allowed. Patrons of the service will be required to park in the driveway at the home.*
- 4. No outside employees will be allowed.*

Commissioner Bowthorpe seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.

Commissioner Bowthorpe moved to amend the agenda to discuss the minutes of March 4, 2014, and return to the original agenda once completed. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.

4. Tran Rezone – 2417 E 4430 South – Rezone from R-1-10 to R-1-8 – Staff: Rick Whiting, City Planner.

(19:51:03) Mr. Whiting presented the Tran Rezone located at 2417 East 4430 South as detailed in the staff report and stated that the applicants are requesting the property be rezoned from R-1-10 to R-1-8. Staff explained that a Transitional Overlay zone runs along the north side of 4500 South, which encompasses the property. The intent of the transition zone is to encourage higher density, but in the form of multi-family housing. Staff, upon analysis, felt the request was worthy of a positive recommendation to the City Council.

Henry Tran, the applicant, gave his address as 2417 East 4430 South and expressed his desire to remodel his current home to accommodate his family.

Property line details were discussed.

Mr. Allred stated that there is a current City ordinance that confirms that if two side-by-side lots in a zone and one or both are non-conforming, they must be joined together. The joining of lots does not require a rezone. He recommended several details be clarified before moving forward.

(20:02:50) Chair Jensen opened the public hearing.

Donald Squire gave his address as 2475 East 4430 South and stated that he would have no objection to the lots being combined and the home enlarged. He believed, however, that the narrow width of the lot would not accommodate an addition.

Milton Davis gave his address as 2483 East 4340 South and expressed concern about the rezone. He stated that he would like to review a more definitive site plan.

Chair Jensen clarified that the current zoning is already in place on the lots based on lot size and requires a petition and for an applicant to go through the approval in order to subdivide.

The public hearing was continued due to a notification error.

(20:09:01) Commissioner Snow moved to continue the item for further review. Commissioner Bowthorpe seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.

Commissioner Chatelain was in favor of combining the two lots and allowing expansion of the existing home, but did not support a zone change. Staff reported that there was an error regarding the date on the original notice. And additional notice was to be sent once the item is rescheduled.

5. Grand Holladay Condominiums – 4545 S 2300 East – R-M Zone – Conceptual Site Plan and Condominium Subdivision – Staff: Rick Whiting, City Planner.

(20:13:50) Mr. Whiting presented the Grand Holladay Condominium conceptual site plan and condominium subdivision located at 4545 South 2300 East in the RM zone as detailed in the staff report. He stated that the applicant proposes to build an 11-unit condominium project. Staff recommended approval of both the conceptual site plan and the condominium subdivision.

The applicant's representative, John Brunt, detailed the proposed project and stated that a neighborhood meeting was held where residents expressed disappointment regarding the loss of several trees and views. Height and graduated height issues were described.

Mr. Allred expressed concern with the proposed plan being in compliance with the recent changes to the cut and fill ordinance.

(20:41:18) Chair Jensen opened the public hearing. There were no comments. The public hearing was continued due to a notification error.

Mr. Brunt stated that the requirements for a 150-foot maximum depth for a turnaround was discussed with the UFA. They verbally approved a code modification and life safety was improved by including full stairways providing exit access on both ends of the building, fire sprinklers, an upgrade from a 5B to a 5A type construction, and a sprinkler riser room, among other additions.

(20:56:00) Commissioner Chatelain moved to continue the item until April 1, 2014. The public was to be renoticed and items of concern were to be addressed. Commissioner Snow seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.

6. Approve Minutes of the February 19 and March 4, 2014 Meetings.

The minutes of February 19, 2014, were reviewed and modified.

Commissioner Bowthorpe moved to approve the minutes of February 19, 2014, with changes noted. Commissioner Khodadad seconded the motion. The motion passed unanimously.

(19:29:49) Commissioner Khodadad moved to return to the original agenda and next discuss agenda item number three. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.

The minutes of March 4, 2014, were reviewed and modified.

(19:37:17) *Commissioner Chatelain moved to approve the minutes of March 4, 2014, with the noted changes. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.*

OTHER BUSINESS

7. Updates for Follow-Up on Items Currently in the Development Review Process.

Mr. Allred reported that items forwarded to the City Council are nearing completion. The RO zone and the Highland Drive corridor were to be discussed at their next meeting.

The appeal filed on the Holladay project was to be heard in the upcoming week. The Dreyfous Subdivision was to be addressed at the next meeting. The Murano Subdivision was expected to return for Planning Commission review in the near future. The Woodley Place Subdivision was working on legal documentation regarding the sewer agreement. Mr. Whiting reported that the six-lot subdivision on Nunley, which was granted conceptual approval in the fall, was moving forward again.

8. Report from Staff on Upcoming Applications.

9. Discussion of Possible Future Amendments to Code.

ADJOURN

(20:57:37) *Commissioner Snow moved to adjourn. Commissioner Khodadad seconded the motion. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at 8:57 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 18, 2014.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: April 1, 2014