

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

**Tuesday, June 3, 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
Jonathan Teerlink, City Planner

FIELD TRIP

The Field Trip was attended by Planning Commission Members Les Chatelain, Matt Snow, and John Garver. Staff members present were Paul Allred and Jon Teerlink. The combined group met in front of City Hall at 5:30 p.m. and left to visit three sites at approximately 5:45 p.m. The first site visited was the Priskos Driveway Approach Special Exception Request. At approximately 6:00 p.m. the group visited the site of the Holladay Vista Estates subdivision on Nunley Circle. At approximately 6:15 p.m. the group left to visit the Spring Creek Woods subdivision site. The field trip ended at 6:30 p.m. No residents attended the field trip and the Commissioners and staff discussed the individual items at their respective locations.

CONVENE REGULAR MEETING

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

ACTION ITEMS

3. Woodley Place Subdivision – 4245 South 2300 East – Conditional Use Permit for PUD R-2-10 Zone - Staff: Rick Whiting, City Planner.

(19:05:38) City Planner, Rick Whiting, presented the staff report and stated that conceptual and preliminary approval took place previously. Final approval was to be completed by staff for the current configuration. Staff discovered an error in the computation of the lot areas that included a portion of the road. This diminished the qualified area for lots to less than the required standard. The applicant was approached with two options. The first was to reconfigure the lots and the second was to apply for a PUD under the new Holladay PUD ordinance. Staff believed there were substantial areas of compliance.

Commissioner Chatelain stated that there was a third option, which would be to reduce the number of homes by one and proceed with the project.

The applicant, Skyler Tolbert, reported that nothing has changed from what was previously approved. He confirmed that they submitted the justification letter and will serve letters.

Mr. Whiting stated that staff's concern is that there are no renderings of the specific site plan accompanying the landscaping submitted with the new PUD proposal.

Chair Jensen opened the public hearing.

David Larsen stated that he appreciated the efforts of Ivory Homes to work with the neighboring communities.

Commissioner Snow emphasized the importance of protocol of the new ordinance and the proper paperwork requirements that accompany the PUD should questions or problems arise. Chair Jensen concurred and reported that a defined plan and elevations have not been submitted. He was of the understanding that this was a new proposal under the new ordinance that should comply with all regulations and requirements. He did not feel this was a complete application and that much of what was to accompany the proposal was incomplete or missing.

Commissioner Khodadad was of the opinion that the request clearly meets the intent of the new PUD ordinance. She recommended that the applicant submit the original paperwork and did not feel he should be required to start from scratch. Commissioner Bowthorpe agreed and considered this to be a unique situation.

Mr. Whiting confirmed that in the building permitting process setbacks and lot placement will be regulated through the Building Department. Ordinance requirements will still need to be met. The project layout was discussed.

Mr. Tolbert stated that with regard to setbacks they have not proposed anything other than what was granted previously. There are four plans, two of which were presented. Materials will include fiber cement wrapped with no stucco. Chair Jensen did not consider this to be a complete submittal and stated that protocol has not been followed.

Commissioner Chatelain was of the opinion that even though a few minor items were not complete, because this item has been seen several times before, given the available information provided, moving forward is warranted. He expressed his support and recommended approval.

(19:45:20) There were no further comments. The public hearing was closed.

(19:55:52) ***Commissioner Snow moved that the proposed Woodley Place Subdivision Conditional Use Permit for a PUD in a R-2-10 Zone located at approximately 4162 South 2300 East in a R-2-10 Zone be approved subject to the following:***

Findings:

- A. The proposed project meets the requirements for a Conditional Use Permit.***
- B. This project complies with the provisions of the City's General Plan for this area.***
- C. This application substantially meets both the letter and spirit of the City's recently amended PUD ordinance, Chapter 13.78, as noted in the Applicant's Letter and the staff report.***

- D. This application is consistent with land use patterns in the general vicinity.*
- E. The development represents an attractive alternative to the previous land use on the site, in terms of tax base, aesthetics, improved housing stock, new single-family detached housing opportunities, etc.*
- F. As noted earlier in the staff report, the PUD will not result in any material change to the previously approved preliminary plat other than to correct an error in calculation of lot area.*
- G. There is no harm to persons or property in the community if this plan is approved in place of the previously approved subdivision plan.*
- H. The proposed project has been previously approved by the Planning Commission and meets City requirements for Conceptual Plan as well as Preliminary Plat.*
- I. The proposed project meets the requirements for a residential subdivision in an R-2-10 Zone, i.e. area, density, access, slope, public safety, etc.*
- J. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement may be further addressed in the Building Permit approval processes, as needed.*
- K. Utility providers can serve the property and have provided appropriate service availability letters.*

Requirements:

- 1. Any remaining issues with regard to the plat must be resolved per the requirements of the Technical Review Committee (TRC).*
- 2. The City Engineer will determine the appropriate financial requirements for improvement fees and/or bonding in conjunction with the Final Plat approval.*
- 3. A right-of-way easement and road maintenance agreement for the 10 proposed lots must be recorded with the final plat, and detail provisions and responsibility for access, maintenance, snow removal, etc.*
- 4. A dedication to the City is required for the public right-of-way on 2300 East.*
- 5. The Planning Commission hereby delegates Final Plat approval and recording of the plat to the TRC.*

Commissioner Khodadad moved to amend the motion and stated that the last items were conditional use requirements and should be specified as being different.

Commissioner Snow amended the motion to add the following:

Conditional Use Conditions:

1. *The applicant shall provide all necessary documents to conform to PUD Section 13.78, which can be reviewed and approved by the TRC.*

Commissioner Bowthorpe seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Chris Jensen–Nay. The motion passed 5-to-1.

4. Deerwood Farms Subdivision – Phase III – 2545 E 6200 South – Plat Amendment for lots one through four – R-1-87 Zone – Staff: Rick Whiting, City Planner.

(20:02:42) Mr. Whiting presented the staff report and stated that some of the property owners in Phase II have requested an amendment to their property. With respect to Lots 1 through 4 the request was to move the road from the perimeter of the property to the interior allowing their homes to face the road and back the stream. The City Attorney reviewed the application and circumstances to determine the best way to proceed. He recommended that Phase II be amended and allow for movement of the road. Staff recommended approval and suggested that all of the requirements remain with the exception that changing the placement of the road will be allowed.

The applicant, Steve Petersen, gave his address as 6147 South Verness Cove and stated that they are asking for a road realignment with a small lot adjustment between Lots 3 and 4.

(20:07:45) Chair Jensen opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Khodadad confirmed that the applicant is not asking for a stream exception and changing the road would not allow him to build closer to the stream.

Community Development Director, Paul Allred, stated that there was a question about the 25-foot road width and he asked if it would be reduced to 20 feet. Mr. Petersen confirmed they would like to reduce the width from 25 feet to 20 feet. He also stated that they have met with Rocky Mountain Power and the adjacent lot owner who are both in favor of having the power pedestal moved to the east off of the access road from 6200 South to eliminate potential hazards.

With respect to the pull-out, Mr. Petersen reported that they would like to enlarge it to address life and safety issues. He also stated that they do not intend to implement the privacy gates as proposed in the plan and will return to the City should they decide to install them later. Emergency access issues were next discussed. Mr. Whiting clarified that the original approval referred to an emergency only egress eastward to Holladay Blvd. in the event of a catastrophic emergency to protect property owners to the east.

Frank Ivory, gave his address as 2095 Marilyn Circle and stated that the access is not necessarily a gravel road and could remain a clear access with dirt and landscaping as long as it is accessible. Mr. Allred recommended signage be posted stating the purpose of the access.

Mr. Allred raised a question about the Questar gas easement located on Lot 4. He stated that vacation of the easement will be necessary to issue a building permit.

(20:24:50) *Commissioner Khodadad moved to amend the plat for Lots 1 through 4 of the Deerwood Farms Subdivision Phase III located at 2545 E 6200 South in an R-1-87 Zone subject to the following:*

Findings:

1. *The proposed amendment has been reviewed by the TRC and meets all City requirements for a residential subdivision in an R-1-87 Zone.*
2. *The proposed amendment meets City requirements for Amended Plat.*

Requirements:

1. *All new homes built in this subdivision must include fire suppression sprinklers approved by the UFA.*
2. *Each home must have its fire suppression system inspected annually by the UFA.*
3. *Each lot must include a fire equipment turnaround per UFA specifications.*
4. *No parking signs must be posted at appropriate places on the private roads.*
5. *All roads must have unencumbered clearance height of 13' 6" to accommodate public safety and utility service vehicles.*
6. *All roads in the subdivision are required to be built to City of Holladay quality and durability specifications.*
7. *Floodplain mitigation measures will be required at the time of building permit application if the footprint of any proposed residence falls within the 100-year floodplain. This will be specified per City and FEMA standards.*
8. *The applicant shall make every effort to preserve trees along all roadways as well as in the interior portions of the subdivision.*
9. *A recorded "Shared Road, Right-of-Way Easement and Maintenance Agreement" must be honored by all lots in Phase 3 of the Subdivision. The owners of Phase 3 lots may need to amend their original agreement to make sure all owners of all phases have cross access and maintenance agreements.*
10. *The Stream Setback Exception must be honored as allowed by the Planning commission for a 50-foot building setback from the creek on Lots 1, 2, and 3. The same building setbacks to the stream will be required as before.*
11. *The UFA and other bodies with a vested interest in public safety may allow narrowing the road to match the narrowing criteria that have already been approved by the City Council for the southern portion of the road. The narrowing may be to a minimum of 20 feet for the entire horseshoe for the purposes of aesthetics and preserving trees.*

12. *Widen the apron at the entrance to the subdivision.*
13. *If privacy gates are removed, it will be amended officially at staff level.*
14. *Emergency egress easement must be maintained and proper signage to note that it must remain clear with no parking.*
15. *The road will be 20 feet rather than 25 feet wide per the original approval.*
16. *Work with Moyle Park to make as much pull-out space as possible.*
17. *Vacation of Questar gas easement for Lot 4 prior to the building permit being issued.*
18. *The power post at entrance will be moved to the east clearing space for the driving lane.*

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

5. Blosch Subdivision – 1961 E 4500 South – Conceptual Plan - R-2-8 Zone – Two-Lot Subdivision – Staff: Rick Whiting, City Planner.

(20:28:37) Mr. Whiting presented the staff report and stated that the applicant, upon approval, will build a single-family dwelling or potentially a duplex. The TRC reviewed the proposal and found that it meets City ordinance. It was reported that a neighborhood meeting was held. Staff recommended approval. The configuration of the property setbacks were discussed and the setbacks were detailed.

The applicant, Kirk Blosch, gave his address as 3842 Quail Hollow Drive and detailed the fire access. He stated that the proposed plan meets all City requirements. The buildable areas and side yards were evaluated by City Planner, Jonathon Teerlink, who identified the west property line as a side yard. It was the applicant's intent to remodel the existing home. Although the zoning allows for a twin home, that was not Mr. Blosch's intent. The neighbors would like an eight-foot rather than a six-foot fence in order to better buffer noise. Mr. Blosch confirmed that the existing trees along the west property line have reached maturity and infringe on the 20-foot access. He stated that they need to be removed.

Chair Jensen was of the understanding that all property setbacks must equal the setbacks of the adjacent properties. Mr. Whiting noted that the setbacks must equal 25% of the lot width with a minimum of 10% on one side.

(20:48:53) Chair Jensen opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Bowthorpe moved to approve the conceptual plan for the two-lot subdivision located at 1961 East 4500 South subject to the following:

Findings:

- A. *The proposed project meets the requirements for a residential subdivision in an R-2-8 Zone, i.e. area, density, access, slope, public safety, etc.*
- B. *This application is consistent with the land use patterns in the general vicinity.*
- C. *The UFA has initially approved emergency access as proposed. Fire hydrant capacity and placement will be address in the Preliminary Plat review and approval process.*
- D. *The proposed project has been reviewed by the TRC and meets City requirements for Conceptual Plan.*
- E. *This project is in compliance with the provisions of the General Plan.*

Requirements:

- 1. *A Preliminary Plat and any other requirements for the subdivision shall be submitted to the Technical Review Committee (TRC) for review and recommendation to the Planning Commission.*

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

6. Keone Property Rezone – 2521 E Murray-Holladay Road – Rezone Request R-1-10 to R-1-8 Zone – Staff: Rick Whiting.

The above item was withdrawn from the agenda.

Saundra Loving, gave her address as 2544 East Murray Holladay Road and questioned the noticing process. Mr. Whiting described how public hearings are noticed and stated that there has been a great deal of neighborhood opposition to the proposal. He confirmed that the applicant will not pursue the rezone in an effort to honor the wishes of her neighbors.

7. Approve Minutes of the May 6, 2014, Planning Commission Meeting.

The minutes of May 6, 2014, were reviewed and discussed.

Commissioner Chatelain moved to approve the minutes of May 6, 2014, with the noted additions. Commissioner Bowthorpe seconded the motion. Vote on motion: Les Chatelain–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Chris Jensen–Aye. The motion passed unanimously.

(21:07:38) Commissioner Bowthorpe was excused from the remainder of the meeting.

Commissioner Chatelain commented that he would like to continue the PUD discussion from earlier in the meeting. He suggested the matter be examined further and hoped to see representation from the City Council join the meeting to further explain their decision. Chair Jensen agreed and recommended a Work Session be held as well. Mr. Allred was of the opinion

that the Woodley Place application was in need of additional information to show full compliance with the PUD ordinance.

OTHER BUSINESS

8. **Updates for Follow-Up on Items Currently in the Development Review Process.**
9. **Report from Staff on Upcoming Applications.**
10. **Discussion of Possible Future Amendments to Code.**

ADJOURN

(21:22:33) 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 9:22 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, June 3, 2014.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: July 1, 2014