

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

**Tuesday, July 2, 2013
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

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

City Staff:

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

PRE-MEETING/WORK SESSION

In the absence of Chair Lori Khodadad, Vice Chair Brad Wright called the meeting to order at 6:38 p.m. The agenda items were reviewed and discussed.

With regard to mobile food businesses, alternative power sources as well as vehicle size were detailed. Commissioner Jensen reported that size will be mandated by traffic laws. He raised a question about the establishment of a maximum area that the vehicle may occupy.

Staff detailed the progress of the Fire Station.

Community Development Director, Paul Allred, reported on a recent meeting with Tom Nelson from the Highland Drive Corridor Planning Committee.

Mr. Allred also presented details regarding the Holladay Village.

(18:57:00) Commissioner Garver moved to close the work meeting and move to the Council Chambers for the Regular Meeting. Commissioner Jensen seconded the motion. The motion passed with the unanimous consent of the Commission.

CONVENE REGULAR MEETING

Vice Chair Wright called the Regular Meeting to order at 7:04 p.m.

ACTION ITEMS

1. **Chapter 13.76.770 and 13.76.775 – Mobile Food Businesses (Continued) – Planner - City Planner Pat Hanson.**

(19:04:30) Vice Chair Wright reported that the above item was a continuation from the previous meeting and that a courtesy notice was mailed out to nearby restaurants. Those wishing to voice an opinion were invited to do so.

Shannon Prescott was present representing Sharon's Café and stated that bringing in food trucks will negatively impact the smaller restaurants. It was her opinion that they will be detrimental to their small business.

Sharon Prescott, owner of Sharon's Café, did not believe the mobile food trucks would impact her business. It was her opinion that the food trucks were not a good representation of Holladay or that they belong in the City.

Mr. Allred clarified that it is a proposal generated by a Holladay resident who desires to purchase City land on Kentucky Avenue and Holladay Blvd. Staff detailed the events that led to this point. Mr. Allred reported that it was his understanding that the applicant does not have long range plans to keep the property as a food court, but would instead like to convert it to a brick and mortar business. Staff confirmed that 68 notices were sent to Holladay restaurants inviting them to provide comment.

(19:17:46) City Planner, Pat Hanson, recommended the proposal be reviewed page-by-page. Language regarding vending carts was discussed. Ms. Hanson stated that the ordinance does not allow businesses on sidewalks and all must be on private property.

Staff next detailed the requirements for a designated commissary location being utilized each night for cleaning and food preparation, as required by the Health Department. Commissioner Bowthorpe proposed that the commissary language be stricken in order to avoid confusion.

(19:20:00) Chair Khodadad joined the meeting.

The difference between regular food trucks and seasonal trucks was described. Suitable hours of operation were discussed.

Chair Khodadad commented that all items being discussed are also regulated by the Health Department. The discharge of waste material or food into the storm drain system was detailed.

The Commission next discussed the issue of mobile food truck owners requiring the approval of nearby business owners prior to operation. Commissioner Chatelain recommended receiving input on appropriate language from City Attorney, Craig Hall.

(19:51:15) Language regarding the noise ordinance and amplified sound was discussed. Trash and recycling disposal was reviewed. Staff identified the time that operations will be required to cease. Commissioner Wright suggested the homeowner be protected by enforcing a 10:00 p.m. curfew. Mr. Allred clarified that the mobile food trucks are to vacate the premises by 10:00 p.m.

Ms. Hanson clarified that generators will not be allowed in the food court and will be required to use plug-in power.

The Commission next detailed the signage allowance. Staff discussed suitable language for the retail sales being directly related to the mobile food business.

(20:32:27) *Commissioner Chatelain moved that the matter be forwarded to the City Council with the changes noted. Commissioner Bowthorpe seconded the motion. Vote on motion: Lori Khodadad-Aye, Les Chatelain-Aye, Matt Snow-Aye, Chris Jensen-Aye, Spence Bowthorpe-Aye, John Garver-Aye, Brad Wright-Aye. The motion passed unanimously.*

Commissioner Chatelain moved to amend the agenda and discuss agenda item number 5, the Highland Drive Master Plan. Commissioner Garver seconded the motion. Vote on motion: Lori Khodadad-Aye, Les Chatelain-Aye, Matt Snow-Aye, Chris Jensen-Aye, Spence Bowthorpe-Aye, John Garver-Aye, Brad Wright-Aye. The motion passed unanimously.

2. Proposed HDCMP Amendment (Continued) – Planners: Community Development Director Paul Allred and Rick Whiting.

(20:34:49) Vice Chair Wright invited comment on the matter.

Norm Dahle gave his address as 2675 Melony and was curious to hear the discussion and perspective on the new ordinance. As a builder and developer, Mr. Dahle was trying to determine the intent of the Commission as well as the outcome of the amendment.

The Commission provided an update regarding the process and procedure of the amendment. Commissioner Khodadad commented that the Commission is reviewing the Highland Drive Committee's recommendations and confirmed that several changes were made to the document.

Commissioner Bowthorpe stated that the master plan is not necessarily setting a policy, but providing options so that difficult properties that have become blighted can be used effectively.

Mr. Dahle thanked the Commission for their efforts.

(20:47:31) *Commissioner Khodadad moved to continue the Highland Drive Plan to a special meeting. Commissioner Jensen seconded the motion. The motion passed with the unanimous consent of the Commission.*

3. Chapter 13.77 – Landscaping – Planners – Community Development Director Paul Allred and City Planner Rick Whiting.

Commissioner Chatelain stated that Section 13.77.050 addresses a three-foot buffer and suggested it be changed to read an average of five feet, consistent with the other sections.

With regard to trees and shrubs, minimum measurement requirements were discussed. The removal of trees on public property was next detailed.

(21:01:58) *Commissioner Chatelain moved that the ordinance be forwarded to the City Council and recommended adoption. Commissioner Khodadad seconded the motion. Vote on motion: Lori Khodadad-Aye, Les Chatelain-Aye, Matt Snow-Aye, Chris Jensen-Aye, Spence Bowthorpe-Aye, John Garver-Aye, Brad Wright-Aye. The motion passed unanimously.*

4. Approve Minutes of June 4, 2013.

The minutes of June 4, 2013, were reviewed and modified.

(21:08:13) *Commissioner Chatelain moved that the minutes of June 4, 2013, be approved with the modifications noted. Commissioner Khodadad seconded the motion. The motion passed with the unanimous consent of the Commission.*

DISCUSSION ITEMS

5. Sections 13.76.300 and 13.76.700 – Development on Hillsides – Slope Cuts – Planners: Community Development Director Paul Allred and Jonathan Teerlink.

(21:08:53) City Planner, Jonathan Teerlink, presented the on-going temporary regulation discussion regarding slope cuts and exposed wall heights. Staff removed the item from the grading section and placed it in the Residential 13.14 zoning ordinance, dealing directly with detached single-family houses.

Commissioner Jensen discussed the issue of manufacturing of, or creating a new artificial grade totaling more than 50% of the length of any exterior house wall.

The Commission discussed horizontal relief. Commissioner Wright was of the opinion that this is an aesthetic issue and should not be included. Commissioner Jensen asked if a homeowner can change their property to create a three-story home, making it visible across the property line by digging out the entire width. He proposed that the new height ordinance be measured from the new finished grade.

Commissioner Chatelain asked if this issue is aesthetic and if so, if it is the Commission's decision to make. He also asked if a measurement of 20 feet is enough or should be regulated with a measurement of 50%.

The Commission continued to discuss acceptable size and location.

Mr. Teerlink reported that the section addresses issues where neighboring property is either level or below grade. He stated that this hinges on new construction or an addition.

(21:46:15) Staff described an existing situation where the natural grade was cut out in order to construct a driveway under the home. Although aesthetically pleasing for some, the extreme cut in slope raised concerns regarding safety and aesthetics for others.

Mr. Teerlink commented that of the walls within the setback, there is concern with exposing more than 50%. He asked if mitigation measures should be incorporated.

Mr. Allred confirmed that staff will return with photographic examples in order to create a more visible picture. He also requested direction from the Commission regarding issues needing clarification.

OTHER BUSINESS

6. Updates for follow-up on items currently in the development review process.

(22:07:17) Ms. Hanson presented the annexation policy and stated that there has been discussion regarding the map that will accompany it. When the recommendation takes place, two maps will be used as part of the recommendation. A public meeting will take place on July 16. It was

suggested that the recommendation take place during the public hearing to be held during the August 6 Planning Commission Meeting regarding this matter.

Staff reported that two dental office applications should be forthcoming up as well as Millrock. It was noted that the temporary regulation regarding slopes, cuts and fills ends early September.

7. **Report from Staff on Upcoming Applications.**

8. **Discussion of Possible Future Amendments to Code.**

ADJOURN

(22:16:30) Commissioner Chatelain moved to adjourn. Commissioner Khodadad seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 10:16 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, July 2, 2013.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: July 16, 2013