

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

**Tuesday, July 21, 2015
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Matt Snow, Chair
Spence Bowthorpe
Jim Carter
Jan Bradshaw
John Garver

City Staff:

Paul Allred, Community Development Director
Rick Whiting, City Planner
Jonathan Teerlink, City Planner
Pat Hansen, City Planner
Clarence Kemp, City Engineer

FIELD TRIP

The Commission and staff visited two sites prior to the meeting; the proposed Ferrin Office Building and the Christensen Stream Exception site. In attendance: Staff, Paul Allred, Jon Teerlink. Commissioners: Carter, Bowthorpe, Garver, Snow, Bradshaw. No members of the public attended the Ferrin portion of the field trip, except the applicant and his architect. The applicant, their consultant, and various neighbors attended and conversed with staff and the commission at the site of the Christensen matter. The commission returned to City Hall at approximately 6:40pm.

PRE-MEETING/WORK SESSION

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

City Planner, Rick Whiting, announced that he will be leaving the employ of the City at the end of July and this will be his last meeting.

Chair Snow reported that the Commission took a field trip and visited two properties. One involved the Christensen Stream Exception for which a public hearing was conducted previously.

Community Development Director, Paul Allred, reported that he and City Planner, Pat Hansen, met earlier in the day with the consultant and recommended that the Commission have several additional meetings between now and Labor Day. He specifically recommended that the Commission have one or two meetings dedicated only to the General Plan. He suggested that Landmark Design, the city's consultant on the Plan, be allowed to make a presentation after which the public hearing would be conducted. The public hearing should remain open until a final decision is made. The possibility of holding work meetings were also discussed. It was anticipated that a recommendation would be made by the Commission around mid-September.

Commissioner Bradshaw disclosed a possible conflict of interest with respect to the Ferrin Office Building proposal. She noted that the applicant is a relative of her husband's but she has no financial interest in the project. Mr. Allred did not think it was necessary for her to recuse herself and appreciated that she disclosed the connection. Staff recommended approval of the

Ferrin Office Building Conceptual Plan and remarked that the applicant and his architect have been very good to work with.

The Commission next reviewed the proposed Abbington Senior Care Center. Staff recommended approval of the preliminary site plan with resolution of a few details that are still lacking.

CONVENE REGULAR MEETING

Chair Matt Snow called the Regular Meeting to order at 7:07 p.m.

2. Welcome & Chair Opening Statement.

Chair Snow welcomed those present and described the role of the Planning Commission.

ACTION ITEMS

3. General Plan Amendment – Review and Possible Recommendation to the City Council of a Major Re-write of the City’s Current General Plan Originally Adopted in 2000.

(19:09:19) City Planner, Pat Hansen, presented the staff report and stated that the project has been worked on by staff for several months. The process began in 2014 with the selection of the Landmark Design team consisting of consultants who have worked with the Citizens Advisory Committee. Several meetings have been held as well as a couple of public hearings. The state requires specific elements be included in the General Plan, which were provided in the staff report. The City can also choose other issues they feel need to be addressed. Staff was pleased with the document before the Commission and recommended it be looked at as a background study since it provides all of the needed information. Over the next few months the intent is to generate a shorter document that includes salient points that are most important and a clear and concise view of how development in the City should be directed in the next five to 20 years. Staff recommended the public hearing be held and continued after which there should be a brief discussion to discuss a schedule for additional meetings.

(19:19:40) Mark Vlasic from Landmark Design, reported that they have been working on the project for the last seven months and have completed a draft document. They prepared a webpage where they have been disseminating information throughout the process. They are now working through the approval process and working with staff to make it more usable for the Planning Commission and eventually the City Council and the public. Mr. Vlasic stated that the General Plan consists of seven chapters or elements to meet both State Code and LUDMA. They have addressed parks, recreation, trails, open space, housing, and economic and financial stability of the community. A very extensive chapter on transportation was prepared as well as Land Use, Urban Design, and Neighborhood Preservation.

Mr. Vlasic addressed the Introduction and the Background Chapter and stated that their focus was on implementation and creating an action plan. He noted that Holladay’s population is small and most growth has been the result of annexations that have taken place over the past few years. The actual natural growth has been quite low. Holladay’s median age is much older than the typical Utah City, which is around 31 years of age and the income is higher than is typical. From a land use perspective, they are looking to combine land use urban design into one focus. As a result they developed three general principles to guide their efforts. The first was to support

stable neighborhoods and recommend good growth in less stable areas. The key commercial nodes were identified with the intent being to provide better opportunities to make the community better in the future.

Mr. Vlasic displayed a map and identified the historic districts. He recommended it be expanded to encompass other historic sites. One of the areas between the Holladay Village and the Cottonwood Mall site has been identified as the Holladay Half Mile. Mr. Vlasic stated that this stretch of Murray Holladay Road is an opportunity to connect and make it a place that flows together to create a unified experience.

Mr. Vlasic stated that the desire is to have a more comprehensive transportation approach. He mentioned that 6200 South and VanWinkle has the opportunity to be much more of a driving force for the community. The City's partner on the LPRP study project is the Wasatch Front Regional Council who has provided tools one of which will be used to help evaluate areas as development ideas and concepts come forward.

From a transportation point of view the intent was to address the needs of vehicles, which has been the focus of most transportation plans. The goal is to create a more unified and comprehensive approach to roads that goes beyond the needs of moving vehicles around the community. Their sub-consultant, Inter Plan, met several times with the Engineering and Traffic staff. A typical classification would identify the widths of roads as they pertain to moving traffic. Drawings were shown with different types of streets that aren't only looking at the needs of vehicles but how tradeoffs might occur.

(19:38:15) Redevelopment issues were discussed with the Cottonwood Mall Redevelopment Project was identified as the largest. It was noted that the state's traffic projections related to this project will increase significantly in the future. It was thought that growth here should occur in a manner that fits in with the Holladay lifestyle. It was felt also that there should be more opportunities for people to live in Holladay through all stages of life. Mr. Vlasic noted that there are limited opportunities for young first time homebuyers as well as the elderly.

Natural resources were next addressed. In terms of the City's tree canopy, Mr. Vlasic stated that based on historic photos, a significant decline had been seen over the last 30 years. He recommended that more emphasis be put on preservation and greater effort into preserving trees on private property. A thorough analysis was conducted of parks and it was determined that there is not much more opportunity for new parks unless a public use or public building becomes available. With regard recreational opportunities, there is a focus on bikes and trails.

Mr. Vlasic stated that a review meeting was conducted to which 30 to 35 people were in attendance. Good feedback was received from the public. Emails have also been received over the last few weeks asking them to look at fence ordinances and other items that will enhance the quality of life. They found there was general support for the draft plan and trails along Big Cottonwood Creek and the canals. More input was desired on historic resources. The plan was adjusted accordingly. Sidewalks were supported as part of the transportation system where they make sense. Concern was also expressed about building height and mixed uses and whether they fit into the community. The thought was that the uses should be more diverse and attract a wider range of residents to the community.

Chair Snow commented that the decisions the Commission makes can all be tied back to the vision established in the General Plan and ensures that no arbitrary land use decision is made in the City. He stressed the importance of citizens getting involved.

(19:47:10) Chair Snow opened the public hearing.

David Chisholm gave his address as 6018 La Tour Street and commended the consultants and the team that have worked on the plan. He considered it to be well thought through and saw reason the citizens would not be pleased with it.

Community Development Director, Paul Allred, explained that the General Plan is scheduled to be adopted tentatively at the end of this calendar year. A grant was received from the Wasatch Front Regional Council (WFRC). He noted that this is something the City has wanted to do for a number of years. The City incorporated in 1999 and the first General Plan was adopted in 2000. Various elements have been amended from time to time since then. This is the first comprehensive overall look at the plan since it was initially adopted. The team was thanked for their work on the plan.

A meeting was held earlier in the day with Mr. Vlastic, Mr. Allred, and Ms. Hansen where ideas were expressed. Staff would work with Mr. Vlastic to condense the most important ideas at the beginning and allow the study to stand on its own in the various chapters. The public was informed that there are elements of the current General Plan that will need to be addressed and updated as part of the update. Mr. Allred recommended the public hearing be continued and allow public comment from now until the plan is voted on. He recommended the Planning Commission hold a few special meetings to deal with this large and important document between now and Labor Day and finish it up sometime in September.

Commissioner Carter complimented Mr. Vlastic and his team on the draft plan. He remarked that it represents the most current thinking in terms of community planning and focuses on the character of the community, the key attributes that make the community what it is, looks for opportunities for economic growth, and identifies areas that are stable that should remain stable.

(19:53:14) *Commissioner Carter moved to keep the public hearing process open. Commissioner Bradshaw seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Matt Snow-Aye. The motion passed unanimously.*

4. Christensen Property – 2684 East Hillsden Drive– Stream Exception (Continued) - R-1-43 Zone.

(19:53:41) City Planner, Jonathan Teerlink, presented the staff report and stated that the matter was continued from the last meeting specifically due to the desire of the Planning Commission to see the trees on the site that are proposed to be moved. Changes were made to the site plan with one being the removal of a sport court. A site visit took place to see the sites proposed to be removed. Mr. Teerlink commented that there are elements of the special exception approval standard that addresses specific criteria to be followed by the Planning Commission to approve a special exception.

Golden Holt identified himself as the Landscape Architect retained for the project. He stated that at the site visit earlier he explained their goals in terms of the landscaping on the site. Their intent is to make the site beautiful with lots of trees. He noted that with one exception, the trees to be removed are all Black Willow, which is a very noxious tree. It is native near water and drinks more water than any other tree. It is also very disease and insect oriented and has weak wood. Some of the roots of the existing trees are encroaching on the Gabian baskets and compromising the stream. The constantly breaking branches are also of concern. Their intent is to replace them with other better trees. The exception is one Box Elder tree, which is also not desirable and is proposed to be removed. Mr. Holt agreed to enter into an agreement that for every tree that is removed one will be planted in its place.

Chair Snow noted that the public hearing was continued at the last meeting. A handwritten petition was also received from the neighbors that were made part of the record requesting that the Planning Commission reject the proposal to remove trees and construct a sport court and swimming pool in the sensitive Big Cottonwood Creek bank area. The petition contained approximately 15 signatures.

Chair Snow opened the public hearing.

(20:09:38) Sherry Condie gave her address as 4920 South Regency Street and asked to sign the petition. She stated that she has always enjoyed hiking near water and asked if a trail system was planned along the river. She recalled that there are willow trees along the creek naturally and they grow because they have sufficient water. She recommended rejecting the application and preserving the willows that are there naturally.

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

Mr. Holt stated that is up for debate as to whether willow trees are native. The story was that the pioneers brought them because they can be transported dry and are easily transplanted. Even though they grow along willow banks they consume a great deal of water. He stated that Black Willows are not sold at nurseries because they are not good trees. To create a grove-like look they want tall trees that will be clustered so that they grow together.

Commissioner Carter was concerned that they are already working on an already disturbed site and he was comfortable with the property owner removing the willows directly behind the house and replacing them with another species. His preference, however, was to have the site remain as it is and leave all of the vegetation in place. He stated that they can achieve their long-term objectives by allowing the homeowner to remove tall vegetation and replace it. It was noted that the trees to be removed will be in the center of the lot. Commissioner Carter was concerned with the removal of the Box Elder on the west side.

Commissioner Bradshaw did not object to the Black Willows in the middle being removed but did not see how the ones on the side are affecting what is proposed.

City Engineer, Clarence Kemp, visited the site and found the proposal to be acceptable. He explained that the Planning Commission is under no obligation to take his recommendation at

face value. They may add additional constraints as deemed appropriate. He granted his consent rather than direction on how to proceed.

(20:25:12) Commissioner Carter's understanding was that within the 100 feet they are to take special care to protect the function of the natural environment including trees, stream meanders, and habitat. In this case, the conversation was focused on trees.

Mr. Holt was asked if there would be any value to staging the removal of large trees and the planting of new trees. Mr. Holt responded that 10 or 12 willows are being left on the site because they are large and they provide a buffer, longevity, and shade because of their size. The challenge is that once the home is built with the retaining wall it will not be possible to get equipment back there to remove them. Possible options were discussed.

(20:30:40) Commissioner Carter moved to approve the Stream Exception to remove the three large clumps of Black Willow trees behind the house with the provision that they be replaced at a ratio of 5-to-1 with Maples or Ash of a caliper no less than 3" and that occur contemporaneously with or before the construction of the retaining wall for access purposes.

Commissioner Carter commented that large phreatophytes use tremendous amounts of water and there are better vegetative types to have in riparian corridors that Willows and Cottonwoods.

Commissioner Bowthorpe made a friendly amendment to request that a Landscaping Plan be submitted to staff for review.

There was some question about limiting the tree species to Maple and Ash. Mr. Holt stated that there are Oak trees and several other varieties that would be acceptable.

(20:34:17) Commissioner Carter moved to amend his motion to approve the Stream Exception and allow construction of the home as proposed within 40 feet so long as the construction is taking place on the area currently filled in behind the retaining wall per the plans submitted. The applicant shall be permitted to remove the three large clumps of Black Willow trees behind the house with the provision that they be replaced at a ratio of 5-to-1 with large caliper hardwoods and that it occur contemporaneously with or before construction of the retaining wall for access purposes. Approval was also pursuant to a Landscaping Plan being submitted to staff for review.

The motion was clarified. Commissioner Carter confirmed that the trees rather than clumps of trees should be replaced at a ratio of 5-to-1.

Commissioner Bowthorpe seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Nay, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Matt Snow-Aye. The motion passed 4-to-1.

5. Ferrin Office Building- 6571 South Big Cottonwood Canyon Road – Conceptual Site Plan – RM Zone.

(20:37:05) Mr. Whiting presented the staff report and stated that the proposal is for a 2 ½ story office building on a .88-acre parcel of land in the RM Zone. The applicant, Ron Ferrin,

considered requesting a zone change to the ORD Zone to allow a higher building. He withdrew the request and designed a building within the constraints of the RM Zone, which has a maximum height of 35 feet. The proposed building is 16,000 square feet in size and requires 82 stalls. The applicant indicated that they have 81 stalls although the Code clearly calls for 82. Mr. Allred counted 83 in the plan. Mr. Whiting reminded the Commissioners that this is a conceptual stage of approval and that detail will be worked out to ensure that Code is satisfied. The Unified Fire Authority reviewed the plan and found it to be acceptable. Staff recommended approval since the request meets all Code requirements.

Kirby Kirkman, from HKG Architects, identified himself as the Project Architect. They have worked with the owner and feel it will be a good replacement for the existing storage facility.

Mr. Allred reported that when they were on site earlier in the evening, Mr. Kirkman did a recount on one of the lower levels and found that the actual number of parking stalls is 81. The applicant was willing to adjust the building size, if needed, to meet the parking standard.

(20:41:35) Chair Snow opened the public hearing.

David Masidas gave his address as 6645 Old Mill Circle, which is south of the proposed project. He also noted that he is the Homeowners Association President for his subdivision. The map he received from Mr. Ferrin shows the square footage as 19,692 square feet rather than the 16,000 reported by staff. Mr. Whiting stated that the plans submitted to the City show the square footage as 16,000 square feet. Mr. Ferrin clarified that the correct square footage is 16,000; however, it will be reduced to 15,800 square feet to meet the parking requirement. The size reflected is the leasable space. The actual footprint including wall faces, elevators, corridors, and spaces that are not allowed to be leased is greater. Mr. Masidas stated that he owns a commercial building in Salt Lake and the only thing that is not counted is storage. Mr. Allred agreed to verify that requirement. Mr. Masidas stated that if that is the case there is a misconception on the size and what is usable. It was recommended that the square footage requirement be clarified.

Mr. Masidas also observed that there are no trees planned in association with the project. He recommended that trees be incorporated in order to maintain a sense of what Holladay is. Mr. Whiting responded that the Code requires landscaping approval. The next phase of development will require submission of a Landscape Plan.

On the rear portion of the building, Mr. Masidas observed that there is a 20-foot setback and on the south side, which is adjacent to the entrance to their subdivision, there is only a 15-foot setback. He asked for the reasoning behind that. Mr. Teerlink reported that that is the standard side setback. Mr. Masidas next asked if the back side of the building that is adjacent to the school will require some of the wall to be cut away to make space for the building. Mr. Kirkman stated that on grade level where there is parking, the rear wall will act as a retaining wall.

(20:50:21) Mr. Allred explained that specific questions will be answered at the next stage of the project.

In response to a question raised by Mr. Masidas, Mr. Whiting clarified that the 35-foot height is measured from existing natural grade, which is determined by the City Engineer. Mr. Masidas stated that if that is the case, the parking entrance will be elevated off of Big Cottonwood Canyon Road. Mr. Kemp stated that that would not necessarily be the case because it is not the natural grade and was filled in over a number of years.

Traffic issues were discussed. Mr. Masidas asked that the property owner conduct a traffic analysis to see what kind of impact this size of a building will have on that road. He reported that Big Cottonwood Canyon Road is a two-lane road and there is a curve where the building will sit. Cars coming out of the south entrance will have to contend with cars coming around the corner.

Mr. Masidas also asked that the neighbors be protected against light usage at night. He wanted to ensure that the neighbors' concerns are addressed before going forward and that they will have input since they will have to live with what is built.

(20:56:45) John Seastrand gave his address as 6617 Old Mill Circle and stated that that area of Big Cottonwood Canyon Road is heavily traveled by bicycles. He described the dangers that exist there. He asked that attention be paid to the exterior finish. Mr. Seastrand stated that he lives adjacent to the Millrock Office Park and he has lived with the situation for the last 14 years. The developers run roughshod over him and have never completed the landscaping they promised to do in the 50-foot buffer zone. They built a rock retaining wall that towers over his house and there are trees that are six feet in diameter growing between the rock retaining wall. At some point he stated that it will slide. He considered it to be a safety hazard and has complained to the City on several occasions. There are also wild trees that have damaged his fence. Their parking lot and cable fence is also broken down. He felt it was travesty that a \$100 million office park has no maintenance or landscaping adjacent to him and his three neighbors. He asked that the City be vigilant with developers who are building next to residential communities.

Mr. Seastrand stated that he was approached by Steve Petersen who complained that there was Vinca growing up in the buffer zone and encumbering his weeds. He stated that it has been a nightmare to live with. He even resorted to talking to attorneys about a nuisance lawsuit. Mr. Seastrand identified his home on a map displayed.

(21:02:15) An unidentified gentleman expressed concerned that he lives in the neighborhood but did not receive notice of tonight's meeting. He lives two houses away from the project. Mr. Whiting reported that the mailing list comes from the County Recorder.

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

Commissioner Bradshaw felt that several things need to be addressed but not at this level. She thought the neighbors brought up good points.

In terms of the ingress and egress, a question was raised with respect to having one entrance and exit directly opposite the entrance to the commercial properties on the opposite side of the street.

Mr. Kirkman explained that there are two levels of parking. To get circulation to get to the lower level would take up more than half the site. For that reason it was not pursued.

Chair Snow commented that there is a very nice trail across the street that cyclists should be encouraged to use to get out of traffic.

Mr. Allred stated that another public hearing will be held on the issue in the future. Another notice will be sent out on the conditional use portion, which is for the office.

Jan Bradshaw reported that she knows Ron Ferrin personally as he is a distant cousin of her husband. She noted that she has no financial interest in his building.

(21:10:10) Commissioner Carter moved to approve the conceptual site plan for the Ferrin Office Building located at 6571 South Big Cottonwood Canyon Road in the RM Zoning subject to the following:

Findings:

- A. The proposed project meets the requirements of the Conceptual Site Plan for a professional office building;***
- B. This application is consistent with land use patterns in the general vicinity;***
- C. The Unified Fire Authority (UFA) has approved emergency access as proposed. Fire hydrant capacity and placement will be addressed in the Preliminary Site Plan and the Conditional Use Permit review and approval process;***
- D. The proposed project has been reviewed by the Technical Review Committee (TRC) and meets City requirements for Conceptual Site Plan;***
- E. Utility providers can serve the property and have (or are expected to) provide appropriate service availability letters; and***
- F. The applicant has held a neighborhood meeting as required.***

Requirements – Prior to approval of Preliminary and Final Site Plan and Conditional Use Permit – all outstanding TRC issues must be resolved. These may include among other things:

- 1. A Preliminary Site Plan, Conditional Use Permit, and any other requirements shall be submitted to the Technical Review Committee (TRC) for review and recommendation to the Planning Commission;***
- 2. Based on current leasable space projections of 16,000 square feet – at least 82 parking stalls will be required;***
- 3. A drainage and water retention plan shall be submitted to the City Engineer for review and approval with the Preliminary Site Plan;***

4. *A retention structure that is part of the parking structure shall also be submitted to the City Engineer for review and approval with the preliminary site plan;*
5. *There shall also be a lighting plan;*
6. *Natural grade shall be clarified. The building height limitation is tied to the grade given that this is a heavily disturbed site;*
7. *City Traffic Engineer, Tosh Kano, should investigate the traffic patterns and flows;*
8. *Slope stabilization, landscaping and setback issues should also be addressed.*

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

Staff agreed to also work with Mr. Seastrand to set up a meeting with Steve Petersen to discuss longstanding frustrations. Mr. Allred stated that Millrock has sold out of the project but they still manage the site for the new owner.

6. Abbington Senior Care Center – 3909 South 2700 East – Conditional Use Permit – RM Zone – Staff Planner: Paul Allred.

(21:15:10) Mr. Allred presented the staff report and stated that the purpose of tonight's meeting is for the Planning Commission to consider the appropriateness of what is being proposed. The applicants have requested to build a Level 2 Assisted Living Facility. This includes a significant amount of assistance that can be rendered to the residents who live there. It was noted that the City Council has already recommended approval of the zone change. The impact of the proposed use is similar to one that already exists.

Mr. Allred reported that the use is permitted with conditions. The City Council already recommended approval of a zone change, which indicates that the Planning Commission and City Council knew what use was coming. The applicants have given a very strong narrative and provided a list of benefits and restrictions. Mr. Allred stated that the proposed use is low traffic and low impact. Staff recommended approval based on the findings and conditions set forth in the staff report.

The applicant, Russ Watts, was present on behalf of the Abbington Senior Living Group. They have refined the drawings to the point that they are ready for submittal and site plan approval. They are partners with the Risen Life Church, which is the reason they have been so successful. The church owns the ground and they will be leasing the property and putting in the improvements. Lighting issues were discussed. They have worked with the neighbors on the south boundary. There is an eight-foot discrepancy and they have resolved the matter among the neighbors. He explained that their property line encroaches into the neighboring properties. That will eventually be changed by deeding the property to the neighboring property owners and placing their fence against the existing fence.

(21:25:49) Chair Snow opened the public hearing on the conditional use.

Tom Smith gave his address as 3136 East Evergreen Avenue and stated that he also owns a duplex directly to the south of the property. He asked if the dumpster was still in the southeast corner of the site. Their concern was that garbage collection usually occurs in the early morning hours, which could disturb the neighbors. Cleanliness was also of concern. Commissioner Bradshaw stated that the intent was to ensure that they come after 8:00 a.m. Mr. Allred clarified that that would be a site plan issue. The location of the dumpster was verified with the applicant and is more than 50 feet from the nearest dwelling. Staff also received a solid dumpster enclosure design from the applicants. It will behoove the applicants to keep the dumpster area clean. Mr. Smith noted that there are no homes to the west, north, or east and he asked that it be placed in the northeast corner of the site. He felt the proposed facility will benefit the neighborhood and he welcomed it.

Sally Nuelle gave her address as 2735 Nora Drive to the south of the development. She was concerned not only with the dumpster pickup but with what they will be dumping in there. She asked how odor control, hygiene, and rodents will be controlled. With respect to lighting, she stated that the facility will back the bedrooms of the adjacent homes. She was in favor of the double fence which will provide additional buffering.

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

Commissioner Garver felt that the project itself is supported, fits well on the property, and is an appropriate use. He voiced his support for the conditional use.

(21:38:32) Commissioner Bowthorpe moved to approve the conditional use permit for Assisted Living II in the R-M Zone submitted by Addington Holladay - Assisted Living Center located at 3909 South 2700 East subject to the following:

Findings:

- 1. This request, if approved by the Planning Commission, is allowed by the provisions of the City's R-M Zone for Assisted Living I and II facilities as a conditional use.*
- 2. Approval of this Conditional Use Permit will not be detrimental in any reasonable way to neighboring properties.*
- 3. The scale, scope, and hours of operation will not negatively impact neighboring properties. It is a low impact use.*
- 4. The basic land use is allowed under Conditional Use for this (R-M) Zone.*
- 5. The assisted living I and II facility will have minimal negative impact on the neighborhood in terms of noise, lighting, etc.*
- 6. Traffic movement of ingress and egress is acceptable to the City Engineer and Public Works Director and City street infrastructure will be dramatically improved with new curb, gutter, and sidewalk.*

7. *Overall value and benefit of the site to the community will be increased especially in terms of the architectural quality of the structure and removal of mostly vacant and unproductive space at this particular location.*
8. *This project will allow for ongoing maintenance of health, safety, and welfare of residents in the facility and in the general vicinity.*
9. *The facility will be economically beneficial to the community.*
10. *The facility will provide a safe and healthful environment for those who reside there.*

Conditions:

1. *The applicant shall agree to operational factors such as hours of operation, traffic movement, pedestrian and public safety, etc. that minimize impact on the community.*
2. *Noise impacting neighboring properties must be mitigated specifically subject to existing sound ordinances.*
3. *Parking must be very carefully controlled so as to not create off-site overflow and the operator of the facility must have a permanent cross parking arrangement with the property owner to the east for both daytime and overflow parking demand.*
4. *Site lighting must be managed to ensure that this facility does not impose light intrusion on neighboring properties. Lighting must be operated in such a way as to minimize impact on residential property in the vicinity.*
5. *Management of schedules for deliveries of food and supplies, trash pick-up, etc. must avoid any negative impact on neighbors and must comply with City/County noise regulations. The developer shall include a proposal as to the trash pickup hours with their preliminary site plan.*
6. *All those involved in managing the project must respect the needs of the facility residents, visitors, and neighbors as well as pedestrians and the public.*
7. *Approval of necessary and continual licenses by the City of Holladay and the State of Utah, and/or other agencies.*
8. *The use must be operated in compliance with the approved site plan. Material changes to the site plan may result in potential changes to the Use Permit.*
9. *The use will “run with the land” until it is abandoned or amended.*
10. *If the facility is not operated under the conditions of the site plan and the Conditional Use Permit, it may be brought back to the Planning Commission for review and potential revocation of the permit, only if absolutely necessary.*

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

Commissioner Bowthorpe commented on the garbage collection times and stated that it is subjective. He found it difficult to resolve the problem by dictating what time trash collection should take place. He welcomed input from the developer and noted that he wants the neighbors to be comfortable with the result.

7. Abbington Senior Care Center - 3909 South 2700 East – Preliminary Site Plan – RM Zone – Staff Planner: Paul Allred.

(21:47:20) Rick Walker was present representing the operations side of the project. He noted that they have been operating these types of communities since 1998. With regard to trash, he stated that the residents will deal with the same issue and they have no desire to have trash removal right outside the windows of the residents and disturb them or their neighbors. With the companies they deal with, they are able to set the times and request that trash pickup occur and certain times. The document submitted specifies that there would be no trash removal before 8:00 a.m.

The facility is designed as an apartment with assisted services. The plan shows several apartment units near the trash container. Other things can be done to mitigate the impact as well such as the size of the container can impact the frequency of collection. Trash around the container is also of concern and maintenance staff will walk the property daily. Mr. Walker had rarely seen a problem with the trash containers. Standards will also be maintained with respect to pest control. The area will be clean and sanitary.

Mr. Allred stated that the conditional use narrative submitted by the applicants was very good and supports the proposed use. The site plan submittal is detailed and a great deal of work will be done on the part of the developer. He commended the applicants on the quality of the application submitted. They did a great job of responding to the City requirements. Staff recommended approval.

Mr. Allred reported that the Planning Commission previously approved the site plan for conceptual approval in May. The applicants have made various revisions requested by staff. Changes made since the conceptual approval was granted include a reduction in the parking, especially on the south property line in response to issues about the landscaping buffer. Changes were requested to a drainage and detention basin and the amount of landscaping was increased. Additional detail was also requested on a storage shed near the trash enclosure.

Staff was also very impressed with the architectural design. Mr. Allred reported that the lighting plan was also greatly increase in terms of detail. The applicants have also already received their major utility provider letters.

Commissioner Bowthorpe liked that the amount of turf was reduced and suggested it be eliminated in the park strip and replaced with drought tolerant landscaping.

(22:03:50) *Commissioner Carter moved to approve the preliminary site plan for the Abbingdon Holladay Assisted Living Project subject to the following:*

Items that need to be addressed and approved by the TRC:

- 1. City Engineer sign off on revisions to civil plans.*
- 2. Suggest a PUE ought to be proposed and described for utilities on the site even though this is not a subdivision.*
- 3. Licensing through State and City of the facility (after final approval).*
- 4. Design of equipment shed.*
- 5. Operation of the site light – photocell or timer.*
- 6. Delegate to staff approval of the final site plan.*

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

8. Updates or Follow-Up on Items Currently in the Development Review Process.

A Special Meeting on the General Plan was scheduled for Tuesday, July 28 from 6:00 p.m. to 7:00 p.m. Mr. Allred recommended a few special meeting be held. Between now and the 28th he asked that the Commission focus on Chapters 1 and 2.

Tree issues were discussed.

Mr. Whiting's departure was discussed. Mr. Allred stated that Rick has been employed by the City for seven years and will be dearly missed.

Mr. Allred stated that the City Council gave a nice farewell for Les Chatelain at their last meeting.

9. Report from Staff on Upcoming Applications

10. Discussion of Possible Future Amendments to Code

ADJOURN

The Planning Commission Meeting adjourned at 10:30 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 21, 2015.

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

Teri Forbes, Minutes Secretary
T Forbes Group

Minutes approved: August 18, 2015