

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

**Tuesday, August 4, 2015
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Matt Snow, Chair
Spence Bowthorpe
Jan Bradshaw
John Garver
Chris Jensen

City Staff:

Paul Allred, Community Development Director
Pat Hansen, City Planner

PRE-MEETING FIELD TRIP

The Planning Commission took a short field trip to the proposed seven-lot Big Cottonwood Cove Subdivision site at approximately 2160 East 6200 South. The Commission walked the site and looked at various aspects of the property and surrounding and spoke to one neighbor, John Quick, whose home immediately abuts the site. The Planning Commission then returned to City Hall at about 6:30 p.m. In attendance were Community Development Director Paul Allred and Commissioners Bradshaw, Snow, Garver, and Bowthorpe.

PRE-MEETING/WORK SESSION

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

(18:40:25) Community Development Director, Paul Allred, reviewed the Big Cottonwood Canyon Cove Subdivision and stated that the zoning is in place. Details of the request were discussed. The preliminary site plan request for Holladay Village Condominiums was also reviewed.

CONVENE REGULAR MEETING

Chair Matt Snow called the Regular Meeting to order at 7:05 p.m. He reported that notice was sent out for the Nixon rezone, which was withdrawn by the applicant.

2. Welcome & Chair Opening Statement.

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

3. Public Hearing – Big Cottonwood Canyon Cove Seven-Lot Subdivision – Approximately 2164 East 6200 South – R-1-8 Zone, Applicant, David Weekley Homes, Nick Mason, Agent.

(19:06:20) Community Development Director, Paul Allred, presented the staff report and stated that the property is located in the R-1-8 Zone and is approximately 1.75 acres in size. A rezone request was not being considered tonight since the property has been zoned for one-fifth-acre lots for some time. It is a private road subdivision with a 20-foot wide driveway with a pull out for a

fire apparatus to get to the hydrant. Mr. Allred explained that at the bottom of the road there is a modified hammerhead, which has been designed at the request of the Unified Fire Authority to give wider turn angles. There are a total of seven homes proposed. Each meets the minimum lot area for the zone. The lots are more than 8,000 square feet in size excluding the net of the road.

Tonight's consideration was a conceptual hearing to allow the Planning Commission, the developer, and the neighborhood to see what is being proposed. The proposed use is allowed in the zone and does not require a special hearing or conditions of approval. The applicants will, however, have to meet a series of approvals at the preliminary subdivision stage.

The process established by the City was to invite public comment at the beginning of the subdivision process so they can get an early glimpse of what is proposed and bring up issues staff might not be aware of. Mr. Allred stated that the property has an old water way running through it that is no longer in operation and will not carry water down the stream in the future. The property is heavily wooded and it was recommended to the developer that they save as many large trees as possible.

Mr. Allred reported that no street dedication is required and will be addressed at preliminary. The requirement for curb, gutter, and sidewalk will likely be waived because none exists currently. Because it will be a private road, the City will not be maintaining it and the residents will be in charge of maintaining their own road. There will be CC&Rs on the site as well. The building heights will be limited to no more than 32 feet. Staff recommended approval of the conceptual subdivision and found that it meets the requirements for conceptual approval.

The applicant, Nick Mason, was present representing David Weekley Homes. With regard to the tree issue, Mr. Mason stated that it is important to them to preserve as many healthy trees as possible. They also worked with staff and the Unified Fire Authority to ensure that all the lots comply with the ordinance.

(19:16:34) Chair Snow opened the public hearing.

John Quick gave his address as 2164 East 6200 South and stated that he will likely be the most impacted by the proposed development and it would not be his choice to have 8,000 square-foot lots since that is not compatible with the character of the area. He commented that the property line to the east is his property. He asked about the type of fencing that will be required. He was told by City Planner, Jonathan Teerlink, that a visual screen will be required; however, it cannot be vinyl. Mr. Quick felt he had been ignored by David Weekley Homes and they never contacted him or informed him about the proposal. He received notice from the City but was not notified of the neighborhood meeting. Surveying was done on his property without any comment from David Weekley Homes. He was concerned that his relationship with the developer will deteriorate once construction begins. He asked if the City has a representative he can work with who can serve as his advocate during that process. Mr. Allred stated that he can contact himself, Traffic Engineer, Tosh Kano, Mr. Teerlink, or any member of staff with concerns.

Mr. Quick expressed concern that the development will have a significant impact and diminish the enjoyment of his property and views. He asked that there be some dedication or money set aside

for parks or neighborhoods. He also commented that storm drainage will be a problem since the property is about 95% pervious now and will be 95% impervious.

With regard to parks, Chair Snow stated that they are in the process of reviewing the General Plan and invited his input. Mr. Quick stated that this would be an ideal place for a pocket park.

(19:24:00) John Beach gave his address as 2125 Howey Drive and stated that his backyard will be the private road they are putting in. He chose Holladay because of the pristine appearance and he lives in the home he grew up in. Mr. Beach indicated that he lives on a cul-de-sac and will have a street on both sides of his home. He did not see how the proposal will have a positive impact on his property value. He was also concerned that with a private road up to his property line, the power lines are on his line so he cannot plant trees to help reduce noise or protect the atmosphere he currently enjoys. The developer intends to put a curb there but he considered that to be insufficient. They plan to do what they can to plant trees but he felt that his privacy will be invaded. The homes that will be built will be tall enough to overlook his entire backyard and he will have no privacy.

Tasha Beach requested there be a barrier and possibly trees. She did not like the fact that they will have no privacy. She also read a letter from her neighbor, Megan Judkins, who has newborn twins and was not able to be present. The letter was submitted and made part of the record. Ms. Judkins expressed concern about the size of the proposed homes and noise pollution during construction. She recommended there be hard cutoffs for hours of construction and stated that they will not replace their fence.

Dr. Amy Curtis gave her address as 6177 South Inverness Cove and stated that although she is not directly affected, she came to Holladay because it is one of only a few communities in the valley that still has an old community feel. Many either grew up here or have an emotional connection to how the neighborhoods look. With regard to curb and gutter, she stated that her community was required to put it in and it has dramatically improved the look of the neighborhood. She recommended it be required. She also suggested that sidewalks be considered throughout the community.

(19:32:40) Chris Stewart gave his address as 6352 Boxwood Road and stated that the two existing homes generate \$5,000 per year in tax revenue for the City. The proposed homes will be valued at approximately \$700,000, which will generate \$35,000 per year. He recommended that people be considered before profits. He commented on traffic on 6200 South during rush hour. Mr. Stewart stated that the construction will only exacerbate the traffic situation. He asked what degree of leniency will be given to the developer. Chair Snow stated that the Code is the law. He resented the insinuation that the City is on the take and felt it was inappropriate. He stated that the Planning Commission works in the interest of the City and uphold the laws of the land and the zoning Code.

With regard to question raised, Mr. Allred stated that there are numerous requirements that look at every building lot and those will be applied when the subdivision is approved. He indicated that there have been non-standard subdivisions that have been built and reported that three PUDs have been built in the last year. He noted that PUDs have more flexible requirements. The proposed

development is not a PUD and is a standard subdivision. Mr. Stewart was concerned about placing seven homes in a 1.75-acre L-shaped lot with huge homes. Mr. Allred stated that the graduated height requirement will apply and prevents the wall from being too tall. Mr. Stewart expressed opposition to the proposal.

(21:39:40) Jason Hall gave his address as 2162 East 6200 South and stated that he lives next to John Quick. He stated that the current road that runs to the back of the property covers his entire property line. He agreed with Mr. Stewart that this is a bad idea in many ways. He felt that to place so many large homes on the property is not in the spirit of what Holladay has been. When they purchased the property over 15 years ago, they did so specifically because the creek runs directly through it. The home was designed specifically around the creek, which is the central feature of the property. Two years ago, the water did not run because there was an issue with the culvert on the opposite side of the street that needed to be repaired. He was concerned that if the flow of water downstream is disrupted, it will flood his property. Mr. Hall stated that they also have four trees on their property that are nearly 100 years old and 200 feet tall. If the water doesn't continue to run they will die because they were planted specifically to draw water from the stream. This could cause them to fall on a home or catch on fire, which presents significant liability. Mr. Hall stated that there is no way for him to manually water the trees enough to maintain the root system. With small children, 6200 South has become more and more dangerous. To add additional equipment and trucks will make that situation worse. He was also concerned about construction noise, dust, debris, and the method of construction. He expressed opposition because of the negative impacts. With regard to the density on the site, he was interested in how such large homes were approved on such small lots.

(19:46:45) A question was raised about whether consideration had been given to building fewer homes. The developer stated that that would not make sense financially and that the property was too costly to only build three homes on.

Owen Anderl gave his address as 2133 East Howey Drive and expressed concern that he too will have roads on both sides of his home. He asked the Commission to consider another type of housing configuration there.

Andrea Hall gave her address as 2162 East 6200 South and was concerned about construction being so close to their home, especially since they have small children. She asked if there will be restrictions on the hours of operation and proximity of the equipment. Mrs. Hall asked for clarity on the ditch. Mr. Allred stated that there are numerous ditches throughout the City that are referred to as water laterals. In this case the ditch is part of the old Tanner ditch and the water has been sold to Salt Lake City who now controls the water. He explained that the water will no longer continue to flow there. The issue was to be addressed at the next stage. Mrs. Hall stated that they built an older home that was built in 1972 but they loved the yard. She was upset that they have been given excuses for why it is not running and wanted to be respected enough to be given accurate information. Chair Snow asked that staff help determine what Salt Lake City's plans are for the water. Mr. Allred agreed to provide clarification.

Mr. Hall described the history of water flows on the property and stated that a resolution is needed in order to prevent future flooding.

(19:58:10) Jason Rowley gave his address as 6177 South Verness Cove and compared the character of 6200 South to Highland Drive. He could see how this type of development would not be problematic on Highland Drive, however, there are residences on both sides of 6200 South. He asked that the current character of the street be considered to avoid turning it into another Highland Drive.

Mr. Beach commented that most of the people on Howey Drive work from home and will be affected by noise. He also mentioned that up the street there is a UTA bus stop that will be disrupted as well as a school bus stop.

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

Mr. Mason commented that the reason the neighbors are not getting answers from the City with regard to the water flow in the ditch is because they don't have jurisdiction over it. The City owns the ditch but not the water. The water in the ditch was owned by the Big Cottonwood Tanner Ditch Company who was going bankrupt and sold the water to Salt Lake Public Utilities. As a result, those water shares were diverted into their water system and it is now piped directly to the homes. Salt Lake City Public Utilities confirmed that no one owns rights to water that will ever go down the ditch again. The issue of storm water flowing in the ditch was something he was unaware of.

Mr. Mason stated that the home sizes have not yet been finalized, however, he expected them to be 1,800 to 2,400 square-foot one-story homes. He noted that a 32-foot height does not allow for a two-story home. Their intent was to target empty nesters for the product in which case it is likely that they will remain one-story in height. With regard to density, they are not asking for a greater density than what the property is zoned for and will be the same density as Howey Drive. Many of the concerns raised are legitimate and he felt that assurances were in place to protect the residents. Mr. Mason stated that he can ensure that the Code is followed during construction and be available to take calls from residents with concerns.

With regard to Mr. Quick's claim that there was a survey crew on the property, Mr. Mason did not understand why they were there and agreed to talk to them about it. With regard to the rerouting of power lines, that would be a determination to be made by Rocky Mountain Power. He stated that new developments he has seen require underground power. Mr. Beach's concern was that he has power lines on his side of the property and was concerned that there is no room for trees to be planted, which will result in inadequate screening. Mr. Mason stated that they have surveyed the property but not have plotted it yet and looked at the grades.

Commissioner Bradshaw asked if the homes will have a uniform fence. Mr. Mason stated that they have not yet made that determination but he expected they will install a uniform wood fence.

Mr. Mason was asked if the idea of a shared access was considered. Mr. Mason stated that they are building a new road on their property and did not understand what the benefit would be. His assumption was that Mr. Quick would not grant access down his personal driveway. They did, however, look at the possibility of purchasing Mr. Quick's property but was determined to be

infeasible. It was suggested that improvements could possibly be made to the existing road and shift the property to the west. Mr. Quick stated that he would have to give the option further thought. Mr. Allred stated that that was a possibility if it meets the requirements of the Unified Fire Authority and consent is obtained from the property owner. Mr. Mason stated that if there is a greater benefit to making such a change they will consider it. Road widening issues pertaining to 6200 South were discussed. Mr. Allred stated that when someone builds along Howey Drive the dedication is obtained, however, that does not mean that the road will be widened.

Curb, gutter, and sidewalk issues were discussed and reviewed by the City Engineer and the Public Works Director. Mr. Allred stated that if there is no curb, gutter, and sidewalk immediately abutting or nearby it may not make sense to do it now and instead wait and get the road dedication first and then do the improvements at a later date. If there is not the necessary width on either side there could be just curb and gutter.

A question was raised about the irrigation ditch that crosses the property. A determination will need to be made in terms of the status of it. It was noted that if it was piped through the property there may need to be an easement around the culvert or pipe that is put in for future maintenance. The matter would need to be addressed by the TRC.

Noticing issues were discussed. Concern was raised that not everyone was properly noticed of the neighborhood meeting that was conducted previously. Mr. Allred stated that noticing is a difficult issue because people move or pass away and records are not always get updated regularly. He assured the Commission that a lot of notices were sent out and stated that they send more notices as a City than any community he was aware of.

With regard to the issue of trees, Mr. Allred stated that everyone wants to protect trees. There are people who want to cut other people's trees down and others who demand that other trees not be taken down. He noted that staff is incredibly concerned about tree preservation where possible. He noted that the laws only go so far in terms of protecting trees since people have property rights.

(20:30:30) Commissioner Bowthorpe moved that the Big Cottonwood Cove seven-lot subdivision at approximately 2164 East 6200 South in the R-1-8 Zone be approved for conceptual plan based on the following:

Findings:

- A. The proposed project meets the requirements for a residential subdivision in an R-1-8 zone, i.e area, density, access, slope, public safety, etc.;***
- B. This project complies with the provisions of the City's General Plan for this area;***
- C. This application is consistent with single family land use patterns in the general vicinity;***
- D. The UFA has approved emergency access as proposed in the roadway configuration for the fire turnaround. Fire hydrant capacity and placement will be addressed in the Preliminary Plat review and approval process;***

E. The proposed project has been reviewed by the TRC and meets City requirements for Conceptual Plan;

F. It is believed by staff that utility providers can reasonably serve the property and are expected to provide appropriate service availability letters;

Requirement:

- 1. Any remaining unresolved Conceptual Plan details, or compliance with City Codes and ordinances must be completed prior to, or in conjunction with, preliminary Subdivision Plat submission.*

Commissioner Bradshaw seconded the motion. Vote on motion: John Garver-Nay, Jan Bradshaw-Aye, Chris Jensen-Nay, Spence Bowthorpe-Aye, Chair Matt Snow-Aye. The motion passed 3-to-2.

Chair Snow urged the Commission to continue on with the General Plan review and stated that the General plan sets the vision of where they want the City to go for the next five to 10 years. Mr. Allred agreed that staff will look at the issues raised as concerns tonight consisting of the ditch, road dedication on 6200 South, tree issues, the possibility of changing the orientation of the homes and use the other road.

4. Preliminary Subdivision Plan – Holladay Village Condominiums (Mixed Use) – 2350 East Murray Holladay Road – HV Zone – Applicants, Ken Bell, Steve McPhie.

(20:36:21) Mr. Allred recommended the Planning Commission approve the preliminary subdivision plan for the Holladay Village Condominiums. The preliminary site plan was approved but it was subject to them doing certain things. He clarified with the applicants, Ken Bell and Steve McPhie, that the boundary line agreements now make possible the preliminary plat. The minutes specified the things they were lacking.

Staff suggested that the vertical ownership drawings for the buildings and units be attached to the civil construction drawings, the preliminary site plan, and approved as the preliminary subdivision plan. The applicants were advised to complete any remaining items before the final site plan and final plat would be approved by the Technical Review Committee (TRC).

(20:47:04) Commissioner Garver moved to approve the preliminary subdivision for the Holladay Village Condominiums mixed-use development located at 2350 East Murray Holladay Road in the HV Zone and accepting the four-sheet vertical subdivision ownership drawings as an exhibit to be attached to the preliminary site plan and subject to the following:

Requirement:

- 1. Delegation of final site plan and final subdivision phases at TRC level.*

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

5. Minutes – 6/30/15 and 7/7/15.

(20:58:05) The minutes were reviewed and modified.

Commissioner Bowthorpe moved to approve the Special Planning Commission Meeting minutes of June 30, 2015, as amended by staff and as clarified by the Commission. Commissioner Bradshaw seconded the motion. The motion passed with the unanimous consent of the Commission.

(21:11:23) *Commissioner Garver moved to continue approve of the July 7, 2015, minutes to the next Planning Commission Meeting. Commissioner Jensen seconded the motion. The motion passed with the unanimous consent of the Commission.*

6. Continued Public Hearing – General Plan Amendment – Review of Proposed Major Re-Write of the City’s Current General Plan Originally Adopted in 2000.

(21:21:59) Chair Snow commented that there were no members of the public present to speak. The public hearing was continued.

The Commission had a lively discussion, especially on trees and tree protection, on the proposed General Plan. The issue of trees was discussed. Chair Snow liked the idea of transferable rights. His proposal was to replace trees that are removed on a 1:1 ratio. Trees would not necessarily have to be replaced on the same property from which they were removed but could be contribute to a City fund or provide trees for a park. There would be an assurance to protect mature and large trees.

Commissioner Bradshaw commented that the City is losing trees at a significant rate in Holladay. The goal was to prevent that from continuing. It was suggested that the City can encourage and create a culture in the City where people want to plant trees. Commissioner Bradshaw observed that presently there is nothing in place requiring a property owner to leave a tree. Developers who have and have not valued and preserved trees were discussed.

City Planner, Pat Hansen, remarked that the General Plan should be a very short and concise document that is based on the goals and policies of the City. She intended each chapter to be just a few pages in the form of an overview followed by the policies and goals. She recommended the Commission Members read the goal statements and make sure they say what is desired.

Mr. Allred reported that Landmark Design prepared the 283-page document that is the General Plan Study. It looks at the entire City, issues, and scope. Staff suggested that instead of adopting a 283-page General Plan, they instead adopt a document that is one-quarter to one-fifth that size, at 40 to 50 pages at the most. The document should summarize the most important points from all of the chapters. The study that went into the goal and objectives would be contained in a separate document. Staff agreed to provide the Commission Members with the proposed condensed version of the chapters for their review.

The Commission decided to meet several times over the next few weeks in order to finish their review of the chapters. A special meeting was scheduled for August 19 and 25. The goal was to have a recommended draft to the City Council on September 15.

City of Holladay Planning Commission Meeting – 08/04/2015

OTHER BUSINESS

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

ADJOURN

(22:03:47) *Commissioner Bowthorpe moved to adjourn. Commissioner Bradshaw seconded the motion. The motion passed with the unanimous consent of the Commission.*

The Planning Commission Meeting adjourned at 10:08 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, August 4, 2015.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: 9-15-15