

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

**Tuesday, August 18, 2015
7:00 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

Matt Snow, Chair
Spence Bowthorpe
Jim Carter
John Garver
Chris Jensen

City Staff:

Paul Allred, Community Development Director
Pat Hansen, City Planner
Jonathan Teerlink, City Planner

Field Trip – The pre-meeting field trip was cancelled.

PRE-MEETING/WORK SESSION

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

(18:30:31) Community Development Director, Paul Allred, explained that the discussion on the Holladay Town Center Subdivision should be fairly brief because approval of the conceptual plan was tabled at the last meeting when the matter was reviewed. He was of the opinion that the proposal is non-controversial in nature and recommended approval after the public hearing has taken place. It was noted that there were 420 notices mailed out for this item. Mr. Allred noted that the minutes from the last discussion were included in the staff report. In response to inquiries from the Commission with regard to the layout of the meeting agenda, Mr. Allred explained that staff deliberately separated the non-hearing items from the hearing items.

Mr. Allred stated that the City's Planned Unit Development (PUD) Ordinance is lengthy and detailed. Therefore, staff spent several days last the previous week determining a more efficient way of reviewing PUD requests. Staff recommended approval of the PUD for the Holladay Town Center Subdivision. The applicant, Nick Mason, had addressed all questions and concerns that have arisen throughout project planning, relating in particular to parking and landscaping. The property is narrow, and as such two of the homes will have garages situated against the driveway. The other two homes will have shorter, 15-foot deep driveways. Revised drawings showed that the applicant has added a guest parking stall. Each home will have two covered stalls and 1.25 guest stalls. This will help reduce the need for parking on the private drive. Mr. Allred presented the findings and conditions listed in the staff report and the Commission reviewed previous discussions that took place on the proposal.

City Planner, Jonathan Teerlink, reviewed the staff report for the Villages of Holladay PUD. He mentioned that the applicant, Brad Reynolds, had been negotiating with the neighbor to the north, Mr. Woodbury, regarding the purchase of some of his property. Mr. Woodbury has 10 feet of property for which he has no use. The purchase of the property would provide Mr. Reynolds with

additional space for landscaping on the north and south. Negotiations for the sale of the property were ongoing.

Agenda items 5 and 6 were to be continued to a future date, due to the delay in receiving certain critical documents.

CONVENE REGULAR MEETING

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

2. Welcome & Chair Opening Statement.

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

3. Public Hearing – Holladay Town Center Subdivision – 4545 South 2300 East – Applicant, David Weekley Homes, Nick Mason, Agent.

(19:06:27) Community Development Director, Paul Allred, presented the staff report and stated that this is a single-family project being proposed in the RM Zone. He noted that the project is well below the density allowance for the zone. The first developer's original proposal was for a two-story condominium project with 11 units and a penthouse and was nearing final approval by the TRC when the project was unable to be completed. The second developer had planned for higher density, but was not allowed per the ordinance due to mathematical requirements within the Code. The current proposal is for four single-family homes that will be no more than two stories in height. The proposed development will be on slightly less than .75-acre.

A. Conceptual Subdivision approval for a four-lot single family home subdivision. (This was previously delayed due to an error in the notice and will be considered again at this meeting.)

The above item was originally scheduled for a public hearing in June, however, the project was delayed due to a problem with the notice. It was determined at that time that the conceptual public hearing be continued and consider the Conditional Use Permit for the Planned Unit Development (PUD) at the same time. There were a total of 420 notices sent out for the item. Tonight's consideration will be a hearing to receive public comment on the amended proposal as submitted by the applicant. Staff's recommendation was the approval of the four-lot conceptual plan for the subdivision. Mr. Allred presented five findings and three suggested requirements that staff recommends be incorporated into a motion.

(19:12:39) Chair Snow opened the public hearing.

Gloria Cottam gave her address as 2144 Kayland Way and asked for clarification on the type of subdivision being proposed. Mr. Allred explained that the units will be detached single-family homes that will be on their own lots. The homes will have no more than two stories.

The applicant's representative, Nick Mason, gave his address as 2237 Ramona Avenue and noted that the approximate square footage of the homes will be 2,000 to 2,300 square feet above grade. The square footage may be more than that depending on whether the buyer wants a finished basement.

Nancy Hollingworth gave her address as 2270 East Carriage Lane and expressed concern with whether there will be sufficient space on .75-acre to build four homes and provide sufficient room for emergency access. Staff presented Ms. Hollingworth with a copy of the site plan so that she could review the layout of the proposed subdivision. Mr. Allred explained that the zoning on the parcel allows up to 16 units per acre. The proposed homes will be on lots that range in size from 5,500 to 6,000 square feet, which exceeds what the ordinance requires for single-family detached dwellings. Furthermore, there is a 20-foot private road which the Unified Fire Authority determined meets the fire access requirement. Mr. Allred then identified a turnaround in the middle of the site, which will allow a large fire engine to access the subdivision safely.

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

(19:20:19) *Commissioner Jensen moved to approve the Conceptual Plan to create the proposed Holladay Town Center Court four-lot single family detached PUD Subdivision to be located at 4545 South 2300 East in the R-M Zone, subject to the following:*

Findings:

- A. The proposed project meets the requirements for a single family residential subdivision in an R-M zone, i.e. area, density, access, slope, public safety, etc.*
- B. This application is consistent with land use patterns in the general vicinity.*
- C. The UFA has 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 and PUD subdivision.*
- E. Utility providers can serve the property and have (or are expected to) provide appropriate service availability letters.*

Requirements - Prior to approval of Preliminary and Final Plat - all outstanding TRC issues must be resolved. These may include among other things:

- 1. A Preliminary Plat and any other requirements for the subdivision and PUD shall be submitted to the Technical Review Committee (TRC) for review and recommendation to the Planning Commission.*
- 2. A Drainage and water retention plan shall be submitted to the City Engineer for review and approval with the Preliminary Plat.*
- 3. Approval of a Conditional Use Permit for a Planned Unit Development (PUD), which is required to allow for flexibility for the single family homes proposed on this site which due to the long, narrow shape of the property cannot accommodate the homes without the granting of flexible building locations.*

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

B. Conditional Use Permit approval for a Planned Unit Development, (PUD), to allow flexibility in design of the lots and location of the homes on the property.

(19:21:16) Mr. Allred explained that this is a second public hearing regarding the same project as the previous item. He provided an overview of the staff report and explained that the proposed development will be classified as a Planned Unit Development (PUD). In other words, unlike most subdivisions in Holladay, which are in regular subdivision plats, the applicant has chosen to request special permission from the Planning Commission to have flexibility with the design of this project. Mr. Allred referenced the section of the City's ordinance that details PUD requirements, noting that this information was also included in the staff report.

It is the developer's responsibility to convince the Planning Commission that they comply with the ordinance and that this project is superior to a conventional development. Density and building height should not be problematic. Mr. Allred noted that the subject property has commercial to the north and south and fronts a busy street. There is additional single-family development to the rear of the subject property. Staff was of the opinion that the project is clearly compatible with the neighboring land use and will not have a negative impact. Mr. Allred suggested that the Planning Commission discuss landscaping, building elevations, fencing on the front and the preservation of trees.

Mr. Mason stated that the biggest issue is the preservation of trees. It is a difficult site to develop, even with such a low density. He identified which trees they will be able to preserve; however, they still need to have an Arborist examine the trees and assess their health, age, and root systems. In the event that some trees need to be removed, he would like to discuss a tree replacement plan. He was, however, hesitant to approve any specific plans at this point which may later prove to be unrealistic. Mr. Mason stated that a neighborhood meeting and the first conceptual hearing have taken place since beginning the process. No one showed up for the first conceptual hearing and only one resident, Mark Andrews, attended the neighborhood meeting. Mr. Andrews lives directly behind the subject property, and was supportive of the plans Mr. Mason presented to him.

With regard to parking, there will be approximately five extra stalls, which exceeds one per unit. Three of the homes will have driveways and all of the homes will have two car garages. Mr. Mason reiterated that the proposed subdivision will be above one-third of the allowed density, which will have a minimal impact on the ground and in the neighborhood. Building single-family homes provides a better opportunity to save trees and maintain the natural grade of the property. There was brief discussion regarding roof pitch elevations as well as which trees could potentially be preserved.

(19:43:35) Chair Snow opened the public hearing.

Nancy Hollingworth commented that she would like to see as many trees as possible saved.

Gloria Jane Cottam gave her address as 2144 Kayland Way and asked if the oldest trees can be saved in a manner that will be in the best interest of the homeowners and community.

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Charlotte McKenzie gave her address as 1791 London Plane Road and reported that she is a new homeowner and has large trees on her property. She was supportive of Mr. Mason cutting down the trees that need to be removed because they become more problematic as they grow in size.

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

Mr. Mason reiterated statements made previously regarding tree preservation. Chair Snow asked staff if it would be reasonable to have an inventory and Arborist Report included with the applicant's Preliminary Subdivision Plan. Mr. Allred responded that the Conditional Use Permit is the stage at which a tree inventory should take place. The guidelines in the Conditional Use Section, however, do not provide clear direction. Staff recommended that the Planning Commission approve a Tree Planting and Replacement Plan in advance, which will have received prior review by the Holladay Tree Board.

(20:05:40) *Commissioner Carter moved to approve the Planned Unit Development as a Conditional Use as requested, to provide for development flexibility for the Residential Planned Unit Development Holladay Town Center Court at 4545 South 2300 East, with the findings, conditions, requirements/allowances listed in the staff report in addition to the following:*

- 1. The applicant shall meet with the Holladay Tree Board, the Technical Review Committee and an Arborist to determine which trees shall be retained and preserved based on the goals in the ordinances for buffering, landscaping, and community values. The Tree Preservation Plan will be presented to the Planning Commission at a future date.*
- 2. The architectural design features shall be based on the black and white sketches provided by the applicant.*
- 3. All fencing along 2300 East must be an open non-view obscuring or semi-open type and comply with City requirements for height and setback from the right-of-way.*

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

- 4. Conditional Use Permit – Villages of Holladay Planned Unit Development located at 4269 South Highland Drive – Request for approval for a Planned Unit Development (PUD) to allow for flexibility in design of the lots and location of the homes – Applicant, Brad Reynolds.**

(20:13:06) Commissioner Jensen recused himself from the discussion and vote on the above item.

(20:13:49) *Chair Snow moved to postpone agenda item number five to a later date. Commissioner Garver seconded the motion. Vote on motion: Spence Bowthorpe-Aye, Jim Carter-Aye, John Garver-Aye, Matt Snow-Aye. The motion passed unanimously.*

Jonathan Teerlink, City Planner, reported that the above item came forward to the Planning Commission for conceptual approval on July 7, 2015, for a 19-unit townhome style development on a private lane on Highland Drive. The zoning for the proposed development is RM, and no change to the zone had been requested. The development complies with the zone in terms of density. The Technical Review Committee (TRC) reviewed the site and the applicant's request for a PUD. The applicant is requesting that of the four buildings, the six-unit building have closer setbacks to the private road than would normally be allowed. The Planning Commission was able to hear elements of consideration from the last meeting with regard to a property issue to the north.

Overall, the TRC has reviewed all elements of the PUD application associated with this project. Mr. Teerlink presented the purpose and objective for the PUD ordinance as listed in Section 13.78.020.B. The TRC maintains the perspective that the benefits of the use are:

- a. The lower density of project compared to what could have been applied for under this zoning is desirable.
- b. The proposed setback of the buildings on the east side of the property against the canal easement, are situated well away from any homes on nearby property and should have little or no impact.
- c. The overall height of the buildings is under what could have been proposed and represents an attempt to do no harm to abutting or adjacent property.
- d. Complies with the density allowances regulated by the zone – no zone change needed.
- e. The use is compatible with the Highland Drive Master Plan as a land use which provides, among other elements, *“Higher density single family and multifamily residential zoning, such as the R-1-8, R-2-10 & R-M zones, should be employed in the mid-block spaces between these commercial developments in that order of priority.”*
- f. The use as proposed is compatible with the mix of uses in the general vicinity and replaces dilapidated homes on the property.
- g. The updated architecture planned by the development represents a significant investment in the community at this location and a very strong commitment to the continued renaissance in Highland Drive – especially the north Segment of this street.
- h. The use of flexible setbacks to overcome the odd geometry of the site demonstrates forward thinking by not only the developer, but the City of Holladay to encourage creative design, which, in turn, will increase the likelihood of other similar projects in this area and in the community as a whole to replace obsolete housing stock and new housing opportunities for a wider spectrum of the Holladay demographic.
- i. The flexibility in use is not detrimental to the public health, safety or welfare of area residents but rather represents efficiency in land use by working with the shape of the land, not against it. This practice benefits all.

Mr. Teerlink then presented the requirements/allowances of the conditional use permit, upon which approval of the PUD flexibility is based.

Chris Jensen was present representing Think Architecture and gave his address as 5151 South 900 East, in Salt Lake City. Mr. Jensen explained that the project site is irregular in shape and is narrower the north end than on the south. In creating flexibility for this project, they assessed the benefits the proposed development has for the City. The property in question is bare and sits on a major corridor within the City. Furthermore, Salt Lake City has a 60-foot canal with a parking easement for the care center immediately next door. However, the area has not been improved in any way. Mr. Jensen explained that one of the benefits of the proposed development would be to remove existing rundown homes and provide a new townhome development. He displayed renderings of similar projects that the applicant has developed in other areas of the valley. It was noted that the proposed development will add great value to the City of Holladay.

The height will not be the same throughout the entire site. Mr. Jensen identified the two duplexes on Highland Drive that are one level with a basement. The buildings will be constructed to natural grade and none of the allowable zoning heights will be exceeded. The yield plan showed 22 units with only 19 units being requested in the PUD. Mr. Jensen anticipated that one of the primary concerns of the neighbors will be the impact on views. It was noted that no one owns the view and Mr. Jensen did not believe the impact would be significant. The elevation of the rear fence will be eight to 10 feet with grades.

Traffic will only need to be addressed on Highland Drive. Mr. Jensen described the surrounding properties and noted that there is a residential area on the south side of the Highland Care Center. Additionally, there are residential areas to the north and east of the subject property. There was further discussion and review of an aerial map of the area.

The applicant, Brad Reynolds gave his address as 2500 East Haven Lane and stated that with regard to the last Planning Commission Meeting, Mr. Woodbury mentioned that he has 10 feet of property for which he has no use. There had been continued correspondence with Mr. Woodbury since the last meeting; however, he has been paying more on taxes than what Mr. Reynolds considers is worth the value of the property. Negotiations were ongoing and they hoped to resolve the matter soon.

(20:39:01) Chair Snow opened the public hearing.

Kent Smith gave his address as 1775 Grover Lane and expressed concerns with an existing wall. He stated that when it was built there were significant negotiations with the rest home. At the time, both the Highland Care Center and the Smiths agreed to plant trees on their respective sides of the wall. However, the care center never put trees on their side, which is becoming more problematic with the proposal of a new development. Mr. Smith was also concerned with the height of the new homes, and commented that his neighbors will be able to look into his backyard.

Mr. Teerlink explained that the canal that has a 60-foot easement which is used for parking by the Highland Care Center. He stated that he could conduct research to see if there was any landscaping required as part of the care center's approval; however, his recollection was that the

plans do not show any landscaping on the 60-foot easement. They received approval to use the canal for parking and there isn't enough room to create a tree buffer.

Charlotte McKenzie gave her address as 1791 London Plane Road and asked if the units will be individually owned. Mr. Jensen answered in the affirmative.

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

Mr. Jensen addressed Mr. Smith's concerns by explaining that the head height of the windows on the second level is 17 feet, which is about 15 feet above grade. Most of the buildings face north to south and the majority of the windows look out the front or are on the main floor. Additionally, there will be a distance of 80 to 100 feet from the townhome units to the neighboring residences. With regard to trees, they typically are not planted over the top of a canal because the roots can cause blockage, which makes it impossible to keep the canal clean. In response to questions from the Commission, Mr. Jensen stated that they will likely build a solid fence around the perimeter of the building.

Commissioner Carter moved to approve a Conditional Use Permit for the Villages of Holladay Planned Unit Development located at 4269 South Highland Drive – Request for approval for a Planned Unit Development (PUD) to allow for flexibility in design of the lots and location of the homes, and adopting the aforementioned findings of the staff report, and subject to the following:

Conditions/Allowances:

- 1. The flexibility in setback shall be only for those units indicated.*
- 2. Proposed variations of the setbacks, building heights, density or other significant amendment to the project shall be required to return to the Planning Commission for consideration and approval.*
- 3. The development must meet the minimum landscaping requirements for the zone and must replace lost trees with mature trees. Where possible, the PUD shall protect and preserve existing trees presently on the site.*
- 4. The PUD may be gated as if so desired by the applicant or the HOA at a future date as long as the gates are recessed from the right of way as required by City ordinances.*
- 5. No building on the north end of the property abutting residential may be more than 35 feet as defined by City ordinances.*
- 6. Any fencing along Highland Drive may be of a solid or open type but must comply with city requirements for height and setback from the right of way and for landscaping.*
- 7. The proposed architecture of the buildings shall be consistent with the elevations submitted by the applicant at conceptual approval and use a variety of materials, finishes and colors to provide variety and interest in the project.*

Commissioner Bowthorpe seconded the motion. Vote on motion: Spence Bowthorpe-Aye, Jim Carter-Aye, John Garver-Aye, Matt Snow-Aye. The motion passed unanimously. Chris Jensen did not participate in the vote.

5. Preliminary Subdivision Plan – Holladay Town Center Court Subdivision – 4545 South 2300 East.

The above item was postponed.

6. Preliminary Subdivision Plan – Villages of Holladay Planned Unit Development – 4269 South Highland Drive.

Commissioner Jensen rejoined the meeting.

(20:57:41) Chair Snow moved to postpone Item 6 to a later date. Commissioner Carter seconded the motion. Vote on motion: Chris Jensen-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, John Garver-Aye, Matt Snow-Aye. The motion passed unanimously.

7. Minutes – 07/07/15 and 07/21/15 Meetings.

The minutes from July 7, 2015, were reviewed and discussed.

(21:00:44) Commissioner Garver moved to approve the minutes from July 7, 2015. Commissioner Bowthorpe seconded the motion. Vote on motion: Chris Jensen-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, John Garver-Aye, Matt Snow-Abstain. The motion passed unanimously with one abstention.

(20:02:21) Commissioner Carter moved to continue consideration of the minutes of July 21, 2015, until the next regularly scheduled meeting. Commissioner Jensen seconded the motion. Vote on motion: Chris Jensen-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, John Garver-Aye, Matt Snow-Aye. The motion passed unanimously.

8. General Plan Amendment Public Hearing – (Continued) and Work Session on Draft Chapters.

(20:03:28) Commissioner Bowthorpe reported that at the last meeting about the General Plan, there was discussion regarding the work Landmark Design has done and keeping their document as a resource. He asked if it is necessary to reduce the comprehensive 230-page book to a 30 or 40-page booklet and questioned whether an abbreviated version will achieve the City's purpose. It was noted that it is a high quality document, and Landmark Design did exactly what was requested of them.

Commissioner Carter stated that his company is contracting with the City of Midvale and Ogden Valley for Weber County and these same discussions are taking place. In working with different communities, the main issue typically involves trying to galvanize a common community vision for the future. He was of the opinion that Holladay needs a visionary plan document with graphics or an executive summary that can be used on a day-to-day basis when reviewing applications and project proposals. City Planner, Pat Hansen, provided additional overview of the current status of what is included in the document. There was further discussion on how to better organize the material in a manner that is more user friendly.

OTHER BUSINESS

9. **Updates or Follow-Up on Items Currently in the Development Review Process.**
10. **Report from Staff on Upcoming Applications.**
11. **Discussion of Possible Future Amendments to Code.**
12. **Calendar for Future Meeting on General Plan Update.**

ADJOURN

(20:26:34) Commissioner Jensen moved to adjourn. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting ended at 9:26 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 18, 2015.



Teri Forbes, Minutes Secretary
T Forbes Group

Minutes approved: 10/6/15