

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

**Tuesday, August 28, 2012
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Les Chatelain, Chair
Lori Khodadad, Vice Chair
John Garver
Spence Bowthorpe
Brad Wright

City Staff:

Paul Allred, Community Development Director
Jonathan Teerlink, City Planner
Clarence Kemp, City Engineer

PRE-MEETING/WORK SESSION

Chair Chatelain called the work session to order at 6:37 pm. The agenda items were reviewed and discussed. Chair Chatelain introduced the Commission's newest member, Brad Wright, a general contractor who has resided in Holladay for the past 12 years. Commissioner Wright was filling the position vacated by Paula Lowry.

(6:39:52) Community Development Director, Paul Allred, discussed issues relative to the Holladay Village and reported that City Engineer, Clarence Kemp, was present and would be addressing civil engineering items. He explained that what is proposed is site plan approval, which has a special set of requirements set forth in the Holladay Village Zone. Three specific approvals were necessary for the project to break ground and move forward.

(6:43:52) Tom Henroid from Rockworth Development hoped to address only the Code and Ordinance tonight. He explained that the designs need to be marketed to real business owners and their timeline begins with approval. Their plans were to break ground on the parking structure in September. The building still needs to go through staff and building permit reviews in order to break ground for the footings and foundation, which is realistically 60 days out. Mr. Henroid's desire was to inform prospective tenants that it is possible for the builder to deliver space by June 2013.

Mr. Kemp stated that from a civil standpoint, there are no issues that are deal breakers. The red line items seek clarification with nothing significant in terms of approval but are important in terms of constructability.

Mr. Henroid added that they are going to great lengths to work with the elevations, which are challenging. They prefer no steps, no railing, and ease of entry. They were extremely interested in the details. The red lines were important, but he felt that addressing each would delay the process.

(6:50:38) Mr. Allred clarified that the red line items were generated by staff and include primarily code issues with others involving clarification rather than revision.

Commissioner Khodadad commented that the developer wishes to only address ordinance issues, which made her suspect that they may not be following the ordinance. Mr. Henroid remarked that discussing anything else is going too far and discussing too many details enables the Commission to design their project. He stated that they want to remain in control and make specific decisions. He remarked that the Commission can deny the request if they do not comply with the ordinance and approve it if they do.

(6:53:32) Mr. Allred identified several red line issues and indicated that it is staff's job to be as thorough as possible and ensure that all items have been addressed. Staff asked for clarification on building materials. Many of the red lines on the building elevations were merely suggestions while some were an effort to get clarification. Staff recommended approval tonight, but recognized the need to discuss items that have been resolved and those that are still outstanding. He suggested the Commission begin on page three of the staff report and identify items that need to be addressed.

(6:56:36) The developer's architect stated that in a typical design process, there is a schematic design. In the separate design development phase they will address the details of the proposal. They asked that they address now what is required in the ordinance for the site plan and then address the details in the design development phase.

Mr. Allred detailed important issues to be discussed. He explained that not all questions need to be addressed, but some should be.

Mr. Henroid commented that the character of the building will be determined more by the tenants than the architecture. He also stated that there are red line comments addressing the appearance of each individual store front. They cannot be detailed now as they do not know who the tenants will be. Some may require specific details based on the type of business. Chair Chatelain explained that staff is not asking for specific details, but for clarification as to the specifics of various items relative to the ordinance and the look and feel of the project.

(7:01:32) City Planner, Jonathan Teerlink, discussed the residential setback and building corridor and how it will affect lots that are .75-acre to one acre and one acre and larger. He detailed the properties and stated that the map was divided into three parts, zero to .75-acre, .75 to one acre and more than one acre. He agreed with Councilman Holbrook's previous statement that the cut off should be one-acre lots.

CONVENE REGULAR MEETING

Chair Chatelain called the Special Meeting to order at 7:04 pm.

ACTION ITEMS

- 1. Holladay Village Square – 4664 South 2300 East – Preliminary Site Plan – HV Zone – Planners: Paul Allred, Jonathan Teerlink, and Rick Whiting.**

(7:05:35) Mr. Allred suggested the Holladay Village Square items be discussed individually. He discussed the pedestrian walkway along Murray Holladay Road (the terraced retaining wall) and

then clarified that the material is a cast in place concrete with colored pigment as recommended by the Design Review Board (DRB). The concrete was proposed to be Rosemary in color.

Mr. Allred stated that the property line has been amended and the new property line agreed upon by the City Council. The statistics requested by staff were reviewed and clarified.

Tree issues were addressed. One issue remained with a tree and associated tree grate located on the south end of the property near the property line. Resolution including the possible relocation was to be given with the final plan approval.

Mid-block road issues were identified and addressed. In response to a question raised by Chair Chatelain about the timing of the road construction, Mr. Allred stated that the City will take care of that issue. Mr. Kemp added that the City has nearly \$1,000,000 in grant funds that will be used to pay for the construction of mid-block road.

Traffic movement on Murray Holladay Road was next detailed. Mr. Allred reported that staff's position has softened and they have identified it as right in and right out but that left turn would be inevitable up to the time that a median is installed in the road. He asked for dimensions and clarification and if there is enough room for three cars to occupy the space at the same time. The distance from the intersection to the entry was determined to be approximately 170 feet. Plan details were further discussed.

(7:11:38) Mr. Allred asked that mid-block road be shown on the site plan as future mid-block road. The clock tower was next discussed. Mr. Allred commented that the architects have done a good job of designing an attractive corner feature. Changes made to the plan include the larger clocks, metal roofing covering the clocks and on the cap, and the addition of full brick. Another issue was whether the building would be two-tone with a lighter brick flanking the tower or if it should be all one color. Architect Mike Nielsen from Richardson Design, stated that one of the reasons the design was broken up was to create a visual disconnect giving the building a cornice. The break allows stronger signage and visually adds proportion. The corner was squared to increase the square footage.

Next discussed were the recessed entrances. All but four of the building entrances are recessed. With regard to doorway treatments, Mr. Allred asked that when the materials board is presented that samples of the different styles be included. The building is static, but the store fronts will be allowed flexibility for the tenants. It was noted that most materials will be shown on the final plan.

(7:24:59) Mr. Allred discussed the promenade and paver features. The intent was to have red brick with beige with the remainder consisting of scored concrete.

The building planter and stairway on the south side of the south building was detailed. Mr. Allred clarified that those items were discussed at preliminary approval and have been addressed.

(7:27:30) Mr. Allred presented the staff report and reviewed the suggested Planning Commission deliberations.

The Commission next discussed the brick materials used for the tower. Mr. Henroid clarified that the plan shows two different colors of brick and both are the same size. The brick is described as “king size” brick. Mr. Allred asked that a sample be provided at the time of final plat.

The third issue pertained to whether additional brick or stone would be added to the buildings. Mr. Allred stated that staff would like to know if after the materials are “pre-approved” whether the developer will be required to return and seek Commission approval to change or upgrade the stone or brick. Mr. Henroid reported that they were asked to help decrease the amount of stucco and increase the brick, stone, and concrete elements. He hoped to avoid returning for another approval in order to upgrade materials. His opinion was that the architects are extremely talented and should be granted freedom to design as needed and desired.

(7:35:35) Chair Chatelain stated that design decisions should be made by those who are qualified and not by someone who simply has a financial interest. Mr. Allred suggested a compromise be reached that if 25% or more of the building elevation surfaces are changed, additional approval may be needed. After the Commission approves a set of plans, if there is a change, a quick plan change could be submitted and an immediate response returned. Mr. Teerlink thought that would be fine as long as it doesn’t violate the design section for the Holladay Village.

(7:38:54) Commissioner Garver stated that the developer has been encouraged to move back to a combined amount of masonry. He thought the professionals should make architectural decisions and approve more masonry if the design is aesthetically pleasing. Mr. Allred did not consider the issue of additional solid materials to be problematic. He stated that the issue can either be returned for approval if need be or the developer could proceed with the upgrade without additional approval. The matter could be decided by the Commission.

The Commission next discussed item D regarding the ground floor retail on the far southwest corner of the south building near Murray Holladay Road. Mr. Allred stated that the issue continues to arise and there has been ongoing discussion. If there was a proposal to put in ground floor retail, it would be advantageous to know more about it as it would change the look and feel of the project. Mr. Henroid stated that the matter was discussed with the City Council and with a ground floor retail space there would have to be an additional walkway and reconfiguration of the access. He realized it is more expensive to accomplish what is envisioned, difficult to engineer, and difficult to lease. He did not want to “step” the building due to that tenant being isolated from other tenants.

(7:45:15) Mike Nilson, an architect with Richardson Design, stated that after reviewing the history of the project, there is a sense that this portion of the Holladay Village Development has to be inclusive of everyone’s opinion. He recommended the developers be permitted to move forward.

Mr. Allred next discussed the paver design for the promenade area and stated that it is subject to paver availability. He asked the Commission for their opinion on the developer doing a simple design with the scored concrete if the pavers are not available. Mr. Henroid indicated that if there is an availability issue and the pavers are in question, he would prefer to do the scored concrete as the space will be for a restaurant. He noted that the space will need to be power washed regularly. Mr. Kemp was certain that the pavers will be available and considered it a question of cost rather than availability.

(7:51:23) Lighting was next detailed. Mr. Allred said that the original lighting detail was sparse and asked for more detail. It was noted that there is no lighting plan required in the ordinance. Mr. Teerlink replied that if the Planning Commission is able to make a decision on the lighting under item K, approval can be based on a plan that is conforming. He then detailed the lighting requirements and stated that there are two separate approvals required. The first is the Planning Commission's approval of the DRB's recommendation. The second is approval of the conceptual and the preliminary site plans. Mr. Allred reviewed the lighting plan with Mr. Kemp and wanted to see more detail and have the actual lamps shown. He also wanted more info on the height of the poles, the intensity of the foot candles, the color spectrum, and the ability to contain light on site. He asked to see which lights will be turned off or dimmed at night and how the lighting will work throughout the day. If all details cannot be aligned and presented at final, Mr. Allred asked that they present what they have.

(8:00:21) Enhancement of the stairway detail from the Murray Holladay Road side was discussed. Mr. Allred stated that the Planning Commission requested details on how it works, looks, the addition of a seating area, and a bench. There was nothing noted on the plan to that affect and the developer was allowed to address their reasoning and explain why it wasn't addressed. Mr. Henroid replied that the general purpose of the approximately seven-foot wide stairway was to provide access. He questioned why it would be an area for "hanging out" and noted that it is the primary entrance.

Chair Chatelain's concern was that it is presented as a long fence-looking rail that doesn't have much character. He wanted it to have a more interesting look. Mr. Nilson preferred it blend into the background and stated that the architecture behind the elevated walkway between the buildings is meant to be the focal point. He also added that the fence is detailed wrought iron. Mr. Henroid remarked that the stairway is not meant to serve as a gathering place. It is instead the entrance to a professional place of business and should be designed as such.

Mr. Allred commented that this is carry over from the DRB, who characterized the walkway as "sterile". They suggested a semi-circular pop out, a bench, and plants so that those waiting for appointments have a place to wait. Mr. Henroid added that the tenants will enjoy having a separate entrance into each of their individual offices rather than access through a corridor.

(8:07:38) Mr. Allred addressed the title report issues and explained that there are a few easements remaining to be resolved. Those in question need to be released and cleaned prior to final approval. Mr. Kemp added that the issue is very complex. There is an abandoned area of Holladay Boulevard, and a new section of Laney Avenue which has never been defined as a road, the fact that Peony Gardens needs to vacate a series of lots, and the consolidation of parcels into a single lot. He and City Attorney, Craig Hall, wanted to meet with Salt Lake County and discuss the best way to address those items. He asked for patience with the final plat filing.

The details of property addressing were discussed. Mr. Henroid preferred the project address be Holladay Boulevard and desired a 'signature' address.

(8:12:06) Mr. Allred stated that staff recommended approval of the preliminary site plan and suggested that the motion be very detailed. Some items required clarification and further discussion. They were not meant to be conveyed as design recommendations.

Mr. Henroid asked for a specific list of deficiencies with regard to the ordinance and a separate list of suggestions and clarifications. Mr. Allred indicated that the operative word is “resolution”. It doesn’t imply that a correction has to be made but states that an item needs discussion.

Mr. Allred reported that the landscaping is in the City’s right-of-way and raises a question about who will maintain the property. Mr. Kemp added that staff is assuming that the developer will maintain the landscaping.

With respect to utilities, Mr. Henroid said that they are on track with Utah Power to relocate the pole and bury the powerline. Mr. Kemp stated that now that UDOT is no longer involved, Salt Lake County will be moving all of the power boxes. It was noted that the traffic signal pole would also be moved.

A comment was made about the fact that there is six-foot area where the pavers will not have a concrete base. Mr. Kemp stated that in the six feet closest to the property line there is no concrete underlay because it was anticipated that it would be excavated for footings. He explained that after the excavation work is done, it will be up to the developer to replace what is moved.

Commissioner Khodadad asked for clarification on the Peony Gardens subdivision. Mr. Allred replied that they have proposed a plat that will amend and vacate a great deal of Peony Gardens. The issue was discussed previously, but has yet to be resolved. Mr. Allred reported that staff will contact the County and return with very specific directions. The title report called out all of the exceptions with most having already been addressed. He believed they have transferred all of the rights and lots and the plat needs to be amended.

(8:26:34) The Commission discussed and detailed the items to be included in the motion.

Mr. Henroid stated that with the title issue construction will commence at the developer’s risk. When they took title of the property, they knew it was Peony Gardens that had several minor easements, and the title report was reviewed. They are not concerned that there will be an easement or property right that will stop the project from progressing. Mr. Allred added that this is not a worry because the property has been transferred, the title report reviewed, and development had already occurred on the site. Mr. Kemp indicated that it does not need to be a part of tonight’s motion, but should be a part of the motion at final.

The Commission next discussed the wording with regard to the developer having discretion as to changes that may be made to the exterior without having to seek approval. Mr. Allred said that every time they display an elevation on the website for others to view, it creates an expectation. If the elevation of the Holladay Village is approved, the approved plan is placed in the newsletter, and the developer comes back having changed the details. Doing so will create a disconnect with the project.

Chair Chatelain was opposed to the developer having sole discretion with respect to changes without the approval of the Commission. It was noted that if the developer had money donated to them, they would use it for upgrades such as replacing plaster with stone. It was the opinion of Richardson Design’s Principal Architect, Jeff Byers, that the upgrades on the trim features will enhance the project.

(8:43:00) Mr. Allred recommended that the Commission, as the approving body, approve what they believe is appropriate and specify that any change to more than 25% of the building elevations with different materials require Planning Commission review. He suggested approval of the plan and stated that if the developer plans to change one-quarter of the building or façade, approval will be required. Mr. Teerlink indicated that the element should be left out of the motion. The matter had been through the DRB and the public process and the main issue was the tower. He thought too much time had been spent worrying about the brick issue.

Mr. Henroid explained that in the beginning, they wanted a project desired by the City. He felt that as a result of the real estate market, these types of projects are not being built. Tenants aren't paying the rates being asked and developers are not obtaining financing.

Chair Chatelain informed the developer that if an aesthetic change to the building elevations is needed, the Commission will make every effort to address it quickly.

Staff discussed items that should or should not be included in the motion as well as materials that should be shown and presented at final approval.

(8:53:52) Chair Chatelain reported that there are no items being brought forward and they are addressing approval of the preliminary site plan with no other additions. There are a few other items that need to be included at final that would need to be completed prior to building permit issuance.

(8:55:07) Commissioner Khodadad moved to approve the Holladay Village Square Development Preliminary Site Plan located at 4725 South 2300 East in the Holladay Village Zone subject to the following:

Requirements:

- 1. The Technical Review Committee (TRC) shall work with the developer on red lines for clarification and resolution.***
- 2. The Commission reviewed the staff report and minutes from the July 10, 2012, meeting for this site plan. The items discussed include brick and other materials on the new tower design and agree that there will be two colors of brick that shall be one large size.***
- 3. Pre-approval is appropriate if the applicant chooses to upgrade the materials and the project is approved as presented. Any significant changes will require Planning Commission review prior to the developer moving forward.***
- 4. The appropriateness of possible retail space at street level on the southwest corner has been discussed and the Commission concluded that it is not a condition that will be required.***
- 5. The Commission discussed and recommended that the paver design, subject to availability, will be installed up to the base of the tower on the southeast corner of the project.***
- 6. The lighting fixture design was discussed and the Commission wants to see the conceptual plan and defer to the TRC for final review at the building permit phase.***

7. *The Commission discussed the missing enhanced stairway details from the Murray Holladay Road side and are satisfied that the material used will be tinted concrete that will be landscaped.*
8. *The Commission discussed the requested bulb-outs on the upper walkway and concluded that it is not a condition, but they would like to possibly see something across the walkway between the buildings.*
9. *The Commission discussed the title report issues and agreed that they will need to be resolved.*
10. *The vacation of the Peony Garden's Subdivision was discussed and the Commission agreed that the issue will be addressed at a future meeting.*
11. *The Qwest easement and overall site public utility easements were discussed and are in the process of being resolved.*

Commissioner Bowthorpe seconded the motion. Vote on motion: Brad Wright-Aye, Lori Khodadad-Aye, Spence Bowthorpe-Aye, John Garver-Aye, Chair Les Chatelain-Aye. The motion passed unanimously.

2. Approve Minutes of the July 26, and August 7, 2012 Meetings.

(9:05:28) The minutes of July 26, 2012, and August 7, 2012, were reviewed and discussed.

Commissioner Khodadad moved that the minutes be reviewed with changes submitted to staff and brought back for final approval at the next meeting. Commissioner Bowthorpe seconded the motion. The motion passed with the unanimous consent of the Commission.

DISCUSSION ITEMS

3. Residential Building Corridor and Front Setback Code Amendment (continued) – Planner: Jonathan Teerlink.

(9:09:15) Mr. Teerlink reported that the code amendments have been finalized for the residential building corridor and front yard setbacks. They essentially remained the same as the previous revisions reviewed by the Planning Commission. Staff took into account some of the comments made including the averaging of homes on the street in order to retain the closest and furthest points.

The proposed Code amendment was reviewed. A public hearing on the matter was scheduled for September 5 and the text was made available on the City's website. Mr. Teerlink explained that whenever there is infill development, a new home is constructed on a street, or there are new additions, the City Council determined that it would be prudent to initiate a moratorium on new construction as it pertains to application of a front yard setback and building corridor codes. The front yard setback involves elements of the Code that addresses what lots are used in the averaging technique. It was proposed that a determination be made as to what the home was built to. If that cannot be determined, it would be omitted completely and discretion given to the Community Development Director to find another similar home on the street to ensure that the new home fits in. Averaging issues were discussed. It was acknowledged that the process can be very difficult without conducting a survey. Staff recommended averaging the closest and furthest points.

In response to a question raised by Chair Chatelain, Mr. Teerlink replied that the date of the home doesn't apply in the front yard and only applies in the corridor. The building corridor includes a maximum height limit based on the depth of the homes on the street. An aerial photograph was

used to help make that determination. Often when measuring depth, the main problem is that there is an exponential growth factor as new homes are built. One home built in the year 2000 was used as an averaging factor for the building corridor. A home that is torn down to be rebuilt is dependent on that average. Homes built prior to 1999 get the growth factor of the average of those homes. For example, if five homes average out to approximately 65 feet, the new home gets 15% of the average. If homes on the street are built after 1999, they do not get a depth increase.

(9:19:20) Mr. Teerlink agreed to regulate the building corridor in any manner recommended by the Planning Commission. His opinion, however, was that it is obtrusive. He explained that there are many factors that come into play when building height is evaluated. The Commission may be asked to consider prior to the public hearing whether or not that requirement should be included in the Code permanently or recommended to the City Council.

With regard to line 60, item number 2 in the staff report, Mr. Teerlink stated that it needs to be determined whether or not the applicant will measure portions of the structure that exceed 20 feet.

Mr. Teerlink's primary concern was detailed on line 49, which states that the building corridor on interior lots, lots on a block within two corners, or any new home proposed on a lot smaller than .75-acre shall be determined based on the average depth of the homes on the block phase. All lots of .75 acre or less will have the building corridor applied. Staff tried to figure out how constraints regarding development in larger estate properties can be alleviated. In many cases, those properties are so large that the home can be situated anywhere on the lot and still be 100 feet away from neighboring properties. It was possible from staff's perspective that the .75-acre limit is too small and should be at least one acre.

Another problem identified by staff pertained to the context applied when there is a large, deep lot next to a 10,000 square-foot home. Property rights would be infringed upon when a homeowner seeks to maximize development of the property. They are, however, constrained because the neighbor next door has an 8,000 square-foot property with a 2,000 square-foot home.

Chair Chatelain suggested the Commission use their best judgment. Recommendations are forwarded to the City Council who makes the final decision.

The drawing was discussed and Chair Chatelain pointed out that surrounding property owners are able to do more on their property and have a larger building corridor. They are building larger homes next to small properties. If a one-acre lot is the set measurement, there are less one-acre lots abutting smaller lots. Mr. Teerlink explained that if that is the case, they are usually separated by a natural element or a road.

Commissioner Garver remarked that this type of situation will have an adverse affect. Chair Chatelain questioned the flexibility of a .75-acre lot and the homeowner's ability to have a decent sized home. Mr. Teerlink stated that it is dependent on what the neighboring homes look like. He noted that currently there is a moratorium in place and four homes are waiting for the results. Height issues were discussed. Lot sizes are separated into three categories; 0 to 15,000 square feet with a corresponding height of 32 feet, 15,000 square feet to one acre with a corresponding height of 35 feet, and sites of one-acre and larger have corresponding heights of 40 feet.

Commissioner Wright asked that if there is an additional height allowance if the neighboring homes are farther away. Mr. Teerlink responded that the matter has been discussed and can be studied in more detail. Commissioner Wright suggested the wording be very clear for those submitting proposals and asked if the corridor is straight across with no view obstructions. Mr. Teerlink clarified it is massing the home toward the street and protecting what would be a view shed or a view corridor.

Commissioner Wright stated that there are neighborhoods with older homes that are parallel to the street and only 24 to 25 feet deep. Mr. Teerlink suggested the Commission consider whether older neighborhoods are able to redevelop. Restricting heights and depths will limit the available land that can be developed on those properties and will most likely thwart development.

(9:33:45) Commissioner Bowthorpe stated that some homeowners have anxiety over a home that is torn down and a two-story home built in its place. It becomes an imposing structure and the neighborhoods typically have more flips and rental properties. Mr. Teerlink added that Salt Lake City does not regulate the height of homes based on depth. They have a rear yard setback and nothing more. Mr. Allred stated that Salt Lake County adopted a more restrictive building corridor type of ordinance that is only slightly similar to Holladay's ordinance.

Mr. Allred stated that Holladay's restricted height starts at 32 feet and goes up to 40 feet. Mr. Teerlink recommended it be limited to all properties unless they are 1.5 acres or larger. They are far enough away from their neighbor that height should not be an issue.

Commissioner Bowthorpe asked for clarification with regard to what is driving the issue. Mr. Teerlink stated that recently Olympus Drive has experienced extreme growth. Nearly 80% of the homes on the street have been torn down and rebuilt. In doing so, each home has had an additional average depth increase over the previous home. The last home to be developed on the block has the greatest flexibility with respect to the building corridor. The Council Member from that particular district asked that the issue be reviewed. The main problem was with the exponential growth of 15% above and beyond each individual home. The only change was in the sense that there will be 15% only applied to homes built prior to 1999. The other aspect was where the building corridor line starts, which was determined to be at the end of the front yard setback. In order to determine the front yard setback, the average of the homes on the street must be calculated. It was noted that that there has to be a place to start and end. How those two points are determined was up for discussion.

(9:40:58) With regard to how the measurements are taken, Mr. Teerlink stated that they are reliant on subdivision plats typically verified by site plans to subdivisions. Most streets do not have public improvements such as curb, gutter, or park strip to go by. Averages are usually taken from the edge of asphalt, the center of the street, and the support of back covered patios.

(9:42:20) Commissioner Wright agreed with Chair Chatelain's comment and asked for feedback and a more simplified way of determining measurements. He also asked how significant the impact will be on the four homeowners waiting for a final determination. Mr. Teerlink stated that they will be impacted as one is counting on a building corridor that will take into account all of the new homes built down the street. Two of the homes are south of 6200 South and on properties with neighborhoods that predate 1999. As a result, they will not qualify for the increase. The

fourth home includes is a significant addition to the front of the home, which limits the front yard setback.

OTHER BUSINESS

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

(9:45:45) Mr. Allred commended the Commission for their work the previous week with regard to the Deerwood Development.

He reported that the Orchard Hollow Subdivision applicant will be filing an appeal on the Planning Commission's decision in the next few days. Details were discussed with respect to the property owner, Simone McInnis, who wondered if it would be better to have the request reviewed by the full Planning Commission. Mr. Allred felt that the public hearing was a success with the neighbors being heard and able to give input. He complimented the Commission on a job well done in that regard.

Mr. Allred discussed the Residential Office moratorium which will expire in the next several weeks after not having been resolved within the 6 month study period. Councilman Palmer questioned the possibility of an extension, however, Mr. Allred indicated that a moratorium or temporary regulation cannot be extended. City Attorney, Craig Hall, and Councilman Lynn Pace both confirmed that finding. The moratorium was spurred by a request to change zoning to RM for a proposed an office use next to Oakwood School. Mr. Pace stated that while the study was not complete the City has ultimate control over zoning as no vote was taken. The moratorium was still subject to Council approval and Planning Commission recommendation. Staff planned to continue to work on the Residential Office Zone.

(9:49:20) Commissioner Bowthorpe considered the term "Residential Office" to be an oxymoron. He suggested the Commission get away from using residential and office in the same title to avoid ambiguity. Mr. Allred noted the concern and added that considering the fact that the moratorium will expire soon without a hearing having been held, he questioned whether there was anything else that can be done. Commissioner Garver stated that including a requirement to have proposals reviewed by the Design Review Board may be a good idea and pointed out that there is a fine line between designing a building intended for a specific purpose and designing a building that looks like a house and is used as an office. It was his opinion that if the matter is revisited, the Planning Commission should consult with the DRB, architects, designers, and possibly Members of the City Council to find out what is to be accomplished.

(9:52:39) Mr. Allred added that the task may not be well defined. An example of what other cities have done was researched and it was determined that the issue seems to pertain particularly to Highland Drive here in Holladay. He explained that there is a group that is opposed to the recent proposed development on 5600 South. They have organized and met with City officials to express their frustration about the Highland Drive Corridor Plan. Staff was not invited to the meeting and advised the Commission that the group is making a concerted effort to undo or revise the entire vision of Highland Drive. Staff understanding is that there are some residents who have discussed the concept of converting it back to a country road with one lane in each direction, eliminate the mall, and create one-acre lots instead. They claim that here has been no public process and that the public has been uninformed and uninvolved. Mr. Allred added that it is a very heated issue. He agreed to update the Commission on a meeting to be held the following week with Councilman Palmer. He stressed that the process has been very inclusive and the City made every effort to

include the public. The plan makes moderate changes and calls for commercial at key intersections, which is reasonable. Those in opposition found the ideas submitted to be extremely offensive.

With respect to the apartment project on 5600 South, Mr. Allred reported that it has been withdrawn. It was his understanding that the bank has taken the property back. Currently there was no application to do anything on the corner. He added that there is a great deal of misinformation about this site and the Highland Drive Plan and staff is making every effort to address those concerns.

Mr. Allred reported on other items including the Orchard Hollow Subdivision, the moratoriums, and the site plan for the Holladay Village, which has a target date of September 5th for final approval. He emphasized the importance of lighting and considered it one of the most important details of any project.

With regard to the fire station, Mr. Allred explained that the goal is to bring the matter back for review. He reported that they brick colors still need to be selected, fencing details discussed, and budgetary issues addressed.

(9:59:01) The Holladay Village project was discussed along with the details of the motion. Chair Chatelain commented that numerous people have given input with respect to their preferences regarding project details. The Commission, however, is the body that will make the decision. Mr. Allred commented that the City was involved in the master planning of the project for well over a decade. Commissioner Wright added that in his opinion, if there are any changes made, they need to be brought back for approval.

5. Report from Staff on Upcoming Applications.

(10:03:20) Mr. Allred reported that he plans to meet with the TRC to discuss signage matters for the Canyon Slope Project area (ORD) His goal was to present the findings to the Commission for public hearing at the second meeting in September with the matter being reviewed by the City Council in early October. Commissioner Khodadad reported that the grand opening for the Ski Shop was scheduled for October 6 and 7.

Mr. Allred reported that the City Manager informed him that he had budgeted funds to allow former City Planner, Pat Hansen, to help when staff becomes overloaded. He noted that they have been overloaded for the better part of the year. There have been numerous large projects come forward and staff did not realize previously how busy they would get. The overload affected staff's ability to handle work once performed by Ms. Hansen. They now find themselves short staffed. Mr. Allred asked the City Manager for a budget amendment to allow Ms. Hansen to work one day per week on various projects on an as-needed basis.

With regard to Paula Lowry, Mr. Allred made a request to the City Manager that she be allowed to serve as an alternate largely due to her experience and involvement in ongoing projects. The Commission was somewhat shorthanded with Commissioner Snow being gone most of the semester and occasions when other Members are unable to attend. It would also be helpful for Commissioner Lowry to tutor Commissioner Wright, her replacement. Having more Commissioners present at meetings allows for more discussion and stronger decision making.

(10:08:01) Commissioner Garver expressed concern about the open space on the west side of the Holladay Village Project and hoped to see it developed as ground floor retail. Mr. Teerlink indicated that the developer feels it would be disconnected from the project. However, when it is viewed in terms of having all four corners developed, the space would be located right in the center. Mr. Allred added that Councilman Pace asked Mr. Henroid the same question and it became very apparent that they did not want to develop the ground floor as retail.

Chair Chatelain commented that there is less retail square footage than was contracted for. Mr. Allred commented that the ordinance was recently changed to require all ground level space to be retail or restaurant in the Holladay Village Zone.

6. Discussion of Possible Future Amendments to Code

ADJOURN

Commissioner Khodadad moved to adjourn. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission meeting adjourned at 10:11 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the City of Holladay Special Planning Commission Meeting held Tuesday, August 28, 2012.



Teri Forbes, Minutes Secretary
T Forbes Group

Minutes approved: October 16, 2012