

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

**Tuesday, October 6, 2015  
7:00 p.m.  
Holladay City Hall  
4580 South 2300 East**

**ATTENDANCE:**

**Planning Commission Members:**

Matt Snow, Chair  
Spence Bowthorpe  
Jim Carter  
Chris Jensen

**City Staff:**

Paul Allred, Community Development Director  
Jonathan Teerlink, City Planner

**AGENDA ITEMS**

**FIELD TRIP**

The Planning Commission conducted a field trip prior to their meeting. In attendance were Planning Commission Chair Matt Snow, Paul Allred, and John Teerlink from staff. No residents or applicants attended the field trip. Sites visited were the Shaeffer Stream Exception and the Bryson Subdivision. The field trip ended at approximately 6:20 p.m.

**PRE-MEETING/WORK SESSION**

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

(18:36:15) With regard to agenda item number four, it was reported that an application was submitted a number of years ago. A question was raised as to whether there had been a material change made since then. Community Development Director, Paul Allred, responded that the land use has not changed except that the Bollinger property may be slightly better than it was. The request was to develop two twin homes on the site rather than two single-family homes. The surrounding land uses include single-family homes, and commercial. There is multi-family housing directly behind the property in question as well as storage units. He considered the proposed site to be better for two twin homes than two single-family homes.

A comment was made that it may be difficult to convince upscale buyers to purchase a home on the subject property. It was thought that a nice twin home would likely be marketable and an improvement over what exists currently. Procedural issues were discussed. Mr. Allred commented that reasonable development cannot occur any time soon because two public processes are required. He and Council Member Lynn Pace disagreed on this issue. Mr. Allred's opinion was that the General Plan is not the zoning ordinance and is an advisory document. The City Council and Planning Commission have a right to look at both as part of a subjective decision making process. He personally felt that either option would work on the property.

(18:47:15) The Ron Ferrin request was next discussed. Parking issues were reviewed. Mr. Allred explained that the property is in the RM Zone and the use is permitted with conditions.

The intent was to line the main ingress/egress up with the egress across the street. Nothing could be done, however, to realign the underground entrance. Concern was raised about the dangerous nature of the corner. It was suggested that the north access be right turn out only. Specifics of the site were discussed.

A potential conflict of interest was expressed by Commissioner Jensen since Ron Ferrin is a client at his place of business.

Mr. Allred stated that the property owner's intent is to consolidate the property they own into the P Zone. Reasons for the rezone were identified such as having the same zoning for all of the property, none is being used as residential, and they don't want a mixed plan for the site.

### **CONVENE REGULAR MEETING**

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

#### **1. Welcome & Chair Opening Statement.**

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

#### **2. Public Hearing – Conditional Use Permit – Professional Office in RM Zone – Ferrin Office Building – 6571 South Big Cottonwood Road – Kirby Kirkman, Agent for Applicant, Ron Ferrin.**

Mr. Teerlink reviewed the staff report and commented that professional office uses are allowed in the RM zone with conditional approvals. The building received conceptual approvals from the Planning Commission in August of 2015.

Commissioner Jensen disclosed his work relationship with the applicant on other projects.

Kirby Kirkman, representing the applicant, gave a short presentation. The proposed use is professional office space. He also made mention that the parking is in compliance with the parking standards set forth by the Holladay Ordinance.

Commissioner Jensen asked Mr. Kirkman if a right-turn out of the project would pose a concern. Mr. Kirkman stated that it would not be an issue.

#### **Chair Snow opened the public hearing.**

David Masihdas gave his address as 6445 S Old Mill Cir. He noted that issues raised at the last meeting have not been addressed. He feels that decisions regarding parking compliance are arbitrary with no findings to support that decision. He feels that the number of stalls should be based upon the building size, not just the office area. He also expressed concern about the ten foot walls adjacent the school and whether the applicant had a contingency plan for accidental falls.

Mr. Kirkman assured the commission that the number of parking stalls proposed is per staff recommendations. He stated that 10' walls are not planned in the rear of the property and all grading and retaining onsite will be engineered.

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

Commissioner Carter stated that he relies on the information given to the commission by staff. He explained the appeal process to those present.

Commissioner Jensen noted that the applicants' consent for the right-out-only turn movement from the garage gave further support to their decision.

***Commissioner Carter moved to recommend approval of a Conditional Use Permit for Professional Office use at 6571 S Big Cottonwood Rd in the RM zone based upon the following***

**Findings:**

- 1. The use is an allowed use in the RM zone with applicable and appropriate conditions.***
- 2. The use is compatible with abutting and adjacent uses within the same and similar zones.***
- 3. The use is not detrimental to the health safety and welfare of the public.***
- 4. The site provides vehicular access compatible with adjacent properties.***

**Conditions:**

- 1. The use is limited to professional service office space as per City of Holladay definitions***
- 2. The professional office uses are limited to normal business operation hours – limiting traffic to peak traffic hours***
- 3. Site lighting shall be installed and maintained as unobtrusive to abutting residential uses.***
- 4. The proposed 83 parking stalls are to be maintained and available as off-street parking for employees and patrons***
- 5. Maintenance of landscaping in all areas including buffering along abutting residential uses***
- 6. Amendments to this permit are subject to consideration by the planning commission***
- 7. This conditional use approval shall be associated with the building, demolition of the structure nullifies***
- 8. North egress to be right-out only***
- 9. Onsite parking only – city to monitor***

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

**3. Public Hearing – Rezone – Approximately .80-Acres from R-1-10 to P (Public) Zone – Salt Lake Chinese Christian Church – 1898 East 3900 South – Lillian Yau and Andy Hong.**

Mr. Allred commented that there is ample justification to include the property in the P Zone.

(19:51:38) Vincent Liu was present representing the Salt Lake Chinese Christian Church. He explained that their intent is to rebuild the home and combine it into one property. Ultimately they want to tear down the three houses and rebuild a multi-purpose building on the property.

Chair Snow opened the public hearing.

(19:53:10) Joann Nielson gave her address as 3858 South 1860 East and asked about the possibility of selling the homes as residences. She personally did not want the additional parking associated with using the facility as a parking lot. She understood that the church has functions that go on 24-hours per day and expressed her concern with the proposal.

Gavin Hicken gave his address as 3945 Walker Haven Circle and stated that his backyard borders the facility. For the most part, the church had been a good neighbor but the lack of maintenance was of concern. Sometimes the grass grows very tall, sprinklers are left on for weeks at a time, and there is an insecure border around the back. Mr. Hicken asked about the long-term plan for the property once the homes are razed.

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

(19:55:25) Mr. Liu stated that the long-range plan includes tearing down the building in the back where there will be a future parking lot. The entire property will be fenced and a new building constructed. They intent was to combine the properties into one this year and begin the design phase and fundraising next year. In 2017, they hope to begin work on the Phase 1 building and in 2018 complete the remainder of the project. Mr. Liu stated that parking issues should only arise during special events, which take place primarily on weekends.

Commissioner Snow was of the understanding that the houses and the main sanctuary parcel were all owned by the church were zoned R-1-10 at the time the City was looking at to rezone all such properties to P Zone. Mr. Allred reported that for many years most churches and schools were zoned R-1. The concept arose of developing a P Zone, which recognizes institutional uses. Rezoning issues were discussed. Mr. Allred stated that the City does not typically rezone property without a petition from the property owner. He stated that the property owner has specifically asked that the residential parcels be included with the church property. In response to a question raised, Mr. Allred stated that commercial uses are not allowed in the P Zone other than a utility station. They primarily consist of churches, schools, and parks.

Commissioner Jensen liked the idea of consolidating the parcels into a zone that makes sense for the use. A recommendation tonight will be made and another public hearing will be held before the City Council who can change the zone.

(20:04:46) *Commissioner Jensen moved to recommend approval of the petition to the City Council to rezone three lots located at 1910 East 3900 South comprising approximately .8 acres from R-1-10 to “P” and tie them to the existing P Zone subject to the following:*

**Findings:**

- 1. The applicants have expressed a desire to have all of their properties condensed into one parcel with the same zoning.*
- 2. The applicants are agreeable to all of their property being zoned “P” at this time.*
- 3. The recent mass “P” rezoning of this kind of property in other areas of Holladay probably should have included the other SLCC parcels and buildings, which can be remedied at this time.*
- 4. The change in zoning should not negatively impact surrounding property or change the use, capacity or nature of the property.*
- 5. The change in zoning only allows the SLCCC to consider options as they contemplate the future operation and uses on the site.*
- 6. The change in zoning does not exempt the SLCCC from other requirements of the City’s land use codes such as uses allowed within the zone, conditional use, site plan approval, permits, etc.*
- 7. The rezone is in harmony with the City’s General Plan for this area which is Quasi-Public at this location. (See General Plan Map).*

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

**4. Public Hearing – Rezone - .51-Acres from R-1-10 to R-2-10 – 2040 East 6060 South – Doug Jessop, Brandon Butcher, Agents for Applicant, Marian Butcher Trust.**

(20:09:30) Mr. Allred presented the staff report and stated that seven or eight years ago a subdivision known as the Woodruff Cove Subdivision was approved but never recorded. The area in question has mixed densities and mixed uses. The General Plan Map shows it as a low-density residential area. The request from the applicants is to take the .5-acre property and rezone it R-2-10. Options available to the Planning Commission were discussed.

The applicant, Doug Jessop, reported that he has been a building contractor and land developer for the last 20 years and has known the Butcher Family for quite some time. Three years ago Brandon approached him and asked him about combining two lots and selling them as two homes. After studying the issue he found that in order to bring the value to the street and the buyer, two single-family homes were not recommended. They chose to apply for R-2-10 zoning and proposed two twin homes. Mr. Jessop reported that the property has been vacant for the past seven or eight years and has become a place where people dump garbage. He believes the development of the property will increase property values on the street. Mr. Jessop stated that the proposed footprints are 1,500 square feet on the main floor for a total of 3,750 square feet for

a two-story home. The development will be clean, fresh, and new and will be an improvement over what is currently taking place on the site. Some neighbors expressed concerns about what is proposed. Mr. Jessop indicated that he was open to listening to their comments.  
(20:20:00) Chair Snow opened the public hearing.

Jennifer Vernon gave her address as 2017 East 6060 South and commented that the street does not have the infrastructure to compensate for the increase in traffic. She stated that the proposed development would involve at least eight more cars and there is no sidewalk, curb, or gutter. When the garbage cans are out for collection it is difficult for two cars to pass each other. The proposed development would only exacerbate that situation. She was also concerned about safety since there would be no turnaround in the event of a fire. Ms. Vernon stated that she and her children enjoy walking and it would be dangerous for there to be more traffic without a sidewalk. She noted that to put in the necessary infrastructure the City would have to take property from each of the homes on the street. Her home is a twin home, however, they have .5-acre between the two units. The proposal is for four homes on .5 acres. There are apartments to the east but very little traffic is generated down their street from it and they have very little impact. Ms. Vernon was not opposed to one or two homes on the property but felt that more traffic would be generated than the street can handle.

(20:23:12) Bill Flandro reported that he lives in the twin home next to Ms. Vernon. He stated that this is a dead end private street that is totally segregated. He clarified that the apartments referred to are actually condominiums and the access is off of 6200 South. The private road is also substandard and will be impacted significantly by additional traffic. There are only eight homes on the street and each lot is approximately .3-acres in size. Over the past several years there have been several different owners of the property with the last rezone attempt being in 2007. The Planning Commission recommended denial to the City Council who held several meetings and ultimately denied the request. Comments were made at the time by the City Council indicating that rezoning the one lot will effectively rezone the entire area. He did not object to the development of two homes but did not support any more than that.

(20:25:25) David Chisholm gave his address as 6018 La Tour Street and expressed concerns with the proposal. He reported that on the south side there is an active irrigation ditch that requires a 15-foot right-of-way be maintained. He must also leave access to the cleanout located on the southeast corner of the ditch. Mr. Chisholm reported that the ditch now belongs to the Little Cottonwood Tanner Ditch and used to belong to Big Cottonwood Tanner Ditch. Before anything could be done with the ditch, permission would have to be granted by the ditch company. Mr. Chisholm was also concerned about parking since two twin homes will have a minimum of eight cars. He was also concerned about fire protection and stated that in order to get a fire engine to the site and turn around would require a hammerhead. He also pointed out that because the road is private it is very narrow.

(20:27:08) Kelly Wright gave his address as 2020 East 6060 South and shared the concerns expressed by his neighbors. He considered the increase in traffic on 6060 South to be of most significance. In 2007 similar concerns were expressed as well. He noted that on garbage pickup day the street is very congested. He recommended the City deny the request.

(20:29:09) Brett Butcher listened to the concerns of the neighbors about traffic but stated that they pertain to unforeseen circumstances since it cannot be assumed that each unit will have two cars. He stated that currently there is a business at the top of the street with 20 cars. In terms of the turnaround, the actual buildable lot is .51 acre with .17 acre for a turnaround. Mr. Butcher commented that currently people use it as a private driveway to turn around and they would like to keep it that way. It was actually used as a dumping ground for one of the neighbors who wants to keep it as an empty lot for his purposes. Mr. Butcher stated that he is not the applicant but is considering purchasing one of the new homes. He commented that he has only one car.

(20:30:45) Sean Murnin gave his address 2017 East 6060 South and was pleased that the minimum square footage is 1,500 square feet. He supported the higher square footage, which he considered to be compatible with the area. He agreed with his neighbors that it would be better to have two homes on the lot than four. He was also concerned about the narrow nature of the street and stated that when cars are parked on the road because of parties or other events, it effectively becomes a one-way street. Garbage day requires the truck to stop on Highland Drive and do a three-point turn and then back down 6060 South.

(20:32:40) Marian Butcher identified herself as the property owner. She asked for clarification from the neighbor about them losing some of their property if the development were to proceed. The comment pertained to a neighbor who was concerned that sidewalks will be required, which will result in property being taken from each neighbor to accomplish. Ms. Butcher commented that she lives on a street that has no sidewalks and traffic has been taken from other streets in the neighborhood. It has made no difference and the street has not been widened. Chair Snow stated that any widening of the street would be done by the City and not the applicant.

Sherry Wright agreed with the comments made by her neighbors.

(20:34:48) There were no further public comments. Chair Snow closed the public hearing.

Mr. Allred estimated the width of the street to be 20-feet of asphalt with rough shoulders and no curb, gutter, or sidewalk. City Planner, Jonathan Teerlink, stated that it is possible that the Master Plan includes a 50-foot wide right-of-way. He stated that 6060 South is a public road. A resident commented that the snow plows have been down their street once in the last five years. Mr. Allred clarified that the road is definitely not built to a 50-foot right-of-way.

It was recommended that the matter be continued in order to look at the larger area to determine whether the proposed use makes sense on this particular parcel. He was uncomfortable moving forward without looking at the context and history of the neighborhood.

In response to a question raised, Mr. Jessop stated that he had not yet spoken to the UFA about fire turnarounds and access. He indicated that he works with Ensign Engineering and has been pursuing what he was told he would need for the fire turnaround. Mr. Jessop also confirmed that he is aware of the drainage on the south side and they understand that it needs to be addressed.

Concern was expressed that the request is outside the scope of the General Plan. Lot sizes in the area were discussed. Mr. Jessop commented that when he originally provided Mr. Allred with

information on the property he was unaware that the .51-acre project did not include the cul-de-sac that had already been taken out based on a two-lot subdivision. He clarified that the lot on which the four homes would be placed would actually be .68-acre.

Commissioner Carter commented that the City Council is reluctant to approve zone changes unless the Planning Commission has completed a thorough review of the application.

*(20:47:00) Commissioner Carter moved to continue the matter and requested that staff provide the Commission with contextual information pertaining to lot sizes in the area, other zones that about the area, additional information regarding the street, and who maintains it.*

*Commissioner Jensen made a friendly amendment that the applicant meet with the UFA and confirm the design, whether a cul-de-sac will be required or what the hammerhead would be, and whether a street dedication is needed for public services. Commissioner Carter accepted the friendly amendment.*

*Commissioner Jensen seconded the motion.*

Commissioner Carter clarified the motion and stated that the area appears to be in transition except on this street. All around the parcel more intense uses are taking place. He questioned whether a more intense use on this street is appropriate. It seemed to Commissioner Bowthorpe that a significant burden was being placed on staff to document the application. In his opinion it should be the applicant's responsibility to make the case. He felt that a decision on the merits of the application should be made tonight.

*Commissioner Jensen withdrew his motion.*

*Commissioner Bowthorpe moved to send a recommendation of denial to the City Council primarily because it is not in accordance with the current City General Plan. Because of some of the questions raised there is not enough clarity with respect to the public comments heard tonight. The motion was based primarily on the fact that the request does not meet the recommendations of the General Plan. Commissioner Carter seconded the motion. Vote on motion: Chris Jensen-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Matt Snow-Aye. The motion passed unanimously.*

Chair Snow indicated that the matter will next go to the City Council who will make the final decision. Mr. Allred stated that those who live within 500 feet of the property will receive notice from the City of the next public hearing.

**5. Public Hearing – Conditional Use Permit – Bed & Breakfast Use – 2293 East 6200 South – David Harrison, Applicant.**

(20:55:50) City Planner, Jonathan Teerlink, presented the staff report and stated that a bed and breakfast use has been requested in the R-1-21 Zone. Bed and breakfasts are conditional uses in the .5-acre, 1.0-acre, and 1.0-acre zones so long as they are on a street that is at least 80 feet wide. The subject property fronts 6200 South and meets the criteria for the zone and the street. The only other contingency would be the maximum of five guest rooms. Staff reviewed the project and reported that the last time traffic patterns on 6200 South were studied they were in



the range of 10,000 Average Daily Travel (ADT). The proposed use directly abuts an existing and operating bed and breakfast use on 6200 South. The introduction of additional traffic at peaks time could be accommodated by 6200 South without a significant impact on the existing ADT or level of service. The Technical Review Committee (TRC) reported that the on-site parking will accommodate no more than two cars. The required parking for the site should include at least four parking stalls. As a result, the on-site parking would need to be modified.

The proposed use is to take place in a single level family home that is characteristic of the neighborhood. Mr. Teerlink reported that conditional uses are approvable in the City with the caveat that the concentration of conditional uses not be detrimental to the neighborhood. The intent of tonight's meeting was to determine whether an additional bed and breakfast on the street would fit that determination for a conditional use. It was reported that currently there are no building code violations on file with the Building Department for this property. Should the Planning Commission choose to recommend approval, staff recommended any motion be subject to the conditions and findings set forth in the staff report.

(21:00:45) The applicant, David Harrison, reported that he was raised in Holladay and was looking for a place to develop a bed and breakfast. He considered the property to be of historic relevance to the City in that it was built by Alf Engen and is a log home that is very unique. The adjacent neighbors have used the Engen logo and theme and they have no intention of infringing on that use. His partner is from Brazil and they will name the facility after hummingbirds in Brazil. The property will not be changed in any manner and Mr. Harrison considered it to be a valuable asset to the City in its present condition. They do, however, plan to add a small amount of asphalt to accommodate an additional two cars. They also want to increase the size of the kitchen, which will not increase the building footprint.

(21:03:16) Chair Snow opened the public hearing.

Leonard Wojcik gave his address as 2284 East 6200 South and stated that he lives across the street from the proposed bed and breakfast. He stated that the property directly west of the proposed site is also a bed and breakfast and has been for a number of years. They have never had problems with the use and he expected none with the proposed one. The four log homes built by Alf Engen have been well sustained for the past 50 to 75 years. Mr. Wojcik hoped this would continue as opposed to the alternative of subdividing the property or building more homes. He did not see how the use would impact the neighbors going forward.

(21:05:31) Karen Ulrich gave her address as 2273 East 6200 South and stated that the existing bed and breakfast is in front of her property. She felt that another bed and breakfast in the area was too many. She realize it is low impact in terms of traffic but indicated that she often has a difficult time getting out of her driveway. Mr. Allred acknowledged receipt of an email from Mrs. Ulrich's husband, copies of which were provided to the Commission Members. In his email, Mr. Ulrich outlined some of the same concerns mentioned in addition to a sign issue. It was noted that the sign ordinance does not allow a sign on the subject property.

Karl Prisbrey gave his address as 2255 East 6200 South and was concerned about another bed and breakfast. He stated that one of the nice things about the existing bed and breakfast is that

the owners live there, which gives the neighbors a lot of comfort. He did not believe that was the case here.

(21:08:25) Eugene Banks gave his address as 6194 Field Rose Drive and stated that they live directly to the east on the opposite corner. He asked if the intention was to expand the location and had observed a large backhoe on the property and an exposed east side of current the basement area. He noted that the existing bed and breakfast also expanded and built on a second floor. Property access and traffic issues were discussed. Mr. Banks commented that when the owners do not live on site the tendency is for guests to be noisy and the property is not controlled well. He was not aware of many people who want commercial properties near their home due to additional noise and traffic and decreased property values.

Shauna Rosenlof gave her address as 6070 South 2300 East and was acquainted with the people who built the homes. She recalled that the vision was to keep Holladay as it is and as low impact as possible. All of the homes have since become rentals. She recommended the request not be approved.

(21:12:06) There were no further public comments. The public hearing was closed.

Mr. Harrison stated that they will live on site, which is required as part of the conditional use permit. There is a backhoe on the site because he took out a permit to install an egress door in the basement. The intent was to provide access out of the home from the basement when there are guests upstairs. A permit was taken out for the work and it will be completed within one week.

The co-applicant stated that they plan to install a French doors in the basement because there are currently only very small windows. They are planning to have three bedrooms. They want to maintain the area as it currently exists and continue to restore the property. She explained that there will be a very large garden because she loves to cook, and she will try to implement that into the business.

With regard to access and noise, Mr. Harrison stated that currently there is an area on the grass adjacent to the existing paved area where he can park four cars while keeping the two-car garage accessible. He wants to extend the pavement five feet to the west, which will provide more room to turnaround and avoid backing onto 6200 South. He assured the Commission that the proper permits will be obtained for any work done.

During the work meeting there was discussion about the potential for modifications to be made to the intersection. Mr. Allred stated that the intersection improvements are intended to create more efficiency and will be done under the CMAQ (Congestion Mitigation for Air Quality) Program. The City has received funding and improvements will be made to this intersection as well as at Tuscany on Holladay Boulevard. Slight geometry changes will be made that will improve turning movements and efficiency. Traffic issues associated with the subject property were discussed.

Mr. Banks commented that his property begins at the fence so the area in front of it is owned by the County although they maintain it.

(21:22:45) Commissioner Bowthorpe felt that in the end the use is allowed and the property owners have good intentions. The question was whether an additional use of this kind next to the existing one is too much of a concentration of the same use in one place.

Commissioner Jensen's feeling was that it is not too much of a concentration because it will not create off-site impacts that would not be created by a large family occupying the home. He felt that the traffic associated with the use will be minimal, no exterior lighting is proposed, and signs are not allowed in the zone. The question was whether the use creates an increase in impact to the neighbors. He did not believe that the impact would be increased.

Chair Snow reviewed the conditions contained in the staff report.

Commissioner Carter commented that the best way to preserve historic structures is to allow for an adaptive reuse that is slightly more intense. Because property values in the area are very high he was confident that if the property were to remain a residence, at some point it will be replaced by a much larger home. He liked the idea of an adaptive reuse that is dependent on the historic nature of the structure.

(21:26:41) *Commissioner Carter moved to approve the conditional use permit request for a three guest room bed and breakfast at 2293 East 6200 South pursuant to the following:*

**Conditions:**

- 1. A minimum of four (4) off-street parking stalls shall be provided and maintained.*
- 2. The business operations must be approved by the City's Building Official, Fire Prevention Officer, and Salt Lake County Health Department.*
- 3. The existing driveway and parking area must be asphalted and properly maintained for storm water drainage and emergency access.*
- 4. The owner or manager must live in the home.*
- 5. The Bed and Breakfast shall have a maximum of three (3) guest rooms.*
- 6. Structural additions are subject to current zoning regulations and shall be approved by the City of Holladay Building Department.*
- 7. The parking on the site shall be configured so that egress from the site can be made head first instead of backing out onto 6200 South.*

**Findings:**

- a. Complies with all Holladay Ordinances regulating Bed and Breakfasts.*

- b. *When applying 13.08.040E “Conditional Use Approvals”, this project meets zoning standards, the building will not likely have a negative impact on surrounding properties, be detrimental to the health, safety, or welfare of Holladay residents, persons working or residing in the vicinity or injurious to property or improvements in the vicinity and is necessary and desirable for this particular location and will contribute to the well-being of the neighborhood.*
- c. *This proposal, due to its location and nature, is not in violation of the intent of 13.08.040F.*
- d. *The use as proposed does not conflict with the intent of the General Plan.*

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

**6. Public Hearing – Amended Plat – Cottonwood Estates Lots 15 and 16 (Combine) – 2288 Cottonwood Lane – Jeremy Jackson, Agent for Owner, Spencer P. Eccles.**

(21:28:00) Mr. Allred presented the staff report and stated that the issue pertains to a subdivision plat where the request is to take two of the approved building lots within the plat and combine them into one. The application also eliminates a previously non-conforming situation. The property is in the two-acre zone and by combining the two lots the acreage will be exactly 2.0 acres. Mr. Allred reported that he received one phone call from a neighbor inquiring about the size of the new home. He did not have information on the size of the home but characterized the caller as not being opposed to the request.

Mr. Allred reported that demolition recently took place on the property and most of the structures were removed. The existing streets are in place and the access is safe. Plats 15 and 16 will be amended and a new one-lot subdivision created in their place. He recommended that the Commission conduct the public hearing and consider whether there are any negative ramifications since an amended plat still requires a public hearing, and consider if there is anyone opposed to the request and can demonstrate that there is a substantial or material harm to the subdivision or the neighborhood because of it. Staff recommended approval of the amended plat.

(21:32:50) Jeremy Jackson from Jackson & Leroy reported that no plans have been completed for the new structure proposed on the site. The intent is to conform to the General Plan of the City of Holladay, which was what drew the property owner to this lot. The intent is to maintain the character of the existing neighborhood and build something that conforms, is understated, and fits in well with the neighborhood.

The property owner, Spencer Eccles, thanked the Commission for their service.

(21:34:16) Chair Snow opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Jensen liked the fact that the property was being brought back into conformance with the surrounding zone.

(21:35:14) *Commissioner Jensen moved to approve the amended plat for Cottonwood Estates Lots 15 and 16 at 2388 Cottonwood Lane subject to the following:*

**Condition:**

1. *Approve the plat as proposed with any changes required by the TRC as necessary to make it fully correct with City regulations and recordable.*

**Findings:**

1. *The amended plat will bring the property into full compliance with the underlying zone.*
2. *The reduction of one lot from the Cottonwood Estates will not result in material harm to surrounding property owners.*

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

**7. Public Hearing – Conditional Use – Expanded Accessory Building – 4278 Holloway Drive – Randy Schoeck, Applicant.**

(21:36:40) Mr. Teerlink presented the staff report and stated that the request is for a conditional use application for a detached accessory building in the R-1-15 Zone. The applicant is proposing to build a detached accessory building. Currently the maximum square footage is based on the lot size. In this case, 900 square feet is the maximum permitted footprint. The proposal is to exceed the maximum which may be approved by the Planning Commission by conditional use. The applicant is requesting an additional 550 square feet. The Technical Review Committee reviewed the application and the site and found that it would meet all of the remaining criteria in the R-1 Zone with regard to height, maximum lot coverage, rear yard maximum coverages, and use. They recommended approval with conditions outlined in the staff report.

The applicant, Randy Schoeck, reported that he is a 22-year resident of the neighborhood. Part of the charm of the home initially was an overly large backyard and the fact that there was a driveway on the side of the house. About two years ago he began the process of obtaining a permit to build a garage to park an RV for security. In addition, a large home was being built very near the Schoeck's backyard. The neighbors removed several trees and built a large structure that took away much of their privacy. Mr. Schoeck stated that the proposed structure will not be visible from the street. The neighbors had no objection to what is proposed.

(21:42:46) Chair Snow opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Jensen complimented the applicants on such a complete and compelling application.

(21:44:11) *Commissioner Bowthorpe moved to approve the conditional use for the Schoeck detached garage at 4278 Holloway Drive subject to the following:*

**Conditions:**

- 1. The proposed accessory building may exceed the maximum footprint allowed by Code providing the following conditions:*
  - a. Complies with all Holladay Ordinances regulating accessory buildings.*
  - b. That the proposed accessory building elevations match or are compatible with the existing façade treatment of the existing garage. In this case brick exterior.*
  - c. City Engineer approved storm water retention plan shall be submitted.*
  - d. Garage security lighting, if any, shall be a full hood cut-off fixture and mounted in a manner so as to not expose the lighting element(s) to neighboring properties.*
  - e. The setback from the western property line shall show a minimum distance of 11 feet. This setback area may provide for a hedgerow or tree-lined landscape buffer.*
  - f. Architectural treatments shall be retained as proposed or similar as to match the existing garage.*
  - g. The building may not be used as an accessory dwelling or guest house.*

**Findings:**

- a. Complies with all Holladay Ordinances regulating accessory buildings.*
- b. When applying 13.08.040E “Conditional Use Approvals”, this project meets zoning standards, the building will not likely have a negative impact on surrounding properties, be detrimental to the health, safety, or welfare of Holladay residents, persons working or residing in the vicinity, or be injurious to property or improvements in the vicinity and is necessary and desirable for this particular location and will contribute to the well-being of the neighborhood.*
- c. The use as proposed does not conflict with the intent of the General Plan.*

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

**OTHER ACTION ITEMS**

- 8. Preliminary Site Plan – Commercial Office in RM Zone – Ferrin Office Building – 6571 South Big Cottonwood Road – Kirby Kirkman, Agent for Applicant, Ron Ferrin.**

(21:45:15) Mr. Teerlink presented the staff report and stated that based on the approval of the conditional use earlier in the meeting, staff was able to review with the designer the preliminary

site plan for the project. Primarily they addressed the realignment of driveways that would be adjacent to and within the existing turn movements of the street. Parking calculations and requirements were discussed. It is assumed that the parking requirements for the use also include the ability to use the common areas, atriums, restrooms, and hallways within the building. It also denotes the ability to not over park. Issues pertaining to lighting along the back side of the building was discussed, which is not proposed by the applicant. A PUE will be added to the front portion to accommodate any utilities that are placed there. The City Engineer reviewed and approved the utility plan with changes. Drainage and water retention issues were resolved through the use of detention basins. Curb, gutter, and sidewalk does not currently exist but will be installed by the applicant and requires off-site improvements. Road traffic and congestion considerations were described.

Mr. Allred reported that he spoke to Traffic Engineer, Tosh Kano, and informed him that some neighbors have expressed concern. Parking calculation issues were discussed as well as traffic and access. Mr. Allred stated that the Planning Commission can only do so much to prevent impacts to the neighborhood, however, they have been careful to specifically look at the comments submitted. Staff recommended approval of the preliminary site plan based on the findings set forth in the staff report. Upon Planning Commission approval the final site plan be delegated to staff for review and approval.

Grading and safety issues were discussed. Commissioner Jensen recommended there be some type of protection along the north property when the final construction drawings are submitted. He was concerned that there is a significant drop off and asked that it be addressed through the TRC and the building permit.

*(22:09:08) Commissioner Jensen moved to approve the preliminary site plan for the professional office building at 5571 South Big Cottonwood Canyon Road subject to the following:*

**Conditions:**

- 1. The technical issues that have not been resolved must be addressed by the applicant to comply with City ordinances and issues the TRC and Planning Commission have identified.*
- 2. Delegate approval of the final site plan to the TRC.*
- 3. The site shall be built only as shown on the approved plan.*
- 4. Future material changes to the approved site plan must be addressed by the Planning Commission.*
- 5. Conditions that were approved under the Conditional Use Permit are still in effect.*
- 6. The north retaining walls must be addressed through the TRC and final building permit process for drop off protection on the north side.*

**Findings:**

1. *The submitted drawing meets the site plan standards listed in 13.08.080E, Approval Standards.*
2. *The application is consistent with land use patterns in the general vicinity.*
3. *UFA has approved the proposed emergency access. Fire hydrant capacity and placement will be addressed during the construction phase.*
4. *The proposed site has been reviewed by the TRC and meets City requirements for preliminary site plan.*
5. *Utility providers can serve the property and have or are expected to provide appropriate service availability letters.*
6. *The neighborhood has held a neighborhood meeting as required.*

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

**9. Minutes – August 18 and September 1, 2015 Meetings.**

The minutes of August 18, 2015, were reviewed.

*(22:18:15) Commissioner Bowthorpe moved to approve the Planning Commission Meeting minutes of August 18, 2015, with the staff corrections. Commissioner Jensen seconded the motion. Vote on motion: Chris Jensen-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Matt Snow-Aye. The motion passed unanimously.*

Approval of the September 1, 2015, meeting minutes was postponed to the next meeting.

**10. General Plan Amendment Public Hearing – (Continued) & Work Session on Draft Chapters – Review and Discussion of Proposed Major Re-Write of the City’s Current General Plan Originally Adopted in 2000.**

**OTHER BUSINESS**

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

*(22:12:00) Mr. Allred reported that staff met with the Transportation Consultant earlier in the day and made progress.*

A Special Meeting on the General Plan was tentatively scheduled for Monday, October 19.

**ADJOURN**

*Commissioner Jensen moved to adjourn. Commissioner Carter seconded the motion. The motion passed with the unanimous consent of the Commission.*



The Planning Commission Meeting adjourned at 10:31 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, October 6, 2015.*



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Teri Forbes, Minutes Secretary  
T Forbes Group

Minutes approved: 12/8/15