

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

**Tuesday, November 18, 2014
6:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE:

Planning Commission Members:

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

City Staff:

Paul Allred, Community Development Director
Rick Whiting, City Planner
Jonathan Teerlink, City Planner
Pat Hanson, City Planner

PRE-MEETING/WORK SESSION

Chair Jensen called the meeting to order at 6:36 p.m.

The agenda items were reviewed and discussed.

City Planner, Rick Whiting, stated that the owners of the Cowboy Partners Center located at 6440 South Wasatch Boulevard have requested a rezone to allow for crown signage. The Commission detailed the surrounding zoning and alternative solutions.

Community Development Director, Paul Allred, stated that a Commission Member is needed to sit on the Stakeholder Committee. With his extensive time spent as a Commission Member, Mr. Allred recommended Commissioner Chatelain serve in that capacity and believed he would be a welcome addition.

The Highland Place six-lot subdivision preliminary plat details were reviewed.

(18:56:50) Commissioner Chatelain moved to close the Work Meeting and move to the Council Chambers for the Regular Meeting. Commissioner Bowthorpe seconded the motion. The motion passed with the unanimous consent of the Commission.

CONVENE REGULAR MEETING

Chair Jensen called the Regular Meeting to order at 7:00 p.m.

ACTION ITEMS

- 1. Cowboy Partners Center - 6440 South Wasatch Boulevard - Zone Change from R-M to O-R-D – Staff Planner: Rick Whiting - The applicant, Cowboy Partners, wishes to rezone this four-acre property from RM (Residential –Multifamily) to ORD (Office Research and Development) to increase options for signage on their office building. Staff: City Planner, Rick Whiting.**

(19:02:36) Mr. Whiting presented the staff report and stated that the request is for a zone change from R-M to O-R-D to increase options for posting crown signage on their three-story office building. The applicant was very specific and has no intention of implementing any requests with respect to these uses, however, the zoning allows for them. The City Council could choose to approve the zone change with restrictions limiting signage and land use options. Staff recommended approval of the request.

Dave Pennock was present on behalf of the applicant and reported that they are trying to accommodate a long-time tenant. They feel the request would be appropriate for this particular building. They have no intention of tearing down the building or selling the property and have maintained their corporate headquarters at this location for 14 years. He stated that they also have no intention of increasing the height of the building.

Mr. Whiting stated that the Council could approve the zone change subject to a change of ownership. A rezone was the most direct course to accomplish the increased signage options. Mr. Pennock stated that their tenant was advised that they could obtain crown signage with a zone change. His preference was not to have the crown signage but with this particular tenant's request, they believed considering it would be beneficial.

(19:12:16) Chair Jensen opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Carter stated that because the proposed sign is on the west facing façade and directly across from similar buildings with similar crown signage, he was agreeable and saw no issues from a planning perspective. He believed that rezoning the property was overkill and recommended looking at amending the text of the RM Zone to address crown signage specifically. Commissioner Snow concurred and remarked that with a variance, the hardship has to be proven. Mr. Allred detailed the process of variance approval.

Commissioner Chatelain asked if the Commission recommended a text amendment rather than a change to the ordinance, which would initiate the amendment. Mr. Allred stated that initiation could be done either by staff under the direction of the Commission or by the applicant. Details of the amendment process were discussed.

(19:28:19) Commissioner Snow moved that the Planning Commission not recommend the proposed rezone of the Cowboy Partners 4.09-acre property located at 6440 South Wasatch Boulevard from R-M to O-R-D to the City Council. Commissioner Carte seconded the motion. Vote on the motion: Les Chatelain-Abstain, Matt Snow-Aye, John Garver-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion passed with one abstention.

Commissioner Snow moved to direct staff to review verbiage for a text amendment that would make making crown signage a conditional use in the R-M Zone.

Chair Jensen amended the motion to add that the applicant would accept the option of considering the proposal. Commissioner Garver seconded the motion. Vote on the motion: Les Chatelain-Aye, Matt Snow-Aye, John Garver-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion passed unanimously.

Commissioner Carter agreed to work with staff to ensure that the amendment is drafted in a timely manner.

2. **Beck Adventures – 1992 East Hedgewood Court – Zone Change from R-1-15 to RO - Staff Planner: Rick Whiting – The applicant, Burt Carson, wishes to rezone his .4-acre property from R-1-15 (Single Family Residential on 15,000 square foot minimum sized lots) to RO (Residential Office) so that he can reconfigure the home for professional office use.**

The above item was continued at the applicant's request to a future meeting.

3. **Highland Place Six-Lot Subdivision – 5246 South Highland Drive – Preliminary Plat – R-1-8 Zone – Staff Planner: Rick Whiting, – Applicant, David Weekley Homes, Nick Mason, Agent; request approval to build a 6-Lot single-family subdivision on 1.46 acres – Staff: City Planner Rick Whiting.**

(19:34:28) Mr. Whiting presented the staff report and stated that the above item was reviewed by the Commission previously. First it was considered as a rezone from R-1-21 to R-1-8 at which time it was approved and adopted by the Council. The applicant was now requesting preliminary plat approval. Drawings had been submitted and reviewed. Staff recommended approval of the request.

Nick Mason gave his address as 2237 Ramona Avenue and stated that as requested, the new sidewalk is now included in the plans.

Commissioner Chatelain stated that seven lots could be allowed, however, the applicant has only asked for six.

Mr. Mason stated that they are aware of construction practices and will do their best to maintain them.

(19:38:03) Commissioner Chatelain moved to approve the proposed Preliminary Plat to create the Highland Place Six-Lot Subdivision located at 5246 South Highland Drive on 1.46 acres of land in the R-1-8 zone subject to the following:

Findings:

- A. *The proposed project meets the requirements for a residential subdivision in an R-1-8 zone, i.e. area, density, access, slope, public safety, etc.*
- B. *This application is consistent with the land use patterns in the general vicinity.*
- C. *This project is in compliance with the provisions of the General Plan.*

- D. The proposed project has been reviewed by the TRC and meets City requirements for Preliminary Plat.*
- E. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement appear to be adequate but will be reviewed and, potentially, regulated further during the Building Permit approval process.*
- F. It is believed by staff that utility providers can reasonably serve the property and have, or are expected to, provide appropriate service availability letters.*

Requirements:

- 1. Any remaining unresolved Preliminary Plat details, or compliance with City codes and ordinances.*
- 2. A Final Plat and any other requirements for the subdivision shall be submitted to the Technical Review Committee (TRC) for review and recommendation to the Planning Commission or approval subject to Requirement Number 9, below.*
- 3. A storm water drainage and protection plan (SWPP) will be required with Final Plat submission.*
- 4. The City Engineer will determine appropriate financial requirements for improvements and/or bonding in conjunction with Final Plat approval.*
- 5. Appropriate Covenants, Conditions, and Restrictions (CC&Rs) must be prepared and recorded prior to Final Plat approval. These should include a Right-of-Way Easement and Road Maintenance Agreement for the six proposed lots. They should detail provisions and responsibility for access, maintenance, snow removal, etc.*
- 6. The City Engineer will require dedication of that portion of Highland Drive that lies in the Public Right-of-Way. This will be a function of the Final Plat process.*
- 7. Required utility provider "Will Serve" letters must be provided to staff.*
- 8. A current Title Report must be provided to staff.*
- 9. The TRC is authorized to grant Final Plat approval of this project.*

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

4. Approve the Planning Commission Meeting Schedule for the Year 2015.

(19:40:26) Chair Jensen presented the schedule for the upcoming year. Mr. Allred believed that field trips would resume in April 2015, as daylight hours allow, and commence the last meeting in October.

Commissioner Carter moved to approve the Planning Commission Meeting Schedule for the year 2015 as presented and modified. Chair Jensen seconded the motion. Vote on the motion: Les Chatelain-Aye, Matt Snow-Aye, John Garver-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion passed unanimously.

5. Approve Minutes of the October 21 and November 5, 2014, Meetings.

(19:43:22) The minutes of October 21, 2014, were reviewed and modified.

Commissioner Chatelain moved to approve the minutes of October 21, 2014, with the noted changes and review by City Planner, Jonathan Teerlink, and City Engineer, Clarence Kemp, with regard to the stream exception. Commissioner Carter seconded the motion. Vote on the motion: Les Chatelain-Aye, Matt Snow-Aye, John Garver-Aye, Jim Carter-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Abstain. The motion passed unanimously with one abstention.

Approval of minutes of the November 5, 2014, was not addressed.

OTHER BUSINESS

6. Updates or follow-up on items currently in the development review process including a proposed text amendment to Chapter 13 regarding the terms "adjacent" and "abutting" – Staff: Pat Hanson, City Planner.

(19:55:53) City Planner, Pat Hanson, presented the text amendment to Chapter 13 regarding the terms “adjacent” and “abutting”. She stated that the term “abutting” is equivalent to “adjoining” but noted that “adjoining” is not clearly defined in the text. Language throughout the amendment was detailed and clarified. It was noted that the term “abutting” should be used when clearly observing something across a property line. She explained that a home on either side of another would be “abutting” while homes beyond that would be “adjacent”. Commissioner Chatelain asked if the term “adjacent” includes “abutting”. Ms. Hanson replied in the affirmative.

Chair Jensen stated that the amendment does not clearly define abutting property line issues. Commissioner Chatelain believed that every time the term “abutting” is used, it is interpreted to include those who are impacted. The definition specifies properties that have a common property line or point. Clarification of language was discussed.

Ms. Hanson next detailed Title 14 regarding sidewalks, roadways, and engineering specifics. The public hearing on the amendment was scheduled for January 2015.

7. Report from Staff on Upcoming Applications.

(20:44:28) Mr. Allred reported that he would be proposing that the Park and Trails element be updated with an intent map reflecting the bike resources recently received.

He reported that Millrock Project has been sold and the same group will continue to manage the site. They have also entered into an agreement with the City to purchase one acre of property. Millrock will have one year to obtain a building permit.

Mr. Allred encouraged the Commission Members to participate in the upcoming Stakeholders Committee.

8. Discussion of Possible Future Amendments to Code.

ADJOURN

(20:59:50) Commissioner Snow moved to adjourn. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 9:01 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, November 18, 2014.



Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: January 6, 2015