



# CITY OF HOLLADAY PLANNING COMMISSION MEETING AGENDA

Date: Tuesday, August 19, 2014  
Location: Holladay Municipal Center - 4580 S 2300 E  
Time: 7:00 PM

## AGENDA ITEMS

### FIELD TRIP

**5:30 PM** *Please meet at City Hall at 5:30 pm.* Four or five proposed project site(s) will be visited –

- (1) Olympus Orchards PUD @ 2448 E 3900 South;
- (2) Kinder Landing Tutoring - @ 5171 S Saddleback Dr (1600 East & Spring Lane);
- (3) Highland Place (Winegar Property) Rezone @ 5246 S Highland Dr; and
- (4) Awaken Schools Preschool @ 5870 S Highland Dr.
- (5) (If time permits - Olympus Medical Center @ 4624 S Holladay Blvd.)

*Light Dinner will be served to the Commissioners after the field trip.*

### PRE-MEETING / WORK SESSION -

**6:30 PM** All agenda items may be discussed.

### CONVENE REGULAR MEETING

### ACTION ITEMS

*(The following matters are Public Hearings. They will be heard and may be voted on. Notice to neighbors has been provided as required by law.)*

- |                |   |
|----------------|---|
| <b>7:00 PM</b> | <b>1. Kinder Landing Tutoring - 5171 S Saddleback Drive – CUP Home Occupation with Customers – Preschool – R-1-10 Zone</b> – Staff: Pat Hanson, City Planner – Applicant, Camille Stoll, requests Conditional Use Permit approval to conduct a pre-school and tutoring for up to eight students in her home.  |
| <b>7:15 PM</b> | <b>2. Awaken Schools Preschool – 5870 S Highland Dr. – CUP Home Occupation with Customers – Preschool – R-1-10 Zone</b> – Staff: Pat Hanson, City Planner – Applicant, Rebekah Summerhays, requests Conditional Use Permit approval to conduct a pre-school for up to twelve students in her home.  |
| <b>7:30 PM</b> | <b>3. POSTPONED - Millcreek Place 3-Lot Subdivision – Conceptual Plan – R-2-10 Zone</b>   |
| <b>7:45 PM</b> | <b>4. Highland Place (Winegar Property) Rezone – 5246 S Highland Dr. – Zone Change from R-1-21 to R-1-8</b> – Staff: Rick Whiting, City Planner – Applicant, David Weekly Homes, requests to rezone this 1.48 acre property from R-1-21 Single Family Residential on one-half acre minimum sized lots) to R-1-8 (Single Family Residential on 8,000 Sq. Ft. minimum sized lots) in order to construct a six-lot single family home subdivision. |
| <b>8:00 PM</b> | <b>5. Olympus Orchards PUD – 2448 E 3900 South - Conceptual Plan – Six-Lot PUD – R-M Zone</b> – Staff: Rick Whiting, City Planner – Applicant, Ivory Homes, requests approval for a Planned Unit Development (PUD) and a Conditional Use Permit for a six-lot single family home subdivision.   |

(The following matters may be considered and may be voted on. Public Notice is not required.)

6. **Cottonwood Lane 4-Lot Subdivision - 5156 S Cottonwood Lane – Preliminary Plan – 4-Lot Subdivision – R-1-43 Zone** - Staff: Rick Whiting, City Planner – *Applicant, Steve Hopkins, representing Beckstrand & Associates, requests to subdivide this 4.38 acre property into four building lots.*
7. **Summit Cyclery – 4646 S. Holladay Blvd. – Preliminary Site Plan – HV Zone (HV)** – Staff: Jonathan Teerlink, City Planner – *Applicant, Devin Pardoe requests approval to remodel an existing retail building (formerly Spin Cycle) on the north-west corner of Holladay Blvd and Laney Ave.*
8. **Nunley Villas 4-Twin Home Development – 1926 E Nunley Cr. – Preliminary Plan – R-2-10 Zone** - Staff: Rick Whiting, City Planner – *Applicant, Matt Lepire – requests approval to subdivide this property into eight residential dwellings configured as four twin homes. The propriety is on 1.12 acres of ground*
9. **Olympus Medical Center – 4624 S Holladay Blvd. – Preliminary Site Plan – Holladay Village (HV) Zone** – Staff: Paul Allred, Community Development Director & Jonathan Teerlink, City Planner – *Applicant, Dr. Jared Probst, requests approval to construct a new 30,000 Sq. Ft. Medical Center to replace the existing Olympus Clinic.*
10. **Approve Minutes of the August 5, 2014 meeting.**

(The following matters are for discussion only.)

#### **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

#### **ADJOURN**

On Friday, August 15, 2014 at 12:30 pm a copy of the foregoing notice was posted in conspicuous view in the front foyer of the City of Holladay City Hall, Holladay, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or emailed to the Salt Lake County Council, Cottonwood Heights City and Murray City pursuant to Section 10-9A-205 of the Utah Code. The agenda was also posted at city hall, Holladay Library, city internet website at [www.cityofholladay.com](http://www.cityofholladay.com) and state noticing website at <http://pmn.utah.gov>.

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call 801-527-3890 at least 48 hours in advance. TTY/TDD users should call 7-1-1



CITY OF HOLLADAY  
Planning Commission

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Staff Report  
August 19, 2014  
Item 1

*Project Name:*           **Kinder Landing Tutoring**

*Address:*               **5171 S Saddleback Drive (1950 East)**

*Zone:*                   **R-1-10**

*Applicant:*             **Camille Stoll**

*Application Type:*     **Home Day Care/Preschool**

*Nature of Discussion:* **Public hearing, discussion and possible decision**

*Planner:*               **Rick Whiting, Pat Hanson**

**BACKGROUND**

Attached to this staff report is a letter from the applicant briefly explaining the request for a conditional use permit to tutor a group of children at her home on Saddleback Drive.

**Applicable Standards:**

*13.76.720: **HOME DAYCARE/PRESCHOOL:** A home daycare/preschool may be approved by the planning commission if it meets all of the following standards:*

- A.       There shall be a maximum of twelve (12) children on premises at one time, including the caregiver's own children under the age of six (6) and not in full day school.*
- B.       There shall be no more than one employee present at one time who does not reside in the dwelling.*
- C.       The home daycare/preschool caregiver shall comply with all applicable licensing requirements under title 5 of this code.*
- D.       The use shall comply with all applicable noise regulations.*
- E.       The play yard shall not be located in the front yard and only shall be used between eight o'clock (8:00) A.M. and seven o'clock (7:00) P.M.*
- F.       The lot shall contain one available on-site parking space not required for use of the dwelling and an additional available on-site parking space not required for use of the dwelling for each employee not residing in the dwelling. The location of the parking shall be approved by the community development director to ensure that the parking is functional and does not change the residential character of the lot.*
- G.       No signs shall be allowed on the dwelling or lot except a property sign.*
- H.       The use shall comply with all local, state and federal laws and regulations.*
- I.       Upon complaint that one or more of the requirements of this section or other city ordinance is being violated by a home daycare/preschool caregiver, the city shall review the complaint and, if substantiated, may: 1) set a hearing before the planning commission to revoke the conditional use permit; and/or 2) institute a license revocation proceeding under title 5 of this code. (Ord. 2012-15, 9-20-2012)*

## **RECOMMENDATION:**

Staff has reviewed the application and feels that the only concern will be the drop-off/pick-up of the children during a relatively short period of time each day. Since the home has a large driveway on Saddleback Drive the additional car trips to the home should be manageable and should not adversely affect the regular traffic in the neighborhood. The applicant has also included a pick-up/drop-off plan that requires use of the on-street parking for short periods of time. The City's traffic engineer, Mr. Tosh Kano has reviewed the application and has recommended parking be primarily in the home's driveway but some on street parking on the east side in front of the home could be accommodated. However, no on-street parking would be allowed on the west side of Saddleback Dr.

Staff recommends that the Planning Commission hold the required public hearing, evaluate comments from the neighbors and set any conditions the Commissioners agree are needed, then approve the Conditional Use Permit for a Home Daycare/Preschool at 5171 S Saddleback Drive in an R-1-10 Zone.

### *Suggested Findings:*

- A. The use is allowed by the zone in which the property is located.
- B. The use is compatible with the character of the neighborhood and provides a much needed service to the wider community.
- C. Vehicular access to the site will not materially degrade the existing level of service of the abutting streets and the required off-street parking is provided by the use.

### *Suggested Conditions of Approval:*

- 1. Hours of operation will be Monday through Thursday, 9:00 AM to 2:00 PM;
- 2. Children should be dropped off and picked up in the applicant's driveway. No on-street drop-off or pick-up will be allowed on the west side of Saddleback Drive.
- 3. An employee is not anticipated at this business but if this changes, a parking space that does not conflict with the drop-off and pick-up of children shall be provided on the property.

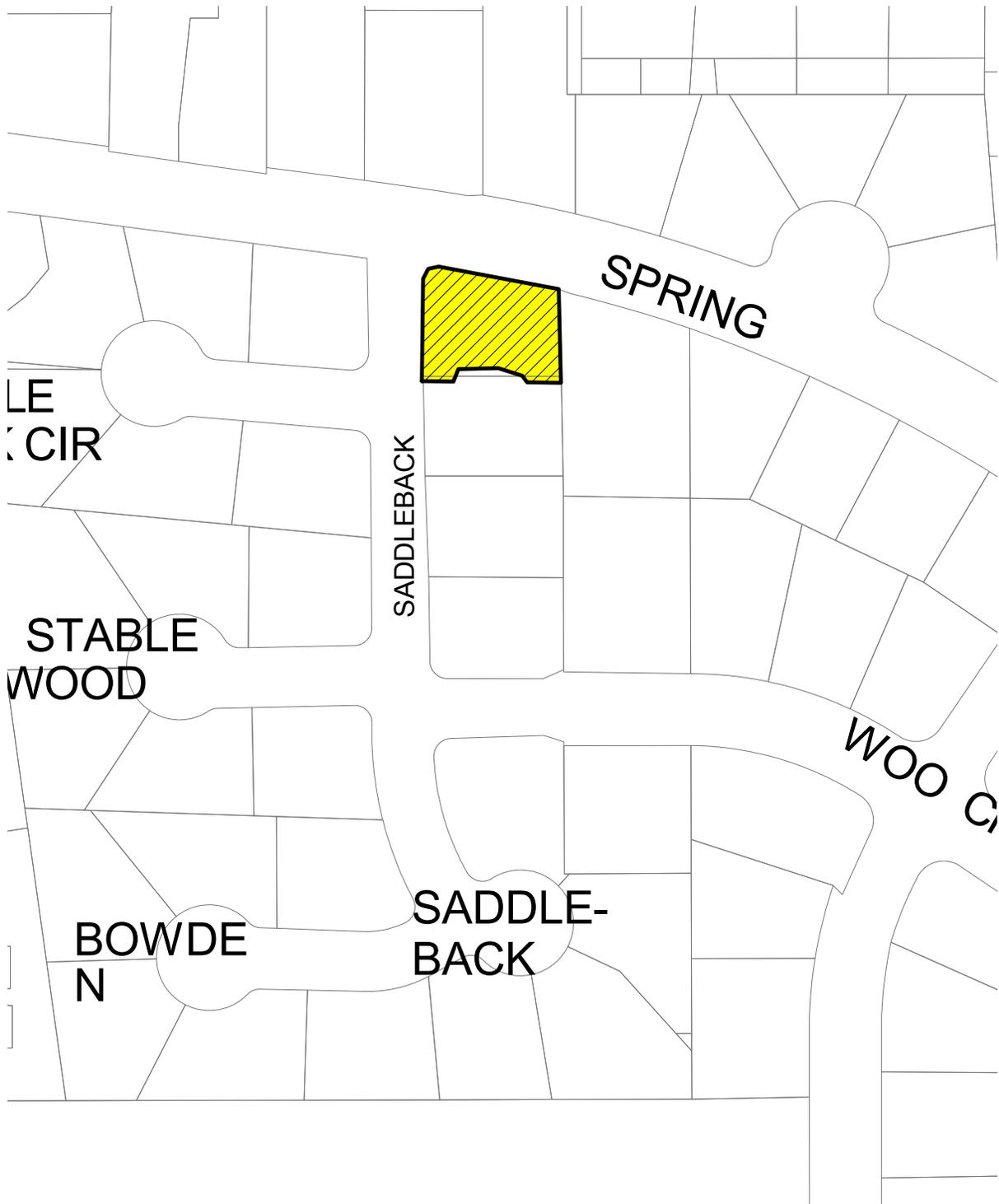
13.76.720 Home Daycare/Preschool Compliance  
for  
Kinder Landing

- A. There will be no more than 12 children under the age of 6 on the premises at one time and none shall be my own nor any in full day school. I am officially planning for **only 8** such children.
- B. There will be **no** other employees present. I will be the only instructor and I reside in the dwelling.
- C. I will comply with all applicable licensing requirements under title 5.
- D. I will comply with all applicable noise regulations. I will be operating only during the hours of **9:15 am and 2:15 pm**. Monday through ~~Friday~~ <sup>Thurs.</sup> and **not on any school holidays**.
- E. The play yard is **located in the back and is fully enclosed** for safety.
- F. The lot **contains 2 additional** parking spaces which are not used for the dwelling but **will not be needed** for the business or employees as there are none.
- G. **No** signs or nameplates will be placed on the dwelling.
- H. The use **will comply with all local, state, and federal** laws and regulations.
- I. **I agree to the follow up measures** that are in place in the event there are any complaints that I am not compliant with every regulation. However, I will not violate any such regulations in the first place.
- J. I understand that my neighbors will be **notified** and I do not anticipate any issues.

In addition I will have consulted with the UFA and Building Official to insure that the dwelling meets necessary standards.

I have carefully designed a drop off and pick up assistance plan for parents in order to facilitate the arrival and leaving of these 8 children. It ensures that there will be no disturbance in the neighborhood during transitions. Also, my operating hours were selected so as to not be in conflict with the times when local traffic tends to increase.

Thank you



Subject

# Site Location

## Kinder Landing Pre-School

Assessor Parcel Viewer - Mozilla Firefox

assessor.sico.org/javaapi2/parcelviewExt.cfm?parcel\_ID=2209376014&query=Y

Base Maps Pictometry 2012

**Parcel**

|                |                          |
|----------------|--------------------------|
| Parcel Record  | 22093760140000           |
| Owner          | STOLL, CAMILLE           |
| Address        | 5171 S SADDLEBACK DR SEG |
| Total Acreage  | 0.22                     |
| Tax Class Id   |                          |
| Property Type  | 111                      |
| Tax District   | 81                       |
| % Exempt       |                          |
| Exempt Type    |                          |
| Municipal Zone | R-1-10                   |
| MLS Number     | 9603072                  |

Valuation / Tax Year: 2014

|                |            |
|----------------|------------|
| Land Value     | \$ 138,800 |
| Building Value | \$ 249,300 |
| Final Value:   | \$ 388,100 |

Legal Description:  
 LOT 1 - SURREY LANE SUB; ALSO BEG NW COR LOT 2, SD SUB; E 26.55 FT; S 31°50' W 4.81 FT; S 89°00'31" W 23.93 FT; N 1°03'10" W 4.5 FT TO BEG. ALSO BEG NE COR SD LOT 2; W 33.74 FT; S 41°26'11" E 8.08 FT; E 28.51 FT; N 1°03'10" W 6.06 FT TO BEG. EXCEPT BEG E 26.55 FT FR SW COR LOT 1, SD SUB, E 57.21 FT; N 71°55'28" W 22.37 FT; S 88°39'47" W 32.11 FT; S 31°50' W 7.29 FT TO BEG. 7196-1390 7215-265 7434-0419 7633-0051

Land  
 Structures  
 Value History  
 Results 1

5:35 PM 8/6/2014





CITY OF HOLLADAY  
NOTICE OF PLANNING COMMISSION MEETING

The Planning Commission will consider the following item at their regularly scheduled meeting. The public is encouraged to attend.

Project: Kinder Landing Pre-School

Project Address: 5171 S Saddleback Dr

Applicant: Camille Stoll

Request: Conditional Use Permit for a Preschool with up to eight (8) children, Monday through Thursday from 9:00 AM to 2:00 PM

MEETING DATE : Tuesday, August 19, 2014

HEARING TIME: This meeting starts at 7:00 PM and this matter will be heard as close to 7:00 PM as possible.

All meetings are held in the City Council Chambers at 4580 S 2300 E.

A vicinity map showing the location of Ms. Stoll's property is included with this notice.

If you have questions please call Rick Whiting at 527-3890 during regular business hours.

ATTENTION : This notice has been delivered to all residents within an area extending approximately 500 feet from the subject



CITY OF HOLLADAY  
Planning Commission

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Staff Report  
August 19, 2014  
Item 2

*Project Name:*           **Awaken Schools**

*Address:*               **5870 S Highland Drive**

*Applicant:*             **Rebekah Summerhays**

*Application Type:*   **Home Day Care/Preschool**

*Zone:*                  **R-1-10**

*Nature of Discussion:* **Public hearing, discussion and possible decision**

*Planner:*               **Rick Whiting, Pat Hanson**

**BACKGROUND**

Attached to this staff report is a letter from the applicant briefly explaining the request for a conditional use permit for a preschool at her home on Highland Drive.

**Applicable Standards:**

*13.76.720: HOME DAYCARE/PRESCHOOL: A home daycare/preschool may be approved by the planning commission if it meets all of the following standards:*

- A. There shall be a maximum of twelve (12) children on premises at one time, including the caregiver's own children under the age of six (6) and not in full day school.*
- B. There shall be no more than one employee present at one time who does not reside in the dwelling.*
- C. The home daycare/preschool caregiver shall comply with all applicable licensing requirements under title 5 of this code.*
- D. The use shall comply with all applicable noise regulations.*
- E. The play yard shall not be located in the front yard and only shall be used between eight o'clock (8:00) A.M. and seven o'clock (7:00) P.M.*
- F. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional available on-site parking space not required for use of the dwelling for each employee not residing in the dwelling. The location of the parking shall be approved by the community development director to ensure that the parking is functional and does not change the residential character of the lot.*
- G. No signs shall be allowed on the dwelling or lot except a property sign.*
- H. The use shall comply with all local, state and federal laws and regulations.*
- I. Upon complaint that one or more of the requirements of this section or other city ordinance is being violated by a home daycare/preschool caregiver, the city shall review the complaint and, if substantiated, may: 1) set a hearing before the planning commission to revoke the conditional use permit; and/or 2) institute a license revocation proceeding under title 5 of this code. (Ord. 2012-15, 9-20-2012)*

## **RECOMMENDATION:**

Staff has reviewed the application and feels that the main concern will be the drop-off/pick-up of the children during a relatively short period of time each day and if that time conflicts with the drop-off/pick-up times at Oakwood school across the street. Staff has spoken with the applicant and she is aware of the conflict. She has scheduled her beginning time 40 minutes prior to the start of school. She anticipates her pick-up time will not conflict with the mid-day Kindergarten classes but will check with the school principal prior to the meeting with the Commission.

Also, the home has a circular driveway on Highland as well as a driveway on Charleston, which the City's Traffic engineer Mr. Kano has reviewed. He agrees that if the twelve car trips to the home are divided between the two, the traffic should be manageable and should not adversely affect regular traffic in the neighborhood. *(E-mail attached)*

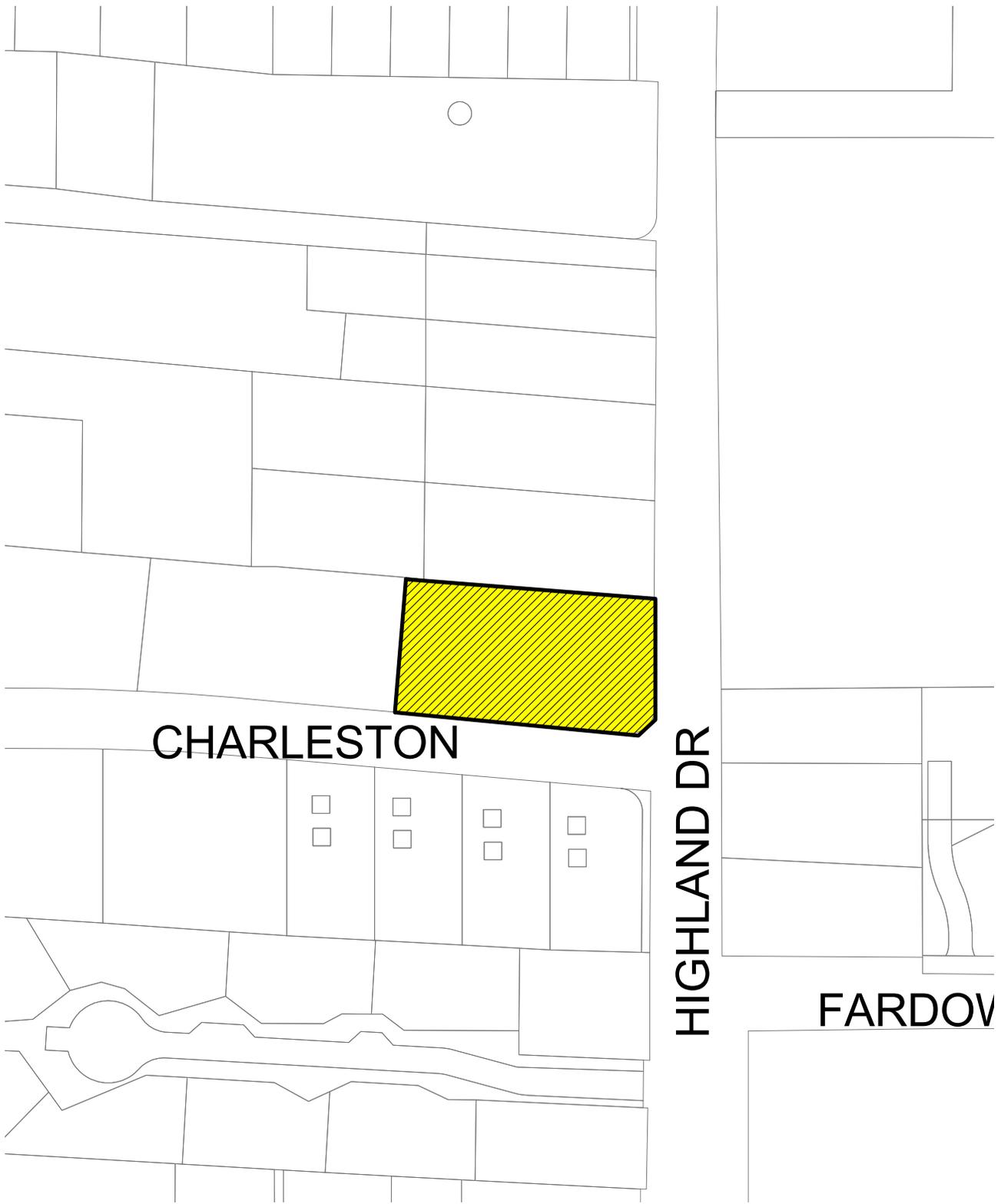
Staff recommends that the Planning Commission hold the required public hearing, evaluate comments from the neighbors and set any conditions the Commissioners agree are needed, then approve the Conditional Use Permit for a Home Daycare/Preschool at 5870 S Highland Dr in an R-1-10 Zone.

### *Suggested Findings:*

- A. The use is allowed by the zone in which the property is located.
- B. The use is compatible with the character of the neighborhood and provides a much needed service to the wider community.
- C. Vehicular access to the site will not materially degrade the existing level of service of the abutting streets and the required off-street parking is provided by the use.

### *Suggested Conditions of Approval:*

- 1. The preschool shall have no more than twelve (12) children present at any one time;
- 2. Hours of operation will be Monday through Friday, 8:30 AM to 12:00 noon.
- 3. Drop-off and pick-up times for the preschool shall not conflict with drop-off and pick-up times at Oakwood Elementary;
- 4. No on-street parking or drop-off/pick-up will be allowed. Children shall be dropped off and picked up either in the driveway on Charleston or the circular driveway on Highland Drive.
- 5. If an employee is anticipated, one parking space shall be provided on the lot where it will not conflict with the drop-off and pick-up of the children attending the preschool.



N  
1:1500

# Site Location Map

## Awaken Schools Preschool

5870 S Highland Dr.

 Subject Property



## **Awaken Schools Preschool**

Holladay Location (5870 South Highland Drive, Holladay, Utah 84121)

Residential Preschool

Ages Served: 3-5

Maximum number of students: 12

Hours: 8:30am-12:00pm

Awaken Schools Preschool provides a holistic alternative to current education models by offering an exceptional educational environment within a residential setting that supports the academic, social, emotional, and physical development of children. Students' development is supported through research-based, cutting edge curriculum; specialized expert instruction; and an engaging environment that allows children to acknowledge and develop the depth, breadth, and complexity of their unique gifts and abilities across all areas of human development. Children learn and grow through experiencing the world around them.

At Awaken Schools we nurture the development of each child and believe our students should live each moment as fully as possible with hope and preparation for what is to come in the future.

### ***Becky Summerhays***

Becky has a BS in Business Management, a California K-12 Teaching Credential and a Master of Science in Administrative Leadership. She has supported the creation, development and expansion of many small businesses, including her own as the co-founder of The Sanctuary Wellness Center and Yoga Studio. Her true love is working with children and she served as an elementary school teacher and principal for over 12 years. She shares her passion for teaching and helping children through programs and classes that create opportunities for them to grow academically, emotionally, physically, and socially; explore the world around them; create self-awareness; and develop respect for themselves and others.



## CITY OF HOLLADAY

### NOTICE OF PLANNING COMMISSION MEETING

The Planning Commission will consider the following item at their regularly scheduled meeting. The public is encouraged to attend.

Project: Awaken Schools Pre-School

Project Address: 5870 S Highland Dr.

Applicant: Rebekah Summerhays

Request: Conditional Use Permit for a Preschool with up to twelve (12) children, Monday through Friday from 8:30 AM to 12:00 PM

**MEETING DATE:** Tuesday, August 19, 2014

**HEARING TIME:** This meeting starts at 7:00 PM and this matter will be heard as close to 7:15 PM as possible.

All meetings are held in the City Council Chambers at 4580 S 2300 E.

A vicinity map showing the location of Ms. Summerhay's property is included with this notice.

If you have questions please call Rick Whiting 527-3890 during regular business hours.

*ATTENTION: This notice has been delivered to all residents within an area extending approximately 500 feet from the subject property. If you know of anyone who may not have received a notice but may have an interest in the meeting, please pass along the information. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.*



**CITY OF HOLLADAY  
Planning Commission**

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**Staff Report  
August 19, 2014  
Item 4**

*Project Name:* **Highland Place (Winegar Property) Rezone**  
*Application Type:* **Rezone Request**  
*Nature of Discussion:* **Public Hearing, Discussion & Possible Recommendation**  
*Notice:* **Notices were mailed on August 8, 2014**  
*Planner:* **Rick Whiting**

**EXECUTIVE SUMMARY**

*Request:* **Rezone property from R-1-21 to R-1-8**  
*Address:* **5246 S Highland Dr.**  
*Applicant:* **Nick Mason, Agent for David Weekly Homes**  
*Application Date:* **August 6, 2014**  
*Zone:* **R-1-21**  
*Near-by Zones:* **R-1-8, R-1-10, R-M, NC, & P**  
*General Plan District:* **LDR (Low Density Residential – maximum 4 Dwelling Units per acre)**  
*General Plan Density:* Allowed: **5 Dwelling Units (6 if property were .04 acre larger)**  
Proposed: **6 Dwelling Units**  
Highland Drive  
Master Plan  
(HDMP)  
Consideration: **R-1-8 is considered appropriate for rezoning of midblock spaces on Highland Dr.**  
*Total Property Area:* **1.46 acres**  
*Density:* Allowed under current (R-1-21) zoning: **2 lots**  
Allowed under proposed (R-1-8) zone change: **7 lots**  
Proposed: **6 lots**

## **APPLICABLE ORDINANCES**

Chapter 13 – 13.05.110: POWERS AND DUTIES  
13.06.020: ZONING MAPS  
13.07.030.G.2: APPROVAL STANDARDS:  
13.90.060: CONDITIONS TO ZONING MAP AMENDMENT  
13.90.070: GENERAL PLAN AMENDMENT; PROCEDURE  
13.90.072: HEARING; NOTICE  
City of Holladay – GENERAL PLAN, Pages 5 to 48  
City of Holladay – GENERAL PLAN – Appendix K, HDMP – Page 5

## **BACKGROUND:**

**Existing Conditions:** There are currently three homes on the site - two small homes on Highland Dr. and one deep lot residence. The property is irregular in shape and there is a gradual slope from east to west falling away from Highland Dr. There are several groupings of mature trees in the interior of the property. (See attached maps and photos.)

**Proposed Development:** The property is currently owned by Russ Winegar. It is under contract for purchase by David Weekly Homes who intends to demolish the existing homes and build six new single-family-detached homes on the site. David Weekly Homes is a national home builder along the Eastern Seaboard, as well as in Texas, Colorado, Arizona and Utah. They build new homes at Daybreak and other Utah locations. (See attached maps and suggested renderings.)

An almost identical development, John Phillips' Monarch Woods Subdivision, lies directly to the south on abutting property. The City Council granted Mr. Phillips a zone change from R-1-21 to R-1-8 in 2013.

A zone map is attached showing the zoning of surrounding property.

A neighborhood meeting is scheduled to be held prior to the Planning Commission meeting on Tuesday. The applicant will report attendance and outcomes at the Planning Commission meeting.

Staff has received no comment from the public about this request to date.

## **GENERAL PLAN (GP) REVIEW** (Selected Excerpts)

The General Plan designates the subject property as “LDR (*Low Density Residential*.)” Density allows up to five dwelling units per acre. The General Plan further addresses the following related topics:

- *“The vision for The City of Holladay is to promote a community composed of unique neighborhoods that are in harmony with the environment, history, and culture of the area, and where residents can enjoy the city’s natural amenities and open space. This will allow for the preservation of the city’s heritage and for **responsible growth of both residential and commercial land uses**”*

**including the development of a Village, while showing sensitivity to private property rights.** (Emphasis Added) (City of Holladay - General Plan, page 8)

- “Over time, the city’s vision may change. If the vision of The City of Holladay changes, the General Plan and the zoning plan should change to reflect the city’s new vision.” (City of Holladay – General Plan, page 5)
- **“Specific property issues, including physical characteristics of the site, will be studied on a case-by case basis, especially when the Planning Commission and City Council are requested to zone, rezone, and/or grant a building permit for specific parcels.”** (Emphasis Added) (City of Holladay - General Plan, page 9)
- “The transition of the General Plan to zoning should have a direct correlation. However, exceptions may be made based on extenuating circumstances”. . . . **“Zoning enforces the plan but still incorporates the vision of the community.”** (Emphasis Added) (City of Holladay - General Plan, page 48)

“For the mid-block sections of Segment B, **where appropriate, higher-density (not high-density) single family uses such as the R-1-15, R-1-10, R-1-8 zones,** and lower density multi-family residential zoning such as the R-2 zones **should be given priority, in that order of preference.**” (Emphasis Added) GP Appendix K - HDMP – Page 5 (Amended April 2014)

## **ANALYSIS**

### *Existing Zoning: (R-1-21)*

#### Pros:

- Enables large lot single family development
- Preserves open space and views of the mountains
- Compatible with traditional land use patterns in the neighborhood

#### Cons:

- Allows only large-lot single family development (Large lot single family development is unpopular on a busy arterial roadway)
- Restricts flexibility of development of smaller lots
- Has discouraged development on the subject property
- Encourages vacant property due to proximity to Highland Drive

### *Proposed Zoning: (R-1-8)*

#### Pros:

- Allows buildings with smaller setbacks
- Enables more efficient use of property
- Allows more diversity of land uses in the neighborhood
- Compatible with patterns of the neighborhood (i.e. single family residential development similar to John Phillips’ Monarch Woods Six-Lot subdivision abutting to the south; Ivory Homes’ Holladay Glen Subdivision further south on Highland Dr.; Norm Dahle’s 11-lot subdivision at 5500 South Highland Dr. and John Curtis’ Six-Lot project to the south on Nunley Ct. and Highland Dr., etc.)

Cons:

- Allows more diversity of land uses
- Potentially limits open space and views of the mountains
- Discourages large-lot single family development fronting Highland Dr. (which hasn't happened anyway)
- Prevents R-2 development which are also identified as desirable in the HDMP

In reviewing a text or map amendment, the following factors should be considered:

- A. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;

*(This site is slightly less than 1.5 acres which would allow six homes.) The applicant indicates that he will build six homes. Further, the Highland Drive Master Plan considers R-1-8 as appropriate midblock zoning along Highland Dr.)*

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

*(The land use allowed by the proposed rezone would not change and is within the character of the existing neighborhood – i.e. single family residential. This exact density and zoning was recently adopted directly south of this property. Essentially, lot size and setbacks for building placement would be changed. Allowed building height would be reduced by three feet to 32 feet above the natural grade and, otherwise, design would not be affected.)*

- C. The extent to which the proposed amendment may adversely affect abutting properties; and

*(Staff Note: No negative impact can be reasonably expected from this proposed.*

- D. The adequacy of facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection.

*(The proposed zone change would allow new construction of up to three additional single family residences (over and above the three existing homes.) This could increase traffic by roughly 33 car trips per day. It represents an insignificant change for Highland Dr., an arterial roadway, with traffic volume of approx. 20,000 vehicles per day. The addition of up to three dwelling units will also have negligible impact on the existing infrastructure, resources and services provided by the City.)*

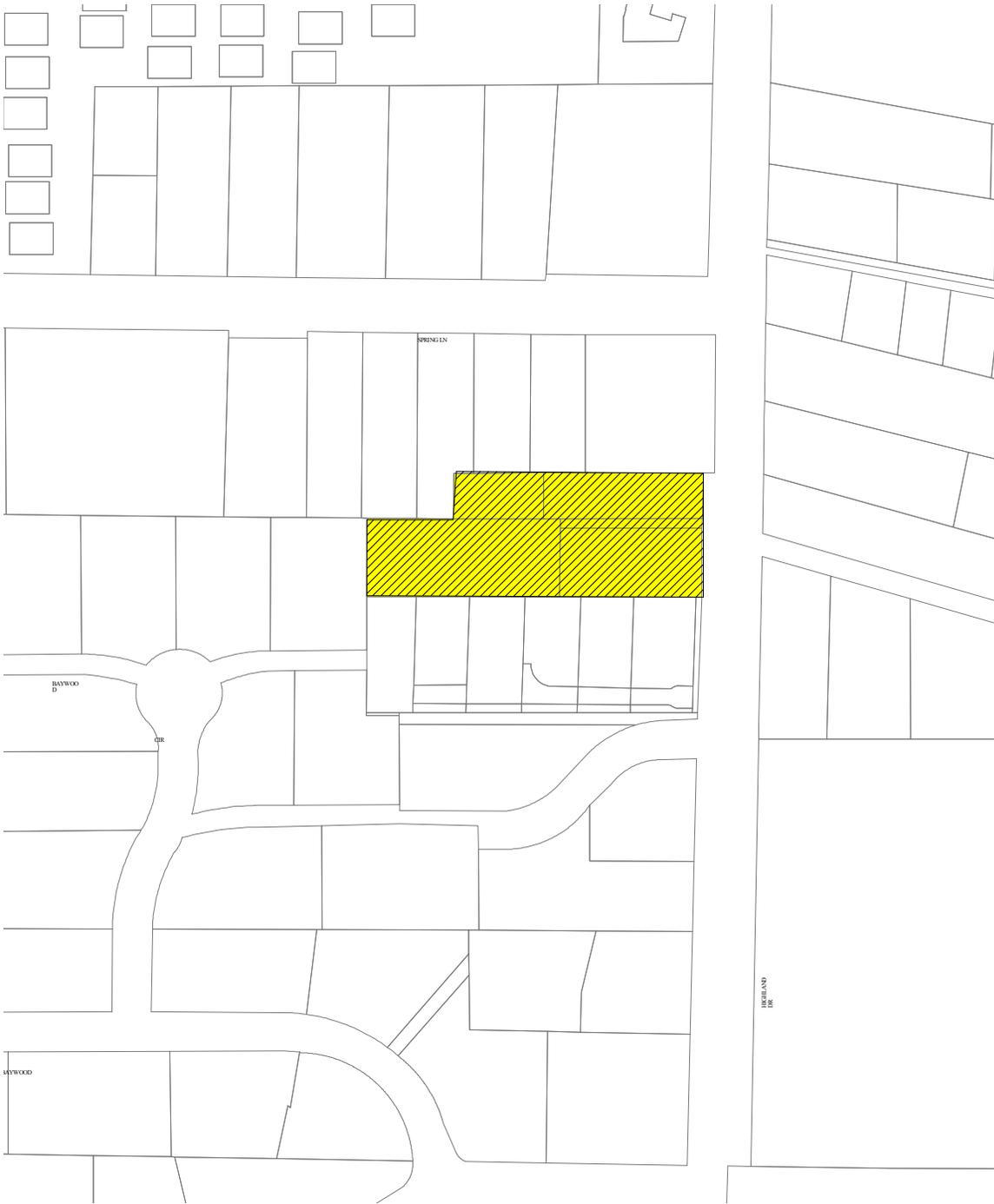
**ADDITIONAL SUPPORT MATERIAL:** Please see attached appendices for additional information, analysis and graphics.

**RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a Public Hearing regarding this matter, discuss its merits and vote to recommend approval by the City Council.

(Suggested Motion:) I motion that we recommend that the City Council adopt the proposed rezone of the proposed Highland Place (Winegar) 1.46 acre property located at 5246 S Highland Dr. from R-1-21 to R-1-8.

The Commission finds that this action is supported by careful consideration of the standards of approval found in City of Holladay Ordinance, Chapter 13.07.030.G.2 and the General Plan.



Site Location Map

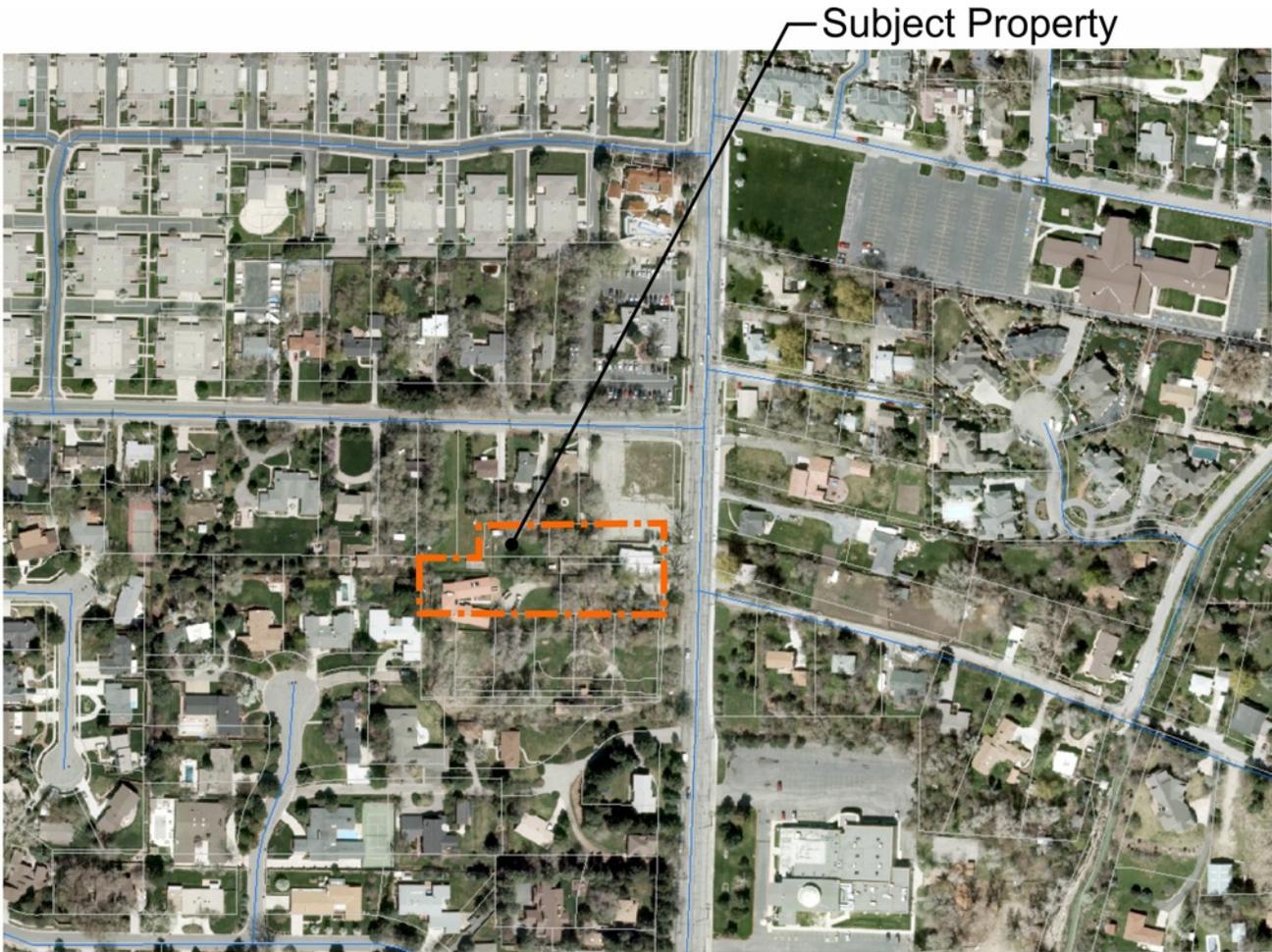
Highland Place Rezone

520 & 526 S Highland Dr

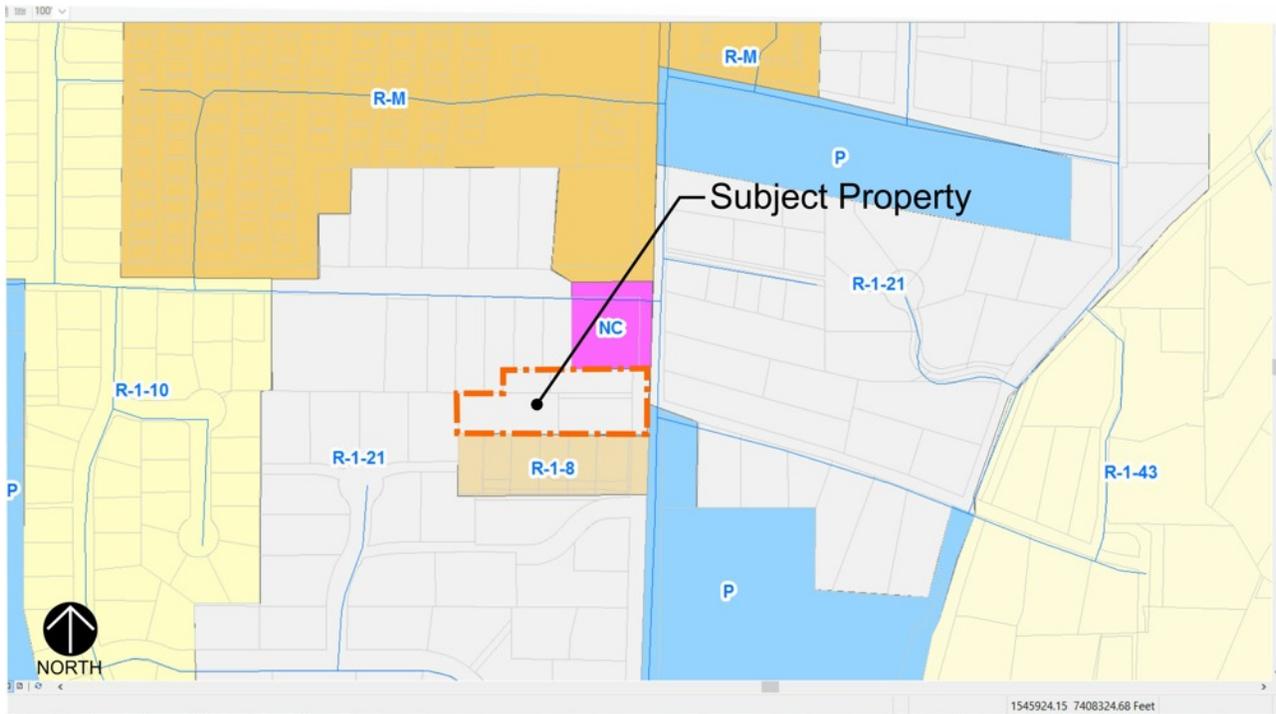
100'



Map Report



## Highland Place Rezone



## Highland Place Rezone - Zoning Map









**CITY OF HOLLADAY**  
**Planning Commission**

**Staff Report**  
**August 19, 2014**  
**Item 5**

*Project Name:* **Olympus Orchards PUD**

*Request:* **Conceptual Plan – PUD & Conditional Use Permit - Six-Lot Subdivision**

*Nature of Discussion:* **Public Hearing & Discussion with Potential Approval**

*Notice:* **Notices Were Mailed on August 8, 2014, as Required by Law**

*Planner:* **Rick Whiting**

**Project Details / Overview**

*Project No.* **13-1-16**

*Address:* **2448 E 3900 South**

*Applicant:* **Ivory Homes – Skylar Tolbert, Agent**

*Application Date:* **Subdivision: July 31, 2013**

*Zone:* **R-M**

*Total Area:* **.98 acres**

*Lot Area*  
*(For Yield Plan)* Required: **5,000 sq. ft. per lot**  
Proposed: **5,818 to 7,170 sq. ft.**

*Lot Width*  
*(For Yield Plan)* Required: **50 ft.**  
Proposed: **56 ft. to 129 ft.**

*Lot Frontage*  
*(For Yield Plan)* Required: **37.5 ft.**  
Proposed: **56 ft. to 129 ft.**

*Neighborhood Meeting:* **Held September 18, 2013**

*Applicable Ordinances:* **Chapter 12 – Subdivisions;  
Chapter 13.32 – Multi-Family Residential Zones;  
Chapter 13.08.040 – Conditional Uses  
Chapter 13.78 – Planned Unit Development  
City of Holladay General Plan – Page 33  
City of Holladay General Plan – Appendix A - Page 3**

## **BACKGROUND:**

**Prior Consideration at the Planning Commission:** This project was presented for Conceptual Plan approval for a six-lot subdivision at the October 1, 2013 Planning Commission meeting. The subdivision design allowed under R-M zoning, with five driveway entrances off 3900 South, was unacceptable for the developer and the community. Minimum lot width requirements precluded optimal subdivision design. The applicant chose to wait until the City adopted its newly amended PUD ordinance before continuing. The PUD ordinance was amended on May 1, 2014 and, now, the developer wishes to proceed.

**Proposed Development:** Approval for a Planned Unit Development (PUD) is requested under the newly adopted Chapter 13.78, Planned Unit Development; along with a Conditional Use Permit which is required for a PUD. (Please see the attached Justification Letter from the Developer, Plats, Maps and amended PUD Ordinance.)

**Neighborhood Meeting:** A neighborhood meeting was held on Wednesday, September 18, 2013. Approx. 12 people attended. According to the applicant - response from the neighbors was general curiosity about what is being proposed with some indications of support for the project. One individual inquired about purchasing a home when completed.

Staff has received one inquiry from an abutting property owner who expressed concern about the four or five foot grade differential between his property (lower) and the proposed project (higher.) He does not want neighboring home occupants to be able to look down into his kitchen and family room.

If approved:

- The PUD request would allow a superior “highest and best use” subdivision design with one private lane entrance to 3900 South;
- It would provide development with a better appeal to the neighbors as was expressed at the neighborhood meeting;
- It would not result in more homes than allowed under R-M zoning;
- It would not change the zoning;
- It allows diversification and increased flexibility in land use
- It would increase setbacks from abutting properties to the west and east;
- It would encourage a more unique neighborhood by allowing variable lot sizes and associated diversity of size, massing and architectural features of housing stock with higher quality and exceptional design on smaller lots;
- The health safety and welfare of residents and the public, both driving and pedestrian, would be improved by the single entry private lane;
- It would provide an appropriate transition between the multi-family development to the west with the single family residents to the south. Adjacent properties would not be adversely affected;
- Building height, graduated height, placement on lots, lot coverage, setbacks and compatibility with existing homes in the neighborhood would meet City standards and objectives as articulated in its newly amended PUD ordinance - Chapter 13.78;
- It would encourage coordinated and integrated design of the housing product;
- It would not change the location of the road length or area. – it would simply allow for the lots to face the private lane and not 3900 South; and
- It would not affect the utility, grading or drainage plan;

As required, the applicant has submitted a standard subdivision yield plan (lots that meet the minimum area, width and other requirements of the zone,) demonstrating that the subdivision meets the density and design requirements. This is a central principle of the new PUD ordinance; that before the flexibility of a PUD is granted, that maximum density be determined and capped. (See the attached Conceptual Subdivision (Yield) Plan and proposed Conceptual PUD Plan.

Some of the new lots require flexibility outside the standard minimums of the zone. In order to accommodate specific floor plans that have previously been designed for the new lots in this development and which assist in achieving the criteria and development standards noted above, the applicant is requesting PUD flexibility in lot configuration. (See attached maps and plats.)

**PUD Qualification:** Staff has reviewed the application and determined that it meets the criteria for a PUD and Conditional Use Permit. If the Commission concurs, then approval is recommended. (Please see supporting submissions documents and drawings.)

### **Technical Review Committee (TRC) Comments**

- *Conceptual Plan* - A conceptual PUD plan is attached.
- *Density* – Current R-M zoning allows single family residences on 5,000 sq. ft. minimum sized lots. This equates to up to 8 lots for this 1 acre parcel. The submitted Conceptual Plan with 6 lots clearly complies.
- *General Plan* - The City's General Plan indicates Low Density Residential (LDR) for this property. This category specifies a maximum of four dwelling units per acre. This request, for six dwelling units per acre, is 33 percent higher density than designated by the General Plan. (See General Plan, Page 10 and GP Appendix A, Page 2) It should be noted, however, this property is zoned R-M - indicating that higher density is appropriate. The General Plan is an advisory document and yields to current zoning when a conflict, such as this one, occurs. Zoning holds a higher priority in legal application.
- *Topography* - The property is rectangular in shape and with a gradual slope from 3900 South running to the south. There is a trough that drops down several feet in the SW corner of the property that will require special site design to accommodate flood drainage. This will be addressed at the Preliminary Plat phase of consideration.
- *Curb/Gutter, Sidewalk and Street Trees* – Curb, gutter and sidewalk exists on 3900 South. These will be maintained as the project is developed. Street trees may be required by the Community Development Director. No sidewalk is proposed for the private drive within the project.
- *Storm Drainage and Water Retention* – The City Engineer has indicated that an acceptable drainage and water retention plan will be required with the Preliminary Plat approval. There are some noteworthy challenges with the grade that will need to be worked out.
- *Road Considerations* – 3900 South is classified as a Minor Arterial Roadway with an 80 foot right-of-way. It is a busy thoroughfare, however, the addition of six homes with generally accepted average rate of 11 vehicle trips per day each would have negligible impact on overall traffic volume.
- *Driveway Access* – Given that the proposed subdivision is located on a busy roadway, a single private driveway access for all six lots is preferable over five drive access points to minimize traffic conflict on 3900 South.
- *Utility Easement* – Utility service and easements will be required prior to Final Plat approval.
- *Access and Right-of-Way* – A Right-of-Way Easement and Road Maintenance Agreement for the six proposed lots must be recorded with the Final Plat. It must detail provisions and responsibility for maintenance, snow removal and etc.

- *Fire Access* –The UFA has approved the Conceptual Plan with regard to fire access and protection.
- *Utility Providers* - Final approval will be contingent upon receipt of all utility service letters.
- *Alternative Subdivision Design* – The developer has designed an alternative site design that, in the opinion of the applicant and Staff, offers superior design parameters and safety.

**Staff Recommendations**

Staff recommends that the Planning Commission hold a Public Hearing, discuss and favorably consider the merits of this application for Conceptual Plan for a PUD subdivision and a Conditional Use Permit.

**Suggested Motion**

I, \_\_\_\_\_, move that this application for Conceptual Plan for Planned Unit Development, for the proposed Olympus Orchards PUD Six-Lot Single Family Detached Subdivision at 2448 E 3900 South in an R-M zone, be approved based on the following findings and with the following requirements:

***Findings:***

- A. The proposed project meets the requirements for a residential subdivision in an R-M zone, i.e. area, density, access, slope, public safety, etc;
- B. This application substantially meets both the letter and spirit of the City’s recently amended PUD ordinance, Chapter 13.78 as noted in the Applicant’s Letter and the Staff Report above;
- C. This application is consistent with land use patterns in the general vicinity;
- D. The proposed Planned Unit Development protects the health, safety and public welfare of the inhabitants of, or visitors to, the PUD;
- E. The proposed PUD permits flexibility in land use;
- F. The proposed PUD invokes imaginative site planning and creates a more unique neighborhood with benefits for both the property owner and the city;
- G. The development represents an attractive alternative to the previous land use on this site, in terms of tax base, aesthetics, improved housing stock, new single family detached housing opportunities, etc;
- H. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement may be further addressed in the Preliminary Plat and Building Permit approval processes, as needed; and
- I. Utility providers can serve the property and have (or will) provided appropriate service availability letters.

***Suggested Required Conditions of the PUD:***

- 1. Remaining issues, if any, with regard to the Conceptual PUD Plan must be resolved per requirements of the Planning Commission and/or TRC;
- 2. A Preliminary Plat shall be submitted to the TRC for review and then presented to the Planning Commission for its consideration;

3. *Storm Drainage and Water Retention* – The City Engineer has indicated that an acceptable drainage and water retention plan will be required with the Preliminary Plat approval.
4. A Right-of-Way Easement and Road Maintenance Agreement for the six proposed lots must be recorded with the final plat. It must detail provisions and responsibility for access, maintenance, snow removal, etc; and
5. A dedication to the City will be required for the public right-of-way on 3900 South.

### **Suggested Motion**

I, \_\_\_\_\_, move that this application for Conditional Use Permit for the proposed Olympus Orchards PUD Six-Lot Single Family Detached Subdivision at 2448 E 3900 South in an R-M zone, be approved based on the following findings and with the following requirements:

#### ***Findings:***

- A. The proposed project meets the requirements for a Conditional Use Permit;
- B. The proposed Planned Unit Development protects the health, safety and public welfare of the inhabitants of, or visitors to, the PUD;
- C. The proposed PUD permits flexibility in land use;
- D. The proposed PUD creates unique benefits for both the property owner and the city;

#### Required Conditions of the Permit:

1. A Right-of-Way Easement and Road Maintenance Agreement for the six proposed lots must be recorded with the final plat. It must detail provisions and responsibility for access, maintenance, snow removal, etc;

Chapter 13.78  
**PLANNED UNIT DEVELOPMENT**

- 13.78.010: Scope of Approval:
- 13.78.020: Purpose:
- 13.78.030: Planned Unit Development Defined:
- 13.78.040: Submission, Review and Approval; Site Plan and Permit:
- 13.78.050: Minimum Area:
- ~~13.78.060: Grading and Drainage Plans:~~
- 13.78.060: Land Use Amendment Required When:
- 13.78.070: Development Ownership:
- 13.78.080: Effect on Adjacent Properties:
- ~~13.78.090: Preservation of Open Space:~~
- 13.78.100: Landscaping, Fencing and Screening Requirements:
- 13.78.110: Signs and Floodlighting:
- ~~13.78.130: Site Plan Requirements:~~
- ~~13.78.140: Fees:~~
- 13.78.120: Construction Limitations:
- ~~13.78.160: Plan Review at Public Meeting:~~
- 13.78.130: Scope of Planning Commission Action:

13.78.010: **SCOPE OF APPROVAL:** Provision of a planned unit development by this chapter in no way guarantees a property owner the right to exercise the provisions of the planned unit development. Planned unit developments may be approved by the planning commission as a conditional use only if, in its judgment, the proposed planned unit development fully meets the intent and purpose, and requirements of the land use ordinance and the general plan.

13.78.020: **PURPOSE:**

A. The purpose of planned unit development is to permit flexibility in land use, allow diversification in the interrelationships of various uses and structures with their sites and thus offer an alternative to conventional development. The application of planned unit development concepts is intended to encourage unique neighborhoods, high quality housing, exceptional design, additional open space, and facilities compatible with the present living environment in the city. Ensuring compliance with the purpose of this section protects the health, safety and public welfare of the future inhabitants of, or visitors to, the planned unit development. At the same time, securing the advantages of imaginative site planning for residential, commercial development or combinations thereof, as well as maximizing the energy utilization efficiency of the project. The objective is to preserve existing greenery and significant trees on site. The planned unit development process ~~should~~ must create unique benefits for both the property owner and the city even though it does not allow additional density. Applicants must justify to the planning commission why the project would be better for the community than a project developed as the underlying zoning would normally allow. Development under the planned unit development process is a privilege that must be earned by the developer, not a right that must be granted by the Planning Commission.

B. Through the flexibility of the planned unit development regulations, the city seeks to achieve the following specific objectives:

1. The stabilization and preservation of the existing or planned land uses in abutting areas and surrounding residential neighborhoods;

2. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
3. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city
4. Maximizing and preserving vegetation and open space and/or other special development amenities to provide light, air and privacy, to buffer abutting properties and to provide active and passive recreation opportunities for residents of the planned development and/or the community;
5. Minimize significant through traffic impacts on adjacent residential neighborhoods; Provide an appropriate transition or buffering between uses of differing intensities both on site and offsite; and
6. Provide safe and convenient vehicle and pedestrian connections between adjacent uses.

13.78.030: **PLANNED UNIT DEVELOPMENT DEFINED:**

- A. "Planned unit development", for the purpose of this chapter, means a coordinated, integrated design for development of residential, nonresidential, commercial, or a combination of such uses.
- B. "Residential planned unit development", for the purpose of this chapter, means an integrated design for a planned unit development which includes only residential uses.
- C. "Nonresidential planned unit development", for the purpose of this chapter, means an integrated design for development of commercial uses which does not include any residential component.
- D. "Mixed –use planned unit development", for the purpose of this chapter means an integrated design for a planned unit development which includes a combination of residential and non-residential uses. The planning commission may waive or vary one or more of the land use regulations To allow flexibility and initiative in site and building design other than use regulations overall building height regulations, and density and location in accordance with an approved plan and imposed general requirements as specified in this chapter. A planned unit development may be:
  1. ~~The development of compatible land uses arranged in such a way as to provide desirable living environments that may include private and common open spaces for recreation, circulation and/or uses;~~
  2. ~~The conservation of historic development patterns; and~~
  3. ~~Creation of areas for multiple uses that are of benefit to the neighborhood.~~

13.78.040: **SUBMISSION, REVIEW AND APPROVAL; SITE PLAN AND CONDITIONAL USE PERMIT:**

~~Residential planned unit developments may be allowed by planning commission approval in any residential zoning district. Nonresidential planned unit developments may be allowed by planning commission approval in any nonresidential zoning district. An approved planned unit development shall consist of a final approval letter and a final approved site plan. A planned unit development permit shall not be granted unless the planned unit development meets the use limitations of the zoning district in which it is to be located and meets the density and other limitations of such districts. Compliance with the regulations of this chapter does not excuse the developer from the applicable requirements of the subdivision regulations, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development. The permit shall be considered in two (2) parts:~~

- A. ~~Preliminary Approval: Preliminary approval subject to the public hearing provisions of section 13.06.030 of this title; and~~

- ~~B. Final Approval: Final approval based on construction drawings and specifications in general accord with that granted preliminary approval. (Ord. 2012-15, 9-20-2012)~~
- A. Allowed by Zone: Planned unit developments are allowed as per Chapter 13.100, Appendix A, of this title.
- B. Three-step Review of site plan: A planned unit development site plan shall be considered in three steps as required by Chapter 13.08.010 of this Title:
- C. Submission Requirements:
1. The applicant shall submit a standard subdivision design, using the minimum lot size, width, and setback dimensions required by the zone, to calculate the maximum allowable number of dwellings (“Maximum Density”) for the development.
  2. The applicant shall submit a planned unit development site plan for the total area within the proposed development as required by Chapter 13.03 of this Title.
    - a. The site plan shall show, where pertinent:
      - i. The use or uses, dimensions, sketch elevations and locations of proposed structures;
      - ii. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces;
      - iii. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationships of the uses; and
      - iv. Such other pertinent information such as, residential density, coverage and open space characteristics as may be necessary to make a determination that the proposed arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this Title.
    - b. An explanation of how the proposed planned unit development satisfies the purposes set forth in Section 13.78.020 of this Chapter.
    - c. If the planned unit development is to be developed on a phase basis, each phase shall be of such size, composition and arrangement that its construction, marketing and operation is feasible as a unit independent of any subsequent phases.
- D. Waiver of Zone District Regulations: To allow flexibility and initiative in site and building design, the planning commission may waive or vary one or more of the land use regulations as required by the zone in which the planned unit development is proposed, other than:
1. Use regulations;
  2. Overall building height regulations, including graduated height restrictions, and;
  3. Density.
- E. Limitations: A conditional use permit shall not be granted unless the planned unit development meets the use limitations of the zoning district in which it is to be located and meets the density and other limitations of such districts.

- F. Compliance with the Subdivision Regulations: Compliance with the regulations of this Chapter does not excuse the developer from the applicable requirements of the subdivision regulations, as required by Chapter 13.11 of this Title, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.
- G. Planning Commission: The Planning Commission may approve, approve with conditions, or deny a planned unit development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:
1. Planned Unit Development Objectives: The planned unit development shall meet the purpose statement for a planned unit development (Section 13.78.020 of this Chapter);
  2. Master Plan and Zoning Ordinance Compliance: The proposed planned unit development shall be:
    - a. Consistent with any adopted policy set forth in the future land use map applicable to the site where the planned unit development will be located, and
    - b. Allowed by the zone where the planned unit development will be located.
  3. Compatibility: The proposed planned unit development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
    - a. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;
    - b. Whether the planned unit development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:
      - (1) Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
      - (2) Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned unit development which will adversely impact the reasonable use of adjacent property;
      - (3) Hours of peak traffic to the proposed planned unit development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.
    - c. Whether the internal circulation system of the proposed planned unit development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
    - d. Whether existing or proposed utility and public services will be adequate to support the proposed planned unit development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;

e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned unit development; and

f. Whether the mass and scale of the intended buildings/structures, the intended uses within the planned unit development, and the intensity, size, and scale of the entire planned unit development are compatible with surrounding properties.

13.78.050: **MINIMUM AREA:**

~~A. No residential planned unit development in the R-1-4, R-1-8, R-1-10, R-1-15, R-2-8, R-2-10 or R-M zone shall have an area less than three (3) acres. B. No residential planned unit development in the R-1-21, R-1-43, R-1-87 or forestry and recreation zones shall have an area less than five (5) acres. C. No nonresidential planned unit development shall have an area of less than five (5) acres.~~

A planned unit development proposed for any parcel or tract of land under single ownership or control in certain zoning districts shall have a minimum net lot area as set forth in Table 13.78.050.1 of this Section.

TABLE 13.78.050.1

| <u>Zone Type</u>                      | <u>Designation</u> | <u>Minimum Area</u> |
|---------------------------------------|--------------------|---------------------|
| <u>Forestry and recreation zone</u>   | <u>FR-0.5</u>      | <u>1.5 acre</u>     |
| <u>Forestry and recreation zone</u>   | <u>FR-1</u>        | <u>3 acres</u>      |
| <u>Forestry and recreation zone</u>   | <u>FR-2.5</u>      | <u>7.5 acres</u>    |
| <u>Forestry and recreation zone</u>   | <u>FR-5</u>        | <u>15 acres</u>     |
| <u>Forestry and recreation zone</u>   | <u>FR-10</u>       | <u>30 acres</u>     |
| <u>Forestry and recreation zone</u>   | <u>FR-20</u>       | <u>60 acres</u>     |
| <u>Single Family Residential zone</u> | <u>R-1-4</u>       | <u>12,000 SF</u>    |
| <u>Single Family Residential zone</u> | <u>R-1-8</u>       | <u>24,000 SF</u>    |
| <u>Single Family Residential zone</u> | <u>R-1-10</u>      | <u>30,000 SF</u>    |
| <u>Single Family Residential zone</u> | <u>R-1-15</u>      | <u>45,000 SF</u>    |
| <u>Single Family Residential zone</u> | <u>R-1-21</u>      | <u>1.5 acre</u>     |
| <u>Single Family Residential zone</u> | <u>R-1-43</u>      | <u>3 acres</u>      |
| <u>Single Family Residential zone</u> | <u>R-1-87</u>      | <u>6 acres</u>      |
| <u>Multi-family Residential zone</u>  | <u>R-2-8</u>       | <u>24,000 SF</u>    |
| <u>Multi-family Residential zone</u>  | <u>R-2-10</u>      | <u>30,000 SF</u>    |
| <u>Multi-family Residential zone</u>  | <u>R-M</u>         | <u>12,000 SF</u>    |
| <u>Commercial zone</u>                | <u>C-1</u>         | <u>no minimum</u>   |
| <u>Commercial zone</u>                | <u>C-2</u>         | <u>no minimum</u>   |

~~13.78.060: GRADING AND DRAINAGE PLANS: A grading and drainage plan shall be submitted to the planning commission with the application.~~

13.78.0760: **REZONE REQUIRED WHEN:** A planned unit development which will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning district and shall be accompanied by an application for the proposed land use amendment. ~~except that any residential use shall be considered a permitted use in a planned unit development which allows residential uses and shall be governed by design and other requirements of the planned unit development permit; provided, further, that in single-family zones, only single-family dwellings may be allowed in the planned unit development.~~

13.78.0870: **DEVELOPMENT OWNERSHIP:** The development shall be in single, partnership, or corporate ownership, or under option to purchase by an individual or a corporate entity at the time of application, or the application shall be filed jointly by all owners of the property.

13.78.0980: **EFFECT ON ADJACENT PROPERTIES:** The Planning Commission shall require such arrangement of structures and open spaces within the site development plan, as necessary, to assure that adjacent properties will not be adversely affected.

A. *Height and Intensity:* Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones. However, unless conditions of the site so warrant, buildings located on the periphery of the development shall be limited to a maximum height of two (2) stories. All structures in the planned unit development shall comply with the graduated height restrictions of the underlying zone.

B. *Area, Width, Yard and Coverage:* Lot area, lot width, yard and coverage regulations shall be determined by approval of the site plan and shall meet the requirements of the underlying zone wherever possible.

C. *Density:* ~~Density of dwelling units per acre shall be the same as allowed in the zone in which the planned unit development is located.~~ Residential planned unit developments shall not exceed the density limitation of the zoning district where the planned unit development is proposed. The density for any residential planned unit development may not exceed the Maximum Density calculation as defined in Section 13.78.040 C.1 of this Chapter. The calculation of planned unit development density may include open space that is provided as an amenity to the planned unit development. Public or private roadways located within or adjacent to a planned unit development shall not be included in the planned unit development area for the purpose of calculating density except as allowed by Section 15.28.020 of this Code.

13.78.10090: **PRESERVATION OF OPEN SPACE:**

A. Preservation and maintenance of required open spaces within the development shall be the responsibility of the planned unit development ownership and shall be maintained in perpetuity as open space.

A. ~~*Dedication of Land:* Dedication of the land as a public park or parkway system;~~

B. ~~*Granting Easement:* Granting to the city a permanent open space easement on or over the private open spaces to guarantee that the open space remain perpetually in recreational use with ownership and maintenance being the responsibility of the owner or an owners' association established with articles of association and bylaws which are satisfactory to the city; or~~

~~C. *Compliance with Condominium Ownership Act:* Compliance with the provisions of the condominium ownership act 1, which provides for the payment of common expenses for the upkeep of the common areas and facilities.~~

13.78.11090: **LANDSCAPING, FENCING AND SCREENING REQUIREMENTS:** Landscaping, fencing and screening related to the uses within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the planning commission for approval, together with other required plans for the development.

13.78.120 100: **SIGNS AND FLOODLIGHTING:** The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application.

~~13.78.130: **SITE PLAN REQUIREMENTS:** The applicant shall submit a planned unit development plan for the total area within the proposed development. If the planned unit development is to be developed on a phase basis, each phase shall be of such size, composition and arrangement that its construction, marketing and operation is feasible as a unit independent of any subsequent phases. The general site plan shall show, where pertinent:~~

~~A. The use or uses, dimensions, sketch elevations and locations of proposed structures;~~

~~B. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces;~~

~~C. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationships of the uses; and~~

~~D. Such other pertinent information, including, but not limited to, residential density, coverage and open space characteristics shall be included as may be necessary to make a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter. (Ord. 2012-15, 9-20-2012)~~

~~13.78.140: **FEES:** See title 3 of this code for the planned unit development and subdivision fees. (Ord. 2012-15, 9-20-2012)~~

13.78.150110: **CONSTRUCTION LIMITATIONS:**

A. *Compliance with Plan:* Upon approval of a planned unit development, construction shall proceed only in accordance with the plans site plan, subdivision, conditional use permit, and all specifications approved by the planning commission, and in conformity with any conditions attached by the commission to its approval.

B. *Amendments:* Amendments to approved plans and specifications for a planned unit development shall be approved by the planning commission and shown on the approved plans.

~~C. *Building Permit:* The building inspector or any other city department shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.~~

~~D. Certificate Of Occupancy: The community development director shall issue a certificate of occupancy for any building or structure upon its completion in accordance with the approved development plan.~~

~~13.78.160: PLAN REVIEW AT PUBLIC MEETING:~~

~~Preliminary development plans, including site plan (buildings, open space, parking, landscaping, pedestrian and traffic circulation), building elevations and general drainage and utility layout with topography shall be submitted for the purpose of staff analysis and planning commission review at a regularly scheduled meeting. (Ord. 2012-15, 9-20-2012)~~

13.78.170120: **SCOPE OF PLANNING COMMISSION ACTION:** In carrying out the intent of this Chapter, the Planning Commission shall consider the following principles:

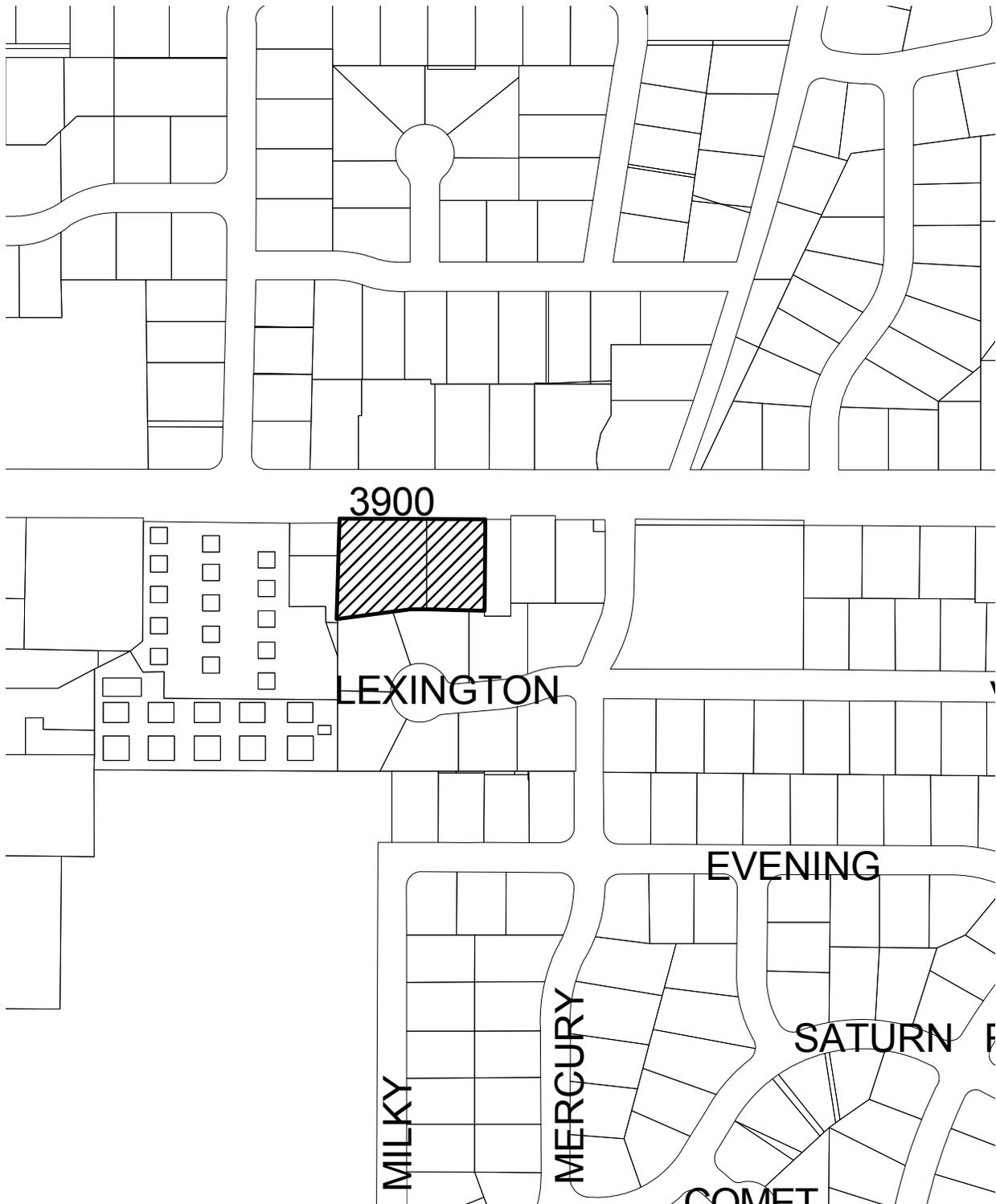
- A. *Qualified Design Team:* It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The Planning Commission shall require the applicant to engage such a qualified designer or design team.
- B. *Minimum Control Intended:* It is not the intent of this chapter that control of the design of a planned unit development by the planning commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter.
- C. **Recording.** A notice of any planned unit development approved by the City, including the designation and preservation of any open space, shall be recorded in the County Recorder's Office, and shall thereafter run with the land and be binding upon all successors and assigns.
- D. **Amendments.** Any planned unit development approved by the Planning Commission may not be changed or modified in any material way unless an amended planned unit development has been reviewed and approved by the Planning Commission.
- E. *Decision of Planning Commission; Appeal:* ~~The planning commission may approve or disapprove an application for a planned unit development.~~ In approving an application, the commission may attach such conditions as it may deem necessary to secure compliance with the purposes set forth in this title. The action of the planning commission may be appealed to the City Council as allowed by Section 13.08.040H of this Title.

**Additional changes required with this amendment.**

Chapter 13.100

**APPENDIX A- ALLOWED USES** (Emphasis added)

|                                                     | All<br>FR | R-1-4,<br>R-1-8,<br>R-1-10,<br>R-1-15 | R-1-21,<br>R-1-43,<br>R-1-87 | R-2-8/<br>R-2-10 | <u>R-M</u> | O-R-D | P | NC | C-1 | C-2 | HV | R/M-      | LU                                               |  |  |
|-----------------------------------------------------|-----------|---------------------------------------|------------------------------|------------------|------------|-------|---|----|-----|-----|----|-----------|--------------------------------------------------|--|--|
| <u>Planned Unit<br/>Development</u>                 |           |                                       |                              |                  |            |       |   |    |     |     |    | See<br>SD | See<br><u>chapter<br/>13.63</u> of<br>this title |  |  |
| Nonresidential<br>planned unit<br>development       | -         | -                                     | -                            | -                | C          | C     | - | -  | C   | C   | -  |           |                                                  |  |  |
| <u>Residential<br/>planned unit<br/>development</u> | C         | C                                     | C                            | C                | <u>C</u>   | -     | - | -  | -   | -   | -  |           |                                                  |  |  |
| Mixed-use<br>planned unit<br>development            | -         | -                                     | -                            | -                | C          | -     | - | -  | C   | C   | C  |           |                                                  |  |  |



# Site Location

Olympus Orchards  
Subdivision



 Subject



Looking South from 3900 South

Aug 10, 2014

Rick Whiting

Holladay City

4580 South 2300 East

Holladay, UT 84117

**RE: Olympus Orchards of Holladay PUD Justification and Design Team**

Dear Mr. Whiting:

Please accept this letter as our formal justification for our request for PUD approval of the Olympus Orchards Holladay subdivision located at 3900 South 2450 East. Additionally, this letter will provide the evidence of our qualified design team.

#### **PUD Justification**

The underlying zoning for this project is RM, with a maximum allowable density of 6 units for this site as shown on the attached standard subdivision concept plan. From a land use perspective, there are several factors that should provide justification for this PUD.

- First, during the conceptual phase of this project it was apparent that the surrounding neighborhood and planning commission did not want the standard subdivision option. The flexibility allowed in the PUD is the major reason that this parcel will be developable at its highest and best use with increased setbacks from the adjoining properties.
- Second, through the use of the PUD we will be able to provide a development that is unique to the area and further diversifies the neighborhood. Unique small lot, high quality single family homes with excellent design features are not available in Holladay.
- Third, as part of the PUD design we were able to limit the project to one driveway onto 3900 south. This will benefit both the vehicle and pedestrian traffic on 3900 South as well as create a much safer entrance and exit to the 6 homes within the site and the existing traffic on 3900 South. The previous concept plan is attached that shows 5 driveways in and out of the property as allowed under the standard subdivision plan.

From an architectural perspective, this project will be developed with high quality architecture. The homes are expected to be similar in design and size to those of our Holladay Glen, Foxwood, and our

most recently approved Woodley Place developments located at about 5800 South Highland Drive, 4800 South 1300 East, and 4100 South 2300 East. Each home will be designed with energy efficiency in mind and will be Energy Star rated, and in some cases will exceed the Energy Star Standards. All homes in this neighborhood will be designed with fiber cement siding. We will not allow any stucco on the homes.

Overall, we expect the combination of the land planning and architecture in this project to provide an alternative to the traditional developments that populate the area. This project should benefit the city by creating another option for home buyers in the area.

#### **Qualified Design Team**

The Design team for this project consists of the following professionals:

Jason Barker, Project Manager, Senior Designer – Focus Engineering

Park Sorenson, CAD Designer/GIS Specialist – Focus Engineering

Mike Kelly, Landscape Architect & Land Planner – R. Michael Kelly Consultants

Brad Ulewelyn, Surveyor – Focus Engineering and Surveying

Brian Apsley, Architecture – Ivory Homes

Michael L. Woodley, Architecture – Woodley Architectural Group

Nicholas Mingo, Civil Engineer – EDM Partners, LLC

Skylar Tolbert, Development & Acquisition – Ivory Homes

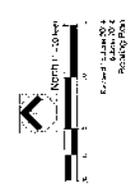
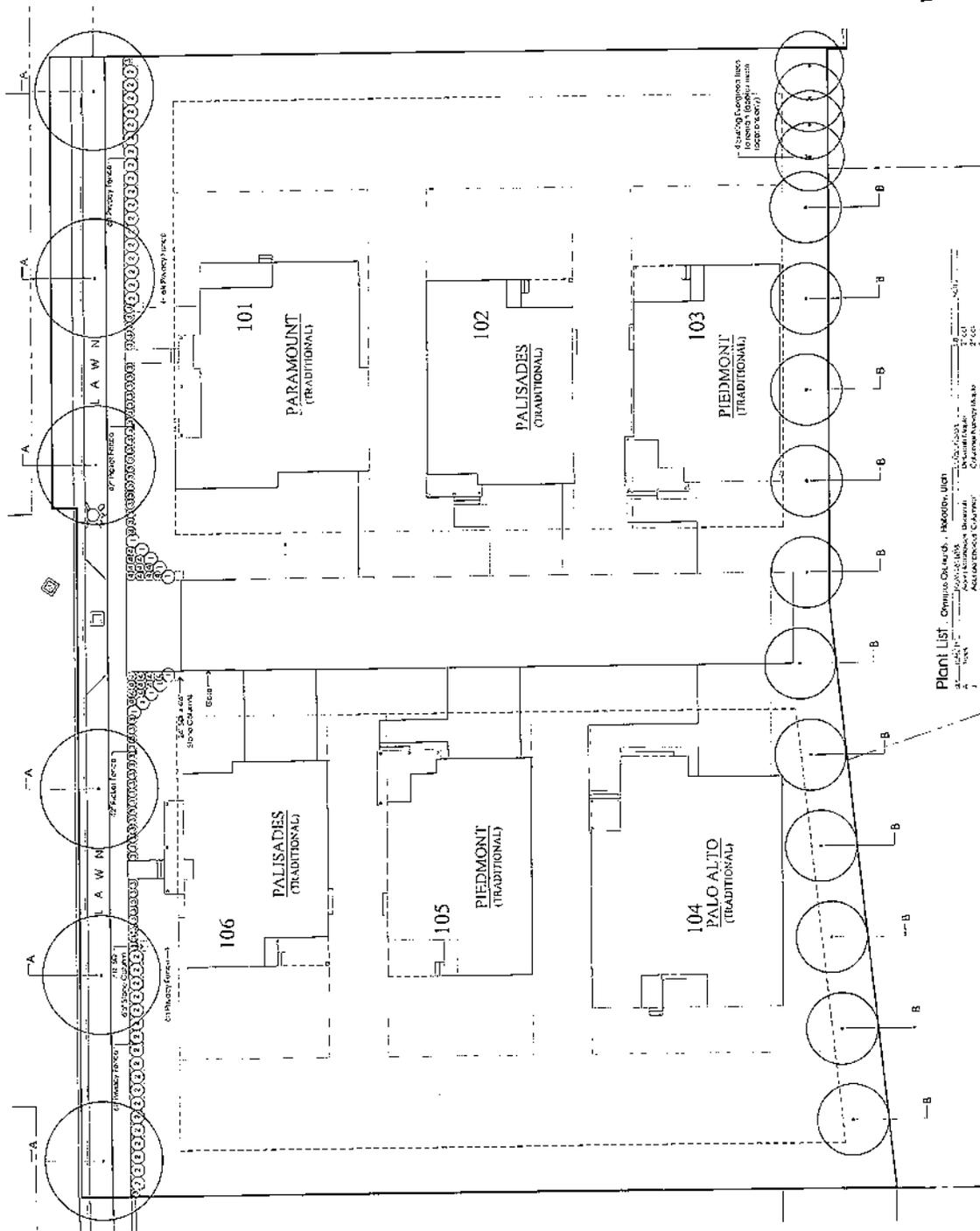
Sincerely,

Ivory Development



Skylar Tolbert





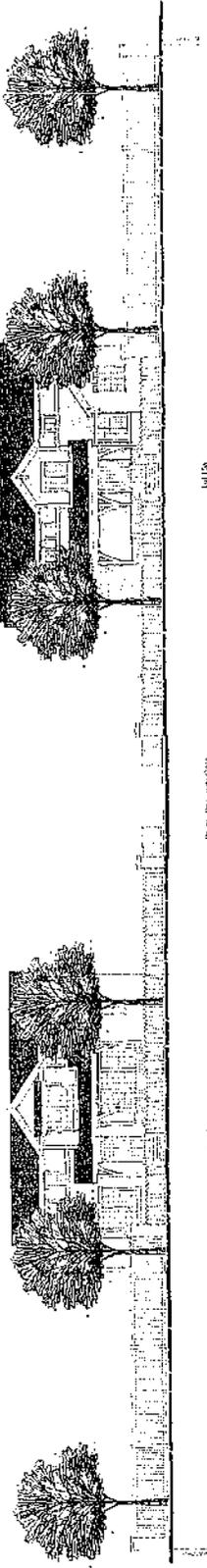
# OLYMPUS ORCHARDS

IVORY DEVELOPMENT - 978 WOODCROFT LANE - SALT LAKE CITY, UTAH

R. MICHAEL KELLY  
 ARCHITECT  
 1000 S. 1000 E.  
 SUITE 100  
 SALT LAKE CITY, UTAH 84143

**Plant List** - Olympus Orchards - Ivory Development, Salt Lake City, Utah

| Plant    | Quantity | Notes                                   |
|----------|----------|-----------------------------------------|
| 1. Tree  | 10       | Planting European lawn (except for 101) |
| 2. Tree  | 10       | Planting European lawn (except for 101) |
| 3. Tree  | 10       | Planting European lawn (except for 101) |
| 4. Tree  | 10       | Planting European lawn (except for 101) |
| 5. Tree  | 10       | Planting European lawn (except for 101) |
| 6. Tree  | 10       | Planting European lawn (except for 101) |
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| 8. Tree  | 10       | Planting European lawn (except for 101) |
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| 10. Tree | 10       | Planting European lawn (except for 101) |



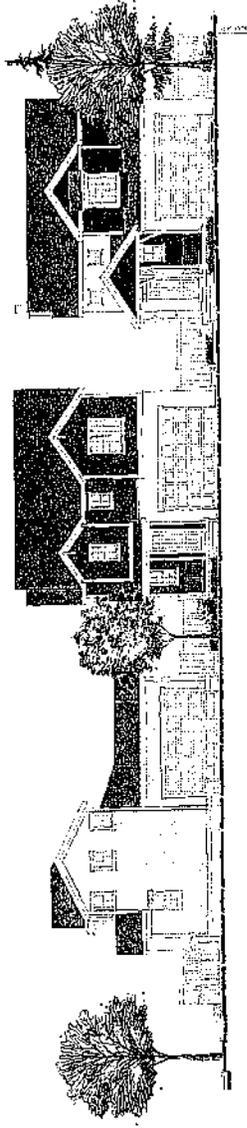
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2nd Flr

3rd Flr

OLYMPIUS ORCHARDS  
ARCHITECTURAL ELEVATION

OLYMPIUS ORCHARDS  
ARCHITECTURAL ELEVATION



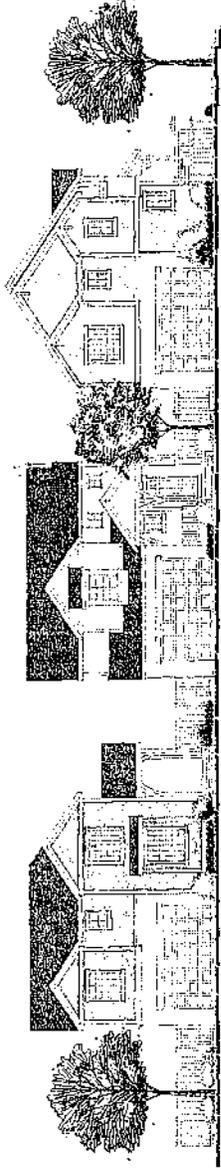
200 South E. 200  
Elevation

1/21 1811

201 132

201 132

OLYMPUS CIRCHARDS  
ARCHITECTURE  
1000 S. 1000 E.  
SALT LAKE CITY, UT 84143



1/2" = 1'-0"

North Arrow  
Elevation  
1/2" = 1'-0"

1st Fl.

2nd Fl.

3rd Fl.

3000 Square Feet

OLYMPUS ORCHARDS  
1000 E. 10th St. #100, Portland, OR 97214  
503.255.1111  
www.olympusorchards.com

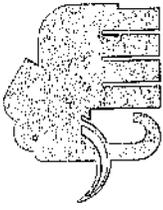










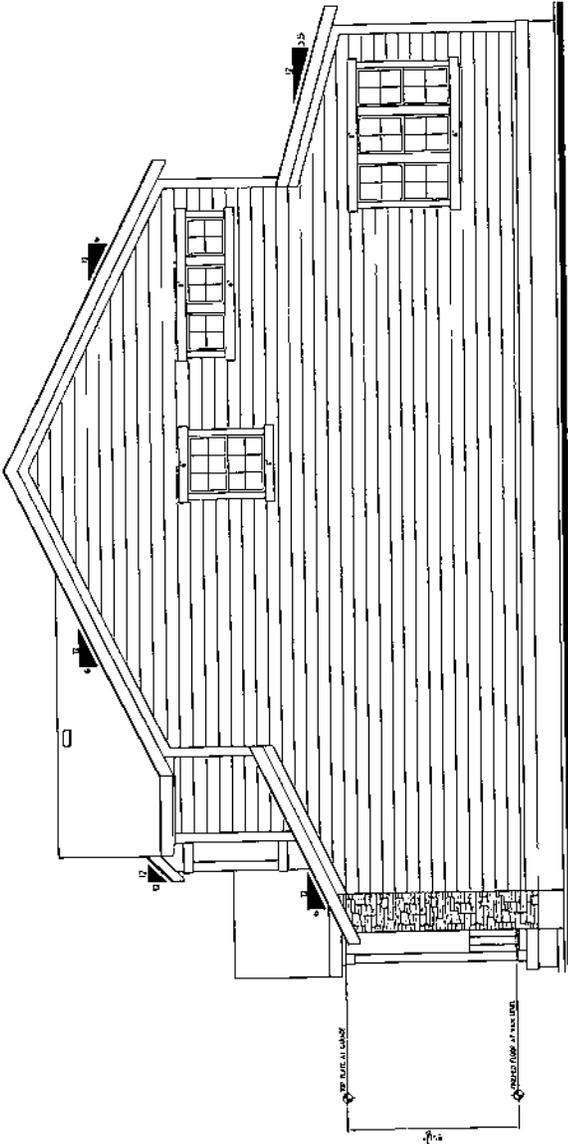


**IVORY HOMES**  
 978 Woodstock Lane  
 Salt Lake City, Utah 84117  
 (801) 747-7000

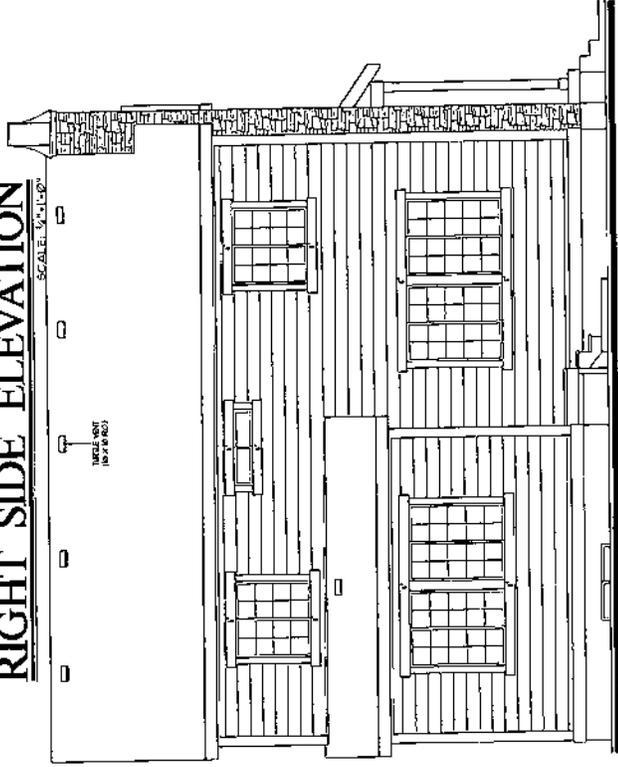
**KEYNOTES**

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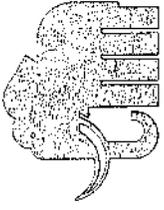


**RIGHT SIDE ELEVATION**  
 SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
 SCALE: 1/4" = 1'-0"





**IVORY HOMES**

938 Woodstock Lane  
 Savannah, GA 31417  
 (803) 747-7000

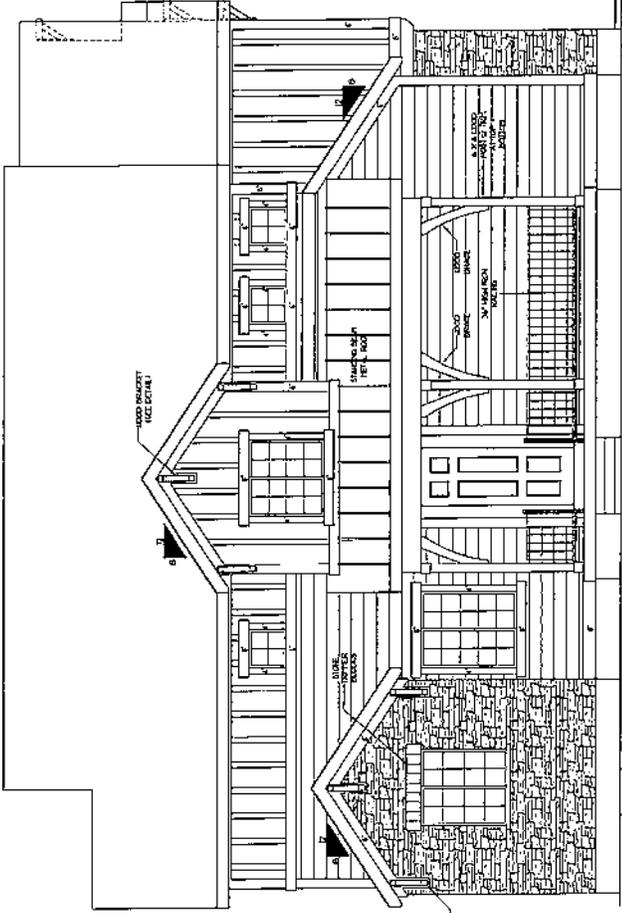
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**KEYNOTES**

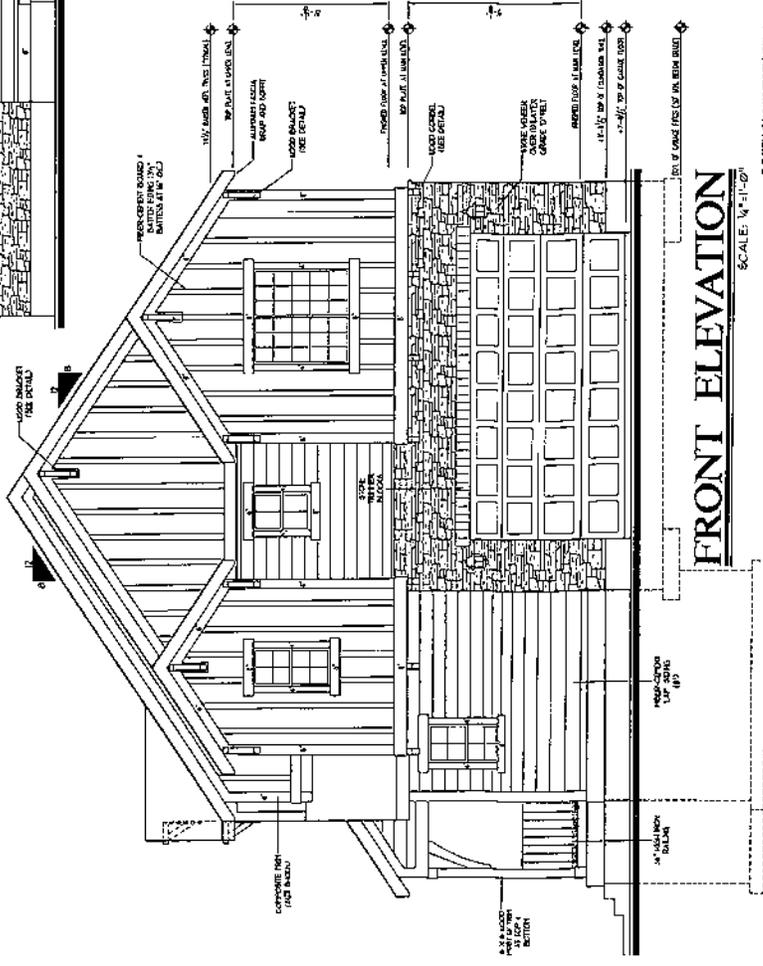
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**Palisades**  
 "Traditional"  
 (3000-3000)

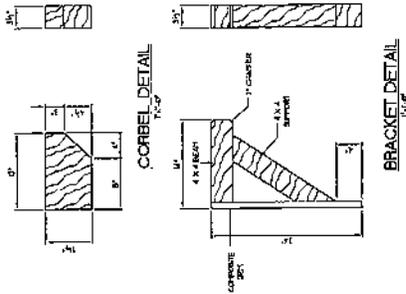
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| DRAWN BY    | DAVID    | DATE         | 01/11/11         |
| CHECKED BY  | DAVID    | DATE         | 01/11/11         |
| SCALE       | AS SHOWN | JOB NO.      | 1000000000000000 |
| SHEET NO.   | 7        | TOTAL SHEETS | 7                |



**LEFT SIDE ELEVATION**  
 SCALE: 1/4"=1'-0"



**FRONT ELEVATION**  
 SCALE: 1/4"=1'-0"



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## CITY OF HOLLADAY

### NOTICE OF PLANNING COMMISSION MEETING

The Planning Commission will consider the following item at their regularly scheduled meeting. The public is encouraged to attend.

Project: Olympus Orchards Subdivision

Project Address: 2448 E 3900 S

Applicant: Ivory Homes                      Agent: Nick Mingo

Request: Six-lot Subdivision- Conceptual Plan Approval

Zone: R-M                      Acreage: .91 Ac.                      Units: 6

**MEETING DATE:** Tuesday, August 19, 2014

**HEARING TIME:** This meeting starts at 7:00 PM and this matter will be heard as close to 8:00 PM as possible.

All meetings are held in the City Council Chambers at 4580 S 2300 E.

A vicinity map showing the location of the subject property is included with this notice.

If you have questions please call Rick Whiting or Paul Allred at 527-3890 during regular business hours.

*ATTENTION: This notice has been delivered to all residents within an area extending approximately 500 feet from the subject property. If you know of anyone who may not have received a notice but may have an interest in the meeting, please pass along the information. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.*



**CITY OF HOLLADAY  
Planning Commission**

~~~~~  
**Staff Report**  
**August 19, 2014**  
**Item 6**

*Project Name:* **Cottonwood Lane Subdivision**  
*Request:* **Preliminary Plat – Four-Lot Subdivision**  
*Nature of Discussion:* **Discussion with Potential Approval**  
*Notice:* **No notices were required**  
*Planner:* **Rick Whiting**

**Executive Summary**

*Project No.* **14-1-05**  
*Address:* **5156 South Cottonwood Lane**  
*Applicant:* **Steve Hopkins, Representing Beckstrand & Associates**  
*Application Date:* **June 12, 2014**  
*Zone:* **R-1-43**  
*Total Area:* **4.38 acres**  
*Lot Area* Required: **43,000 sq. ft. per lot (minimum)**  
Proposed: **43,726 to 44,762**  
*Lot Width:* Required: **100 feet (minimum)**  
Proposed: **150 feet to 200**  
*Lot Frontage:* Required: **75 feet (minimum)**  
Proposed: **93 to 218 feet**  
*Neighborhood Meeting:* **July 14, 2014**  
*Applicable Ordinances:* **Chapter 12 – Subdivisions;  
Chapter 13.14 – Single Family Residential Zones;  
City of Holladay General Plan – Page 33; and  
City of Holladay General Plan – Appendix A - Page 3**

## **Background**

The applicant, Beckstrand & Associates, proposes to build a four lot subdivision at approx. 5156 South S Cottonwood Lane in the R-1-43 zone (Single Family Residential on 43,000 sq. ft. (one acre) minimum sized lots.) The property is irregular in shape and it is relatively flat. Access is from Cottonwood Lane.

The Big Cottonwood Creek, a perennial stream, runs through the proposed project. A stream exception reducing minimum building clearances from the creek from 100 feet to 50 feet has been granted by the Planning Commission in order for three of the lots to be buildable.

(Please see attached plans, maps and photos.)

The Planning Commission approved the Conceptual Plan for this project on July 15<sup>th</sup> and then on August 5<sup>th</sup>, 2014 - a Stream Exception for the requested three lots was granted.

The TRC has reviewed this project for Preliminary Plat approval and determined that it meets City Ordinances.

A Neighborhood Meeting was held on Monday, July 14, 2014. The applicant will reported that most but not all neighbors were generally supportive of the request.

## **Technical Review Committee (TRC) Comments**

- *Preliminary Plat* - is attached.
- *Density and Lot Area* – Current zoning allows one single family residence on 43,000 sq. ft. minimum sized lots. This project exceeds minimum density and lot area requirements.
- *General Plan* - The City's General Plan designates this property as Country Residential (CR). It allows a maximum of one-half to one dwelling unit per acre in this area with one-acre minimum sized lots. This request, with one lot per acre, is clearly acceptable under the General Plan. (See General Plan, Page 10 and GP Appendix A, Page 2)
- *Geotechnical Considerations* – None of the proposed subdivision is located in a fault hazard area.
- *Topography* – The property is essentially flat.
- *Stream Considerations* – Big Cottonwood Creek, a perennial stream, runs east to west along the south side of the proposed project. Concern has been expressed about the possibility of flooding homes within the project and/or potential damage to the stream bed and harm to any wild life living in the wooded area through which the stream runs. The property lies within the FEMA 100 Year Flood Plain. Two existing homes currently lie near the stream. One is as close as 30 feet from the top of the stream bed. Existing home footprints may not be expanded within the 50 foot stream exception setback. Clarence Kemp, City Engineer, will review any violations of this requirement.
- *FEMA Flood Plain* – This project lies within the FEMA 100 year Flood Plain (zone AE.) Any homes built in the proposed subdivision will require special design consideration and, probably, FEMA flood insurance. This will addressed at the building permit phase for individual homes proposed to be built within the subdivision. (Please see the attached FEMA map.)

- *Curb/Gutter, Sidewalk and Street Trees* – No curb, gutter or sidewalk exists along Cottonwood Lane in either direction, nevertheless, street trees or other improvements could be required by the City Engineer and/or the Planning Director with Final Plat approval. Staff does not anticipate requiring sidewalks, curb or gutter at this location but reserves the right to do so in the future. (See the attached aerial photo of the vicinity.)
- *Drainage and Water Retention* – The City Engineer has indicated that an acceptable slope protection, drainage and water retention plan will be required with the Preliminary Plat approval.
- *Road and Traffic Considerations* – Cottonwood Lane at this point is a “Collector Roadway” with a 66 foot right-of-way. It is a busy thoroughfare with moderate speeds (30 to 40 MPH.) (Please reference the General Plan, page 33 and Appendix A, page 3.) The addition of two additional homes (two now exist) with generally accepted average rate of 11 vehicle trips per day each would make minimal impact on overall traffic volume.
- *Street Dedication* – The City Engineer will likely require dedication of the portion of the road that lies in the Public Right-of-Way on Cottonwood Lane. This will be a function of the Final Plat consideration.
- *Driveway Access* – Given that the proposed subdivision is located on a busy roadway, the dual (looping) private driveway access for all four lots is optimal in that it minimizes traffic conflict with Cottonwood Lane on ingress and egress and allows for a smooth flow of traffic through the development. Per neighboring property owners request - the Commission should review and discuss possible turn movement conflicts with opposing driveways across Cottonwood Lane.
- *Access and Right-of-Way* – A Right-of-Way Easement and Road Maintenance Agreement for the four proposed lots must be included in Covenants, Conditions and Restrictions (CC&Rs) to be recorded with the final plat. It must detail provisions and responsibility for road maintenance, snow removal and etc.
- *Fire Access* –The UFA has approved the Preliminary Plat with regard to fire access and protection.
- *Utility Providers and Easements* – Utility service and easements will be required with Final Plat approval. Final approval will be contingent upon receipt of all utility service letters.

### **Staff Recommendations**

Staff recommends that the Planning Commission review this request and favorably consider the merits of this application for Preliminary Plat approval to create the proposed Cottonwood Lane 4-lot Subdivision at 5156 S Cottonwood Lane in an R-1-43 zone, based on the following findings and subject to following requirements:

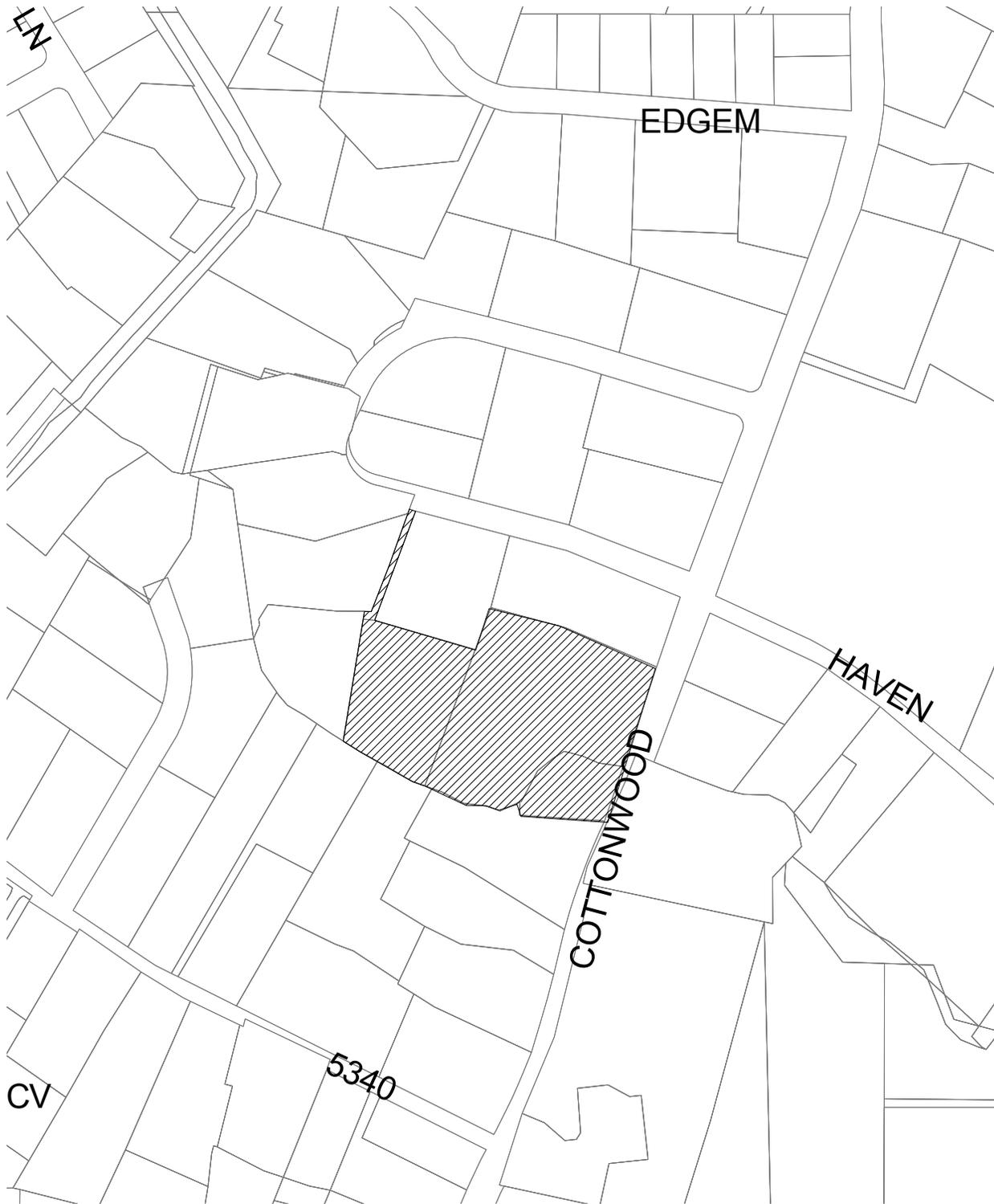
#### ***Findings:***

- A. The proposed project meets the requirements for a residential subdivision in an R-1-43 zone, i.e. area, density, access, slope, public safety, etc;
- B. This project complies with the provisions of the City’s General Plan for this area;
- C. This application is consistent with low density, single family land use patterns in the general vicinity;
- D. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement will be address in the Preliminary Plat review and approval process;

- E. The proposed project has been reviewed by the TRC and meets City requirements for Preliminary Plat;
- 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; and
- G. Topographical, geotechnical, stream setback and FEMA flood plain constraints can reasonably be, or has been, mitigated and/or accommodated through subdivision design, granting of a Stream Setback Exception by the PC, building permit requirements and/or FEMA regulations.

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

1. Any remaining unresolved Preliminary Plat details, or compliance with city codes and ordinances must be completed prior to, or in conjunction with, Final Subdivision Plat submission;
1. A Final Plat and any other requirements for the subdivision shall be submitted for Technical Review Committee (TRC) for approval or review and recommendation to the Planning Commission;
2. Any outstanding documentation, drawings required by the Planning Commission must be completed prior to Preliminary Plat approval;
3. The City Engineer will determine appropriate financial requirements for improvements and/or bonding in conjunction with Final Plat approval;
4. 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 four proposed lots. They should detail provisions and responsibility for access, maintenance, snow removal, etc;
5. The City Engineer may require dedication of the portion of the road that lies in the Public Right-of-Way on Cottonwood Lane. This will be a function of the Final Plat process.
6. Required utility provider "Will Serve" letters must be provided to Staff;
7. A current Title Report must be provided to Staff prior to Final Plat approval;
8. A storm water drainage and protection plan (SWPP) will be required with Final Plat submission;
9. Existing or proposed new home footprints may not be placed or expanded within the 50 foot stream exception study area; and
10. The TRC is authorized to make Final Plat approval of this project.



# Site Location

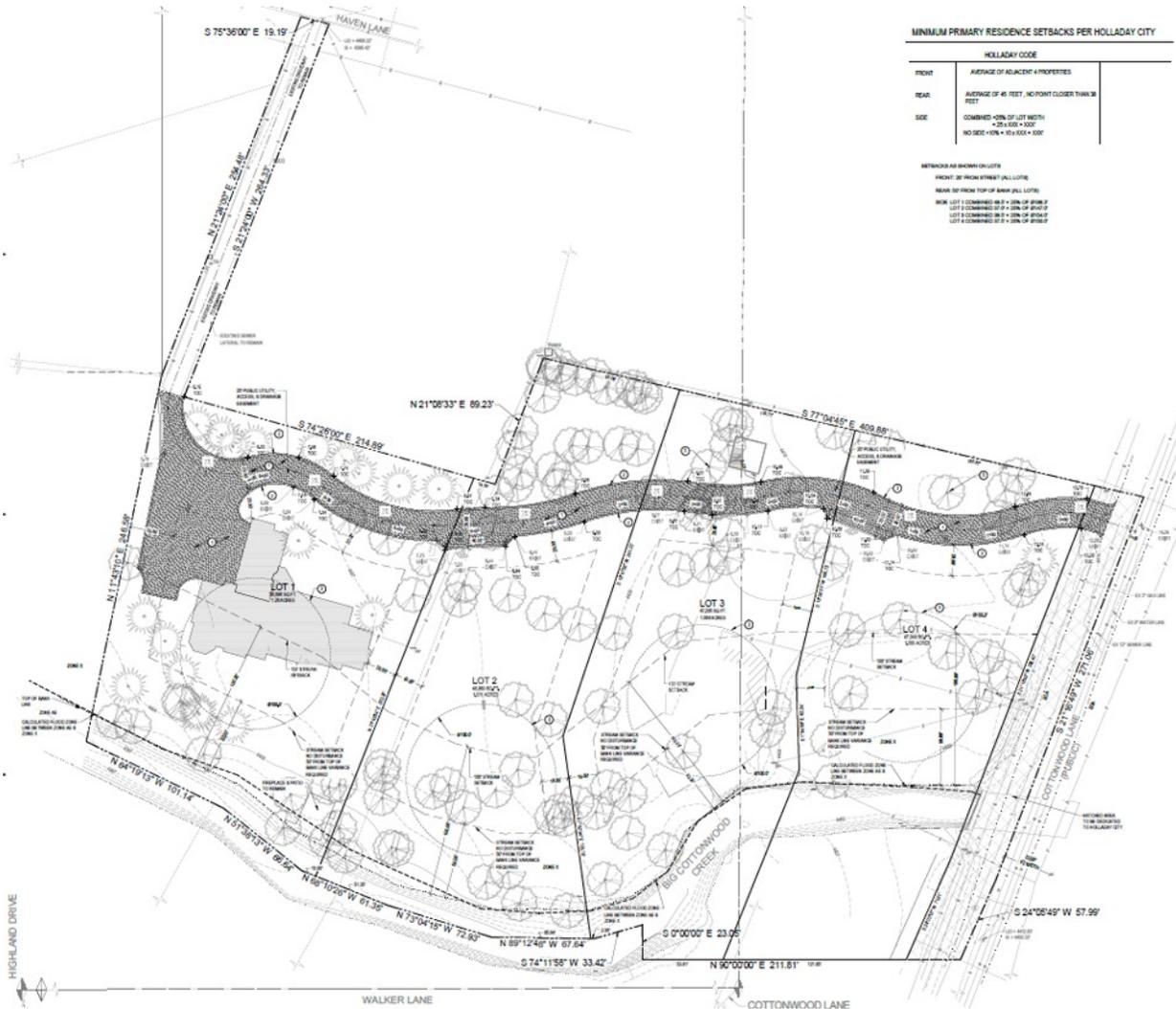
## Cottonwood Lane Subdivision



1:354



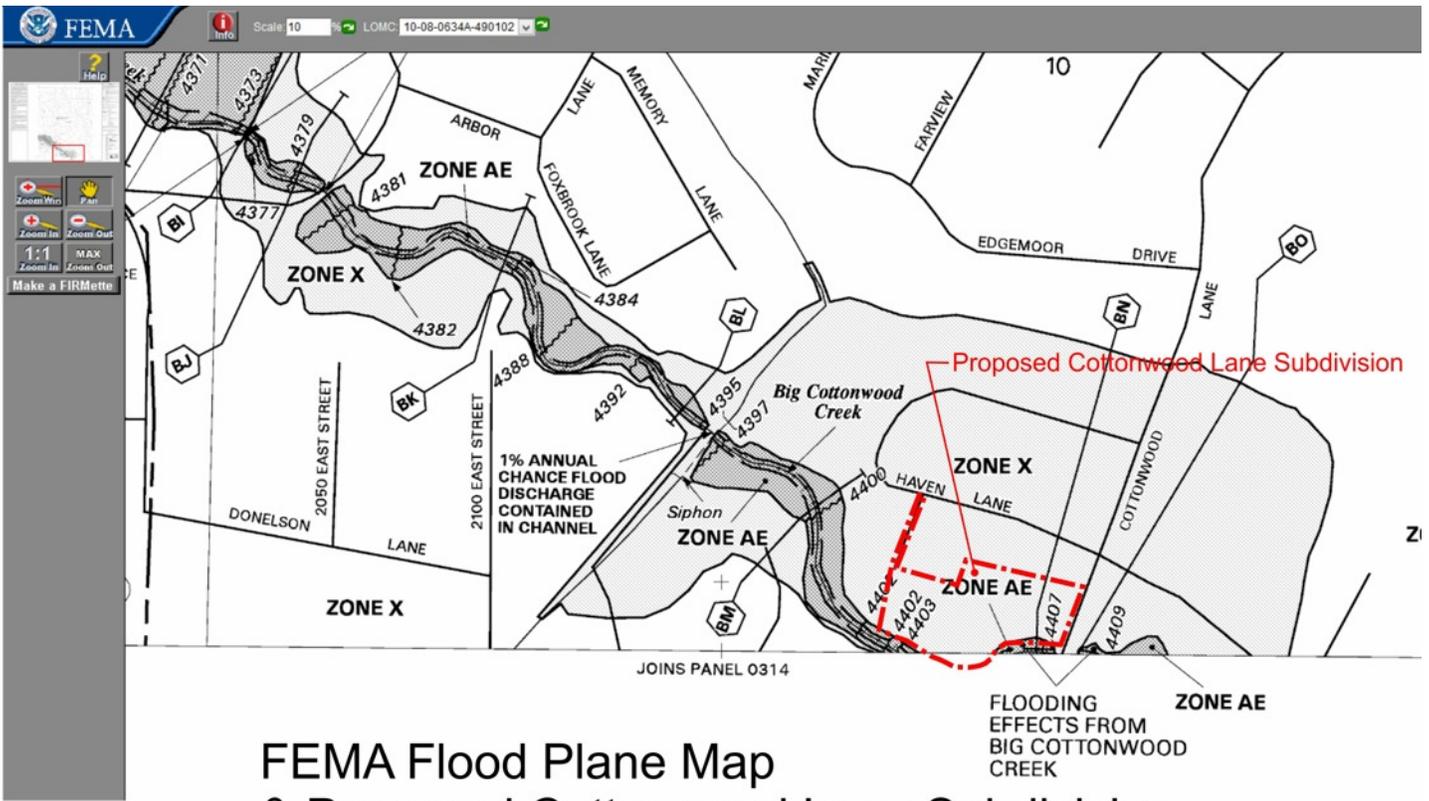
Subject



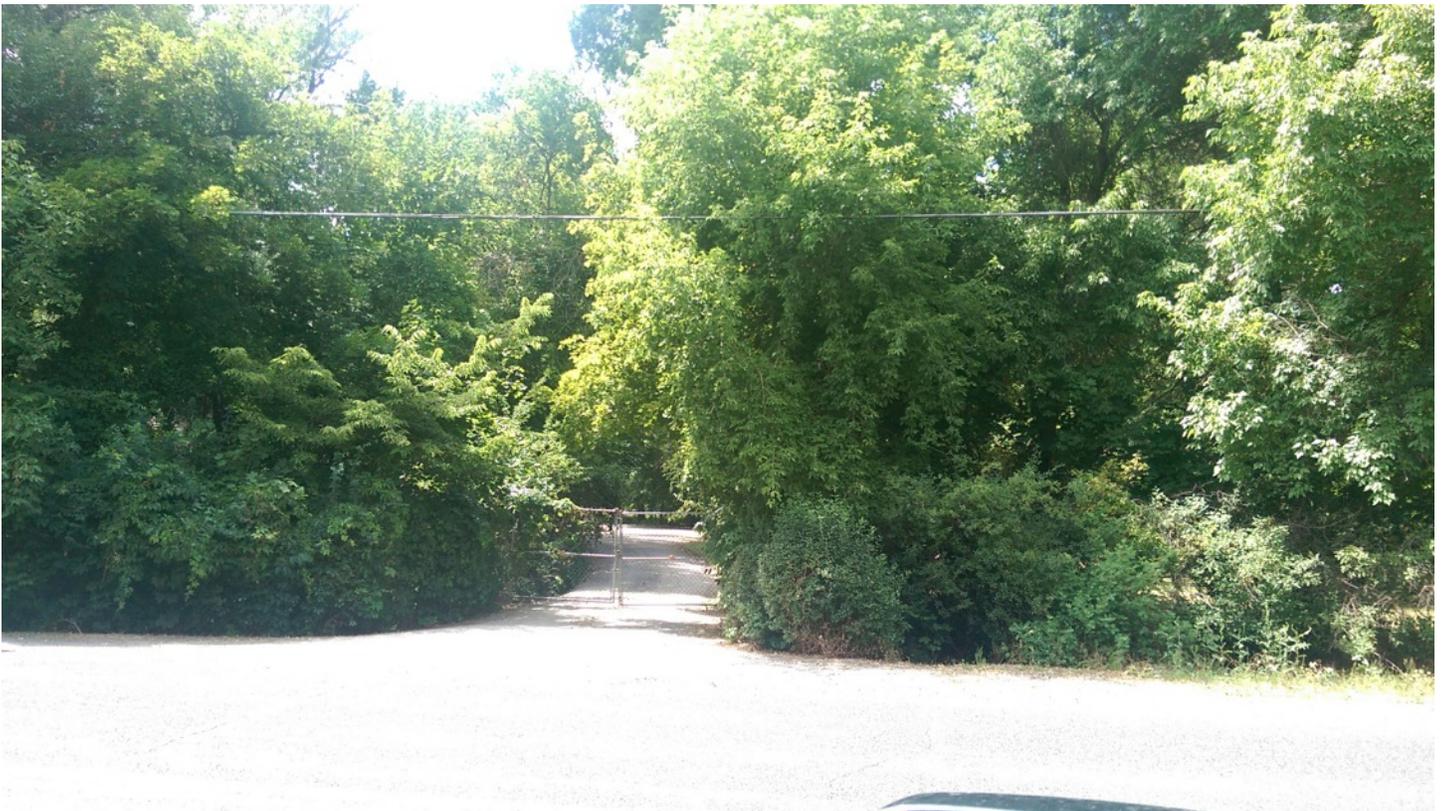
**MINIMUM PRIMARY RESIDENCE SETBACKS PER HOLLADAY CITY**

HOLLADAY CODE	
FRONT	AVERAGE OF ADJACENT PROPERTIES
REAR	AVERAGE OF 40 FEET, NO POINT CLOSER THAN 10 FEET
SIDE	COMBINED CON. OF LOT WIDTH * 25' X 50' = 50' NO SIDE - 10' X 15' X 50' = 50'

SETBACKS AS SHOWN ON LOTS  
 FRONT OF FRONT STREET (ALL LOTS)  
 REAR OF FRONT TOP OF BANK (ALL LOTS)  
 SIDE LOT 1 COMBINED WITH 20% OF BANK  
 LOT 2 COMBINED WITH 20% OF BANK  
 LOT 3 COMBINED WITH 20% OF BANK  
 LOT 4 COMBINED WITH 20% OF BANK



FEMA Flood Plane Map  
& Proposed Cottonwood Lane Subdivision



July 28<sup>th</sup> 2014

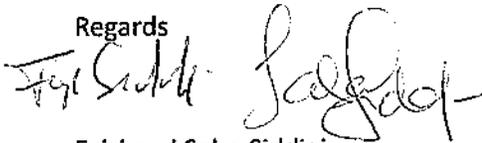
Faizi and Saba Siddiqi  
5164 S. Cottonwood Lane  
Salt Lake City, Utah 84117  
Tel: Home 801 272 8787  
Tel: mobile 801 694 7276

RE: Notice of Public Hearing at a Planning Commission Meeting for property located at 5156 S. Cottonwood Lane

Dear Mr. Paul Allred

We received the notice regarding the 4-Lot subdivision on 4.38 acres of land. Based on the site location map we are deeply concerned that the access route to the planned sub-division is situated on the private lane right opposite our property. We own half the width of the lane. It provides fire access to the 4 homes off the lane. Traffic on this small, narrow lane will increase substantially based on the site location plan. We propose the access route be directly off Cottonwood Lane.

Regards

Handwritten signature of Faizi and Saba Siddiqi in black ink, appearing as a stylized cursive script.

Faizi and Saba Siddiqi

## Approved Minutes – PC Meeting – July 15, 2014

### 3. Cottonwood Lane Four-Lot Subdivision – 5156 South Cottonwood Lane – Conceptual Plan – Four-Lot Subdivision – R-1-43 Zone - Staff: Rick Whiting.

(22:06:00) Mr. Whiting presented the staff report and stated that the applicant requested to subdivide the 4.38-acre property into four building lots. All requirements were met for the conceptual plan and are within the parameters of the General Plan. Staff recommended approval.

Steven Hopkins gave his address as 5420 South Cottonwood Lane and was present to answer any questions that may arise.

Commissioner Chatelain asked for additional information regarding the neighborhood meeting. Mr. Hopkins stated that there were two couples present. One expressed concern about traffic and wanted reassurance that speed and congestion will not be an issue.

Chair Jensen opened the public hearing.

Robert M. Anderson gave his address as 5262 South Cottonwood Lane and stated that although the applicant has done a tasteful job of dividing up the lots, he was concerned with the bend in the stream and setbacks.

Bruce Hebdon gave his address as 5176 South Cottonwood Lane and requested a map showing the proximity of the road along the north end of the property.

Chair Jensen reported that during the pre-meeting field trip, the applicant expressed concern with the mature trees located throughout the property. He pointed out that roads were designed with tree preservation in mind.

(20:17:16) *Commissioner Carter moved to approve the Conceptual Plan for the four-lot subdivision located at 5156 South Cottonwood Lane subject to the following:*

#### *Findings:*

- A. The proposed project meets the requirements for a residential subdivision in an R-1-43 Zone, i.e. area, density, access, slope, public safety, etc.*
- B. This project complies with the provisions of the City's General Plan for this area;*
- C. This application is consistent with low density, single-family land use patterns in the general vicinity.*
- D. The UFA has approved emergency access as proposed. Fire hydrant capacity and*

*placement will be addressed in the Preliminary Plat review and approval process.*

- E. The proposed project has been reviewed by the TRC and meets City requirements for Conceptual Plan.*
- F. It is believed by staff that utility providers can reasonably serve the property and are expected to provide appropriate service availability letters.*
- G. Topographical, geotechnical, stream setback and FEMA flood plain constraints can reasonably be mitigated and/or accommodated through subdivision design, granting of a Stream Setback Exception by the PC, building permit requirements and/or FEMA regulations.*

***Requirements:***

- 1. Any remaining unresolved Conceptual Plan details or compliance with City codes and ordinances, must be completed prior to, or in conjunction with, Preliminary Subdivision Plat submission.*
- 2. A Preliminary 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.*
- 3. Any outstanding documentation, drawings or details required by the Planning Commission must be completed prior to preliminary plat approval.*
- 4. An appropriate homeowners association (HOA) must be organized, initiated and funded prior to Final Plat approval prior to Final Plat approval.*
- 5. Appropriate Covenants, Conditions and Restrictions (CC&Rs) must be prepared and recorded prior to final plat approval.*
- 6. Required utility provider "Will Serve" letters must be provided to staff.*
- 7. A current Title Report must be provided to staff prior to final plat approval.*
- 8. A storm water drainage and protection plan (SWPP) will be required with preliminary plat submission.*
- 9. A current Title Report will be required prior to final plat approval.*

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

## **Draft Minutes – PC Meeting - August 5, 2014**

### **2. Cottonwood Lane Subdivision – 5156 S Cottonwood Lane – 3-Lot Stream Exception – R-1-43 Zone - 7:30 - Staff: Jonathan Teerlink, City Planner & Clarence Kemp, City Engineer.**

(19:14:47) Mr. Kemp presented the staff report and stated that the applicant has requested development within 50 feet of the stream. Anything within 100 feet requires engineering and Commission consent. Mr. Kemp granted consent and recommended approval. He explained that the ordinance is in place to protect native habitat and ensure the stability of stream banks. Commissioner Bowthorpe stated that this is a sacred 50-foot zone that is undisturbed. Mr. Kemp commented that the setback is intended to maintain the character and natural state that currently exists.

Drew Menlove was present on behalf of Beckstrand and Associates. He gave his address as 5004 South Maryland Drive and stated that their intent is to convert the two larger lots into four smaller ones. The applicant wishes to tear down and rebuild their home on one of the lots and sell the remaining. It was reported that the building permit has been approved with the exception of the stream exception issue.

(19:24:48) Chair Jensen opened the public hearing.

Raymond Springer gave his address as 5270 Cottonwood Lane and expressed concern regarding the placement of the home and disruption of the setback. Chair Jensen confirmed that erosion control and access through the zones during construction will be monitored by the City.

~~Mark Olsen~~ gave his address as 3010 Kahala and identified himself as the President of the Green Ditch. He emphasized the importance of the existing foliage being protected.

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

Commissioner Bowthorpe asked why the staff report details a three-lot stream exception when this is a four-lot subdivision. The applicant, Steve Hopkins, clarified that one of the homes is already within the 50-foot setback. The request includes Lots 1, 2 and 4. Commissioner Carter was of the opinion that the area between the structures and the stream is landscaped to prevent overland flow, contribution of sediment, and maintenance of functional integrity. Setback requirements were discussed.

Commissioner Chatelain stated that because the application is for three lots, the options were either to deny or ask the applicant to return and include a fourth lot. Mr. Kemp confirmed that leaving out the single lot, by default the 100-foot study area will be retained and force the applicant to return for Planning Commission review.

(19:41:13) *Commissioner Carter moved to approve the Special Exception to the regulation and permit the proposed building footprints and disturbed areas on Lots 1, 2 and 4 to be no closer than 50 feet to the nearest bank of Big Cottonwood Creek based on the following:*

*Findings:*

- A. The property is partially developed with two existing homes, one of which was built within 30 feet of Big Cottonwood Creek, prior to City of Holladay incorporation and stream protection ordinances.*
- B. There is no stream course alteration proposed.*
- C. The property is not considered wetlands.*
- D. The proposal would comply with State of Utah Division of Water Rights setback requirements and Salt Lake County Channel Maintenance requirements.*
- E. The nearest (north) bank of Big Cottonwood Creek in this area is well defined. There are no excessive steep slopes or other geotechnical concerns.*

*Requirements:*

- 1. A limit of disturbance/silt fencing shall be set as instructed by the City Engineer.*
- 2. No bank disturbance within the stream protection corridor will be allowed.*
- 3. Any landscaping of stream bank as per submitted plans shall be part of this approval. All future landscaping, flatwork, and grading between 50 and 100 feet of the nearest bank of Big Cottonwood Creek must be approved by the Community Development Director and City Engineer prior to commencing work.*
- 4. Best construction management practices are to be followed to prevent pollution of water that may enter the stream system during construction. Specifically, the limit of disturbance fencing and silt erosion control fencing shall be installed and maintained throughout the duration of project.*
- 5. The applicant will be required to demonstrate compliance with the “Significant Trees” requirement as part of their building permit process – particularly where such trees are currently located within 100 feet of the north bank of Big Cottonwood Creek.*
- 6. This property is subject to the provisions of Chapter 13.74 – Floodplain Hazard Regulations and FEMA flood plain requirements.*

7. *All conditions listed in the City Engineers consent letter must be followed.*
8. *All construction related improvements must follow current applicable Holladay codes.*
9. *Stream Exception notes must be placed on the subdivision Final Plat.*
10. *Approval is not included for Lot 3.*

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



*Project Name:* **Summit Cyclery**  
*Address:* **4646 S Holladay Blvd., Holladay Utah 84117**  
*Application Type:* **Preliminary Site Plan**  
*Nature of Discussion:* **Review of potential preliminary approvals**  
*Planner:* **Jonathan Teerlink**  
*Applicant:* **Devin Pardoe with Benj Baird as architect**

### **BACKGROUND & SUMMARY**

During the planning commission's July 15<sup>th</sup> meeting, the applicant was granted conceptual site plan approval for their renovation project of the old "Spin Cycle" building. The commission then guided the applicants to return with additional information for their preliminary site plan review and possible approvals

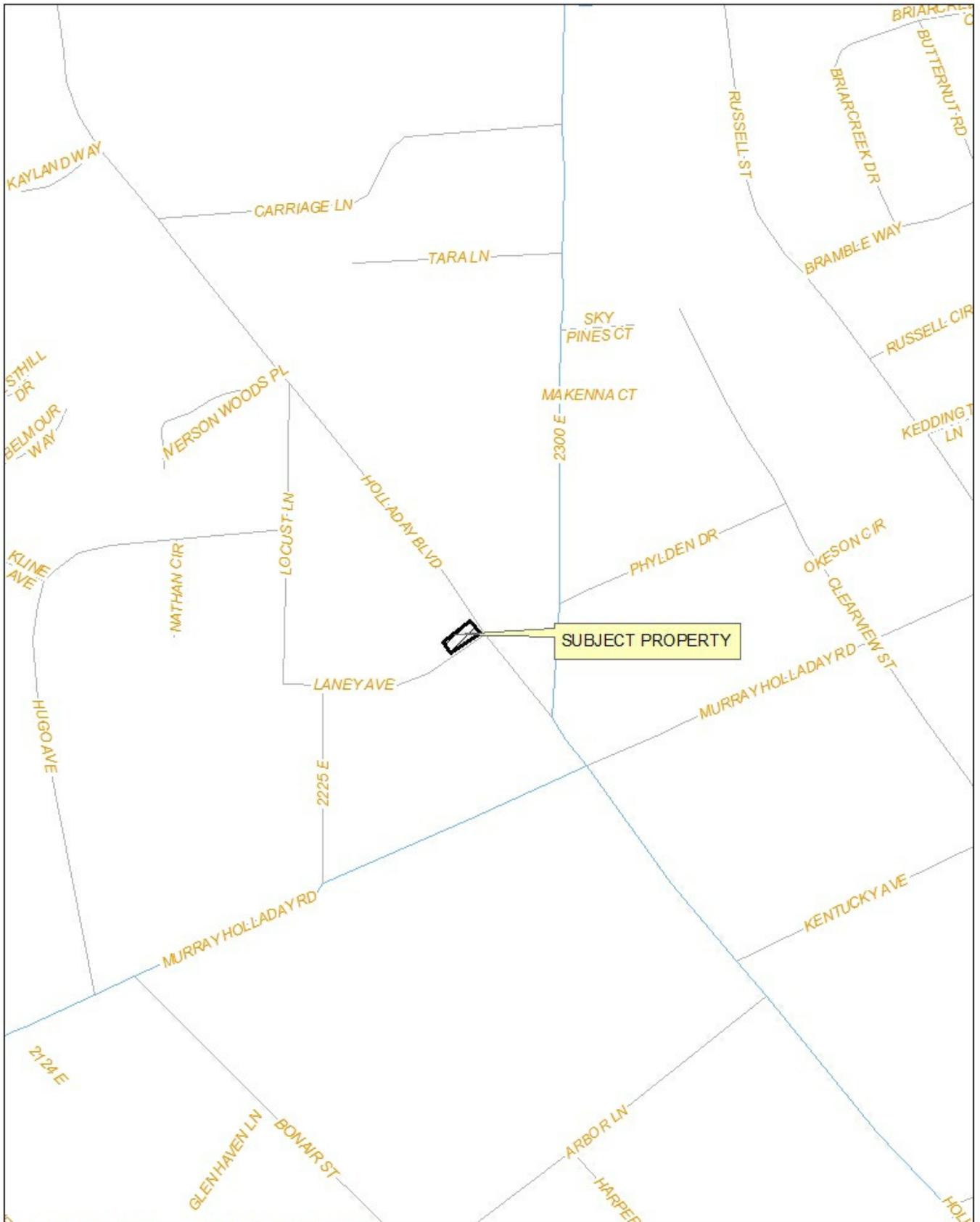
### **ANALYSIS**

The TRC has had an opportunity to thoroughly review the applicant's resubmittal for preliminary site plan approvals. The building has undergone minor changes. The overall height has been reduced by 6 feet. The reduction in the ridge consequently eliminated the upper level wrap-around deck. This required that the AC equipment be relocated to an enclosed area at the basement level abutting the trash enclosure. No change materials have been proposed. The TRC interprets this reduction in mass to be considered a minor amendment and it should not hinder a recommendation for preliminary approval.

Additionally, the applicant has addressed the commission's issues regarding; the landscaping along Laney, possible security lighting behind the building. All of which has been reviewed by the TRC as compliant with the HV development standards and the preliminary site plan submittal requirements.

### **RECOMMENDATION**

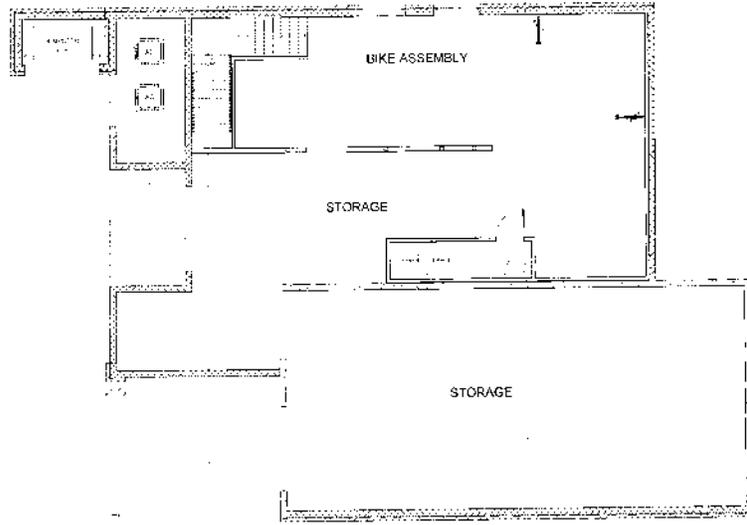
- Staff recommends the Commission to moderate a discussion with the applicant based upon preliminary site plan criteria for this renovation.
- If there no significant issues that the PC feels should prevent a preliminary site plan approval at this time, staff recommends granting the applicant preliminary site plan approval at 4646 s Holladay Blvd for renovation and addition or retail space in the Holladay Village Zone based upon the following findings:
  - 1) The project design has been recommended by the Holladay Design Review Board as compliant with the design standards set forth in Holladay Village zone.
  - 2) The building and proposed use is in harmony with the Holladay Village General Plan
  - 3) The project complies with the preliminary site plan requirements set forth in 13.08 .080
- Furthermore, TRC suggests that the planning commission may forward final site plan approval authority for this project to the Community Development department Director upon positive TRC review of final site plan submittal requirements.



**4646 S Holladay Blvd. - Vicinity Map**  
 City of Holladay







PROJECT NO. 2014-0001  
 DATE 08/17/14  
 4546 SOUTH HOLLADAY BLVD  
 HOLLADAY, UT 84117

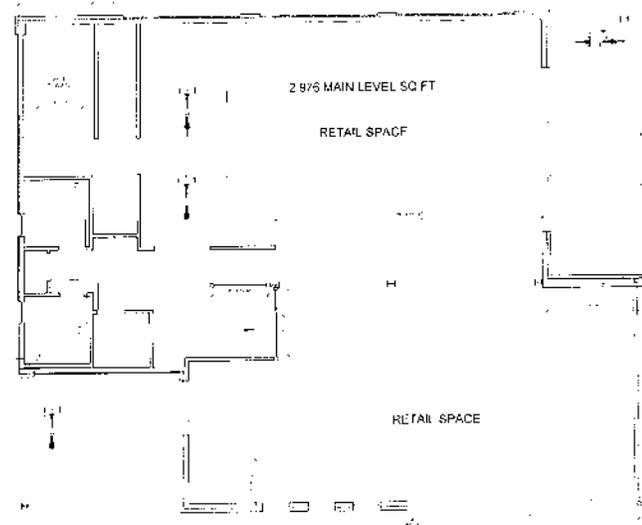
DEVELOPMENT APPLICATION SUBMITTAL

**SUMMIT CYCLERY**  
 4546 SOUTH HOLLADAY BLVD  
 HOLLADAY, UT 84117

14 AUGUST 2014  
 SHEET NO. 100  
 OF 100  
 14 AUGUST 2014  
 WATERMARK PLAN

**A201**

NOTE  
 ENTIRE MAIN FLOOR TO  
 BE DEMOLISHED DOWN  
 TO THE FOUNDATION.  
 NEW WALLS TO BE  
 BUILT FROM THE FLOOR  
 UP.



PROJECT NO. 2014-0001  
 DATE 08/17/14  
 4546 SOUTH HOLLADAY BLVD  
 HOLLADAY, UT 84117

DEVELOPMENT APPLICATION SUBMITTAL

**SUMMIT CYCLERY**  
 4546 SOUTH HOLLADAY BLVD  
 HOLLADAY, UT 84117

14 AUGUST 2014  
 SHEET NO. 100  
 OF 100  
 14 AUGUST 2014  
 OFFICIAL MAIN LEVEL  
 FLOOR PLAN

**A202**





## Approved Minutes from the July 15, 2014 PC Meeting

### 2. Summit Cyclery. – 4646 South Holladay Boulevard – Conceptual & Preliminary Site Plan – HV Zone (HV) – Staff: Jonathan Teerlink, City Planner.

(19:34:59) City Planner, Jonathan Teerlink, presented the staff report and stated that the Summit Cyclery project design is intended to rehabilitate an existing building previously occupied as retail space in the Holladay Village Zone (HV). The Technical Review Committee (TRC) made a recommendation to the Design Review Board (DRB) that the request meets a majority of the ordinances with a request to address specific concerns. The applicant incorporated areas of the building to entice public interaction. Staff recommended approval.

The Project Architect, Benjamin Baird, gave his address as 7598 South 3400 East and stated that they are proposing to take the existing building down to the foundation and build up. The proposed is within the height limit. The exterior would appear industrial with mostly brick and steel beams. The glass element would allow for unobstructed views of Mount Olympus.

(19:44:00) Chair Jensen opened the public hearing.

There were no comments. The public hearing was closed.

Chair Jensen questioned the six-foot fencing materials. Mr. Baird confirmed that there is no proposed vinyl fencing. Dumpster placement was discussed. A proposed plaza out front will have a bike fix-it station for public use. The rooftop deck will have potted landscaping. Similar brick and lighting to that of the Holladay Village was proposed creating continuity between the two.

Chair Jensen questioned signage. Mr. Baird believed they were in compliance, but stated that it may need fine tuning. Exterior materials were detailed.

(19:57:45) *Commissioner Chatelain moved to approve the Summit Cyclery Conceptual Plan located at 4646 South Holladay Boulevard subject to the following:*

#### ***Requirements:***

- 1. The request has passed the Technical Review Board.***
- 2. The proposal meets all requirements for the Village Center.***

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

Commissioner Chatelain expressed concern regarding preliminary approval taking place at the same time as conceptual approval. Chair Jensen concurred and wished to see more detail on the plaza in the front as it relates to parking as well as more integration with the building to the north. He also requested a more detailed landscaping design.

(20:04:12) ***Commissioner Chatelain moved to postpone Preliminary Plan review of Summit Cyclery located at 4646 South Holladay Boulevard until the next meeting and address all outstanding issues. Commissioner Garver seconded the motion. Vote on motion: Les Chatelain-Aye, John Garver-Nay, Spence Bowthorpe-Nay, Jim Carter-Aye, Chair Chris Jensen-Aye. The motion passed 3-to-2.***



**CITY OF HOLLADAY**  
**Planning Commission**

~~~~~  
**Staff Report**  
**August 19, 2014**  
**Item 8**

*Project Name:* **Nunley Villas**

*Request:* **Preliminary Plat – Four Twin-Home Subdivision**

*Nature of Discussion:* **Discussion with Potential Approval**

*Notice:* **No notices were required**

*Planner:* **Rick Whiting**

**Executive Summary**

*Project No.* **14-1-02**

*Address:* **1926 E Nunley Cr.**

*Applicant:* **Matt Lepire**

*Application Date:* **May 21, 2014**

*Zone:* **R-2-10**

*Total Area:* **1.12 acre**

*Lot Area* Required: **5,000 sq. ft. Dwelling Unit**  
Proposed: **5,018 to 7,087 sq. ft.**

*Lot Width:* Required: **35 feet**  
Proposed: **35 to 44.7 feet**

*Lot Frontage  
(at the street):* Required: **26.25 feet**  
Proposed: **142 to 163 feet**

*Neighborhood  
Meeting:* **Held May 29, 2014**

*Applicable  
Ordinances:* **Chapter 13.03 - Submissions  
Chapter 13.10 – Subdivisions;  
Chapter 13.32 – Multi-Family Residential Zones;  
City of Holladay General Plan – Page 33; and  
City of Holladay General Plan – Appendix A - Page 3**

## **BACKGROUND:**

**Proposed Development:** The applicant, Matt Lepire, wishes to build an eight dwelling unit/four twin-home two-family residential subdivision. (See attached maps and suggested renderings.)

**Existing Conditions:** The property is currently occupied by two single family homes. It is irregular in shape and it is relatively flat. The homes are old and generally in disinvested. Nunley Circle is not really a circle but rather a dead end street - there is no cul-de-sac at the west end.

This street is undergoing a rapid re-development recently. There are four new attractive dwellings at the top of the street on the south side (two twin homes.) Also, a new six lot single-family subdivision was recently approved and recorded on the north side at Highland Dr. In Staff's opinion - this currently is one of the most disinvested areas of Holladay. The proposed project - along with the other two developments - could increase property values in the immediate vicinity and stimulate additional development nearby. (See attached maps and photos.)

**Prior Planning Commission Action:** The Conceptual Plan for this project was approved on August 5<sup>th</sup>, 1014.

**Public Comment:** No inquiry or comment has been received by Staff from the public.

**Neighborhood Meeting:** A neighborhood meeting was held on Thursday, May 29, 2014. Three people attended. No significant opposition was expressed.

## **Technical Review Committee (TRC) Comments**

- *Preliminary Plat* - is attached.
- *Density* – Current R-2-10 zoning allows single family residences on 5,000 sq. ft. minimum sized lots. This equates to 9 lots/dwelling units for this 1.12 acre parcel. The submitted Preliminary Plat with 8 lots/units complies.
- *General Plan* - The City's General Plan indicates Medium Density Residential (MDR) for this area. MDR allows a maximum of twelve dwelling units per acre. (12 for the proposed area.) This request, for eight dwelling units per acre, is acceptable under the General Plan. (See General Plan, Page 10 and GP Appendix A, Page 2)
- *Topography* - The property irregular in shape and it is relatively flat.
- *Curb/Gutter, Sidewalk and Street Trees* – There is no curb, gutter or sidewalk on Nunley Cr., a private lane.
- *Drainage and Water Retention* – The City Engineer has indicated that an acceptable drainage and water retention plan has been presented.
- *Road Considerations* – Nunley Cr. Is a quiet dead-end private lane. A net gain of eight households will be realized with this development. With the addition of 11 car trips per household average – some but minimal impact on traffic will likely occur on Nunley Cr. if this project is approved. Impact on Highland Drive traffic would be negligible.
- *Driveway Access* – A single driveway will serve all four twin-homes.
- *Utility Easement* – Utility service and easements will be required prior to Final Plat approval.
- *Access and Right-of-Way* – No change in an existing agreement is contemplated.

- *Fire Access* –The UFA has approved the Preliminary Plat with regard to fire access and protection.
- *Utility Providers* - Final approval will be contingent upon receipt of all utility service letters.

**Staff Recommendations**

Staff recommends that the Planning Commission discuss and favorably consider the merits of this application for Preliminary Plat approval to create the proposed Nunley Villas Eight-Lot/Four Twin-Home Subdivision at 1926 E Nunley Cr. in an R-2-10 zone, based on the following findings and with the following requirements:

***Findings:***

- A. The proposed project has been reviewed by the TRC and meets City requirements for Preliminary Plat;
- B. The proposal represents a continued positive movement in the overall re-development of this particular street and in the general vicinity;
- C. The proposed project meets the requirements for a residential subdivision in an R-2-10 zone, i.e. area, density, access, slope, public safety, etc;
- D. This project complies with the provisions of the City’s General Plan for this area;
- E. This application is consistent with land use patterns in the general vicinity;
- F. The UFA has approved emergency access and fire hydrant placement as proposed; and
- G. 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** - Prior to approval of the Final Plat - all outstanding TRC issues must be resolved. These may include among other things:

1. A Final Plat and any other requirements for the subdivision shall be submitted for review and approval by the TRC or recommendation to the Planning Commission for approval;
2. Any outstanding documentation, drawings or details required by the TRC or Planning Commission must be completed prior to Final Plat approval;
3. The City Engineer will determine appropriate financial requirements for improvements and/or bonding in conjunction with Final Plat approval;
4. 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 eight proposed lots. They must detail provisions and responsibility for access, maintenance, snow removal, etc;
5. Any outstanding and required utility provider “Will Serve” letters must be provided to Staff;
6. A current Title Report must be provided to Staff prior to Final Plat approval; and
7. The TRC is authorized to make Final Plat approval of this project.



# Site Location

Nunley Villas  
1926 E Nunley



 Subject

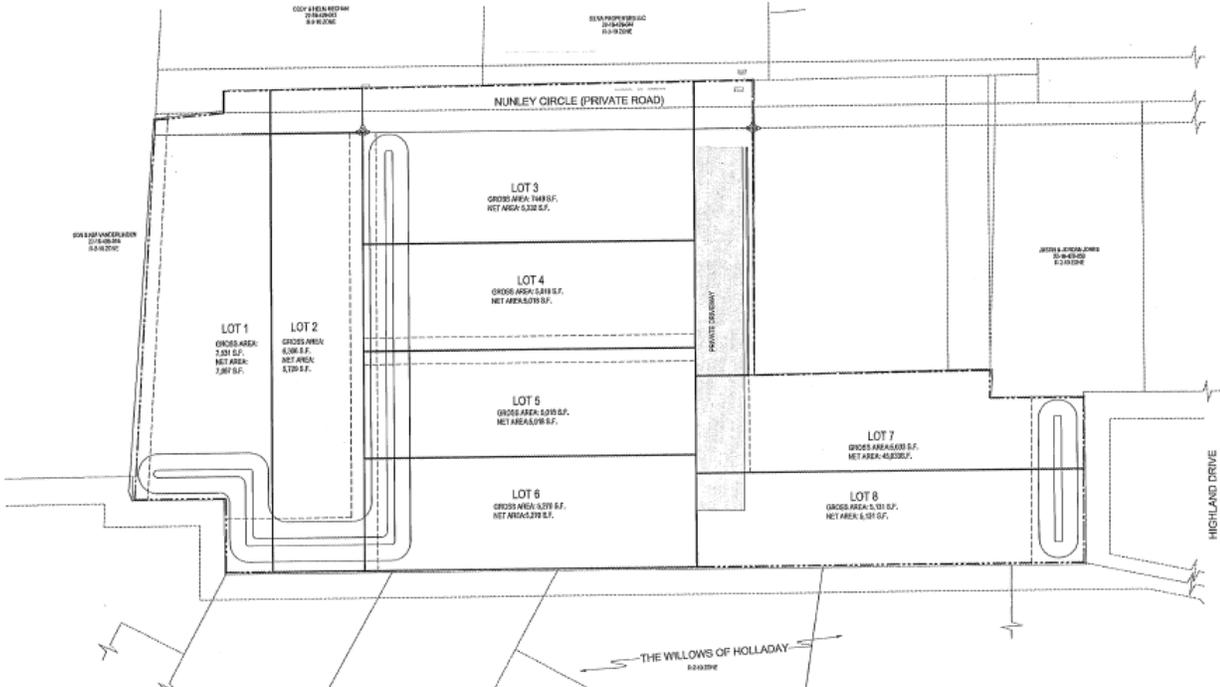


## Nunley Villas Eight Dwelling Unit /Four Twin Home Development



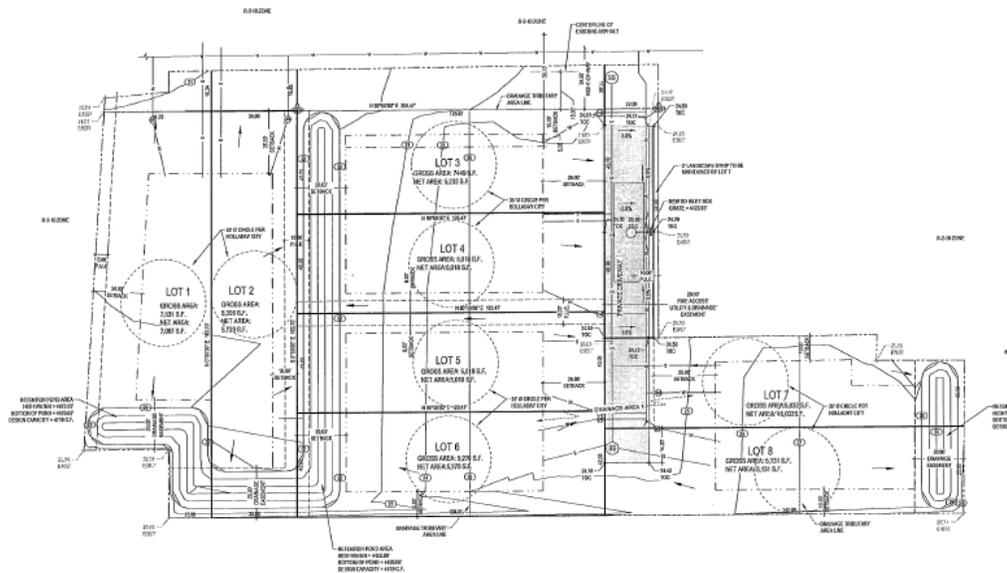
# NUNLEY VILLAS PRELIMINARY PLAT PLANS

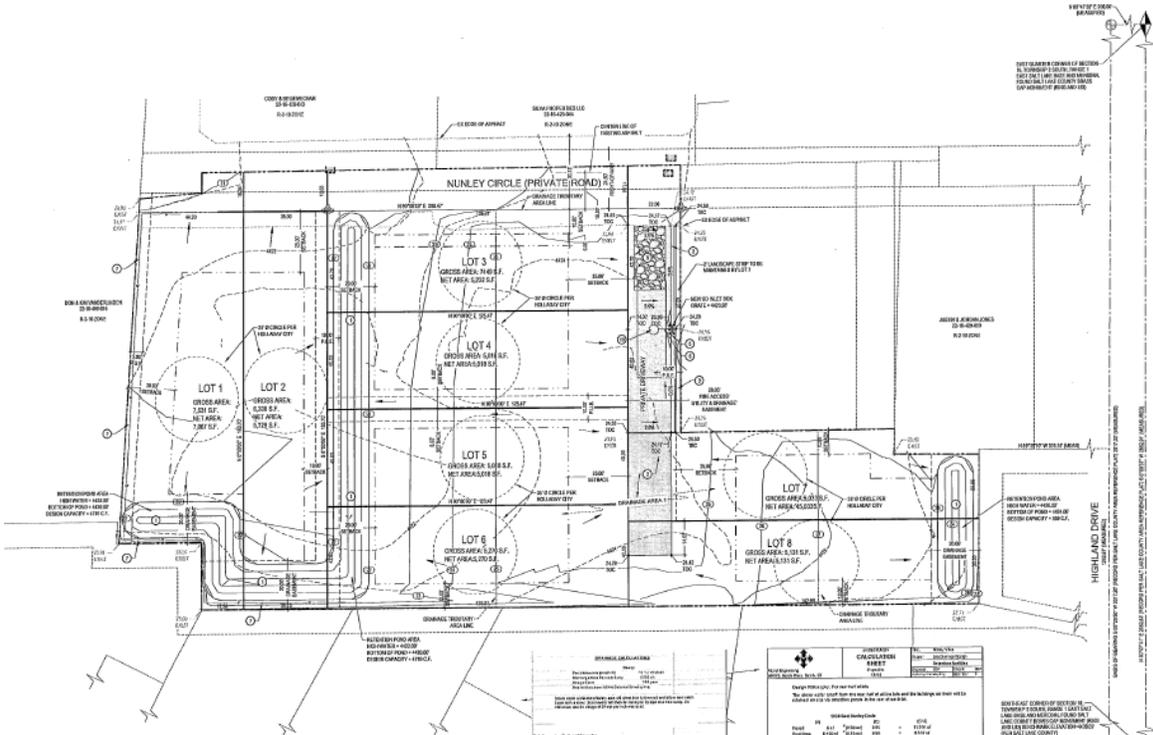
1930 EAST NUNLEY CIRCLE  
HOLLADAY, UTAH  
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 16  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, S1B & M  
R-2-10 ZONE



## PRELIMINARY PLAT NUNLEY VILLAS

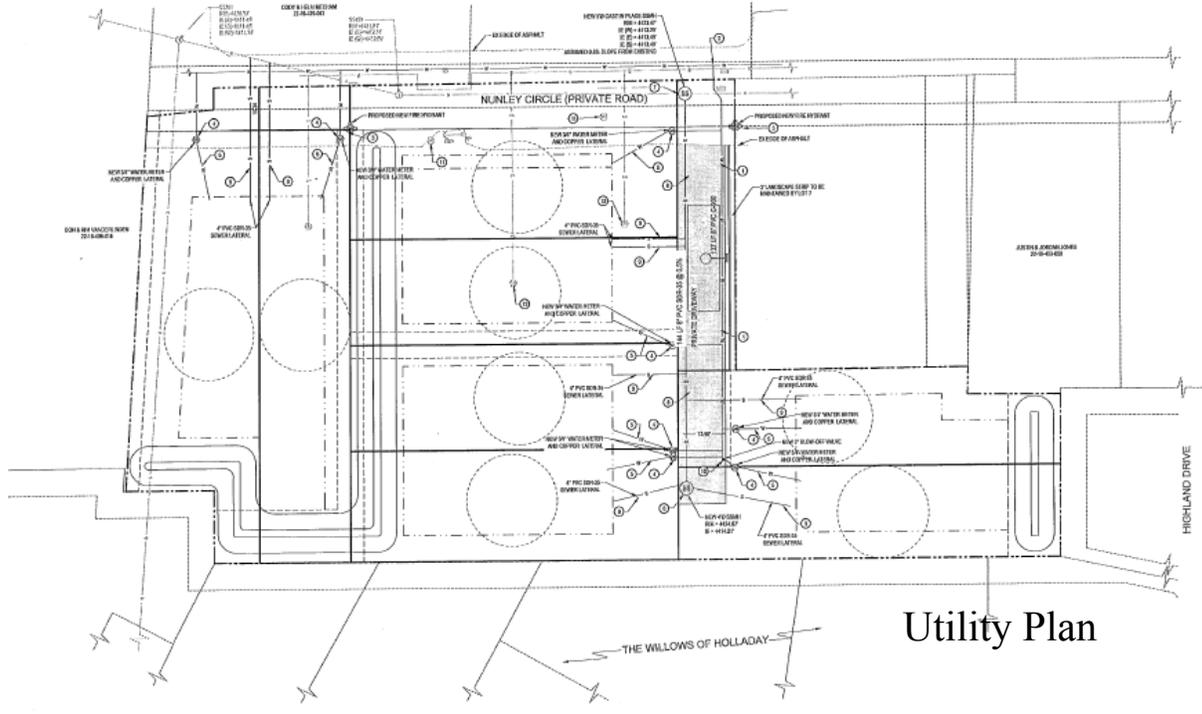
1930 EAST NUNLEY CIRCLE  
SALT LAKE CITY UTAH  
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 16  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, S1B & M  
R-2-10 ZONE



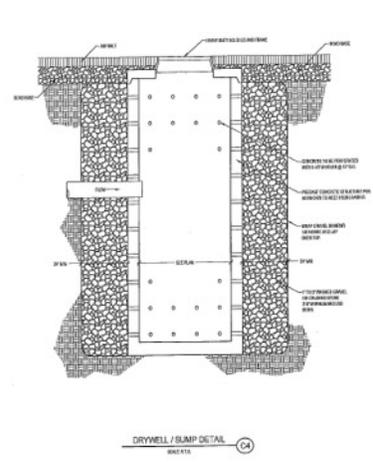
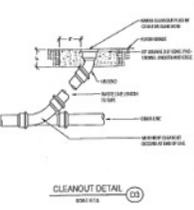
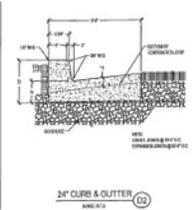
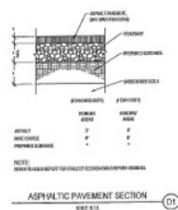


Grading & Drainage

| PROPERTY DESCRIPTION            |                      | CALCULATED                      |                      |
|---------------------------------|----------------------|---------------------------------|----------------------|
| Parcel No. 10000000000000000000 |                      | Parcel No. 10000000000000000000 |                      |
| Area                            | 10000000000000000000 | Area                            | 10000000000000000000 |
| Volume                          | 10000000000000000000 | Volume                          | 10000000000000000000 |
| Perimeter                       | 10000000000000000000 | Perimeter                       | 10000000000000000000 |
| Diagonal                        | 10000000000000000000 | Diagonal                        | 10000000000000000000 |
| Area                            | 10000000000000000000 | Area                            | 10000000000000000000 |
| Volume                          | 10000000000000000000 | Volume                          | 10000000000000000000 |
| Perimeter                       | 10000000000000000000 | Perimeter                       | 10000000000000000000 |
| Diagonal                        | 10000000000000000000 | Diagonal                        | 10000000000000000000 |



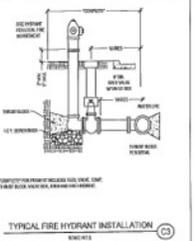
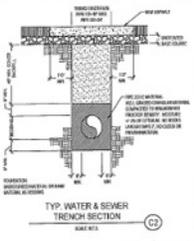
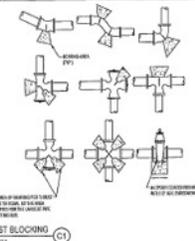
Utility Plan



**NOTE:**  
 1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.  
 3. ALL DIMENSIONS SHALL BE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
 4. ALL DIMENSIONS SHALL BE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
 5. ALL DIMENSIONS SHALL BE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.

| ITEM NO. | QUANTITY | UNIT | PRICE |
|----------|----------|------|-------|
| 1        | 1        | EA   | 1.00  |
| 2        | 1        | EA   | 1.00  |
| 3        | 1        | EA   | 1.00  |
| 4        | 1        | EA   | 1.00  |
| 5        | 1        | EA   | 1.00  |
| 6        | 1        | EA   | 1.00  |
| 7        | 1        | EA   | 1.00  |
| 8        | 1        | EA   | 1.00  |
| 9        | 1        | EA   | 1.00  |
| 10       | 1        | EA   | 1.00  |

**TYPICAL THRUST BLOCKING (A5)**  
 SHEET 1111



Civil Details

## Draft Minutes from the August 5, 2014 PC Meeting

### 3. Nunley Villas 4-Twin Home Development – 1926 E Nunley Cr. – Conceptual Plan – R-2-10 Zone - Staff: Rick Whiting, City Planner.

(19:49:10) City Planner, Rick Whiting, presented the staff report and stated that the applicant has requested that the property be divided into four twin home dwellings. All subdivision requirements had been met for the R-2-10 Zone. Mr. Whiting reported that the request meets City codes and staff recommended approval.

The applicant, Matt Lepire, gave his address as 8796 South Sandy Parkway and confirmed that they meet City Ordinances in the R-2-10 Zone. The easements were researched and documented in their Alta survey to have access and an Access Agreement.

Chair Jensen opened the public hearing.

Justin Jones gave his address as 4974 Kalani Lane and expressed his support for the proposed project.

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

(19:55:49) *Commissioner Carter moved to approve the Conceptual Subdivision for the Nunley Villas 8-lot four twin home subdivision located at 1926 East Nunley Circle in the R-2-10 Zone based on the following:*

#### *Findings:*

- A. The proposal represents a continued positive movement in the overall re-development of this particular street and in the general vicinity.*
- B. The proposed project meets the requirements for a residential subdivision in an R-2-10 zone, i.e. area, density, access, slope, public safety, etc.*
- C. This project complies with the provisions of the City's General Plan for this area.*
- D. This application is consistent with land use patterns in the general vicinity.*
- E. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement will be address in the Preliminary Plat review and approval process.*
- F. The proposed project has been reviewed by the TRC and meets City requirements for Conceptual Plan.*
- G. Utility providers can serve the property and have (or are expected to) provide appropriate service availability letters.*

#### *Requirements:*

- 1. A Preliminary 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.*

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



CITY OF HOLLADAY  
Planning Commission

~~~~~  
**Staff Report**  
**August 19, 2014**  
**Item 9**

*Project Name:* **Olympus Clinic**  
*Application Type:* **Preliminary Site Plan**  
*Nature of Discussion:* **Discussion with potential approval**  
*Staff:* **Paul Allred, Clarence Kemp**  
*Applicant:* **Olympus Clinic Properties LLC**

## **SUMMARY**

Staff and the applicants' representatives have worked very hard over the last few weeks to bring the preliminary site plan to the Commission for consideration. Overall, staff is comfortable with the progress given the enormous amount of complexity and detail this project contains.

**These are the remaining minor items that need to be addressed before the preliminary site plan is complete.**

1. A few notes, corrections and clarification items to be placed on the drawings pertaining to dimensions, location of utility easements, fencing location, etc.
2. Detail on the design of the garbage dumpster.
3. Remaining detail and final design of the lighting plan to minimize impact on surrounding residential property.
4. Remaining will serve letter(s).
5. A few civil engineering details requested by the City Engineer.
6. Other miscellaneous items as identified by the TRC

## **RECOMMENDATION #1**

*Staff recommends approval of the preliminary site plan with specific direction to the applicant to complete and resolve the above issues with the TRC.*

These are remaining **major** items that need to be completed in conjunction with the final site plan:

1. An amended plat to address: the vacation of some nonconforming lots in the Peony Gardens subdivision, joining metes and bounds property located within the proposed site into the plat amendment, and, adding property outside the applicants property into the project by way of the plat. The City has a public interest in the disposition of selected properties within the plat. The applicant is proposing to pursue an amended plat approval immediately following the site plan approval. This was previously done with the Holladay Village Square project where the site plan preceded the plat amendment. Staff will explain these issues in more detail at the meeting.
2. The disposition of right-of-way issues (widening, dedication, and associated costs) that will be resolved between the applicant and the City. There are common interests relative to on-site and off-site parking that are currently being discussed between the City and the applicant that could impact the final implementation of these issues. However, as a minimum, "appropriate" roadway dedication should be required as part of the site plan approval.
3. Whether or not the project will be required to have any retail use on the street level. This issue may be decided by Council action at their next meeting on 8/21/14 as they consider text amendments to the Holladay Village Zone regarding mandatory ground floor retail locations.

## **RECOMMENDATION #2**

*Staff recommends that Final Site Plan approval be delegated to the Technical Review Committee (TRC) with the following requirements:*

*That the final site plan be subject to the completion of an amended plat which addresses the final disposition of all parcels pertinent to the final design of the proposed development including dedication and re-constructed right-of-way improvements.*

*That the site plan is subject to any existing requirement or amendment of the HV zone regarding ground floor retail.*

*That the site plan is subject to those items identified at conceptual site plan approval such as overall building height, including, maximum height of basement level, etc.*





# MINUTES FROM CONCEPTUAL APPROVAL

## 5/6/14

4. **Olympus Clinic – Conceptual Site Plan (Site Redevelopment) – 4624 South Holladay Blvd. – HV Zone – Staff: Paul Allred, Community Development Director & Jonathan Teerlink, City Planner.**

Commissioner Snow recused himself from the above item due to a conflict of interest. He reported that he works for the Architectural firm making the presentation.

(20:19:45) Mr. Allred presented the staff report and stated that the DRB has reviewed the project and was overall excited about the design. He remarked that the proposal ties in well with the Village Building and is a great addition to the City. The project will incorporate small retail, significant medical office, and some non-medical office. Ground floor retail was discussed. Staff recommended approval of the conceptual site plan with guidance for the applicant if there are no significant issues.

Project Architect, Ryan Berry, stated that they want to capture a design that works well with the Village theme. It was noted that a landscape buffer will be provided. Mr. Berry explained that the site slopes six to seven feet from the street face and the soil is not engineered fill. As a result, it will have to be completely excavated and replaced. The possibility of a basement entrance was described. He stated that they are developing a plan for how parking will be phased between the existing clinic and the new one.

(20:42:45) Chair Jensen opened the public hearing.

Devin Pardoe stated that he has entered into a contract to purchase the Spin Cycle Building. He expressed support for the Olympus Clinic.

Chair Jensen was of the understanding that this is a three-story building due to the proposed height measuring 14 feet from basement to the main floor. It is not in compliance in the HV Zone as a two-story building. The Building Code was detailed. Chair Jensen recommended the ordinance be reviewed and addressed in a manner that grade comes up or floor to floor heights come down. Mr. Jensen stated that it would be easy to lower the floor-to-floor height to 11 feet 11 inches and then leave it as is, or raise the grade and eliminate the door on the south side. He explained that any one point greater than 12 feet, by land ordinance or by definition of the IBC, establishes a story.

With regard to parking, Mr. Allred clarified that the applicants have the ability to work with the City, under the ordinances, that allow for off-site parking on a permanent or temporary basis during construction. Commissioner Garver expressed concern regarding the expansive size of the parking area. Mr. Allred stated that it is proportionately similar to that of the Village.

Mr. Berry verified all issues to be addressed and brought into compliance and stated that the parking ratio is based on each portion of the clinic. All portions of the façade are publicly

accessible, have storefront functions rather than a retail operation, and a public interface operation.

(21:02:03) There were no further comments. The public hearing was closed.

Mr. Allred stated that several items surfaced recently that need to be resolved. First, there is a property issue with the adjacent Peony Gardens plat that will require lot consolidation prior to construction. A preliminary title report also needs to be reviewed and the Unified Fire Authority (UFA) requested that the area where the covered entry extends into the driveway be raised to accommodate emergency vehicles.

***(21:07:28) Commissioner Chatelain moved to accept the DRB recommendation and approve the proposed building design per paragraph 13.71. Commissioner Garver seconded the motion. Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Matt Snow–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously.***

***Commissioner Chatelain moved to approve the conceptual site plan for the Olympus Clinic located at 4624 South Holladay Boulevard. Commissioner Khodadad seconded the motion.***

Chair Jensen requested that items pertaining to the number of stories as they relate to the definition of story and basement, additional definition on landscaping, retail, parking (both shared use and during construction), be included in the motion. Commissioner Chatelain declined to make the addition.

***Vote on motion: Les Chatelain–Aye, Lori Khodadad–Aye, John Garver–Aye, Spence Bowthorpe–Aye, Chair Jensen–Aye. The motion passed unanimously. Matt Snow did not participate in the vote.***

# PREVIOUS STAFF REPORT -- CONCEPTUAL

An overview:

- The building in question has been in place for a number of decades and is showing its age.
- The new development would expand the size of the clinic (building) substantially.
- The Design Review Board has favorably approved the design aspects of the project pertaining to the HV design guidelines.
- The building will incorporate retail, office and medical uses in the same building.
- Parking appears to have been accommodated entirely on site.
- The building is very attractive in staff opinion and is two stories in height and appears to comply with HV height regulations.
- The total square feet of the building appears to be 30,000.
- Holladay Blvd will be widened by the developer as part of the required right-of-way in this part of the Village.
- As part of the widening, angled parking will be facilitated. These stalls will match the angled stalls on the east side of the street. The 5 foot bike lane on both sides of the street is part of this revised right-of-way. Holladay Blvd is one of the most popular bike routes in the city.
- Widening of the street in front of the new building may require the relocation of some light fixtures and trees.
- The building will be shifted substantially to the north end of the site to directly across from Burton Lumber.
- Most parking will be to the north of the building with a small parking lot proposed to the south along Laney.
- Abutting the site are a single family home on Laney, apartments, vacant land, an empty home and twin homes and an office on the north.
- There is a significant slope on the far south end of the site abutting the abandoned Spin Cycle site and the residential uses to the west.
- Portions of the building will have a basement level exposed due to the change in natural grade. This site is in the two story limit area, but preliminary staff review of the definition of "story" reveals that there is no violation of the height/story restriction for this part of the Village, in staff opinion.
- The site has ample landscaping in places where it makes most sense – along the boundary with abutting residential uses. However, in this case, there is no abutting residential that is not in the HV zone and therefore, no 20 foot buffer setback with 50% in landscaping is required as with another project currently under review.
- There is also some landscaping in the parking lot areas. The village does not have the same landscaping percentage requirements of other zones.
- Retail is shown on the main floor abutting Holladay Blvd as required. Staff is not sure at this point how much of the abutting frontage is occupied by retail.

## ANALYSIS

Generally, it appears that this site plan complies with city requirements for our checklists and for the HV zone. A few areas, among others, that bear further inspection are:

1. Parking and Landscaping. 13.77 states that front and side yard areas that abut a public street shall be landscaped, that grade level parking is to be screened at the street level, etc. Staff is mildly concerned that there may be conflicts between HV zone standards and 13.77, Landscaping. It is also not completely clear how much is actually required. Staff needs to make sure that the parking and landscaping areas meet all ordinance requirements.

2. Language regarding ground floor retail needs to be explored further. This project plans for a small retail pharmacy on the ground level facing Holladay Blvd. Does that retail space need to extend across the entire floor of first level? Is it sufficient if it extends across the entire floor only as that floor faces Holladay Blvd? (See Chart 13.71.1 and 13.71.020 A)
3. Care and caution to protect abutting uses from negative impacts, if any, of this site plan, should be at the forefront of Commission discussion.
4. The Commission should bear in mind that the applicant is making a significant investment in the betterment of the Holladay Village and in the larger community, and, assuming risk in developing this project.
5. The Commission should bear in mind that this matter is a conceptual site plan. All the answers to various issues are not known at this point in time – we simply don't know the end at the beginning and we should not expect to. However, it is entirely appropriate to ask probing questions and to explore potential problems at this stage and to allow the public that may comment the same opportunity.
6. The commission should give guidance and direction to the applicant and staff in moving forward with future preliminary plans

#### RECOMMENDATION

- Staff recommends the Commission solicit public input and properly evaluate it during the public comment period and, if possible, answer any questions posed by the public.
- If no significant issues are raised or problems encountered with the site plan, staff suggests the commission close the hearing, and;
- Determine if any substantial issues would prevent a conceptual approval at this time.
- If not, approve the conceptual site plan with the condition of resolving of any problems identified at preliminary site plan stage.
- If there are significant issues that the PC feels should prevent an approval at this time, staff suggests continuing the matter until this problems identified can be adequately addressed at a future meeting.

1 **DRAFT**

2  
3 **MINUTES OF THE CITY OF HOLLADAY**  
4 **PLANNING COMMISSION MEETING**

5  
6 **Tuesday, August 5, 2014**  
7 **6:30 p.m.**  
8 **Holladay Municipal Center**  
9 **4580 South 2300 East**

10  
11 **ATTENDANCE:**

12  
13 **Planning Commission Members:**

14  
15 Chris Jensen, Chair  
16 Spence Bowthorpe, Vice Chair  
17 Les Chatelain  
18 John Garver  
19 Matt Snow  
20 Jim Carter

21 **City Staff:**

22 Paul Allred, Community Development Director  
23 Rick Whiting, City Planner  
24 Jonathan Teerlink, City Planner  
25 City Attorney, Todd Godfrey

26  
27 **FIELD TRIP**

28 **Two Proposed Project Sites – the Nunley Villas Twin Home Development and the Keone Lot**  
29 **Subdivision will be visited.**

30 The City of Holladay Planning Commission participated in a pre-meeting field trip on August 5,  
31 2014. It was attended by Planning Commission Members John Garver, Matt Snow, Les Chatelain,  
32 Chris Jensen, and Spence Bowthorpe. Staff members included Rick Whiting and Paul Allred. No  
33 members of the general public were in attendance.

34 The staff and Commission Members commenced the field trip by private car to two sites. The  
35 first site was the proposed Nunley Villas Twin Home development at the west end of Nunley  
36 Circle. The group arrived at approximately 5:40 p.m. at which time various aspects of the  
37 development were discussed. Those present walked around the site and examined the  
38 surroundings. At 6:05 p.m., the group departed to visit the proposed Keone 4-lot subdivision  
39 located at approximately 2500 East Murray Holladay Road. The Commission Members and staff  
40 walked the site and discussed various details of the project before returning to City Hall at  
41 approximately 6:30 p.m.

42 **PRE-MEETING/WORK SESSION**

43 Chair Jensen called the meeting to order at 6:34 p.m.

44 The agenda items were reviewed and discussed.

45 Chair Jensen stated that the Commission concluded their field trip to 1926 East Nunley Circle and  
46 the Keone Four-Lot subdivision at 2521 East Murray-Holladay Road.

1 The Cottonwood Lane stream exception was first detailed. Commissioner Chatelain was  
2 comfortable with a restriction stating that any activity beyond the current footprint or the direction  
3 of the stream must return to the Commission. Activity within the 50-foot restriction area was  
4 discussed. Chair Jensen read a letter from City Engineer, Clarence Kemp, stating that multiple  
5 significant trees will be impacted by this project and will need to be relocated. Mr. Kemp  
6 suggested this be included as a condition of approval, particularly where such trees are currently  
7 located within 100 feet of the north bank of Cottonwood Creek.

8  
9 Next discussed was the Nunley Villas twin home development. Community Development  
10 Director, Paul Allred, stated that his only concern was with the road and easement. Mr. Allred  
11 reported that the Keone Four-Lot Subdivision is a continuing non-conforming situation with two  
12 homes on one lot. City Attorney, Todd Godfrey, was of the opinion that the non-conformity could  
13 be grandfathered in.

14  
15 The HV Text Amendment meeting is upcoming and Commissioner attendance was encouraged.

16  
17 City Planner, Jonathon Teerlink, reported that the Summit Cyclery request has been postponed and  
18 they will be returning with a redesign.

19  
20 The Salt Pizza Company project was next discussed. Dumpster placement was detailed.

21  
22 (19:01:45) *Commissioner Bowthorpe moved to close the Work Meeting and move to the Council*  
23 *Chambers for the Regular Meeting. Commissioner Garver seconded the motion. All present*  
24 *voted in favor of the motion. The motion passed unanimously.*

25  
26 **CONVENE REGULAR MEETING**

27 Chair Jensen called the Regular Meeting to order at 7:07 p.m.

28  
29 **ACTION ITEMS**

30 **1. Cowboy Partners Center - 6440 S Wasatch Blvd. – Zone Change from R-M to O-R-D.**

31 The above matter was tabled.

32  
33 *Commissioner Bowthorpe moved to amend the agenda and next discuss the meeting minutes.*  
34 *Commissioner Carter seconded the motion. The motion passed with the unanimous consent of*  
35 *the Commission.*

36  
37 **2. Cottonwood Lane Subdivision – 5156 S Cottonwood Lane – 3-Lot Stream Exception –**  
38 **R-1-43 Zone - 7:30 - Staff: Jonathan Teerlink, City Planner & Clarence Kemp, City**  
39 **Engineer.**

40 (19:14:47) Mr. Kemp presented the staff report and stated that the applicant has requested  
41 development within 50 feet of the stream. Anything within 100 feet requires engineering and  
42 Commission consent. Mr. Kemp granted consent and recommended approval. He explained that  
43 the ordinance is in place to protect native habitat and ensure the stability of stream banks.  
44 Commissioner Bowthorpe stated that this is a sacred 50-foot zone that is undisturbed. Mr. Kemp  
45 commented that the setback is intended to maintain the character and natural state that currently  
46 exists.

1  
2 Drew Menlove was present on behalf of Beckstrand and Associates. He gave his address as 5004  
3 South Maryland Drive and stated that their intent is to convert the two larger lots into four smaller  
4 ones. The applicant wishes to tear down and rebuild their home on one of the lots and sell the  
5 remaining. It was reported that the building permit has been approved with the exception of ~~this~~  
6 ~~one~~ the stream exception issue.

7  
8 (19:24:48) Chair Jensen opened the public hearing.

9  
10 Raymond Springer gave his address as 5270 Cottonwood Lane and expressed concern regarding  
11 the placement of the home and disruption of the setback. Chair Jensen confirmed that erosion  
12 control and access through the zones during construction will be monitored by the City.

13  
14 Mark Olsen gave his address as 3010 Kahala and identified himself as the President of the Green  
15 Ditch. He emphasized the importance of the existing foliage being ~~maintained~~ protected.

16  
17 There were no further public comments. The public hearing was closed.

18  
19 Commissioner Bowthorpe asked why the staff report details a three-lot stream exception when this  
20 is a four-lot subdivision. The applicant, Steve Hopkins, clarified that one of the homes is already  
21 within the 50-foot setback. The request includes Lots 1, 2 and 4. Commissioner Carter was of the  
22 opinion that the area between the structures and the stream is landscaped to prevent overland flow,  
23 contribution of sediment, and maintenance of functional integrity. Setback requirements were  
24 discussed.

25  
26 Commissioner Chatelain stated that because the application is for three lots, the options were  
27 either to deny or ask the applicant to return and include a fourth lot. Mr. Kemp confirmed that  
28 leaving out the single lot, by default the 100-foot study area will be retained and force the  
29 applicant to return for Planning Commission review.

30  
31 (19:41:13) *Commissioner Carter moved to approve the Special Exception to the regulation and*  
32 *permit the proposed building footprints and disturbed areas on Lots 1, 2 and 4 to be no closer*  
33 *than 50 feet to the nearest bank of Big Cottonwood Creek based on the following:*

34  
35 ***Findings:***

- 36  
37 ***A. The property is partially developed with two existing homes, one of which was***  
38 ***built within 30 feet of Big Cottonwood Creek, prior to City of Holladay***  
39 ***incorporation and stream protection ordinances.***  
40  
41 ***B. There is no stream course alteration proposed.***  
42  
43 ***C. The property is not considered wetlands.***  
44  
45 ***D. The proposal would comply with State of Utah Division of Water Rights setback***  
46 ***requirements and Salt Lake County Channel Maintenance requirements.***

1  
2 *E. The nearest (north) bank of Big Cottonwood Creek in this area is well defined.*  
3 *There are no excessive steep slopes or other geotechnical concerns.*  
4

5 **Requirements:**  
6

- 7 1. *A limit of disturbance/silt fencing shall be set as instructed by the City Engineer.*  
8  
9 2. *No bank disturbance within the stream protection corridor will be allowed.*  
10  
11 3. *Any landscaping of stream bank as per submitted plans shall be part of this*  
12 *approval. All future landscaping, flatwork, and grading between 50 and 100 feet*  
13 *of the nearest bank of Big Cottonwood Creek must be approved by the*  
14 *Community Development Director and City Engineer prior to commencing work.*  
15  
16 4. *Best construction management practices are to be followed to prevent pollution*  
17 *of water that may enter the stream system during construction. Specifically, the*  
18 *limit of disturbance fencing and silt erosion control fencing shall be installed and*  
19 *maintained throughout the duration of project.*  
20  
21 5. *The applicant will be required to demonstrate compliance with the “Significant*  
22 *Trees” requirement as part of their building permit process – particularly where*  
23 *such trees are currently located within 100 feet of the north bank of Big*  
24 *Cottonwood Creek.*  
25  
26 6. *This property is subject to the provisions of Chapter 13.74 – Floodplain Hazard*  
27 *Regulations and FEMA flood plain requirements.*  
28  
29 7. *All conditions listed in the City Engineers consent letter must be followed.*  
30  
31 8. *All construction related improvements must follow current applicable Holladay*  
32 *codes.*  
33  
34 9. *Stream Exception notes must be placed on the subdivision Final Plat.*  
35  
36 10. *Approval is not included for Lot 3.*  
37

38 *Commissioner Bowthorpe seconded the motion. Vote on motion: Matt Snow-Aye, Les*  
39 *Chatelain-Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-*  
40 *Aye. The motion passed unanimously.*  
41

- 42 3. **Nunley Villas 4-Twin Home Development – 1926 E Nunley Cr. – Conceptual Plan –**  
43 **R-2-10 Zone - Staff: Rick Whiting, City Planner.**  
44 (19:49:10) City Planner, Rick Whiting, presented the staff report and stated that the applicant has  
45 requested that the property be divided into four twin home dwellings. All subdivision

1 requirements had been met for the R-2-10 Zone. Mr. Whiting reported that the request meets City  
2 codes and staff recommended approval.

3  
4 The applicant, Matt Lepire, gave his address as 8796 South Sandy Parkway and confirmed that  
5 they meet City Ordinances in the R-2-10 Zone. The easements were researched and documented  
6 in their Alta survey to have access and an Access Agreement.

7  
8 Chair Jensen opened the public hearing.

9  
10 Justin Jones gave his address as 4974 Kalani Lane and expressed his support for the proposed  
11 project.

12  
13 There were no further public comments. The public hearing was closed.

14  
15 (19:55:49) *Commissioner Carter moved to approve the Conceptual Subdivision for the Nunley*  
16 *Villas 8-lot four twin home subdivision located at 1926 East Nunley Circle in the R-2-10 Zone*  
17 *based on the following:*

18  
19 **Findings:**

- 20  
21 *A. The proposal represents a continued positive movement in the overall re-*  
22 *development of this particular street and in the general vicinity.*  
23  
24 *B. The proposed project meets the requirements for a residential subdivision in an*  
25 *R-2-10 zone, i.e. area, density, access, slope, public safety, etc.*  
26  
27 *C. This project complies with the provisions of the City's General Plan for this area.*  
28  
29 *D. This application is consistent with land use patterns in the general vicinity.*  
30  
31 *E. The UFA has approved emergency access as proposed. Fire hydrant capacity and*  
32 *placement will be address in the Preliminary Plat review and approval process.*  
33  
34 *F. The proposed project has been reviewed by the TRC and meets City requirements*  
35 *for Conceptual Plan.*  
36  
37 *G. Utility providers can serve the property and have (or are expected to) provide*  
38 *appropriate service availability letters.*

39  
40 **Requirements:**

- 41  
42 *1. A Preliminary Plat and any other requirements for the subdivision shall be*  
43 *submitted to the Technical Review Committee (TRC) for review and*  
44 *recommendation to the Planning Commission.*  
45

1 *Commissioner Chatelain seconded the motion. Vote on motion: Matt Snow-Aye, Les*  
2 *Chatelain-Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-*  
3 *Aye. The motion passed unanimously.*  
4

5 **4. Keone 4-Lot Subdivision - 2521 E Murray-Holladay Rd. – Conceptual Plan - Staff:**  
6 **Rick Whiting, City Planner.**

7 (19:57:07) Mr. Whiting presented the staff report and stated that the applicant has proposed to  
8 | subdivide their .86-acre property into four lots. The area is deficient due to ~~the~~a smaller home  
9 residing on the smaller portion of the lot. Staff consulted with the City Attorney who counseled  
10 that it should be considered grandfathered and that it would be acceptable to grant a four-lot  
11 subdivision. It was noted that the maximum density is slightly less than what is called for in the  
12 General Plan. Staff recommended approval.  
13

14 Commissioner Chatelain confirmed that there would be 4.6 dwellings per acre where four are  
15 recommended, hence the applicants would not adhere to the General Plan due to non-conformity.  
16 City Planner, Jonathon Teerlink, stated that when homes are on non-conforming lots in terms of  
17 | size ~~and~~, they have established the residential use. ~~I -~~ if demolished, normal zoning rules would  
18 apply as long as the home remains a single-family residence.  
19

20 Mr. Allred confirmed that the non-conforming section reads that a non-conforming use may be  
21 | continued as long as it is not abandoned. ~~Conformance~~Non-conformance issues were detailed.  
22

23 The applicant, Maile Keone, gave her address as 2521 Murray Holladay Road and stated that there  
24 are two addresses with separate utilities for each existing home. It was her intent to preserve the  
25 character of Holladay and see that both homes remain. It was their wish to subdivide and build  
26 her mother a home on one of the lots.  
27

28 Commissioner Chatelain was more agreeable to three lots rather than the proposed four.  
29 Commissioner Carter was of the opinion that continuing non-conformity would be less potentially  
30 problematic than the current non-conformity. Commissioner Bowthorpe also believed that the  
31 | proposal would enhance the property and create a more conforming situation.  
32

33 (20:16:40) Chair Jensen opened the public hearing.  
34

35 Rob Etherington gave his address as 2541 East Murray-Holladay Road and questioned the  
36 maximum square footage allowed. Mr. Allred confirmed that it is a function of several rules.  
37 Easement issues were discussed.  
38

39 Marjorie McDermott gave her address as 2534 Murray-Holladay Road and expressed concern with  
40 an addition of a detached garage on the applicant's current lot. Mr. Teerlink stated that detached  
41 garages are not allowed in the front yard.  
42

43 There were no further public comments. The public hearing was closed.  
44

45 Commissioner Snow was of the opinion that the proposal would give the property owner more  
46 flexibility.

1  
2 (20:30:09) *Commissioner Carter moved to approve the Conceptual Plan for subdivision to*  
3 *create the proposed Keone Four-Lot Subdivision located at 2521 East Murray-Holladay Road*  
4 *in a R-1-10 Zone based on the following:*

5  
6 ***Findings:***

- 7  
8 ***A. The proposed project meets the requirements for a residential subdivision in an***  
9 ***R-1-10 zone, i.e. area, density, access, slope, public safety, etc. with the exception***  
10 ***of the above noted legal-non-conformity.***  
11  
12 ***B. This application is consistent with the land use patterns in the general vicinity.***  
13  
14 ***C. The UFA has initially approved emergency access as proposed. Fire hydrant***  
15 ***capacity and placement will be address in the Preliminary Plat review and***  
16 ***approval process.***  
17  
18 ***D. The proposed project has been reviewed by the TRC and meets City requirements***  
19 ***for Conceptual Plan with the exception of the above noted legal-non-conformity.***  
20  
21 ***E. This project is in compliance with the provisions of the General Plan with the***  
22 ***exception of the above noted legal-non-conformity.***  
23

24 ***Requirements:***

- 25  
26 ***1. With this Conceptual Plan approval, the Planning Commission accepts the noted***  
27 ***deficiency in lot area of Lot #1 and declares it “legal-non-conforming.”***  
28 ***Henceforth, in future considerations and potential approvals that will not be a***  
29 ***constraining factor.***  
30  
31 ***2. A Preliminary Plat and any other requirements for the subdivision shall be***  
32 ***submitted to the Technical Review Committee (TRC) for review and***  
33 ***recommendation to the Planning Commission.***  
34

35 *Commissioner Bowthorpe seconded the motion. Vote on motion: Matt Snow-Aye, Les*  
36 *Chatelain-Nay, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-*  
37 *Nay. The motion passed 4-to-2.*

- 38  
39 **5. Summit Cyclery. – 4646 S. Holladay Blvd. – Preliminary Site Plan – HV Zone (HV) –**  
40 **Staff: Jonathan Teerlink, City Planner.**

41 The above matter was tabled.

- 42  
43 **6. Salt Pizza Company – 4737 South Holladay Boulevard – Preliminary Site Plan – HV**  
44 **Zone (HV) – Staff: Jonathan Teerlink & Rick Whiting, City Planners.**

45 (20:31:46) Mr. Teerlink presented the staff report and stated that the conceptual site plan was  
46 | approved with specific needs **noted** for **pPreliminary Site Plan**. City Traffic Engineer, Tosh Kano,

1 recommended against an access on Holladay Boulevard. He explained that with the newly  
2 realigned Kentucky Avenue, an additional access would create too much confusion. The  
3 minimum cost for a simple four-way intersection would be approximately \$250,000 and reported  
4 that they cause more accidents than an open intersection.  
5

6 Commissioner Bowthorpe asked for clarification regarding the amount of accumulated traffic on  
7 Kentucky Avenue and Holladay Boulevard and its direction. Mr. Kano was of the opinion that  
8 traffic flow to Salt Pizza Company will be minimal in comparison to the previously existing liquor  
9 store. His preference was to first observe and take action if there is a parking problem.  
10

11 The applicant, Mark Olsen, detailed Kentucky Avenue and the residents' concern with traffic. He  
12 expressed the need for a stop sign. Mr. Kano concurred and recommended a four-way stop.  
13

14 Exterior details of the project were discussed. Commissioner Chatelain commended Mr. Olsen for  
15 taking a difficult spot and creating a positive and welcoming space.  
16

17 (21:02:10) *Commissioner Bowthorpe moved to approve the application for Preliminary Site*  
18 *Plan for the Salt Pizza Company located at 4737 South Holladay Boulevard in the HV Zone*  
19 *based on the following:*  
20

21 ***Findings:***  
22

- 23 ***A. The proposed project meets the requirements for development in an HV zone, i.e.***  
24 ***area, density, access, slope, public safety, etc.***  
25
- 26 ***B. This project complies with the provisions of the City's General Plan for this area.***  
27
- 28 ***C. This application is consistent with land use patterns in the general vicinity.***  
29
- 30 ***D. The UFA has approved emergency access and fire hydrant capacity and***  
31 ***placement as proposed.***  
32
- 33 ***E. The proposed project has been reviewed by the TRC and meets City requirements***  
34 ***for Preliminary Site Plan.***  
35
- 36 ***F. Utility providers can serve the property and have (or are expected to) provide***  
37 ***appropriate service availability letters.***  
38
- 39 ***G. Topographical and geotechnical constraints can reasonably be mitigated and/or***  
40 ***accommodated through site and/or building design.***  
41

42 ***Requirements:***  
43

- 44 ***1. Site related details including grading, storm drainage, landscaping, and lighting***  
45 ***should be reviewed by the TRC prior to Final Site Plan approval.***  
46

- 1           2.     *Any remaining design items required by the TRC or the DRB should be*  
2                     *completed before Final Site Plan approval is granted.*  
3  
4           3.     *Final approval may be taken to TRC for review and approval.*  
5

6     *Commissioner Garver seconded the motion. Vote on motion: Matt Snow-Aye, Les Chatelain-*  
7     *Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-Aye. The*  
8     *motion passed unanimously.*  
9

10    7.     Approve Minutes of the June 23, July 1 and July 15, 2014 Meetings.

11    (19:09:01)The minutes of June 23, 2014, were reviewed and modified.  
12

13    *Commissioner Snow moved to approve the minutes of June 23, 2014, with the noted changes.*  
14    *Commissioner Chatelain seconded the motion. Vote on motion: Matt Snow-Aye, Les*  
15    *Chatelain-Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-*  
16    *Aye. The motion passed unanimously.*  
17

18    The minutes of July 1, 2014, were reviewed and modified.  
19

20    *Chair Jensen moved to approve the minutes of July 1, 2014, with the noted changes.*  
21    *Commissioner Carter seconded the motion. Vote on motion: Matt Snow-Aye, Les Chatelain-*  
22    *Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-Aye. The*  
23    *motion passed unanimously.*  
24

25    *Commissioner Chatelain moved to resume the agenda and discuss Item 2. Commissioner*  
26    *Bowthorpe seconded the motion. The motion passed with the unanimous consent of the*  
27    *Commission.*  
28

29    (21:04:58) The minutes of July 15, 2014, were reviewed and modified.  
30

31    *Commissioner Bowthorpe moved to approve the minutes of July 15, 2014, with the changes*  
32    *noted. Commissioner Carter seconded the motion. Vote on motion: Matt Snow-Abstain, Les*  
33    *Chatelain-Aye, John Garver-Aye, Spence Bowthorpe-Aye, Jim Carter-Aye, Chair Chris Jensen-*  
34    *Aye. The motion passed unanimously with one abstention.*  
35

36    OTHER BUSINESS

37    7.     Updates for Follow-Up on Items Currently in the Development Review Process.

38    Mr. Allred requested the Commission Members attend an upcoming meeting with the City  
39    Council to further discuss the text amendment.  
40

41    It was reported that the Olympus Clinic will be returning to the Planning Commission for review.  
42

43    The General Plan was next discussed. Mr. Allred emphasized the need for a consultant.  
44

45    Mr. Allred reported that the annexation is moving forward. It was anticipated that the Olympus  
46    Hills neighborhood will be appearing before the Commission.

1  
2 It was reported that the Mall has made two announcements regarding Smith's and the  
3 entertainment component.

4  
5 A 7<sup>th</sup> Planning Commission Member had yet to be appointed. The City Council was awaiting a  
6 recommendation from Council Member Lynn Pace.

7  
8 **8. Report from Staff on Upcoming Applications.**

9  
10 **9. Discussion of Possible Future Amendments to Code.**

11  
12 **ADJOURN**

13 *(21:22:20) Commissioner Chatelain moved to adjourn. Commissioner Bowthorpe seconded the*  
14 *motion. The motion passed with the unanimous consent of the Commission.*

15  
16 The Planning Commission Meeting adjourned at 9:22 p.m.

17

**DRAFT**

1 ***I hereby certify that the foregoing represents a true, accurate and complete record of the City***  
2 ***of Holladay Planning Commission Meeting held Tuesday, August 5, 2014.***  
3  
4  
5

6  
7   
8  
9

10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14 Minutes approved:  
15

**DRAFT**