

# Planning Commission

July 15, 2025

Addendum to Packet

Item 1- Russell Corner  
Additional Public Comment

## Carrie Marsh

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**From:** Guernsey/Burrage  
**Sent:** Sunday, July 13, 2025 8:30 AM  
**To:** Carrie Marsh  
**Subject:** Residential Subdivision; "Russell Corner"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [External Email - Use Caution]

Dear members of the City of Holladay Planning Commission,

Thank you for the opportunity for us to express our opinion about the application for 4588 S. Russell Street.

We have lived on Russell Street for about 6 years, and we have noticed a gradual increase in traffic on Russell St. and Murray Holladay, Probably because of the increased housing construction we've witnessed, Russell St. is an even more attractive option for people who want to avoid the "downtown" route.

We now have a number of young children living on Russell St (including next door to the subdivision being proposed). It's a very narrow street with cars parked along the street, and it's dangerous to have more vehicles traveling on it, sometimes over the speed limit. We would prefer that no more housing be added to our street because even one more house is bound to generate traffic from the owners of the home and their visitors.

Sincerely,  
Rebecca Burrage  
Keith Guernsey  
4599 S. Russell St

# Planning Commission

July 15, 2025

## Addendum to Packet

### Item 2, 3, 4- Hinckley Estates

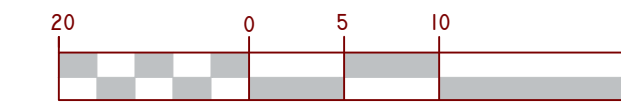
Updated Civil Plans showing  
updated fire access







SLEEPY HOLLOW ESTATES  
ENTRY # 10539429



## LEGEND

No.	ITEM	DESCRIPTION
(A)	COPPER PIPE	TYPE K - SOFT
(B)	CORROSION STOP	BRASS
(C)	SERVICE SADDLE CLAMP	(S.I., C.I., A.G.) **
(D)	SERVICE SADDLE CLAMP	(P.V.C.)
(E)	WATER MAIN PIPE	(S.I., C.I., A.G., P.V.C.)
(F)	WATER MAIN JOINT	(DUCTILE IRON) (S.I.) ONLY

SECTION

NO.	ITEM	LEGEND	DESCRIPTION
(1)	FRAME AND COVER		CAST IRON COVER (FRAMED)
(2)	METER BOX	1" x 1" x 1" (FRAMED)	COMPLETED TO 1" x 1" x 1" (FRAMED)
(3)	1" WATER HOSE		1" WATER HOSE
(4)	1" WATER HOSE		1" WATER HOSE
(5)	COVER PIPE		PIPE (1" DIA.)

3' SWALE  
0.5' DEPTH

THE SWALE IS TO CAPTURE NATURAL STORM WATER RUNOFF AND DIRECT STORMWATER AWAY FROM STRUCTURES AND DRIVES. THE INTENT IS TO LEAVE NATURAL DRAINAGE PATTERNS INTACT AND ONLY ALTER WHERE DEEMED NECESSARY TO PROTECT STRUCTURES.

1	CITY REVIEW COMMENTS	CJ	CJ
			DRAIN HUA, XY
			CHECKED CJ
		BY	APVD APPROVED CJ
		REVISIONS	



**City of Holladay**  
4580 SOUTH 2300 EAST  
HOLLADAY, UT 84117  
801-272-9450

HINCKLEY ESTATES  
PUD  
4888 & 4890 FLORIBUNDA  
DRIVE  
HOLLADAY, UTAH 84117

STATE OF TEXAS  
REGISTERED PROFESSIONAL ENGINEER  
No. 5563754  
JOHANSON  
CONCEPTUAL CIVIL NOT  
FOR CONSTRUCTION  
NO.02786-OSP-3

DATE  
7-14-25

JOHANSON PROJECT #  
E-25-8

FOR PERMIT REVIEW  
ONLY

C-02

REC. OF SURVEY  
— BY STANTEC  
# 22-11-105-049 & 050

PARCEL # 22-11-105-079  
OWNER TATE, STEPHEN F

PARCEL # 22-11-157-001  
OWNER BUTLER, RONALD G & ANN R; JT

RE ROUTE EXISTING  
IRRIGATION DITCH  
VIA 12" RCP AND CLEANOUTS

SUB. REF. TIE  
N 77°45'00" E 156.33'

20'

1% MIN. SLOPE

4" PCPC CONCRETE AS PER SOILS REPORT RECOMMENDATION

6" ROAD BASE UNDER PAVEMENT AND

Note:  
All sewer, water and storm drain  
locations are approximate. Refer  
to plan for locations.

PRIVATE DRIVE  
Section A-B (NTS)

PRIVATE DRIVE FOR LOT 3 AND LOT 2

4" CONCRETE PAVEMENT

**FUTURE ROW  
EASEMENT FOR  
PRIVATE LANE**

**LOT 2**

**ADDRESS 4880 S. FLORIBUNDA DR.**  
Containing 21,856 Sq. Ft. or 0.50 Acres

THIS TREE MAY NEED TO  
BE REMOVED OR TRIMMED  
TO PROVIDE FIRE TURN AROUND

FUTURE ROW  
EASEMENT FOR  
PRIVATE LANE

INSTALL SIGN  
FIRE LANE NO  
PARKING

**PROPOSED BULDABLE AREA**

LOT 3  
ADDRESS 4888 S FLORIBUN  
Containing 19,680 Sq.Ft. 0.43

INSTALL 4" SANITARY  
SEWER LATERAL  
SLOPE 2%  
SDR 35 PVC

INSTALL 1" WATER METER  
TO HOLLADAY CITY STANDARDS

**PROPOSED BULDBABLE  
AREA**

LOT 4  
ADDRESS 4890 S FLORIBUNDA DR  
Containing 13,304 Sq. FT. 0.305 ACRE

INSTALL 4" SANITARY  
SEWER LATERAL  
SLOPE 2%  
SDR 35 PVC

Panel 12" x 20"

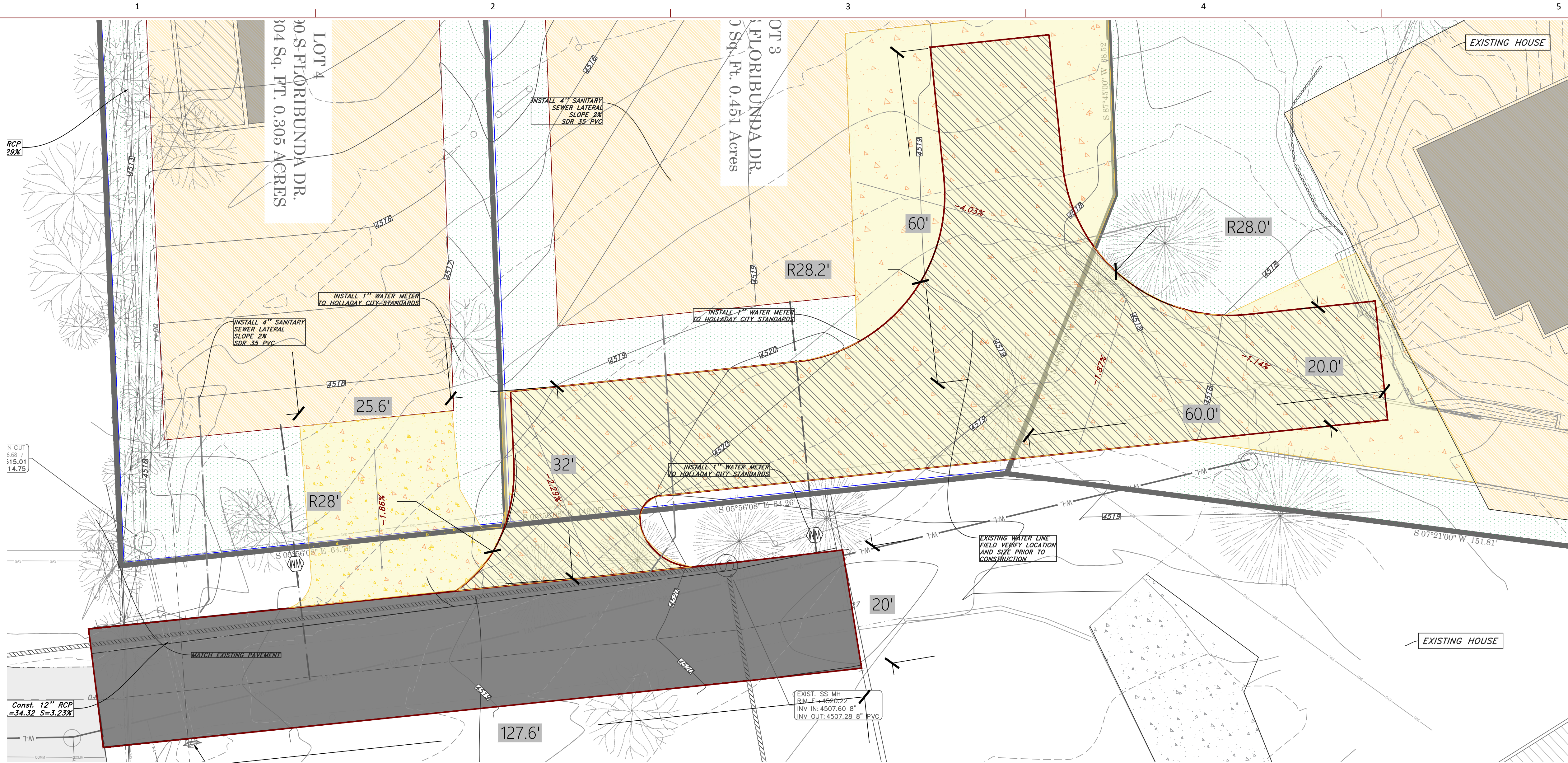
PROPOSED CLEAN-OUT  
FINISH GRADE: 4516.68 +/-  
INV IN: 4515.01  
INV OUT: 4514.75

RE ROUTE EXISTING  
IRRIGATION DITCH  
VIA 12" RCP AND CLEANOUTS

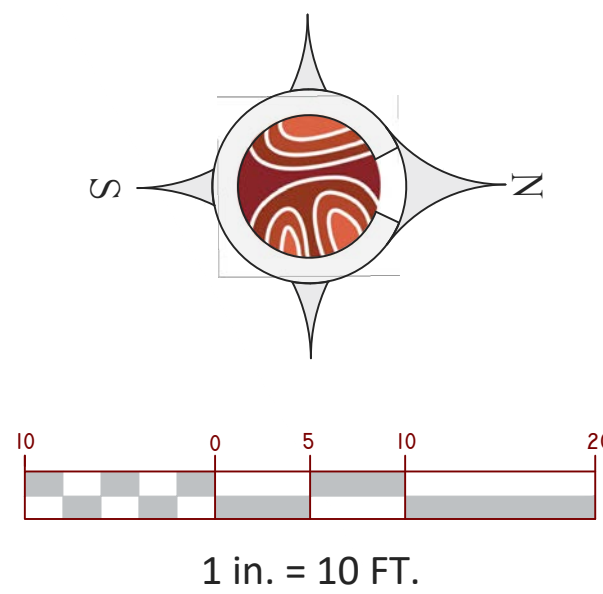


**811**  
 What's below.  
 Call before you dig.



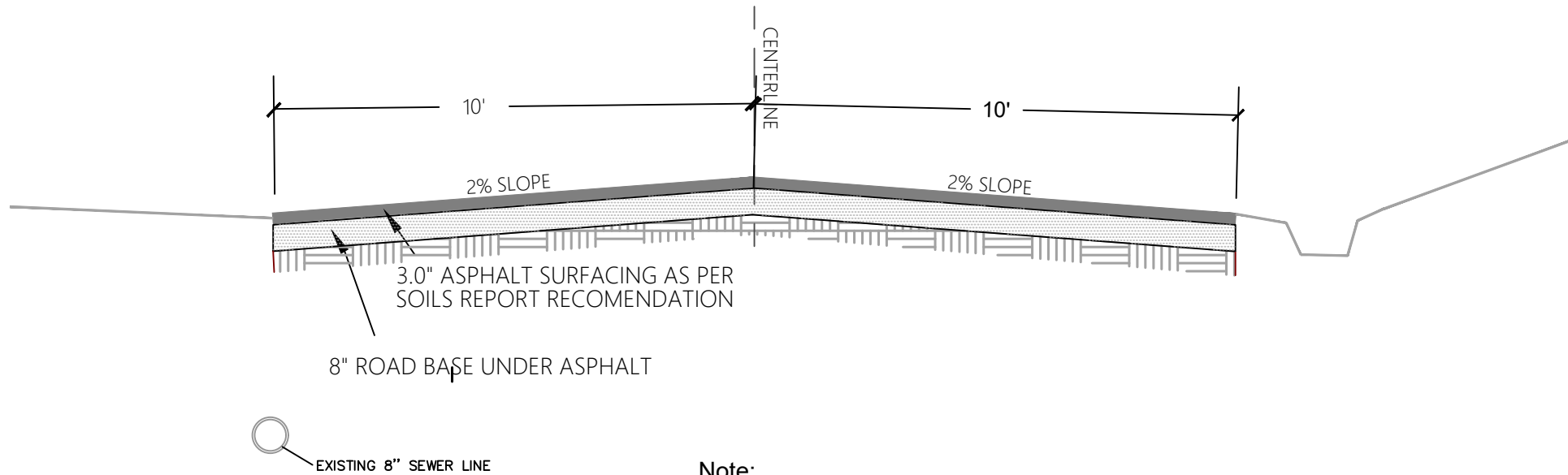
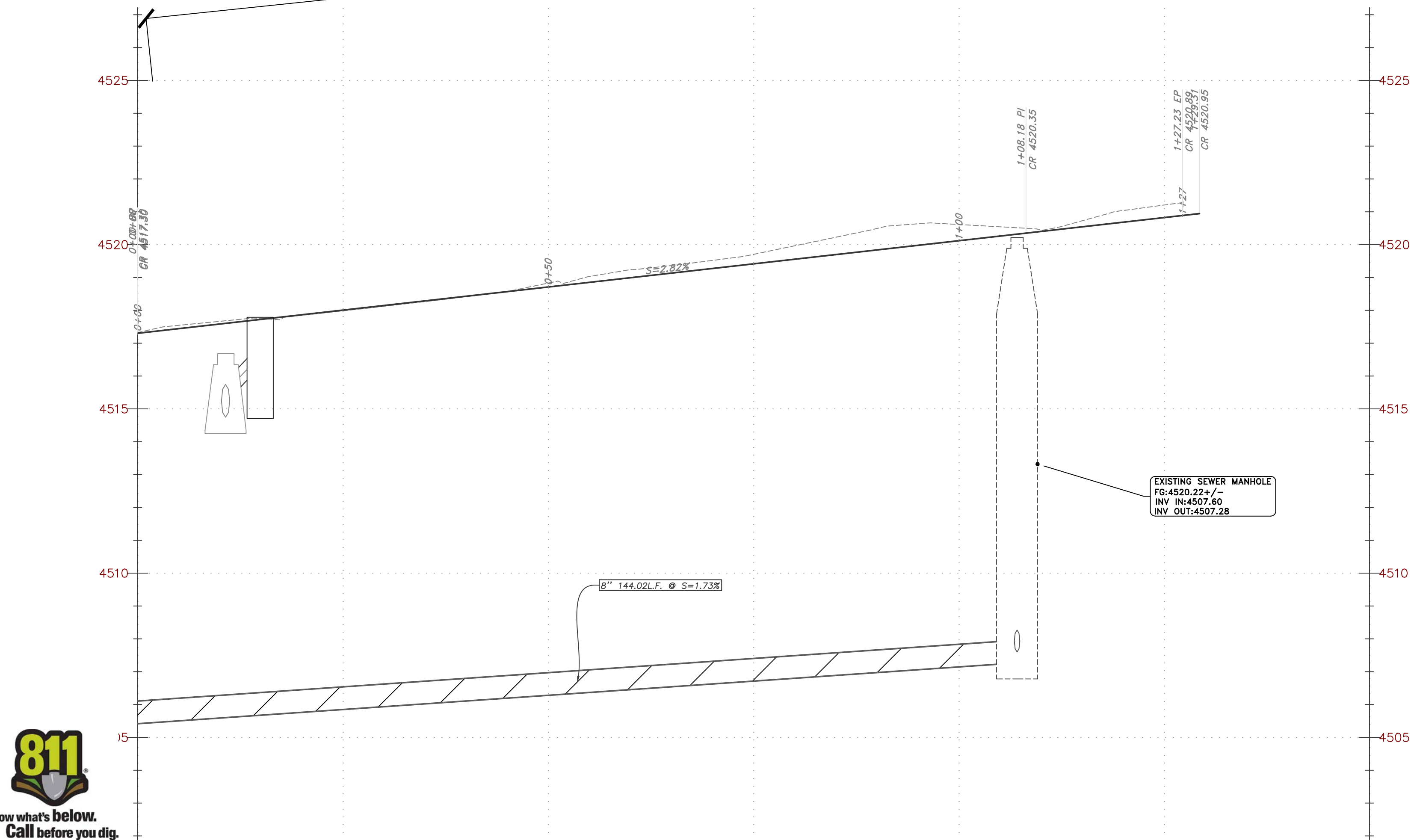


PLAN AND PROFILE  
HINCKLEYS ESTATES SUBDIVISION  
4880 SOUTH FLORIBUNDA  
DRIVE HOLLADAY, CITY UTAH



LEGEND

- PROPERTY LINE
- PROPERTY CORNER
- P.U.E. LINE/EASEMENT
- FIRE HYDRANT
- EXISTING POWER POLE
- 3 ASPHALT PAVEMENT
- EXISTING WATERLINE
- EXISTING GAS LINE
- OVERHEAD POWER LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- 4500 FINISH TOP OF SURFACE
- LANDSCAPING
- EXISTING SEWER MANHOLE
- PROPOSED INLET
- LIGHT POLE



PRIVATE DRIVE

Section A-A (NTS)

ENTRANCE PRIVATE DRIVE

3" ASPHALT PAVEMENT

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING. 0 1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY		DESIGN	CI	DRAIN	HUA, XY	CHECKED	CI	APPROVED	CI
CITY REVIEW COMMENTS		CI						BY	APVD
1									REVISIONS
CIVIL ENGINEER		JOHANSON ENGINEERING JOHANSON ENGINEERING 2150 SOUTH 1300 EAST SUITE 500 SALT LAKE CITY, UT 84106							
JURISDICTION		City of Holladay 4880 SOUTH 2300 EAST HOLLADAY, UT 84117 801-272-9450							
DESCRIPTION		HINCKLEY ESTATES PUD 4888 & 4890 FLORIBUNDA DRIVE HOLLADAY, UTAH 84117							
STAMP		CONCEPTUAL CIVIL NOT FOR CONSTRUCTION NO. 02786-OSP-3							
DATE		7-14-25							
JOHANSON PROJECT #		E-25-8							
FOR PERMIT REVIEW ONLY		C-03							









# Planning Commission

July 15, 2025

Addendum to Packet

Item 2, 3, 4- Hinckley Estates

Additional Public Comments



# Hinckley Estates PUD Problems

Comment from:  
Matt Pearson  
2841 E Floribunda Dr.



# Hinckley Estates Does Not Meet Multiple Criteria of the PUD Code

- Lots can and were structured to conform with current zoning laws without need for PUD -13.78.020
- PUD is not compatible with character of site, adjacent properties, and existing development within the vicinity of the site where the use will be located -13.78.040
- Adjacent properties will be adversely affected -13.78.080



## 80' Diameter Circles

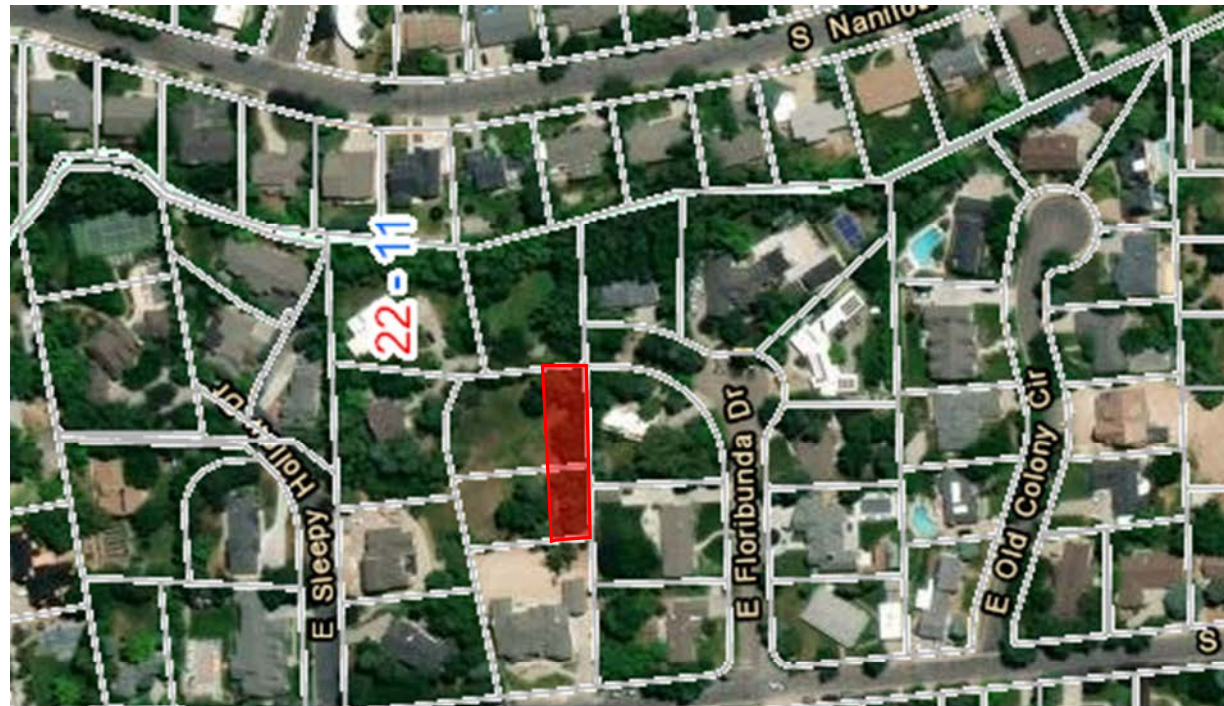
- [illegible]

13.78.020



## South Lot Is Incompatible With Neighborhood

- The 65' proposed lot width would be narrower than all the other lots in the Floribunda Heights subdivision and the private road section
- South Lot would be 42% as wide as the average lot width on the private road (152' wide)
- South Lot would be 52% as wide as the average Floribunda Heights Subdivision (124' wide)
- South Lot would be 19% smaller than any lot in the broader neighborhood of Floribunda, Sleepy Hollow, or Old Colony Circle

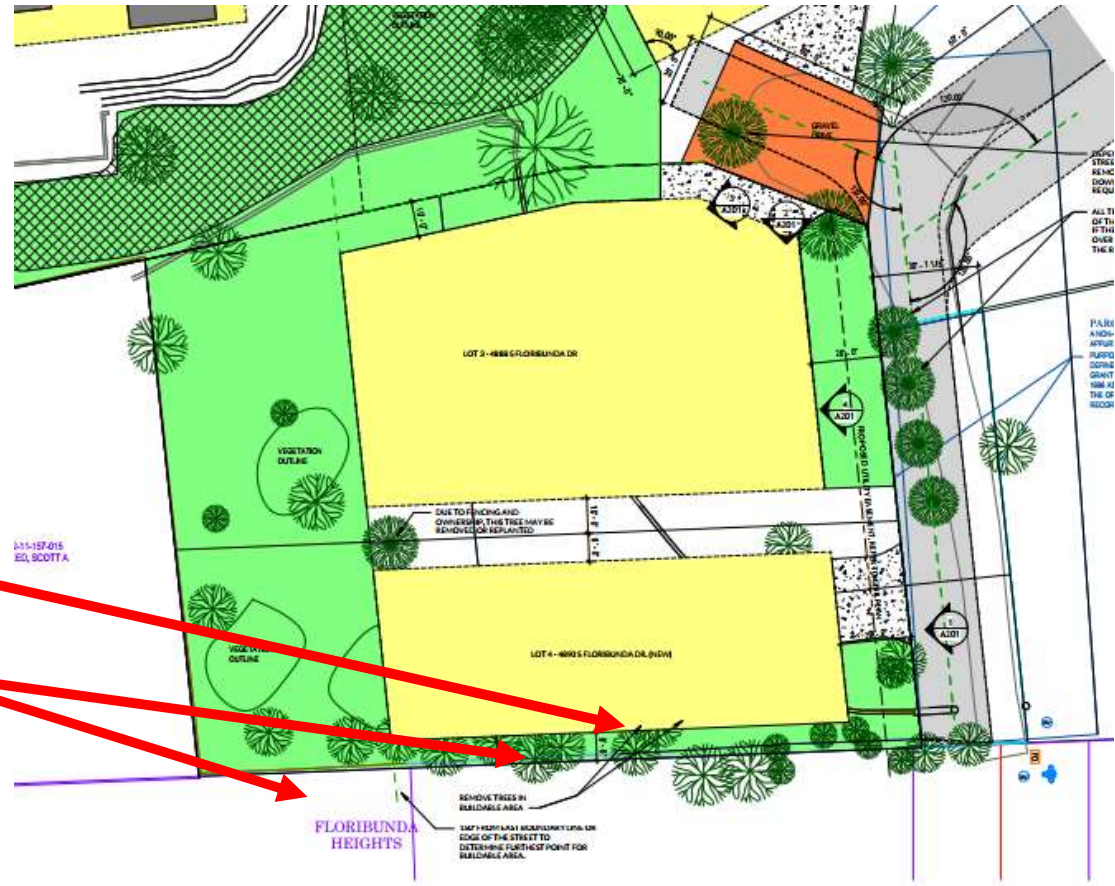


“The proposed planned unit development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located.” -13.78.040



## Adjacent Properties Will Be Adversely Affected

- Because the lots can be configured to conform to the underlying zoning, (with normal setbacks) any minimized side-yard setbacks and enlarged building envelope standards offered by a PUD result in:
  - Tall walls next to lower height walls will dominate views of mountains
  - A thin lot with small side setbacks reduce neighbors' privacy by overshadowing adjoining backyards.



The planning commission shall require such arrangement of structure and open spaces within the site development plan, as necessary, to assure that adjacent properties will not be adversely affected.-

13.78.080



# OPPOSITION TO HINKLEY ESTATES PUD

## (Prepared Leave-Behind Summary)

### Thanks for Taking a Closer Look

We appreciate Jonathan and Carrie for helping us better understand the process and potential impacts. Thank you Planning Commission for reopening the public comment and taking a closer look at things. And another thank you to the Planning Commission for the the time to review all of our comments and public record submissions. We recognize there's a lot to consider, and we appreciate your time and attention to how the code applies to our specific corner of Holladay.

We appreciate your understanding that we are talking about everyones homes—where we plan to raise our family—and it's our most significant investment. Your decisions have a lasting impact on the value of our home and our privacy, as well as for our neighbors and the applicant.

### A Closer Look

We understand that because the applicant did not establish access to meet the fire code, the **Commission is now taking a closer look at the following: Access rights, setbacks, buildable area, tree coverage, and neighborhood character.** They'll compare how PUDs impact green space and whether regular zoning might do a better job of preserving trees and space. Access is part of the many checks in the first step in approving a subdivision concept. Because questions arose, the commission continued that first step. Once access is established the committee will proceed to the second step, reviewing the detail of PUD site plan. **This is very challenging because no construction plan exists.** The Committee is mainly responding to building pads and green space areas with zero understanding of anything else.



## 1. The Code is our ADVOCATE

City planners told us their role is to assist the applicant through the process. Carrie told our neighbor she is an advocate for the PUD applicant. The applicants told us that the City proposed that they do a PUD to switch a lot line.

### **We thought ... then who's our advocate in this process?**

"The Commission's job is to follow the code. We may not always agree with how it's interpreted, but we trust they'll evaluate everything thoroughly.... staff provides the commission a recommendation on compliance, it is then the commission's role to make a final determination if the code is being applied correctly to be the community advocate."

— Jonathan Teerlink

We trust the committee will protect the long-term character and standards of our neighborhood by applying the code as intended.

## 2. PUD = Privilege, Not a Right

### **PUDs are optional. The code states clearly:**

"Provision of a planned unit development by this chapter in no way guarantees a property owner the right..." **(§13.78.010)** Even if criteria are met, a PUD must be earned. The Planning Commission must decide if it meets the *spirit* of the code—especially compatibility, community benefit, and impact.

## 3. The Planning Commission Interprets 'Adverse Effects'

The Planning Commission interprets "adverse effects" narrowly, usually in commercial-to-residential transitions. However, setbacks still fall under **§13.78.080(B)**, and are within your purview to judge as compatible or not.



**The building pad for 4880 it is almost 4X the size of the existing home. Placement and size would not be allowed in R10.**

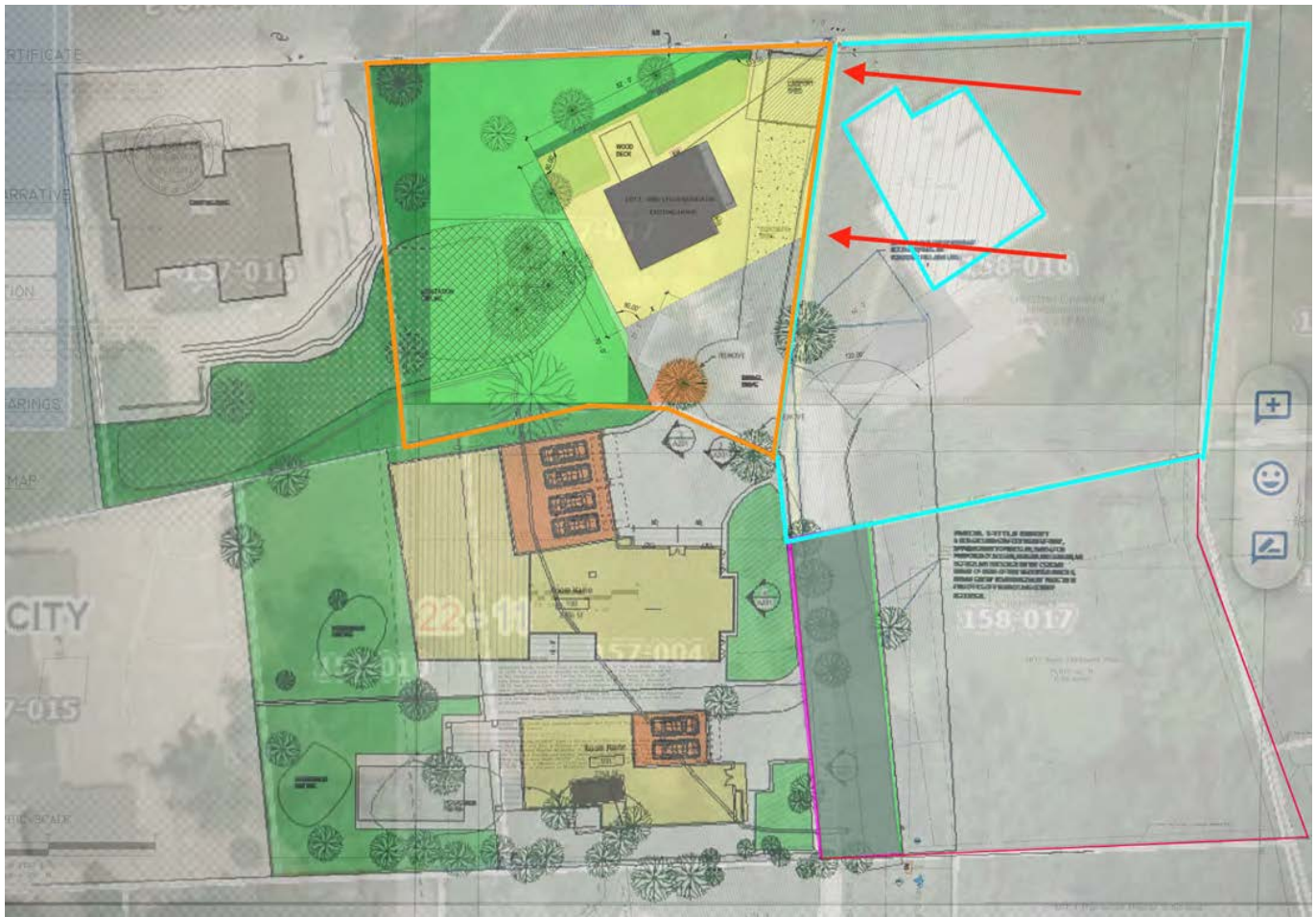


**Section 13.78.080(B)** says the Commission must decide whether the size, shape, and placement of lots and homes in the PUD fit the character of the surrounding area and don't negatively impact neighboring properties.

This includes:

- **Do the setbacks match what's typical on our street? No.**
- **Are there any homes on Floribunda with 4' set backs? No.**
- **Is the layout visually compatible? Are there any other homes on Floribunda, on lots over half an acre, where the building pad is located in the extreme corner of the lot? No.**
- **Would the changes diminish privacy, light, or spacing? Yes.**

Additionally, why are they proposing 10' setbacks for their own homes, but 4' and 8' setbacks where they border non-PUD neighbors?



The yellow area is proposed buildings. The orange line is 4880 property line (lot size .55). The light blue is 4867 property line (lot size lot is .58) The two arrows marks a 60 ft area where a wall could be built just 4 ft from our property line, rising to nearly 17 ft in height.



The **PUD would allow** much smaller set backs that means bigger buildings and closer exterior walls that feel much bigger because they are that much closer:

- **It allows for approximately 60 ft wall to be built 4' from our property almost 17' tall.**
- **It allows for approximately 120' wall to be built 8' from the southern neighbors 22' tall**

#### 4. What's Really Planned?

The notice of public hearing says, "Two of the lots have existing homes on them, which will remain." But what does "remain" really mean? One of those homes—4880 S—is assigned a new building pad nearly **4× the size** of the current home. That building pad is positioned just **4 feet** from our property line, and could allow a **60' wall, nearly 17 feet tall**, to be built right next to our front side yard.

So while the *structure* may technically "remain," the scale and placement of future construction is drastically different—and has serious impact. This is not simply "two homes remaining." It's two homes expanding dramatically, with new setbacks, larger pads, and future redevelopment that doesn't match the neighborhood.

#### 5. Why a PUD?

**This project would be better under R-1-10.**

- Would allow for larger more tree canopy
- More consistent lot sizes
- More centralized building pads in center of lots
- **There is NO risk of subdivision** BECAUSE the 1996 ROW terms specifically says, "This Grant of Right-of-Way shall terminate and all rights shall be relinquished as to all benefitted parties if any of the benefitted properties are subdivided, rezoned, or altered for any development other than single-family residence without the prior written consent of the Grantors, their heirs, successors or assigns".
- The **only** benefit for the PUD is for the applicant... they chose the PUD not just to flip a lot line but to:
  - Create a larger lot and a small lot that would not be buildable in R10. \*They almost did it in 2024. See the attached survey map. (Page 7)
  - Gain **more flexibility** in setbacks and layout
  - The larger building area increases the applicant's property value.

**The benefit is the applicant.** There's no requirement that the applicant "get what they want" if it causes harm or doesn't meet the purpose of the PUD code.

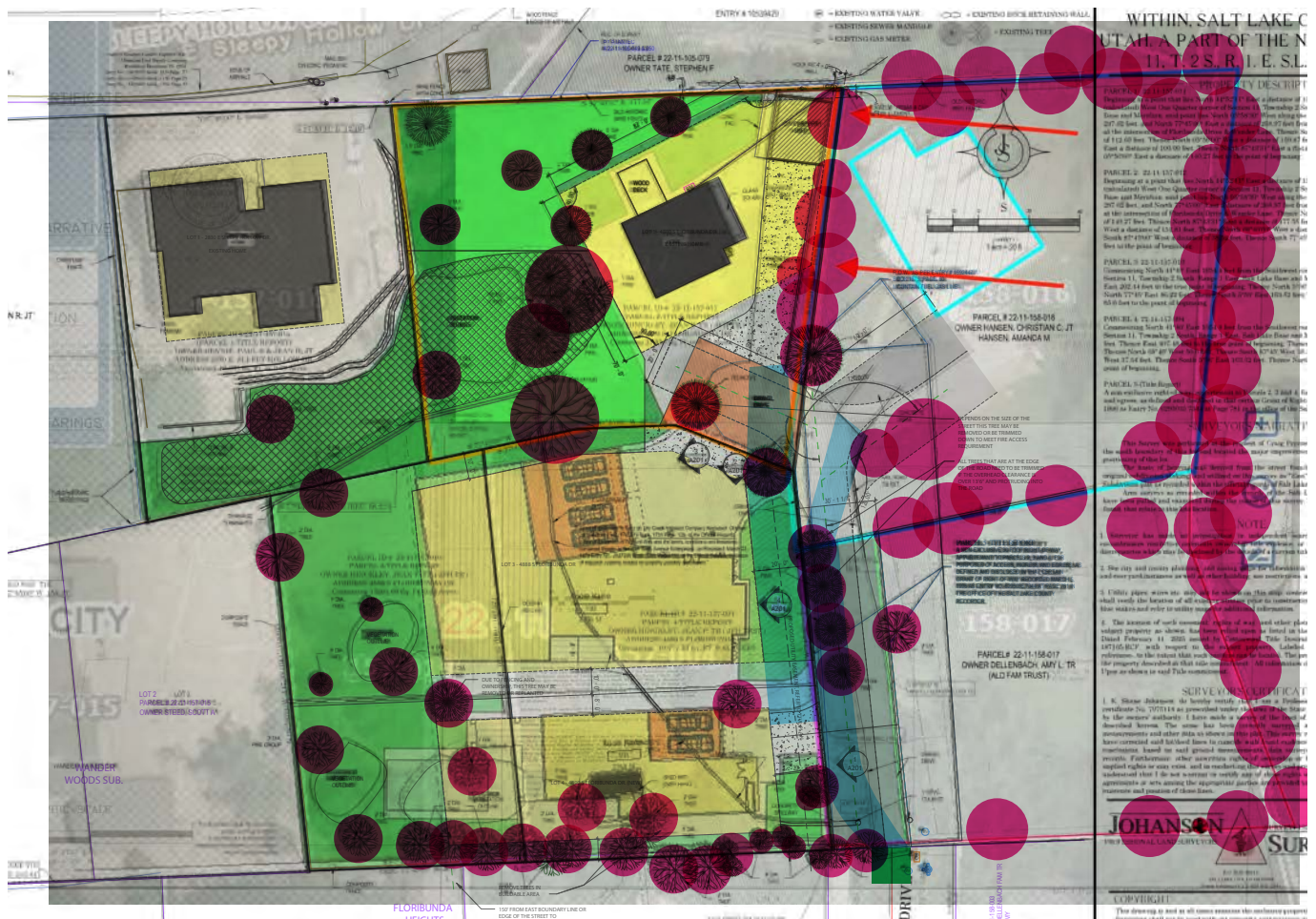


## 6. Please take a careful close look at tree canopy.

**The stated purpose of the proposed PUD is to preserve trees and open space.**

But we believe:

- **R-1-10 setbacks protect more trees, especially the mature trees along property lines.**
- The preserved “open space” in the plan is a steep hillside, mostly scrub oak not mature trees.
- PUD setbacks push building pads closer to Non PUD members, not away from it. PUD members have the largest setbacks at 10 ft.



This is a graphic of existing trees at the time of the survey. The magenta dots mark approximately where trees are located. You can clearly see the majority of the trees are impacted more by smaller setbacks than preserved open space. This is the real tree canopy.



## 7. Evaluating the "Community Benefit"

### Per \$13,78,020:

"Applicants must justify to the Planning Commission why the project would be better for the community than a project developed under the underlying zoning."

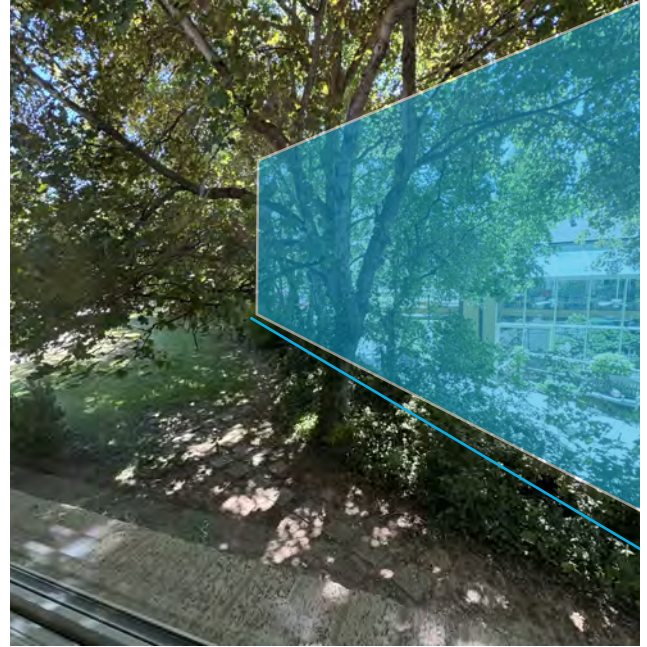
We urge you to ask:

- **Is this better for the trees? Does it preserve any more open space? No.**
- **Or does it just increase flexibility and potential home value for the applicant? Yes.**



2024 Survey showing lot line adjustment prior to sale to Pearsons.  
 Two even proportional R10 lots.





These trees would be greatly affected by a 17' wall at 60 ft just 4ft off of our shared property line. Here is an approximate visual representation of a wall. The proposed building pad would allow this.



## 8. Final Thoughts

We now better understand what PUD status would allow. **We hope the Commission has also had time to take a deeper look at the access, setbacks, building pads, and tree preservation implications—especially as they impact the privacy, character, and property values of neighboring lots.** Please ensure that the PUD meets not only the technical requirements, but also the broader purpose and intent of the code.

At minimum, we urge you to postpone a decision until actual construction plans are submitted. As Jonathan Teerlink stated in an email to us:

***“As no construction has been proposed, it’s difficult to analyze how the code will apply to something that has not yet been proposed.”***

Respectfully,

Christian & Amanda Hansen

4867 S Floribunda Dr. Holladay UT



**Appendix**

We believe that the best decisions come from having the best information. With that in mind, we're submitting this appendix as part of the public record to ensure the Planning Commission has direct access to the source of the insights we've referenced above. These notes were taken during a sit-down meeting with City Planner Jonathan Teerlink on August 6, 2025 and several follow up emails after. We've summarized the most relevant takeaways above, but the full detail is included here for transparency. After the meeting, we followed up with Jonathan via email to confirm that we had accurately captured his points. Where clarification was needed, he provided additional context, which is shown in blue.

**"Community" means PUD members only:**

When the code says the applicant must show how the project is better for the "community," that's defined as the members of the PUD—not nearby neighbors or the broader area.

It's up to the applicant whether they use a PUD or not:

Even if the lots could work under regular zoning, if the applicant prefers a layout that only works under a PUD, the Commission will support that if it's legal *-legal as in, does the commission*

*determine compliance with all provision of §13.78.*

**PUD applicants must pave and pay for the private lane:**

The applicant must install an asphalt road and cover the cost. They also need to legally establish access before final approval.

**We can raise concerns with the City Council:**

If we believe the process hasn't been fair—like comments not being reviewed—we can bring those concerns to the Council. If needed, we can also appeal any future decisions.

**The code is our advocate:**

The Commission's job is to follow the code. We may not always agree with how it's interpreted, but we trust they'll evaluate everything thoroughly. The code is also the law. *The council has approved a land use code centered around advocating for community building. In this case staff provides the commission a recommendation on compliance, it is then the commission's role to make a final determination if the code is being applied correctly to be the community advocate.*

**“No adverse impact” is mainly for commercial projects:**

The standard that a PUD “must not adversely affect adjacent properties” is mostly used when a commercial development is next to a neighborhood. Things like fire pits, sheds, pools, parking issues or access issues or smaller setbacks are not seen as “adverse” in residential-to-residential cases. *For clarity in application of the PUD provisions, adverse effects are defined in §13.78.080. Apart from setbacks, these are other items are routinely found within a residential neighborhood. Setbacks, however, will fall under §13.78.080(B) and are the purview of the commission to determine compliance*

Differences between PUD and R-1-10 setbacks don’t count as adverse:

Even though PUDs allow smaller setbacks and homes closer to the lot line, which could affect natural light, space, and even property values, the Commission doesn’t treat that as a negative impact on neighbors. *As mentioned above, Setbacks will fall under §13.78.080(B) and are the purview of the commission to determine adverse conditions*

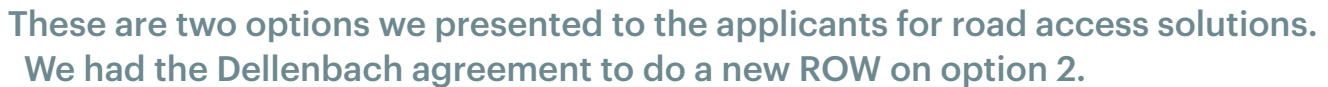
*(This was a new question to Jonathan not a restatement)*

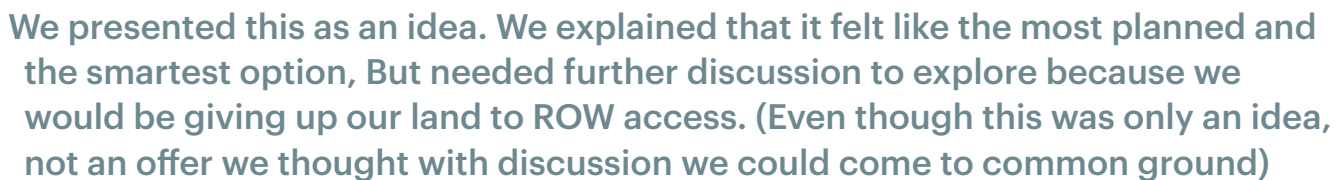
**The idea that a PUD privilege, Not a right:**

While the code calls a PUD a “privilege,” the way it’s applied often feels like a guaranteed option if the applicant wants it and it checks the legal boxes. That’s something we think is important to flag for clarity and fairness. If you have any additional understanding here that would be appreciated. *A PUD is NOT a given right. It must be earned via the planning commission. If an applicant “checks the legal boxes” the planning commission must be very clear as to why a denial is being handed down, if not the city is held liable. The opening statement of §13.78.010 makes this very clear:*

*“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”*









**Note for the commission:**

The stated Purpose of the proposed of PUD is to preserved open space and tree canopy. But the applicant had several trees removed in recent weeks after the last meeting—some in “preserved” areas. That raises questions about the applicant’s commitment to open space and tree preservation.



**June 11, 2025 Tree removal. Huge crew working most of the day.**



