



FILE# 25-2-03

WASA VALLEY HOLDINGS SHORT-TERM RENTAL

ADDRESS:

4318 S 2300 E

LEGAL DESCRIPTION: 22-03-177-046

BEG S 1574.82 FT & W 40.44 FT FR N 1/4 COR SEC 3, T 2S, R 1E, SLM; S 0^00'58" W 51.09 FT; N 89^59'02" W 89 FT; N 0^00'58" E 51.09 FT; S 89^59'02" E 89 FT TO BEG. 0.104 AC M OR L. 10197-6408 10198-0894 10662-6471

APPLICANT/REPRESENTATIVE:

Wasa Valley Holdings

PROPERTY OWNER:

Wasa Valley Holdings LLC

ZONING:

R-2-10

GENERAL PLAN DISTRICT:

Medium Density Residential (R-M)

CITY COUNCIL DISTRICT:

District #2

PUBLIC NOTICE DETAILS:

Published and Mailed November 22, 2025

REQUEST:

Conditional Use Permit

APPLICABLE REGULATIONS:

13.03.020: CONDITIONAL USE – SUBMITTAL REQUIREMENTS
13.08.040: CONDITIONAL USE PERMIT REVIEW/APPROVAL STANDARDS
13.76.735: SHORT TERM RENTAL PROVISIONS
13.100: ALLOWED USES BY ZONE
Section 10-20-505 UTAH Land Use, Development, and Management Act (LUDMA): CONDITIONAL USES

EXHIBITS:

Zone map
Staff Report
Applicant Narrative
Applicant supporting doc.

STAFF:

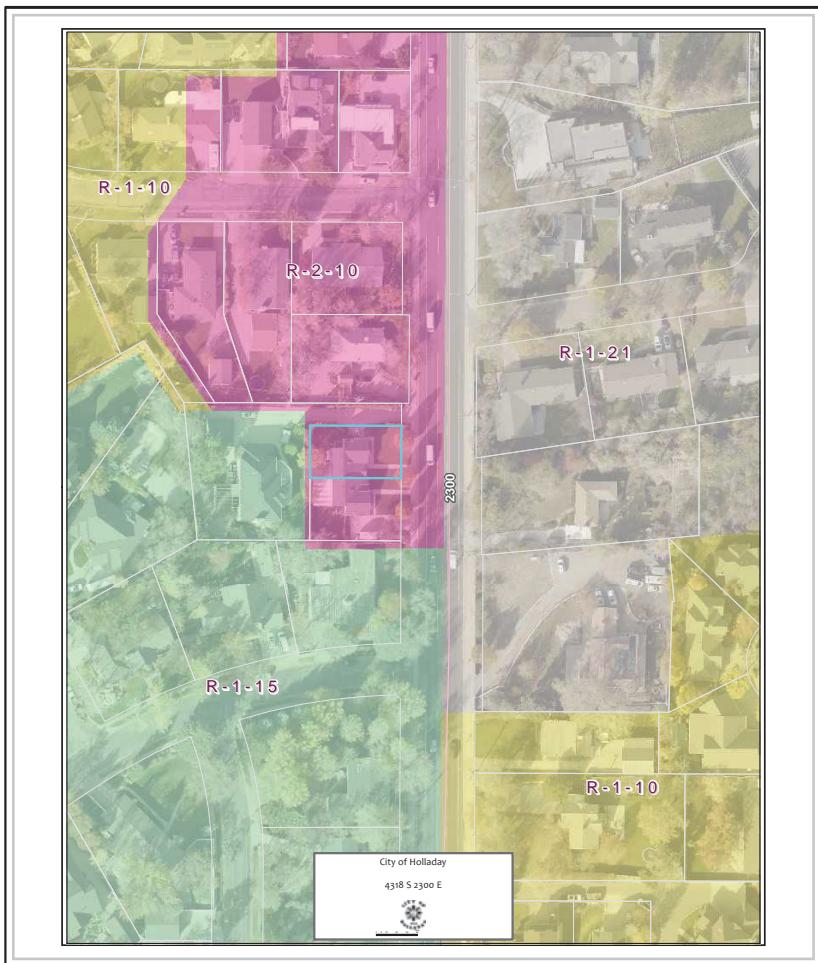
Carrie Marsh, City Planner

DECISION TYPE:

Administrative:

Public hearing required. PC shall make a motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications shall be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

SITE VICINITY MAP



Notes:



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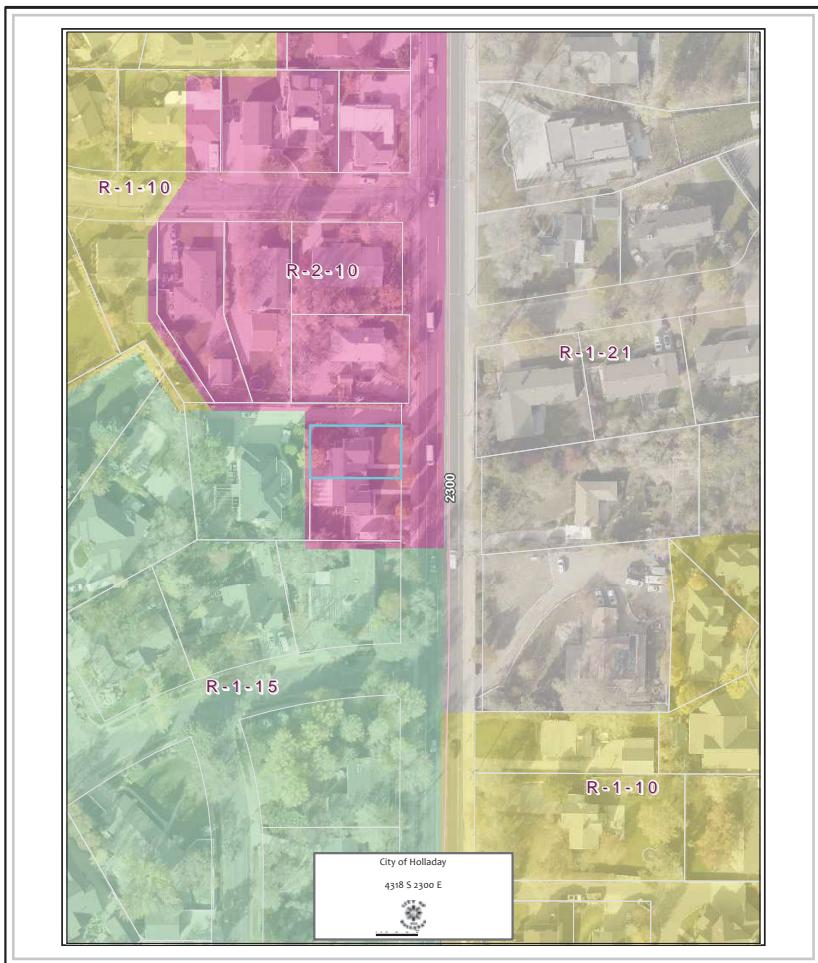
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LEGAL DESCRIPTION:

APPLICANT/REPRESENTATIVE:

SITE VICINITY MAP

PROPERTY OWNER:

ZONING:

GENERAL PLAN DISTRICT:

CITY COUNCIL DISTRICT:

PUBLIC NOTICE DETAILS:

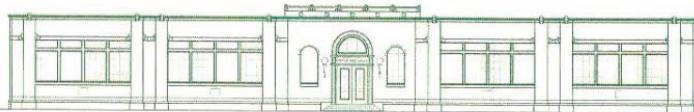
REQUEST:

APPLICABLE REGULATIONS:

EXHIBITS:

Notes:

STAFF:



City of Holladay
Community and Economic Development
Planning and Zoning

PLANNING COMMISSION STAFF REPORT
December 2nd 2025

ITEM #

Request: Preliminary and Final Subdivision Amendment within Royal Holladay Hills

Project: "Royal Holladay Hills Blocks H, I, J and a portion of Block K"

Address: 1935 and 1965 East Rodeo Walk Drive, 2025 E Wilshire Road

Applicant: Kathy Olsen, Applicant and Steve Petersen, Owner

File No.: 19-9-19-11

Notice: Mailed Notice on November 21, 2025

Staff: Jonathan Teerlink, CED Director

GOVERNING ORDINANCES:

13.65.070(C)	REGIONAL MIXED-USE ZONE (RM-U)
13.10a	SUBDIVISIONS
13.03	SUBMISSION REQUIREMENTS
13.06	ADMINISTRATIVE & DEVELOPMENT REVIEW PROCEDURES
SDMP,2007	SITE DEVELOPMENT MASTER PLAN (SDMP)

REQUIRED PLANNING COMMISSION ACTION: *Administrative*

Public hearing to be held PC shall make an administrative motion of either, denial, approval or to continue. All motions require findings which support the decision. As directed by ordinance, applications **shall** be approved if the Land Use Authority finds Substantial Evidence of compliance with applicable requirements. Holladay Ord. 13.06.050.B2 and 13.08

Creation of new lots require review and approval by the Land Use Authority (Planning Commission) in a two-step process; **Preliminary and Final plans**. Decisions must be made during public meeting. The notice for the required public hearing of this first step has been mailed to all properties within 500' of the subject parcel.

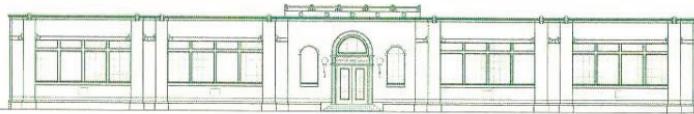
SUMMARY

An approved subdivision plat for Blocks H, I, J and a portion of Block K exists as part of the primary Royal Holladay Hills subdivision plat. This plat was approved in 2021 and established the boundaries of proposed amendments. Applicant and owner, Steve Peterson has prepared amendment to these blocks which intend to create the final lots. The ownership areas for each of the lots are pending site commercial site improvements, but no development or site review is proposed at this time.

TECHNICAL REVIEW COMMITTEE ANALYSIS

PRELIMINARY and FINAL PLAT

The TRC is satisfied that the prepared plat provides all information needed for subdivision amendment review by the Planning Commission. According to new ownership distribution, the lots will be created as



City of Holladay

Community and Economic Development
Planning and Zoning

proposed in the attached exhibit (within the red areas). The TRC has found no other substantive changes to the intent or scope of the original plat that would prevent a Planning Commission review.

RECOMMENDATION

The TRC recommends the Planning Commission to hold the required public hearing. The TRC finds that the application may be approved as proposed. Additionally, the TRC can recommend that the PC delegate **FINAL** plat approvals to staff as per §13.10a of the Holladay code.

SUGGESTION MOTION(S)

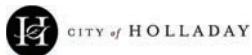
"I move to (approve_deny_continue) the PRELIMINARY PLAT AMENDMENT TO THE ROYAL HOLLADAY HILLS SUBDIVISION FOR BLOCK H, I, J and a portion of BLOCK K enabling the creation of new lots 1 through 6 and Common Parcel "A" in the R-M/U zone located at 1935 and 1965 East Rodeo Walk Drive, 2025 E Wilshire Road with FINAL PLAT approvals to be delegated to staff.

Motion is based on the following findings;

- 1) Utility easements and private lane configurations accessing the blocks are found to be maintained and unchanged from 2021 plat approvals, and
- 2) All lot dimensions comply with the R-M/U zone & SDMP as a master planned project
- 3) The subdivision plat amendment complies with Holladay standards

Final Approval – to be delegated to the TRC, subject to the following conditions;

- 1) Applicant to work with staff on all needful clarifications, if any, made by the commission during this meeting.
- 2) Applicants provide TRC corrections required to modify the plat to comply with state of Utah subdivision plat recordation requirements.



NOTICE OF A PUBLIC HEARING

PRELIMINARY / FINAL SUBDIVISION AMENDMENT – HOLLADAY HILLS
“BLOCK H, I and J”

Date: December 2nd 2025

Time: As close to 6:00 pm as possible

Location: City Hall – City Council Chambers

Hearing Body: Planning Commission

Notice is hereby given that the City of Holladay Planning Commission will conduct a public hearing during their review of a preliminary and final subdivision plat amendment for “BLOCK H, I and J” within “Royal Holladay Hills” mixed-use development in the R/M-U zone located at 1935-1965 Rodeo Walk Drive. All considerations will be reviewed by the Planning Commission for compliance with the SDMP (2007) and Holladay Ordinance 13.65.070(C).

***No zone or ordinance change is proposed in conjunction with this application. ***

Additional information regarding this item & instructions how to join this meeting remotely can be found on the City’s website and on the posted agenda, prior to the meeting. Interested parties are encouraged to watch the video stream of the meeting on the City of Holladay Website.

Please submit comments via email by 5:00 pm Dec. 1st to Jonathan Teerlink, jteerlink@holladayut.gov.com Emailed comments received by the designated times will be forwarded to the Commission prior to the meeting.

ATTENTION: This notice was mailed on July 2nd 2025 by order of the Community and Economic Development Director, Jonathan Teerlink, to all residents within 500 feet from the subject property. If you are not the owner of your residence, please notify the owner regarding this matter. Thank you.



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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Holladay Planning Commission will conduct a public hearing during their review of a subdivision plat amendment for “BLOCK H, I and J” within “Royal Holladay Hills” mixed-use development in the R/M-U zone located at 4835 South Highland Drive (Cottonwood Mall). The amendment will create new development lots from the original areas of each block. All considerations will be reviewed by the Planning Commission for compliance with the SDMP (2007) and Holladay Ordinance 13.65.070(C). Chapter 13.14.040.

The proposed amendment is available for public inspection on the City’s website www.holladayut.gov and at the Community Development Dept. during normal business hours.

The public can remotely watch the [Live Stream](#) of the meeting. To provide a public comment or to comment on any public hearing, you have the following options:

1. In-person attendance at Holladay City Hall or
2. Email your comments by 5:00 PM on the date of the meeting to cmarsh@holladayut.gov or call 801527-3890.

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted at City Hall, the City website www.holladayut.gov the Utah Public Notice website www.utah.gov/pmn, and was emailed to the Salt Lake Tribune and Desert News and others who have indicated interest.

DATE POSTED: [date]

*Stephanie N. Carlson MMC,
City Recorder City of Holladay
NOTICE OF PUBLIC HEARING*



FILE# n/a

COMMISSION MEETING MINUTES

ADDRESS:

n/a

LEGAL DESCRIPTION: n/a

APPLICANT/REPRESENTATIVE:

City of Holladay Planning Commission

PROPERTY OWNER:

n/a

ZONING:

n/a

GENERAL PLAN DISTRICT:

n/a

CITY COUNCIL DISTRICT:

N/A

PUBLIC NOTICE DETAILS:

n/a

REQUEST:

Adoption of Meeting Minutes

APPLICABLE REGULATIONS:

UCA§52-4-203, 206
2.01.080
13.06.030

DECISION TYPE:

Administrative/Procedural:

Commission shall approve, approve with changes or continue to a later date the agenda item

SITE VICINITY MAP

Effective 5/8/2018

52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.

(1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.

(2)

- (a) Written minutes of an open meeting shall include:
 - (i) the date, time, and place of the meeting;
 - (ii) the names of members present and absent;
 - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
 - (iv) a record, by individual member, of each vote taken by the public body;
 - (v) the name of each person who:
 - (A) is not a member of the public body; and
 - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
 - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
 - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

- (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.

EXHIBITS:

+

Notes:

Corrections made according to commission direction on 12-1-2020

STAFF:

Jonathan Teerlink, City Planner

DRAFT

MINUTES OF THE CITY OF HOLLADAY PLANNING COMMISSION MEETING

**Tuesday, August 19, 2025
6:00 PM
City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Planning Commission Members:

City Staff:

Dennis Roach, Chair
Paul Cunningham
Angela Gong
Jill Fonte
Brian Berndt

Carrie Marsh, City Planner
Brad Christopherson, City Attorney

WORK SESSION

Chair Dennis Roach called the Work Session to order at 5:30 p.m. He reported that there are five items on the Regular Meeting agenda, including one Public Hearing item, two Discussion Items, and two Action Items. It was noted that there was an issue with the Public Hearing notice and it is one day short of the 10-day notice requirement. As a result, the hearing will be continued instead of being closed. The Planning Commission is still able to discuss the Public Hearing item on the agenda.

The agenda items were reviewed and discussed. Chair Roach suggested that the Planning Commission discuss Items 2 and 3 before discussing Items 1A and 1B on the agenda. Before the discussion, Chair Roach reported that Commissioner Karianne Prince was absent from the meeting, but all other Commissioners were present.

City Planner, Carrie Marsh, shared information about Item 2 on the Regular Meeting agenda and suggested that it be considered first so the applicant can move on with their evening instead of waiting for the other discussions to take place. Ms. Marsh reported that the Action Item on the meeting agenda relates to the “Oly Vista” Subdivision Amendment. This was a Subdivision Planned Unit Development (“PUD”) that was done in 2022. The property is located at 4877 South Holladay Boulevard and is located in the R-1-10 Zone. The property owner is seeking to add an area of land located on the east side of their property to the existing subdivision. The land area is 15 feet wide and 140.84 feet long. The amendment would change the boundary of the subdivision from its existing location to incorporate the additional area. She explained that the Planning Commission is the Land Use Authority for Subdivision Amendments when the boundary changes.

1 Chair Roach asked to review a map of the area. Ms. Marsh offered to share images with the
2 Commission. Commissioner Paul Cunningham asked what this addition will allow the property
3 owner to do on the site that cannot be done currently. Ms. Marsh clarified that the addition will
4 not change what is currently allowed on the site. City Attorney, Brad Christopherson, explained
5 that when the Legislature amended the Land Use, Development, and Management Act
6 (“LUDMA”) for cities, public hearings for subdivision modifications were eliminated, but it is still
7 a Planning Commission requirement. In order to amend a Subdivision Plat, there needs to be
8 Planning Commission approval. Chair Roach believed that in the R-1-10 Zone, it would be
9 possible to have two dwellings on the lot without the extra land, which was confirmed. Ms. Marsh
10 reported that the segment of land has a slope and there have been drainage issues. The land is
11 being purchased, so there is some extra space. Chair Roach stated that this application is
12 straightforward.

13

14 There was discussion regarding the Meeting Minutes. There were no proposed amendments for
15 the May 6, 2025, Meeting Minutes. Chair Roach noted that the Meeting Minutes from July 15,
16 2025, have a typo on Page 12. There was a reference made to “Ms. March” rather than
17 “Ms. Marsh”.

18

19 Chair Roach reported that the remainder of the Work Session will be focused on the “Amare Vita”
20 application. Ms. Marsh explained that this is a unique PUD, as it is split between two different
21 zones. The total land area is 11.42 acres. The east side of the creek has one-acre lots and the west
22 side of the creek has two-acre lots. She shared a Zone Map with the Commission for reference.
23 All of the lots that front onto Holladay Boulevard have the R-1-43 Zone. Ms. Marsh pointed out
24 the area that is within the R-1-87 Zone. The applicant’s plan is to put in a singular entrance on the
25 Murray Holladay side with a private road. There would also be an entrance on 6200 South.

26

27 Chair Roach pointed out that there are four existing parcels, with three in the R-1-43 Zone and one
28 in the R-1-87 Zone. Ms. Marsh added that there are 4.29 acres in the R-1-87 Zone and 7.18 acres
29 in the R-1-43 Zone. There is 0.42 acres of excess across the entire project, which is where a lot of
30 the road area comes from. As for the assessment for the Conceptual Subdivision, all of the lots on
31 the R-1-43 side were accessed off of Holladay Boulevard. There is enough land area there for
32 seven lots. The Staff Report states that natural features are candidates for variances under the State
33 requirements, because there are certain limitations on the buildable area. Parcels on the east side
34 of the property would require a variance to reduce the minimum lot width from 100 feet to the
35 widths shown on the conceptual plan. The applicant would pursue a variance with the Subdivision.

36

37 Chair Roach referenced the image that was shared. He noted that it shows a 100-foot creek setback
38 and wondered whether that is mandated or if that is what is proposed. Ms. Marsh is not sure how
39 it would apply, because in this situation, there is one parcel that is undeveloped and undeveloped
40 parcels have a 100-foot creek setback. The parcels that are already developed have a 50-foot creek
41 setback. Chair Roach believed that, based on the lot configuration, anywhere that does not have
42 an existing structure would need to be set back 100 feet. Ms. Marsh confirmed this.

43

44 Commissioner Cunningham asked if the City’s benefit is the preservation of the creek corridor.
45 Ms. Marsh clarified that this relates to the PUD portion of the application. When there is private

1 property, there will not always be a City benefit. Sometimes, the City benefit is open space or
2 preservation of trees. There is no requirement for dedication of public areas or public amenities
3 that are accessible on private lands. In the Holladay Village, there is a requirement for a public
4 amenity with development. As a result, there might be improved bus shelters or seating areas.
5

6 Chair Roach referenced Page 8 of the handout that was provided to the Commission. It lists the
7 required versus the proposed. Ms. Marsh explained that this is related to the PUD. Conceptually,
8 the lots all meet the standard, with the exception of the lot widths on the east side. The Commission
9 discussed variances when a creek is involved. Ms. Marsh believed there is some allowance in the
10 code for the Planning Commission to make exceptions to setbacks based on certain conditions.
11 Mr. Christopherson noted that it is possible to have Subdivision approval before a variance, but it
12 would be conditioned on that variance being granted, since both are needed.
13

14 Chair Roach asked about open space and tree preservation. He questioned whether someone could
15 state that the trees next to the creek are part of the tree preservation. Ms. Marsh pointed out that
16 there could be more trees impacted in the area due to the limited space that can be used. Council
17 Member Jill Fonte wanted to make sure there is preservation of the tree canopy. Ms. Marsh
18 explained that there is a balance that can be achieved. There are always property rights being
19 balanced during these discussions. Variances look at how the property rights are being limited.
20 This is a situation where adjustments can be requested based on the limitation of those rights.
21

22 Commissioner Gong mentioned the proposed setbacks. She asked if there is no proposed setback
23 or if the language is stating that there is no intention to have interior private roads. Ms. Marsh
24 explained that there is uncertainty about what the footprints of the houses will be at this point,
25 because the property owners have not made decisions about house plans. What has been submitted
26 at this point is conceptual in nature. There is a desire to have some flexibility on what a front yard
27 setback would be, so it is possible to bring some garages closer to the road.
28

29 Chair Roach referenced Page 8 of the Staff Report and noted that it lists what is required and
30 proposed. Ms. Marsh reported that the Commission can require some setbacks. She shared
31 information about the PUD and explained that the Covenants, Conditions, and Restrictions
32 (“CC&R”) limit how the property can be sold. It is unlikely that anyone outside of the private use
33 would be impacted by the setbacks inside the project. Potential scenarios were discussed.
34

35 Chair Roach referenced the table in the Meeting Materials Packet and the drawing shown.
36 Commissioner Berndt asked if there were problems with the setbacks and the private road.
37 Ms. Marsh noted that it is possible to ask the applicant clarifying questions during the Regular
38 Meeting. She believes the lighter line shown represents the private road. Commissioner
39 Cunningham asked about the acreage. Mr. Christopherson clarified that the total acreage informs
40 the density, but it is possible to adjust the size of the actual lot. The Planning Commission
41 discussed what the PUD allows. Commissioner Gong asked if there is a requirement to have a
42 fence along Holladay Boulevard. Ms. Marsh explained that it is not a requirement, but is
43 something that has been incorporated into the design. She reviewed what is currently in place in
44 the area, informing the Commission that there are examples of walls and chain link fences.
45

1 It was noted that additional discussions will take place on the “Amare Vita” agenda items during
2 the Regular Meeting. The Work Session ended at approximately 6:00 p.m.
3

4 **CONVENE REGULAR MEETING – Public Welcome and Opening Statement by**
5 **Commission Chair.**

6 Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. and welcomed those
7 present. All Commissioners are present with the exception of Commissioner Prince. Chair Roach
8 explained that Item 2 on the meeting agenda will be considered ahead of the other agenda items.
9 Commissioner Cunningham read the Opening Statement for the benefit of those present.
10

11 **PUBLIC HEARING**

12 1. **“Amare Vita” Residential Subdivision - Concept Plan - 6114, 6178, 6190 South**
13 **Holladay Boulevard (R-1-43) and 2715 East 6200 South. (R-1-87) Conceptual Review**
14 **and Consideration of a Residential Site Plan Proposed by Applicant J.U.B.**
15 **Engineering to Subdivide 11.42 Acres of Land Consisting of 9 Lots within the R-1-43**
16 **and R-1-87 Zones. Item Reviewed as an Administrative Action for Permitted Uses in**
17 **Accordance with Zone and Subdivision Standards Required by Holladay Ordinance**
18 **§13.10A. File #25-1-08.**

19
20 Ms. Marsh presented the Staff Report and explained that this item relates to the “Amare Vita”
21 Residential Subdivision. She reviewed the process that will take place, as it is broken into three
22 different steps. The Planning Commission will first look at a Conceptual Subdivision to see if the
23 Subdivision meets minimum requirements for the zone. The Commission can open that Public
24 Hearing at the current meeting, but it needs to remain open due to noticing requirements. The next
25 two items on the meeting agenda, listed as Discussion Items, include the creation of a PUD and a
26 Preliminary Plat. The Public Hearings for those items cannot be opened until there is a Conceptual
27 Subdivision approved, which is the reason for the Discussion Items included on the agenda.
28

29
30 The Conceptual Subdivision information was shared. Ms. Marsh reported that Conceptual
31 Subdivisions are based on minimum zoning requirements. This is slightly different than what a
32 standard Subdivision might be, because it incorporates an element where a variance would be
33 applicable. Variances are regulated by the State and there are five standards that have to be met.
34

35 Variance requests are typically heard by an Administrative Appeals Officer. The Administrative
36 Appeals Officer makes the decision on the variance request. One of the items for a variance is a
37 physical feature on a property that would limit the area to be developed. Examples of natural
38 features include steep slopes, trails that cross through a property, easements that cross through a
39 property, and natural features like waterways. In this case, there is Big Cottonwood Creek that
40 must be taken into account. The City Ordinance does not allow for development within 100 feet
41 of a creek bank, which significantly limits the buildable area.
42

43 The variance process has been incorporated into the Conceptual Subdivision. There is a proposal
44 for a reduced minimum lot width. This allows for all of the lots on the east side of the creek to be
45 accessible from a public road off of Holladay Boulevard. That moves any structures to be within

1 150 feet of the road for fire access. The total area on that side is 7.18 acres and there are seven
2 lots laid out on that side. On the west side, there is a two-acre minimum lot size with 150 feet for
3 lot width. Ms. Marsh reported that the lot widths are laid out and the frontage is a little bit smaller
4 at 75% of the required width. The frontage for Lot 2 has been met because it is 75% of 150 feet.
5

6 Chair Roach opened the public hearing. There were no comments. The hearing remained open.
7

8 ***Commissioner Fonte moved to CONTINUE the Public Hearing for the “Amare Vita”
9 Residential Subdivision. Commissioner Gong seconded the motion. Vote on Motion:
10 Commissioner Cunningham-Aye; Commissioner Fonte-Aye; Commissioner Gong-Aye;
11 Commissioner Berndt-Aye; Chair Roach-Aye. The motion passed unanimously.***

DISCUSSION ITEMS (Associated with Agenda Item Number 1)

15 A. **“Amare Vita” - Planned Unit Development Conditional Use Permit - 6114, 6178, 6190
16 South Holladay Boulevard (R-1-43) and 2715 East 6200 South. (R-1-87) Review and
17 Consideration of a Request by Applicant J.U.B. Engineering to Subdivide 11.42 Acres
18 of Land as a Planned Unit Development. Item Reviewed as an Administrative
19 Application as per Provisions Stated in Holladay Ordinance §13.08.040. File #25-1-
20 08.**

22 B. **“Amare Vita” Subdivision - Preliminary Plan/Plat - 6114, 6178, 6190 South Holladay
23 Boulevard (R-1-43) and 2715 East 6200 South. (R-1-87) Preliminary Level Review
24 and Consideration of Development Details by Applicant J.U.B. Engineering. Review
25 of this 11.42 Acre (497,455 Square Foot) Residential Subdivision is Conducted
26 According to R-1-43 and R-1-83 Zone Compliance and Subdivision Development
27 Submittal and Review Standards According to Holladay Ordinance §13.10A. File
28 #25-1-08.**

30 Ms. Marsh reported that the first Discussion Item associated with Item 1 on the Regular Meeting
31 agenda has to do with a PUD. She explained that this is a more unique situation with a PUD where
32 it is being split across two zones. The proposed PUD plan was shared with the Commission.
33 Ms. Marsh reported that there are seven lots on one side and two lots on the other side for a total
34 of nine dwelling units. The applicant is proposing to shift one of the units from the R-1-87 Zone
35 side to the R-1-43 Zone side to create a more clustered development on that side of the creek.
36

37 The applicant is proposing a singular access into the project area from Holladay Boulevard and
38 another single access off of 6200 South. The bridge that goes across the creek connects the interior
39 to the property, but it is not a fire access, so it will not be built to fire standards. It will be for the
40 residents of the PUD to use as desired. Ms. Marsh discussed setbacks and reviewed a parcel map.
41 The setback on Holladay Boulevard is 20 feet, and the applicant proposed that in their narrative as
42 rear yard setbacks, but the orientation of the houses can be discussed with the applicant. She
43 explained that there are conceptual homes shown, but the floor plans and layouts are not finalized.
44

1 Chair Roach asked for clarification about the map that was shared with the Commission.
2 Ms. Marsh clarified that there is a proposed pool shown. She added that the PUD map simply
3 identifies where the building areas would be. The building areas are shown going to the private
4 road. It is possible to ask the applicant if there is an openness to a setback on those private roads.
5

6 The other perimeter setback on the south side is 20 feet. It was discussed during the Work Session
7 that the neighboring property shown is a residential treatment center, so there is a parking lot.
8 Ms. Marsh pointed out the roadway access, parking area, and the location of the treatment center.
9 As for the existing structure shown on the map, there is a detached accessory structure. There is
10 no proposal to keep the existing structures. Chair Roach believed the proposal was to remove what
11 is existing there and push it further into the property if the PUD is approved, which was confirmed.
12 Ms. Marsh explained that the intention is to move it closer to Holladay Boulevard and further away
13 from the creek. She believes right now, the tennis court is within 50 feet, or at least part of it is
14 within 50 feet. The full area is within 100 feet. The Commission further reviewed the map.
15

16 Commissioner Gong believed that anything that exists can remain but if there was a replacement,
17 then it could not remain in the existing footprint. This was confirmed. Ms. Marsh is not certain
18 whether the tennis court on the north side of the project area is intended to remain, but that is
19 something the Commission can ask the applicant. She reported that a review of the PUD elements
20 is included in the Meeting Materials Packet. Page 10 of the Staff Report states:
21

- 22 • Purpose Statement and Objectives: (4) Maximizing and preserving vegetation and open
23 space and/or other special development amenities to provide light, air and privacy, to
24 buffer abutting properties and to provide active and passive recreation opportunities for
25 residents of the planned development and/or the community.

26 Chair Roach asked to discuss the tree canopy. He wanted to know if the red circles indicate the
27 trees intended to come out, which was confirmed. Chair Roach mentioned the intersection inside
28 the development and the fact that it is an entirely forested tree area. Ms. Marsh stated that it looks
29 that way, but she is not certain. It was reiterated that it is possible to ask the applicant clarifying
30 questions. Chair Roach asked how many neighbors within a quarter mile in the R-1-43 Zone have
31 lot sizes less than 1 acre. He would like to know how many non-conforming lots there are in that
32 zone and in the nearby area. Ms. Marsh reported that there was a previous analysis conducted to
33 determine how many non-conforming properties are in the R-1-87 Zone and R-1-43 Zone. She
34 offered to look into that and share additional information with the Commission at a future meeting.
35

36 Chair Roach asked the applicant to address some of the Commissioners' comments. Brandon
37 Ames introduced himself to the Planning Commission and discussed the goals of the PUD. The
38 landowner wanted to move here and build a forever home for himself and his wife, and then
39 provide lots for their children. That is the overarching goal. Though the lots are there, not all of
40 them will necessarily be used, depending on the desires of the individual children. The landowner
41 wanted to provide an equal opportunity for the children, which was how the lot number was
42 determined. In his estimation, it is likely that there will not be as many homes as proposed, but
43 the landowner did not want to leave anyone out. Mr. Ames explained that the landowner is putting
44 a lot of effort and thoughtfulness into the trees and what will be planted there. He wants to preserve
45

1 nature and the creek. Chair Roach asked for additional information about the Preliminary Tree
2 Preservation Map included in the Meeting Materials Packet. Mr. Ames explained that if something
3 is not shown in red, then it is not planned to be removed. The intention is to leave whatever is not
4 marked.

5
6 There was additional discussion about the tree canopy in the area. Mr. Ames reiterated that the
7 landowner has been thoughtful about the trees and landscaping. He believes the lot sizes are close
8 to 1 acre. Ms. Marsh reviewed the lot sizes and stated that 0.72 acres is the smallest proposed.
9 Mr. Ames reported that the bridge over the creek will look natural. This is a unique opportunity
10 for the landowner and his family members. This is not a financially driven PUD that is intended
11 to maximize density beyond accommodating the different family members. Chair Roach
12 appreciated the clarification. He acknowledged that this is a unique application and explained that
13 the Planning Commission wants to make sure everything is thought through and done correctly.

14
15 As far as the setback off of Holladay Boulevard, Chair Roach asked if it is in the application to
16 have the minimum 20-foot setback on any building pads off of that road. This was confirmed.
17 Ms. Marsh reported that this development will have a dedication of 7 feet, which is associated with
18 roadway and shoulder improvement. Commissioner Gong asked if the improvements include a
19 sidewalk. Ms. Marsh denied this and explained that it would increase the shoulder width.

20
21 Mr. Ames mentioned the wall on 6200 and the wall to the north. Both of those are old and
22 somewhat unique. The landowner does not intend to do anything with those, because he
23 recognizes the historic significance. Any privacy will be built behind those existing walls, with
24 enough space provided not to disturb them or disturb the tall pines along 6200. Chair Roach asked
25 if the preservation of those walls is included in the PUD application. Ms. Marsh does not know
26 that there is anything designated, but that is something that could be included. She pointed out a
27 dedication that exists, which is 40 feet wide. There is a monument there that will go to public
28 access and the gate will be 18 feet back from the new property line. Ms. Marsh recommended that
29 the Commissioners visit that location before the next Planning Commission discussion.

30
31 Mr. Ames reported that near the existing gate, there are parts of the old wall that are crumbling.
32 There are intentions to use the same material and restore it where necessary. Chair Roach believes
33 that if the intent of the applicant is to preserve the wall, it should be mentioned in any future motion
34 language. Commissioner Cunningham asked if it is intended that all of the visitor parking will be
35 interior to the site, which was confirmed. There will not be visitor parking on Holladay Boulevard.

36
37 There was discussion about the gate that will be 18 feet back from the new property line.
38 Ms. Marsh explained that the 18 feet comes from the Fire Code. There has to be enough space for
39 a vehicle to pull fully into a driveway and wait for a gate to open. Commissioner Cunningham
40 does not believe 18 feet is sufficient on Holladay Boulevard, as there will be a lot of interior traffic
41 from delivery vehicles. When there is a busy road, it makes sense to accommodate more than one
42 vehicle. He does not want bicyclists using the bicycle lane to be squeezed into the roadway. Chair
43 Roach asked if his proposal was to have a further setback on the gate, which was confirmed.
44 Commissioner Cunningham would like to see enough room for two vehicles there.

1 Commissioner Gong asked if Commissioner Cunningham had a similar concern off of 6200.
2 Commissioner Cunningham pointed out that there is more room between the designated travel lane
3 and the traffic is a little bit slower on 6200. Ms. Marsh mentioned the extra area that is being
4 dedicated and reiterated that there will be a larger shoulder. Holladay Boulevard is a 40-foot-wide
5 right-of-way, so it is a little bit wider than some of the other streets. Commissioner Cunningham
6 asked about the lack of a sidewalk. Ms. Marsh explained that a lot of this comes down to the
7 General Plan and where sidewalks are required. Commissioner Gong asked about the rationale
8 for a gate. Mr. Ames clarified that the gate is intended to increase safety and privacy in the project
9 area.

10
11 Commissioner Fonte did not think it made sense to assume that the development will remain in
12 the family in perpetuity, so future residents need to be taken into consideration in this process.
13 Mr. Ames reported that CC&Rs and Homeowners Association (“HOA”) language is being written.
14 That language will focus on the preservation of nature and the creek. In the CC&Rs, there will be
15 a pattern book to ensure that there will be a similar feel to the homes, regardless of the builder.
16

17 Commissioner Berndt noted that on Lot 4, there is a pipeline and a diversion easement. He asked
18 if there is a width to that, because it looks like it cuts through where the buildable area will be.
19 There are concerns that this could create some sort of conflict. Mr. Ames recalled that it is being
20 abandoned because it was found that there is nothing there now. Ms. Marsh reported that it would
21 not be designated as abandoned until there was legal documentation in place. The Commission
22 discussed the easement and the pipe. The easement is the shape of an old parcel that existed
23 previously. Ms. Marsh explained that language related to this can be incorporated into a Condition
24 of Approval. It could state that before Final Plat, there must be verification that the existing
25 easement, specifically the pipe and drainage easement, is abandoned or no longer necessary. She
26 noted that this kind of process takes place occasionally with power lines. If it cannot be abandoned,
27 then it is still possible for the applicant to look into relocation of the pipe.
28

29 Commissioner Berndt mentioned the setbacks that are located in the private road. The house could
30 actually be built on the road, according to the setbacks. Mr. Ames clarified that it is a PUE and
31 not a setback. Ms. Marsh shared additional documents with the Commission for clarification.
32 When it comes to PUDs, there could be multiple dwelling units in a single structure. In this
33 situation, the intention is to have them on individual lots, but the applicant would like to have the
34 ability to build to whatever extent that is without set setbacks for each. It is still possible to
35 implement limitations on the total coverage within the project, which has been done in other PUDs.
36 Commissioner Berndt thought there was a minimum setback. Ms. Marsh explained that this is
37 typically on the perimeters. Mr. Ames pointed out that it is not possible to build over the PUE, so
38 essentially, the PUE will serve that function. There was discussion about the buildable area.
39

40 Commissioner Berndt asked if the creek is considered open space, which was confirmed.
41 Ms. Marsh noted that there could be a requirement that there be some open space amenity that is
42 accessible to those living there. Commissioner Berndt pointed out that the creek is established
43 open space, so there is nothing additional being provided. Commissioner Cunningham asked about
44 Lot 8. It appears the amenity is part of the 0.79 acres, but it is an amenity that is likely for the
45 HOA rather than the owner of that specific lot. He asked if that area would need to be deducted

1 from the size of the lot. Ms. Marsh does not know if the PUD has set requirements that amenities
2 have to be in a common area rather than privately owned. A lot of that can be addressed in the
3 CC&Rs as far as how access to amenities is managed. Similarly, all of the lots that border the
4 creek have a public amenity, but it is all privately owned and incorporated into their lot size. For
5 instance, Lot 6 has a creek area included, but it is still within their private property. In terms of
6 ownership, this is likely the easiest way to parcel it out so everyone has a similarly sized property.
7

8 Commissioner Gong commented that the Planning Commission considers City Ordinances but not
9 CC&Rs. Chair Roach confirmed that CC&Rs are not enforceable by the City. Ms. Marsh
10 explained that in the future, if the property were sold, it would be sold with the CC&Rs in place.
11 In order to remove CC&Rs, all of the properties would need to agree and then have them removed
12 or amended. There are specific requirements with HOAs that dues need to be paid and there has
13 to be a Board in place. There are legal requirements that need to be met. That becomes a legal
14 process for enforcement of the regulations, but it is not something the City itself will handle.
15

16 Chair Roach would like more clarity on the Lot 4 tree canopy at a future meeting, because right
17 now, it appears that a house will replace the forest. When it comes to a PUD that is as heavily
18 wooded as this one is, he is less concerned about the specific trees preserved than he is about the
19 overall canopy. Mr. Ames has done some reading and believes there are four main points about
20 trees and what constitutes a heritage tree. There is work being done with a Landscape Architect
21 to ensure that there is compliance with the City Code. Ms. Marsh reported that there is an inventory
22 and some proposed replacement trees are listed. The mature canopy size is also included in the
23 document. The total tree count on the site is 734 and there is a breakdown into different groups.
24 There is a balance between providing some level of flexibility and the requirements that are in
25 place. The Commission needs to decide whether some designated areas need to be shown or if
26 there is comfort with specifically stating that there must be tree replacement of an equivalent
27 amount.
28

29 Commissioner Fonte asked to review the submitted information about the canopy. There is
30 mention of a mature canopy and the square footage provided by the proposed trees. She asked if
31 that canopy will be provided at maturity of those trees, which was confirmed. Ms. Marsh reported
32 that there is a sustainability portion of tree preservation. When trees age, certain health issues
33 might occur, so it is important to have new trees planted that will grow to maturity.
34

35 Chair Roach wrote down some of the items that were discussed during the meeting. This includes:
36 preservation language related to the stone walls, additional clarity on tree preservation, and finding
37 out how many neighbors within a certain distance of the project are non-conforming in the R-1-43
38 Zone. Commissioner Cunningham would like additional information about the gate. There can
39 also be some clarification about how some of the amenities will be managed.
40

41 Commissioner Fonte asked if whether the landowner will develop all of the properties and whether
42 all of the family members want to move in or not. Mr. Ames is not certain. He believes the
43 landowner wants to make the properties available to his family members, but there is one child in
44 particular who would like to build there. As for a swimming pool, he does not know the probability
45 of that being built. He reiterated that what has been shared so far is conceptual in nature. The

1 Commission further discussed the amenities and whether those are viewed as public or private.
2 Ms. Marsh explained that the amenities would be usable by those living in the development.
3

4 **ACTION ITEMS**
5

6 **2. “Oly Vista” Subdivision - Amendment - 4877 South Holladay Boulevard (R-1-10)**
7 **Review and Consideration of an Application by Application/Property Owner, Buck**
8 **Swaney, to Amend the Boundaries of an Existing Subdivision. This Amendment will**
9 **add 2,112.6 square feet to Lot 2 in the Oly Vista Subdivision. Item Reviewed as an**
10 **Administrative Action for Permitted Uses in Accordance with Zone and Subdivision**
11 **Standards Required by Holladay Ordinance §13.10A File #22-1-03-3.**

12 Ms. Marsh presented the Staff Report and explained that this is a Subdivision Amendment for the
13 “Oly Vista” Subdivision. It is located at 4877 South Holladay Boulevard and is in the R-1-10
14 Zone. This subdivision was approved in 2022, and there have been a few amendments for
15 landscaping changes since that time. The amendment will add an additional area of land to Lot 2.
16 It is on the east boundary of the Subdivision. The total area is 15 feet wide and 140.84 feet long,
17 which would add 2,112.6 square feet to Lot 2. This would bring the total land area for Lot 2 to
18 0.51 acres. The required 10,000 square foot minimum lot size in the zone is still met for both
19 properties in the Subdivision. The Technical Review Committee (“TRC”) analysis is included in
20 the Staff Report. Ms. Marsh offered to answer Commissioner questions about the application.
21

22 Chair Roach reported that the “Oly Vista” Subdivision Amendment was discussed during the Work
23 Session and noted that this is a straightforward item. There were no Commissioner questions.
24

25 ***Commissioner Cunningham moved to APPROVE the Subdivision Amendment application by***
26 ***Landblu, LLC, to Lot 2 of the Oly Vista Subdivision, located at 4877 South Holladay Boulevard,***
27 ***in the R-1-10 Zone, based upon the following findings:***

28

- 30 ***1. No petition from other owners in the Subdivision has been received. (Both lots***
31 ***are owned by the same owner.)***
- 33 ***2. The Subdivision Amendment complies with all Ordinances.***
- 35 ***3. The Amendment does not create any non-conformities.***
- 37 ***4. Fire access is unchanged.***

38
39 ***Commissioner Berndt seconded the motion. Vote on Motion: Commissioner Cunningham-***
40 ***Aye; Commissioner Fonte-Aye; Commissioner Gong-Aye; Commissioner Berndt-Aye; Chair***
41 ***Roach-Aye. The motion passed unanimously.***

1 **3. Approval of Minutes - 05/6/2025 and 7/15/2025.**

2
3 *Commissioner Gong moved to APPROVE the Meeting Minutes from May 6, 2025.
4 Commissioner Fonte seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;
5 Commissioner Fonte-Aye; Commissioner Gong-Aye; Commissioner Berndt-Aye; Chair Roach-
6 Aye. The motion passed unanimously.*

7
8 *Chair Roach moved to APPROVE the Meeting Minutes from July 15, 2025, as amended.
9 Commissioner Fonte seconded the motion. Vote on Motion: Commissioner Cunningham-Aye;
10 Commissioner Fonte-Aye; Commissioner Gong-Aye; Commissioner Berndt-Abstain; Chair
11 Roach-Aye. The motion passed unanimously.*

12 **ADJOURN**

13 *Chair Roach moved to ADJOURN. There was no second. The motion passed with the
14 unanimous consent of the Commission.*

15
16 The Planning Commission Meeting adjourned at approximately 7:09 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the City
2 of Holladay Planning Commission Meeting held on Tuesday, August 19, 2025.*

3
4
5

6 Teri Forbes

7 Teri Forbes
8 T Forbes Group
9 Minutes Secretary
10
11 Minutes Approved: _____

DRAFT



FILE# n/a

COMMISSION MEETING MINUTES

ADDRESS:

n/a

LEGAL DESCRIPTION: n/a

APPLICANT/REPRESENTATIVE:

City of Holladay Planning Commission

PROPERTY OWNER:

n/a

ZONING:

n/a

GENERAL PLAN DISTRICT:

n/a

CITY COUNCIL DISTRICT:

N/A

PUBLIC NOTICE DETAILS:

n/a

REQUEST:

Adoption of Meeting Minutes

APPLICABLE REGULATIONS:

UCA§52-4-203, 206
2.01.080
13.06.030

DECISION TYPE:

Administrative/Procedural:

Commission shall approve, approve with changes or continue to a later date the agenda item

SITE VICINITY MAP

Effective 5/8/2018

52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.

(1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.

(2)

- (a) Written minutes of an open meeting shall include:
 - (i) the date, time, and place of the meeting;
 - (ii) the names of members present and absent;
 - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
 - (iv) a record, by individual member, of each vote taken by the public body;
 - (v) the name of each person who:
 - (A) is not a member of the public body; and
 - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
 - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
 - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

- (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.

EXHIBITS:

+

Notes:

Corrections made according to commission direction on 12-1-2020

STAFF:

Jonathan Teerlink, City Planner

DRAFT

MINUTES OF THE CITY OF HOLLADAY PLANNING COMMISSION MEETING

**Tuesday, September 2, 2025
6:00 PM
City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Planning Commission Members:

City Staff:

Dennis Roach, Chair
Karianne Prince
Angela Gong
Jill Fonte
Paul Cunningham
Brian Berndt

Carrie Marsh, City Planner
Brad Christopherson, City Attorney

WORK SESSION

Chair Dennis Roach called the Work Session to order at 5:34 p.m. He reported that the newest Commissioner, Patrick Tripeny, was not present.

The agenda items were reviewed and discussed. City Planner, Carrie Marsh, noted that when she reviewed the Staff Report for Items 3, 4, and 5, the most current version was not included in the Meeting Materials Packet. She explained that the most current version will be shared on the screen. In addition, all Commissioners were provided with a printed copy. The changes were on Pages 3, 6, and 7. The new version removes references to a variance. In addition, lot width and a Code definition were included for exceptions to lot width. The previous version of the Staff Report was still available and she would be sure to highlight the differences between the documents.

Ms. Marsh shared information about the first Public Hearing item, "David McDonald Historic Home." She reported that this is a Conditional Use Permit ("CUP") application for property located at 4659 South Highland Drive in the R-M Zone. The David McDonald House was added as a Historic Site through the City Council. The new property owner is looking to use the location as a custom jewelry shop in addition to making modifications to the property. The Staff Report includes a review and recommendation from Community and Economic Development Director, Jonathan Teerlink. Ms. Marsh referenced the trim piece underneath the soffit and shared an image with the Commission. It is essentially exterior crown molding and can be seen in historical photos.

44 The three items that Mr. Teerlink noted for the Planning Commission discussion included the
45 following:

1

- 2 • Second level addition – appropriate styling;
- 3 • Removal of the frieze from the upper cornice; and
- 4 • Scale of columns supporting the front porch.

5

6 Ms. Marsh stated that it is possible to discuss those items with the applicant during the Regular
7 Meeting. Chair Roach asked if this was approved as a historical building at the last City Council
8 Meeting, which was confirmed. Based on the Code for Historic Sites, there was no way to
9 designate new buildings to the site designation list. That was one of the changes that were made
10 in the Code modifications for Historical Site Preservation earlier this year. This was one of the
11 homes called out in the General Plan and it has already been on the National Historic Register.
12 Now that it has been added to the Code in the Historic Sites, it is eligible for a conditional use.

13

14 Chair Roach asked what conditional use the historic designation permits. Ms. Marsh explained
15 that the property is zoned R-M. It is typically easier to go through a designation and Historic
16 Modification CUP than to rezone to PO. That was an option the property owner had available but
17 Staff encouraged the applicant to go through the CUP process instead.

18

19 Commissioner Cunningham asked about the site modifications mentioned in the Staff Report.
20 Ms. Marsh clarified that the site modifications relate to the exterior of the building, including the
21 second-level addition, front porch, Americans with Disabilities Act (“ADA”) ramp, and some
22 landscaping modifications. Commissioner Gong believed tree removal was also mentioned.
23 Ms. Marsh reported that two pine trees in the front were removed and some replacement is required
24 either on-site or off-site. When a tree is removed, replacement is required. The applicant may
25 have plans to plant trees in the front yard, or there might be a request to have half of the replacement
26 trees located off-site. For instance, if two are required, one could be placed off-site.

27

28 Ms. Marsh reported that the remaining Public Hearing items on the Regular Meeting agenda
29 pertain to the “Amare Vita” application. She reminded the Commissioners that there were
30 Discussion Items on the last Planning Commission Meeting agenda. The previous version of the
31 Staff Report was shared. She identified the sections that mention a variance. The updated version
32 was shared and it was noted that the Planning Commission discussion will focus on that document.

33

34 Three Public Hearings will relate to the “Amare Vita” application, starting with the Conceptual
35 Subdivision, Planned Unit Development (“PUD”), and Preliminary Plat. Ms. Marsh mentioned
36 the Conceptual Subdivision and the change that was made. The lot width is reduced from 100 feet
37 due to significant trees and streams/floodplains.

38

39 13.04.040 – Lot Width states:

40

- 41 • The diameter of the largest circle that can be inscribed entirely within a lot. The lot width
42 circle shall not include streams/floodplains, wetlands, areas of thirty percent (30%) slope
43 or greater or other natural hazard areas or a “significant tree,” as defined in this title.

44

1 Ms. Marsh reported that a Concept Subdivision Layout is overlayed on the Tree Plan. The
2 significant trees shown on there, in addition to the waterway, are the basis of reducing the lot width
3 from 100 feet to a range of 89 feet to 92.5 feet. The lot frontage will still be met.

4
5 Commissioner Cunningham thought the removal of one lot would make this design work better.
6 Ms. Marsh noted that there is enough land area for each of the lots. The natural features with the
7 trees and waterway are what have reduced the lot width standards to 92 feet on average from 100
8 feet. Chair Roach believed that if the building was built within the circle shown, it would be in
9 compliance with the lot standards. This was confirmed. Commissioner Cunningham stated that
10 the City has done a great job of maintaining the character. He would like to see the subdivision
11 embrace that idea more, rather than having a lot of different homes right next to one another.

12
13 Ms. Marsh pointed out that a PUD allows a more creative layout than what a standard Subdivision
14 would allow. There can be more flexibility as far as where structures are placed. Commissioner
15 Cunningham noted that there is language about areas of coverage. He believed that it was because
16 of the swimming pool that was included in the original plan. At the last Planning Commission
17 Meeting a comment was made that there was no intention of including the swimming pool in the
18 documents. He wanted clarity about the areas of coverage that are being approved.

19
20 Ms. Marsh shared the standard for lot coverage, which is 23% for structures and 28% total in the
21 R-1-43 Zone. It is 20% for structures and 33% total in the R-1-87 Zone. The Code allows for
22 bonus coverage, which would increase the total lot coverage by 10%. There are different standards
23 across the different zones. The Planning Commission could apply the lot coverage standard to
24 each zone or create a standard that is applicable to the overall project. A recommendation was
25 included in the Staff Report. Since the proposal is seeking to shift one of the dwelling units to the
26 east side of the creek, it seemed less complex to have a standard that applies across the entire
27 project. The recommendation was 22% since most of the land is in R-1-43. She noted that 60%
28 of the project area is within the R-1-43 Zone. As a result, a coverage limit of 22% and 27% was
29 recommended but was something the Planning Commission can discuss with the applicant.

30
31 Ms. Marsh mentioned the parcel analysis, which is an addition since the last Planning Commission
32 Meeting. It shows how many parcels are one and two acres in each zone. Most of the parcels in
33 the R-1-43 Zone are conforming or overconforming. A few parcels in the R-1-87 Zone are smaller
34 than two acres. Ms. Marsh explained that the nature of PUDs is that the property will not
35 necessarily be in full conformity with the zone. That is the reason it is recorded on the Plat as
36 being a PUD. When PUDs are created, there is an overall project area and then the set building
37 areas are recorded. There are several examples of large-scale developments that resulted in lots
38 that are smaller than the zone standard, but the tradeoff is that there is open space that is common
39 or is shifted to other areas within the project. Chair Roach asked if the properties would fall as
40 low as the R-1-21 Zone standard, which was denied.

41
42 Ms. Marsh reminded the Commissioners that during the last discussion, a question was raised
43 about trees. The applicant added additional details to the Tree Plan. It now shows the canopy area
44 that is being removed, which was shown in the clouded areas in red on the plan. The red diagonal
45 lines are where there is roadway beneath the canopy. It is possible to review this with the applicant.

1 Chair Roach asked if the red circles specify canopy removal or the existing canopy. Ms. Marsh
2 identified the tree canopy to be removed and that will remain. There are areas where the tree
3 canopy will be removed for the road. Chair Roach believed that on Lot 4, there is tree canopy to
4 remain with a house built in the middle of the red circle. Ms. Marsh noted that there might be
5 some smaller trees but those details can be confirmed by the applicant.

6
7 Earlier in the discussion, a swimming pool was mentioned. Ms. Marsh clarified that it has not
8 been confirmed for the development as the swimming pool was conceptual. It is, however, shown
9 on some of the documents provided in the Meeting Materials Packet. Information about setbacks
10 was shared with the Planning Commission. At the last meeting, there was discussion about some
11 of the utility easements. There will not be structures within the utility easements, which impacts
12 some of the setbacks. Additional setback details were reviewed.

13
14 Commissioner Cunningham believed the minimum separation between buildings is 10 feet, which
15 was confirmed. In addition, all of the structures have a 100-foot setback from the creek.
16 Commissioner Fonte asked when the adjacent property owners received notice. Ms. Marsh
17 reported that there have been three notices for the same project and no comments were received.

18
19 The Work Session ended at 6:10 p.m.

20
21 **CONVENE REGULAR MEETING – Public Welcome and Opening Statement by**
Commission Chair.

22
23 Chair Roach called the Regular Meeting to order at approximately 6:10 p.m. and welcomed those
24 present. Commissioner Prince read the Opening Statement for the benefit of those present.

25
26 **ACKNOWLEDGMENT OF SERVICE**

27 **1. Recognition of Service Award – Presentation of Service Award to Ginger Vilchinsky**
for her Volunteer Service as a Planning Commissioner for the City of Holladay.

28
29 Chair Roach recognized the serve of Ginger Vilchinsky, who previously served on the Planning
30 Commission. Gratitude was expressed for her service.

31
32 **PUBLIC HEARINGS**

33 **2. “David McDonald Historic Home” – Conditional Land Use Permit – 4659 South**
Highland Drive (R-M Zone). Review and Consideration of a Request by Applicant
John Branscomb as Owner, for Modifications To and Use of a Designated Historic
Property. Item Reviewed as an Administrative Application as per Provisions Stated
in Holladay Ordinance §13.86.030 and §13.08.040. File #25-00-00.

34
35 Ms. Marsh presented the Staff Report and stated that the above item is a CUP for the David
36 McDonald Historic Home. It is the newest site designation as a result of action taken by the City
37 Council the previous week. The property is known as the David McDonald House and it is located
38 at 4659 South Highland Drive in the R-M Zone. It has been used as offices and a residential
39 treatment facility in the past. The new property owner is looking to open a custom jewelry shop
40 in addition to making modifications to the property. The first few pages in the Staff Report review
41 what is in the City Code. There is also a review of conditional uses on a Historic Site. She
42 reiterated that the proposal is for a jewelry store that handles custom jewelry, which is similar to
43
44
45

1 an antique or art shop. The site has limited parking. As a result, the property owner is seeking to
2 improve the parking by refinishing the parking lot and adding additional parking.
3

4 The Staff Report includes some of the historic details of the property. Ms. Marsh reported that it
5 was built in 1890 by David and Arabella McDonald, who immigrated to Utah from Scotland in
6 1869. Mr. McDonald was a blacksmith and his blacksmith shop was located close to the property.
7 The family has owned the home for many years. An original photograph of the house was
8 presented and it was noted that some modifications were made in 1912, including the addition of
9 a porch.
10

11 On the rear side of the property, there is a rear porch addition, which was likely done in the 1960s
12 or earlier. The applicant is proposing changes to that as there are structural issues. The proposal
13 is to remove it and make modifications to address the structural issues and add a second level as a
14 sunroom. Other modifications are proposed on the front of the home with the addition of an ADA
15 access and a porch. The windows will be modified for security and energy efficiency but the
16 window frames will not. Ms. Marsh pointed out the stained-glass windows and believed they were
17 intended to remain. Modifications to the landscaping were proposed. There are two large pine
18 trees in front of the property but because of the location of power lines, replacing them with tall
19 trees might be difficult.
20

21 There has historically been a trim piece below the roof line. It is possible for the Planning
22 Commission to speak to the applicant about including that in their modifications. The items noted
23 by the Community and Economic Development Director for Commission discussion included the
24 following:
25

- 26 • Second level addition – appropriate styling;
- 27 • Removal of the frieze from the upper cornice; and
- 28 • Scale of columns supporting the front porch.

29
30 Ms. Marsh noted that the fence on the site was originally constructed in 1912. It was suggested
31 that it possibly be included on the site. If it is not to be used in the front of the site, it could be
32 incorporated elsewhere since it is noted on the National Historic Register. Commissioner Gong
33 commented that in the renderings and stated that there appears to be an iron fence. She asked if
34 that is the same fence that is on the site currently. Ms. Marsh is not certain but stated that the
35 applicant could provide clarification. Chair Roach mentioned the list of suggested findings from
36 the Technical Review Committee (“TRC”) and asked if these items need to be addressed with the
37 applicant. Ms. Marsh noted that a condition can be added specific to trees.
38

39 The applicant, John Brooks Branscomb, identified himself as the owner of J. Brooks Jewelers. He
40 has been looking at this building for about one year and decided to purchase it. As for the fence
41 in the front, there is no intention to remove it. Based on how the architect wants to build an
42 entrance, it will need to be removed, repaired, patched, and reinstalled. The intention was to
43 continue utilizing the fence. In addition, the design will be mimicked on the porch.
44 Mr. Branscomb explained that adding the porch seemed to make the most sense because there had
45 been a porch for many years. He shared information about the trees and explained that the pine

1 trees are dead and cannot be saved. The architect assured him that if additional trees need to be
2 planted, they can be incorporated into the plan. In the back, there is an old, abandoned canal that
3 has not had water for 30 years. The surveyor was on the site the previous week and was trying to
4 determine the location of the property line.

5
6 Mr. Branscomb explained that there is no desire to change the look of the home to the point that it
7 will not be recognizable. The McDonald family members, who are 88 and 90, came by the store
8 over the last several weeks and he was able to meet them. There is excitement that the home will
9 be used. According to one of the family members, the back porch open his entire life. Since room
10 is limited, there is a desire to add a vault, which involves rebuilding the foundation there.
11 Mr. Branscomb reported that the proposed use will have a low level of use, with 15 to 20 vehicles
12 per day as compared to the several hundred vehicles per day at the coffee shop one block to the
13 south. Some dead trees have been removed and the cleanup process is underway.

14
15 Chair Roach asked if there would be support to add a few columnar trees in the front.
16 Mr. Branscomb was confident that something could be worked out. The architect cautioned
17 against the inclusion of a specific Condition of Approval, as there are details that still need to be
18 determined. Chair Roach understood that there are limitations. He mentioned the suggested
19 Conditions of Approval from the TRC and believed that retention of the fence is planned. Chair
20 Roach asked about improvements within 20 feet of the canal on the east side of the property.
21 Mr. Branscomb explained that there is a desire to pave from the back of the home to the fence line.
22 Doing so will provide adequate room for the necessary parking. No one he has spoken to thinks
23 that the canal is active. The question pertained to ownership of the canal, which was being
24 determined. It is essential to be able to pave back to that location to have parking on the site.
25 Commissioner Berndt asked how far the canal is from the building. It was reported to be
26 approximately 24 feet.

27
28 Commissioner Cunningham asked if Staff had looked at the parking on the site. Ms. Marsh stated
29 that the parking will be based on the use. If the intent is to add parking in the rear, a reasonable
30 condition would be to follow the Code for waterway protection. That requires a property owner
31 to work with the canal company if there are modifications within a canal area. If it is an abandoned
32 canal, that can be worked out and verification can be provided. Ms. Marsh reported that waterway
33 protection is where the 20-foot distance comes in. The intent is to protect banks from erosion and
34 maintain trees along canals. Conditions of Approval could focus on compliance with waterway
35 protection and tree canopy sustainability. If the canal is abandoned and the waterway protection
36 does not apply and trees are removed, those trees would need to be replaced with a mature canopy
37 of equivalent size on the property. 50% could be replaced off the property. As for parking, if there
38 is not enough parking available or a way to locate parking on the site, it is possible to explore a
39 Shared Parking Agreement with a neighboring business.

40
41 Chair Roach pointed out that if the parking lot is to be expanded, there are Code requirements
42 pertaining to tree islands. Commissioner Gong asked if the existing parking is enough for the
43 proposed use. Mr. Branscomb reported that there are seven stalls on the site currently. Ms. Marsh
44 explained that the parking requirements are based on square footage. She believed that seven
45 parking stalls would be adequate but had not yet done a full parking assessment. The Planning

1 Commission can ensure that there is a condition that specifies that the parking standards must be
2 met.

3

4 Chair Roach asked about the frieze and whether that will remain. Cory Solum from Think
5 Architecture identified himself as the Project Architect. The overall goal is to maintain and repair
6 the frieze board that is at the soffit, however, some of the window trim will need to be modified as
7 replacements occur. The intention is to maintain as much of the existing frieze as possible, with
8 the understanding that some parts may need to be refabricated and rebuilt. Mr. Solum shared
9 information about the fence and explained that the overall goal is to take the existing historic fence
10 and reuse it on two sides of the pillars. Some of the fence is in poor condition and is rusted through.
11 The design accounts for sections that might not be able to be reused. Mr. Solum explained that
12 the applicants love the fence and the goal is to keep it on the site but enhance it as much as possible.

13

14 Chair Roach asked about the scale of the columns that will support the front porch. Mr. Solum
15 believes those are approximately 14' x 14'. It is possible to work on the proportions, as the
16 intention is to have a box column with several pieces of trim. He explained that the goal is to
17 create an entry porch that appears to be more historical in nature. Mr. Solum clarified that the
18 original home did not have a porch but one was added later. It was noted that the porch
19 complements the home and will protect the ramp planned for ADA access.

20

21 Commissioner Prince asked about the columns shown in the depiction. The columns appear to be
22 round, which is not the same as a box column. Mr. Solum clarified that it was requested that a
23 shift be made so that it is a round column instead. He explained that a revision was made to the
24 appearance of the columns approximately one week ago. Commissioner Prince asked about the
25 stained glass. Mr. Solum reported that there is a desire to keep the stained glass on the house but
26 the stained-glass modules will be different than the new glass. The goal is to work with the window
27 manufacturer in order to reinsert the stained glass. If that is not possible, the stained glass will be
28 reused on the interior of the project.

29

30 Commissioner Fonte appreciated that every retailer wants maximum visibility for their storefront,
31 however, that that the City of Holladay is a Tree City USA, it is not unreasonable to include a
32 Condition of Approval for columnar trees in front of the property. Chair Roach acknowledged the
33 power lines in the area that need to be taken into account. It is possible to put in columnar beech
34 trees, for example, as they would fit in in the proposed location. In addition, the green space would
35 soften the noise and heat islands that exist along the Highland Drive corridor. Mr. Solum explained
36 that there is no opposition to this and pointed out that there are a lot of trees on the property.

37

38 Ms. Marsh asked if the Planning Commission was tied to columnar trees. She questioned whether
39 there is an openness to a flowering small-scale decorative tree. It is possible to provide some
40 flexibility in the Condition of Approval language. There was support for additional flexibility.
41 Chair Roach asked that the motion language include a reference to a small to medium tree.

42

43 Chair Roach opened the public hearing. There were no comments. The public hearing was closed.

44

1 Commissioner Gong commented that the use is reasonable in terms of intensity. The suggested
2 modifications to the structure are in line with the historic look and feel of the property. She
3 appreciated that the applicant was being thoughtful about preserving various elements. Chair
4 Roach agreed with the comment made by Commissioner Fonte about smaller trees in the front.
5 There is a power line that needs to be taken into account but trees can still be added.

6
7 ***Chair Roach moved to APPROVE the Application for a Conditional Use Permit for a Historic***
8 ***Site Modification and for Use as a Jewelry Shop for the “David McDonald House,” designated***
9 ***as a Historic Site by Section 13.86.020 of the City of Holladay Code, located at 4659 South***
10 ***Highland Drive, subject to on the following:***

11 ***Findings:***

12
13
14 1. *Modifications to the building and site are considered to be substantial, as defined*
15 *by 13.86.050.*
16
17 2. *The proposed modifications, overall, do not detract from the historic nature of*
18 *the building architecture.*
19
20 3. *The enclosed north and west porches, while not part of the original structure,*
21 *have been in place for at least 47 years or longer.*
22
23 4. *The proposed contemporary rear addition adds usability to the home and its*
24 *location on the rear of the home does not detract from the historic feel when*
25 *viewed from the street.*
26
27 5. *The proposed use is similar in nature and intensity to those included within*
28 *Chapter 13.86.060 – Additional Uses Allowed.*
29
30 6. *The proposed use and modifications align with the Highland Drive Master Plan.*

31 ***Conditions:***

32
33
34 1. *Front fencing no higher than 4 feet in the front yard and to meet clear view*
35 *standards at driveways (15 feet parallel and perpendicular to the sides of the*
36 *driveway).*
37
38 2. *Parking to meet the parking requirements for use.*
39
40 3. *Retention and reuse of the original iron fence from 1912, as noted in the National*
41 *Historic Register, on the property.*
42
43 4. *Compliance with Waterways Protection for the canal on the east side of the*
44 *property. Any additional parking must be compliant with City Code standards.*
45

1 5. *Add two small to medium trees that will work with the landscaping in front of the*
2 *home.*

3
4 ***Commissioner Fonte seconded the motion. Vote on Motion: Commissioner Berndt-Aye;***
5 ***Commissioner Gong-Aye; Commissioner Prince-Aye; Commissioner Fonte-Aye;***
6 ***Commissioner Cunningham-Aye; Chair Roach-Aye. The motion passed unanimously.***

7
8 The Planning Commission took a short break before hearing the remaining items.
9

10 3. **“Amare Vita” Residential Subdivision – Concept Plan – 6114, 6178, 6190 South**
11 **Holladay Boulevard (R-1-43) and 2715 East 6200 South (R-1-87). Review and**
12 **Consideration of a Residential Site Plan Proposed by Applicant J.U.B. Engineering**
13 **to Subdivide 11.42 Acres of Land Consisting of 9 Lots within the R-1-43 and R-1-87**
14 **Zones. Item Reviewed as an Administrative Action for Permitted Uses in Accordance**
15 **with Zone and Subdivision Standards Required by Holladay Ordinance §13.10A.**
16 **File #25-1-08.**

17 Chair Roach reported that the Public Hearing was still open for the above matter from the last
18 meeting. Ms. Marsh presented the Staff Report but explained that the Meeting Materials Packet
19 published online does not include the latest information. She shared what is publicly available and
20 compared it to the updated version. The references to a variance for a standard Subdivision were
21 removed. Instead, there is reference to the definition for lot width and how that is determined on
22 properties.

23
24 Ms. Marsh explained that when there is a standard Subdivision, the applicant must show that the
25 lots being proposed meet the minimum zone requirements. This property is across two separate
26 zones since there is land in the R-1-43 Zone and in the R-1-87 Zone. The R-1-43 Zone section is
27 located east of Big Cottonwood Creek and there is a 100-foot minimum lot width. The Concept
28 Subdivision references the lot width being reduced from 100 feet due to significant trees and
29 streams/floodplains on the site. How the lot width is determined is defined in the Code.

30
31 The Applicant Narrative, Notice Area, and Concept Subdivision were shared. Ms. Marsh noted
32 that the Concept Subdivision shows the significant trees that are on the site. The lot widths are
33 reduced from 100 feet to 89.57 feet at the smallest size and 92.67 feet at the largest size. There
34 are nine total lots in the project area, with seven lots on the Holladay Boulevard side. All will
35 have access to Holladay Boulevard and the minimum lot requirement for frontage at the public
36 right-of-way is met. In addition, the lot sizes are met, as each is at least one acre. On the R-1-87
37 Zone side, the frontage and overall lot width requirements are met. There are two lots on that side.
38 She reiterated that there are a total of nine lots in the concept, which will be used as a basis for the
39 PUD. Ms. Marsh offered to answer any outstanding Commissioner questions.

40
41 There was discussion about the lots shown on the conceptual drawings. Ms. Marsh explained that
42 the normal process will establish the Subdivision first to determine whether the zoning
43 requirements are met. The Meeting Materials Packet shows that the Subdivision can be approved
44 and meets the zone minimums. Commissioner Gong pointed out that the acreage requirements are
45 met for a subdivision but not the minimum lot width. Ms. Marsh confirmed this but noted that it

1 can borrow from what it cannot use on the creek side. Chair Roach explained that it is not possible
2 to build where the creek runs through the property, which makes a variance possible. City
3 Attorney, Brad Christopherson, explained that there would not be a variance but a variation. He
4 noted that "variance" is a legal term. There needs to be an adjudication process to grant a variance.
5

6 Commissioner Gong believed the variation would push up the buildable area from the back of the
7 lots but does not impact the width. Ms. Marsh pointed out that significant trees limit where the lot
8 lines can be located. Commissioner Gong commented that, based on the PUD information, it
9 seems that a lot of trees are being removed. She wanted to understand how it can be a limitation
10 while later portions of the application process include the removal of trees. Chair Roach explained
11 that the current request considers whether there is enough land for the zone. There was discussion
12 about the current application.
13

14 Commissioner Gong asked why so many lots are being proposed when it does not meet the
15 minimum lot width requirement. Ms. Marsh explained that the trees and the creek are being taken
16 into consideration. There can be a variation to the lot width because of those natural features. A
17 question was raised regarding how the variation is determined. Ms. Marsh clarified that there is
18 no specific guideline but it is based on the total amount of land.
19

20 Commissioner Fonte referenced the drawing on Pages 85 and 86 of the Meeting Materials Packet
21 and asked for additional clarification. On Page 86, there are the two lots that are parallel to Murray
22 Holladay Road. There are then five lots that are slightly wider behind. Ms. Marsh explained that
23 it is the PUD layout. She discussed clustering development around where the roadway access will
24 be. There is a limited area next to the creek. She identified the floodplain on the drawings and
25 stated that part of the process is to establish how many units can be within the project.
26

27 Chair Roach asked to review 13.040.050. Ms. Marsh explained that the text is quoted in the
28 Meeting Materials Packet. She also shared a figure that shows how the lot width is determined.
29 Occasionally, there will be odd-shaped parcels in which case the lot width is based on the widest
30 point. Chair Roach referenced the comments made by Commissioner Gong about the 100 feet and
31 the variation. He asked if the Planning Commission determines whether the widest point is
32 appropriate. Ms. Marsh reported that the assessment was done by Staff, who looked at the
33 definition of lot width and determined whether the lot width could be varied. Mr. Christopherson
34 explained that the map that was drawn with the trees and narrow widths was done to establish
35 density. No determination was being made about lot lines, but the density that can be supported.
36 It is a multi-step process and the first step focuses on the establishment of density. The reason the
37 variance language was removed was because it would be difficult to meet the requirement for a
38 variance on these particular lots. He shared variance examples in the community.
39

40 Ms. Marsh noted that the definition of lot width allows for variations. This is the basis for what
41 has been presented. Mr. Christopherson reiterated that the document shown is intended to show
42 that nine lots can fit on the property. He explained that it can do so using the variation allowed for
43 in the Code. Chair Roach pointed out that once the concept is approved for nine lots, it will impact
44 other elements of the application. The case that has been made by Staff is that nine lots can fit on
45 the property. Ms. Marsh shared information about driveways and explained that a driveway needs

1 to be five feet from a property line, which would apply on both sides, resulting in 10 feet between
2 driveways. Commissioner Cunningham asked if the numbers in the application are based on the
3 100-year floodplain line or 100 feet from the creek. Ms. Marsh identified the floodplain area and
4 explained that it essentially follows the creek bank and is wider in a specific area.

5
6 The Commission further discussed the application. Mr. Christopherson noted that the State of
7 Utah values private property rights. Chair Roach reiterated that the Planning Commission is
8 considering whether the Concept Plan meets the criteria set forth by the City of Holladay Code
9 and Ordinances.

10
11 Chair Roach opened the public hearing. There were no comments. The public hearing was closed.
12

13 A question was raised about whether the Tree Plan is sufficient. Ms. Marsh explained that the
14 presence of trees is where the lot width variation comes from. Chair Roach believed the tree details
15 are related to the PUD portion of the application rather than the conceptual discussion.
16 Commissioner Gong thought it made sense to specify that any trees used as part of the rationale
17 for the variation cannot be removed later. Mr. Christopherson explained that in this first step, the
18 Commission is establishing the base density. The question was whether nine lots can fit in this
19 area. He reiterated that the Commission is trying to establish a base density. Based on the language
20 in the ordinance, there is a way that nine lots can be fit onto the property with the variation of the
21 widths.

22
23 Commissioner Gong asked if the Commission is granting the variation as part of the approval.
24 Mr. Christopherson explained that there are different steps as part of this process. The applicant
25 has to document that they can fit nine lots to establish the base density. The Commission was
26 asked to determine whether the nine lots can fit on the property, using the Code as written.
27 Ms. Marsh noted that if certain conditions exist, the lot width can be varied. Commissioner Gong
28 wanted to understand what would happen if the Commission determined that nine lots could fit on
29 the property. For instance, if the Commission is obligated to approve nine lots in the PUD, even
30 if that might not preserve the natural features included in the variation. Mr. Christopherson
31 confirmed this, assuming that it was shown that nine lots could fit on the property. Chair Roach
32 believed that, based on what has been presented, the application checks the boxes conceptually.
33

34 ***Commissioner Prince moved to APPROVE the Conceptual Subdivision for “Amare Vita,” a
35 nine-lot Residential Subdivision in the R-1-43 and R-1-87 Zones, located at 6114, 6178, 6190
36 South Holladay Boulevard and 2715 East 6200 South, subject to the following:***

37
38 ***Findings:***

39
40 1. ***The development complies with the R-1-43 and R-1-87 Zone standards.***
41
42 2. ***Lot width can be reduced due to significant trees and other natural hazards on
43 the parcels.***
44
45 3. ***Utility letters have been provided/are in progress.***

4. Fire access requirements either are or can be met.

Conditions:

1. *A Preliminary Plat is submitted and reviewed by the Planning Commission.*
2. *Remaining utility letters are provided before Final Plat approval.*
3. *Any proposed PUD details the location of open space and preserved trees.*
4. *Final easement details and alignments to be included on the plat.*
5. *Fire access roads shall be improved to a material to hold 24 tons; No Parking signage is required within fire access areas.*

Commissioner Cunningham seconded the motion. Vote on Motion: Commissioner Cunningham-Aye; Commissioner Fonte-Aye; Commissioner Prince-Aye; Commissioner Gong-Nay; Commissioner Berndt-Aye; Chair Roach-Aye. The motion passed 5-to-1.

4. **“Amare Vita” – Planned Unit Development Conditional Use Permit – 6114, 6178, 6190 South Holladay Boulevard (R-1-43) and 2715 East 6200 South (R-1-87). Review and Consideration of a Request by Applicant J.U.B. Engineering to Subdivide 11.42 Acres of Land as a Planned Unit Development. Item Reviewed as an Administrative Application as per Provisions Stated in Holladay Ordinance §13.08.040. File #25-1-08.**

Ms. Marsh presented the Staff Report and stated that the request is CUP for a PUD and to place the nine units in various locations on the property, as detailed in the PUD Site Plan. The property is located at 6114, 6178, and 6190 South Holladay Boulevard in the R-1-43 Zone. 2715 East 6200 South is a parcel located in the R-1-87 Zone. Much of the analysis included in the Meeting Materials Packet was based on the project overlapping between two zones. 60% of the land is in the R-1-43 Zone and the other 40% is in the R-1-87 Zone. The property is located in the Estates area and is bisected by Big Cottonwood Creek. There are 11.42 acres total, with 4.29 acres in the R-1-87 Zone. The zone allows for two units per acre. There are 7.18 acres in the R-1-43 Zone, which allows for one unit per acre. She explained that the density calculation is for nine units. The concept was reviewed and approved earlier in the Planning Commission Meeting.

The Staff Report includes summary and background information as well as the zone standards. Ms. Marsh explained that there are details related to the minimum lot standards. For example, street frontage, minimum lot width, and how that varies between the two different zones. The orange in the report represents the R-1-43 Zone and the blue represents the R-1-87 Zone. Private rights-of-way have a 20-foot front setback and there is an average rear setback of 41 and 45 feet. Side setbacks are a percentage, so the calculation depends on how wide the lot is. Accessory building setbacks are nine and 15 feet. The total lot coverage for structures is 23% in the R-1-43 Zone and 20% in the R-1-87 Zone. Hard surface coverage is an additional 5% above that. Bonus

1 percentage can be applied to the hard surface. Building height is limited to 40 feet for lots over
2 one acre. Lots less than one acre in size and larger than one-half acre have a maximum height of
3 35 feet.

4
5 The graduated height requirement still applies and is determined by a 45-degree angle that begins
6 at a point eight feet above the property line. The structure has to fit within that building envelope.
7 Ms. Marsh reported that the Staff Report includes an illustration of graduated height. She
8 explained that the purpose of a PUD is also included in the Staff Report and that language is taken
9 from the Code:

10

- 11 • Permit flexibility in land use, allow diversification in the interrelationships of various uses
12 and structures with their sites and thus offer an alternative to conventional development;
- 13 • The application of planned unit development concepts is intended to encourage unique
14 neighborhoods, high-quality housing, exceptional design, additional open space, and
15 facilities compatible with the present living environment in the City;
- 16 • Ensuring compliance with the purpose protects the health, safety, and public welfare of the
17 future inhabitants of, or visitors to the PUD;
- 18 • Imaginative site planning and maximizing energy utilization efficiency are significant
19 advantages that can be secured through a PUD, with the objective of preserving existing
20 greenery and significant trees on site;
- 21 • The PUD must create unique benefits for both the property owner and the city even though
22 it does not allow additional density; and
- 23 • Applicants must justify why the project is better than a project developed as the underlying
24 zoning would allow.

25
26 Ms. Marsh reported that the details of the PUD start on Page 62 of the Meeting Materials Packet.
27 The lot sizes on the eastern portion of the property are approximately 0.75 acres. She explained
28 that shifting one of the dwelling units from the west side of Big Cottonwood Creek to the east
29 involves clustering dwelling units to the side where there is more frontage and access. A chart
30 shows what is required in the R-1-43 and R-1-87 Zones as well as what is proposed. Rear setbacks
31 on each of the lots will be 100 feet, which accounts for the protection area of 100 feet. Two parcels
32 already have development on them and the setback are 50 feet, so there is an increase proposed.
33 The side setback is 20 feet on the south and there will be a side setback of 20 feet along Holladay
34 Boulevard. No accessory buildings are proposed but that would be nine feet in the existing zone.
35 She explained that there are no setbacks proposed on the front of the lots so there is some flexibility
36 on the placement in proximity to the private roads. The private roads are not accessible to the
37 public and will only be accessible to those living within the development.

38
39 Commissioner Gong asked for additional information on the accessory building setback since the
40 Staff Report shows that none were proposed. Ms. Marsh clarified that a separate setback is not
41 proposed for accessory buildings. In the future, if someone wishes to build an accessory building
42 on their property, the accessory building have to be located within the buildable area.

43
44 Ms. Marsh discussed building heights and noted that since the lots on the east side will be less than
45 one acre in size, there will be a maximum 35-foot building height. Lot coverage issues were

1 discussed during the Work Session. The limit for each of the zones is detailed in the Staff Report
2 and is slightly different based on the zone. It is possible, however, to set a lot coverage limit for
3 the entire project. The Staff Report also reviews each of the purpose statements and objectives.
4 Staff support for the items was detailed as well. One of the points relates to the reduction of
5 driveways on Holladay Boulevard due to a singular access road. At the previous Planning
6 Commission Meeting there was discussion about the gate. The Site Plan specifies that there is a
7 dedication area of seven feet on Holladay Boulevard for shoulder improvements. Having a
8 shoulder would allow vehicles to queue if there was ever a line for the gate. It is possible to ask
9 the applicant if the intention is for it to remain at 18 feet. The Commission can then consider an
10 appropriate distance.

11
12 Another issue discussed at the last Planning Commission Meeting was the number of non-
13 conforming parcels in the area. A map was provided in the Staff Report identifying one and two-
14 acre parcels. In the R-1-87 Zone, there are six parcels that do not conform to the zone; however,
15 in the R-1-43 Zone, most of the homes along Holladay Boulevard are in conformance. Ms. Marsh
16 referenced the Findings and Conditions of Approval included in the Staff Report.

17
18 Chair Roach asked the applicant to share information about the application prior to the Public
19 Hearing. Brandon Ames identified himself as the applicant's representative. The intent is for the
20 landowner to build a forever home and provide lots for his children. The number of lots coincides
21 with the number of family members. Not all of the children will necessarily choose to build on
22 the site. If there is a sale, the Covenants, Conditions, and Restrictions ("CC&Rs") include a clause
23 that the applicant has a right of first refusal to purchase the lot back. The intent is for it to be a
24 family PUD. It was determined that a PUD would be the best way to avoid multiple driveways on
25 Holladay Boulevard and make better use of the lot shapes. The landowner is passionate about
26 history and has a strong opinion about building for the future. A great deal of effort and thought
27 have been put into the layout, including which trees will remain.

28
29 Chair Roach noted that at the last Planning Commission Meeting, there was discussion about the
30 historic rock walls. He asked if they are to remain. Mr. Ames confirmed that they will remain
31 and be restored. Chair Roach asked that this be added as a Condition of Approval. Mr. Ames
32 reported that he spoke to the landowner about increasing the depth of the gate, which there was
33 support for if it is something the Planning Commission feels strongly about.

34
35 Commissioner Cunningham stated that the PUD requires that the plan include unique benefits for
36 the City and asked that they be highlighted. Mr. Ames mentioned the widening of Holladay
37 Boulevard, not having seven driveways on Holladay Boulevard, and preservation of the wall.
38 There was discussion about the lot coverage maximum. Mr. Ames informed the Commission that
39 the landowner has spoken to the neighbors and received support for what is proposed.

40
41 Chair Roach opened the public hearing. There were no comments. The public hearing was closed.

42
43 Chair Roach mentioned Page 14 of the Staff Report and the findings listed. He referenced the fifth
44 item that refers to meeting the purpose statement for a PUD. He asked if anyone on the
45 Commission feels this does not meet the purpose statement. There was support for the drafted

1 language. Commissioner Gong mentioned the fourth item and asked if his fellow Commissioners
2 were comfortable with the proposed setbacks. Chair Roach expressed support as long as the
3 setbacks are not impacting the adjacent property lines. There was discussion about what could
4 happen to the property in the future. Chair Roach asked if Commissioners wanted standard
5 setbacks as a Condition of Approval. Commissioner Cunningham asked what would happen if the
6 Commission required standard setbacks. Ms. Marsh explained that if standard setbacks were
7 implemented, it could further limit the building space. She pointed out that the creek already limits
8 the space that is available. The applicant is working around trees and the creek setback. Those
9 natural features are creating a challenging building situation already.

10
11 Mr. Christopherson explained that one of the main reasons a PUD exists is to allow for the variation
12 of setbacks. This has been seen in many of the PUDs considered by the Planning Commission.
13 To allow for flexibility, he did not recommend imposing different setbacks. Commissioner Berndt
14 stated that the Commission does not know exactly how this is going to look. Chair Roach pointed
15 out that if the PUD is not approved, the wall will be lost as well as the trees along the wall. Several
16 other proposed elements would be lost as well. Commissioner Gong asked if there had ever been
17 a zero-foot setback for a PUD. Ms. Marsh explained that in a standard subdivision, the applicant
18 would likely receive a variation to the standard setbacks. There are situations where parcels meet
19 the standards but they are so narrow that a variation to the setback is needed for there to be
20 buildable area. There was discussion about other projects.

21
22 Commissioner Fonte mentioned the pine trees and the stone wall that will be restored. Her concern
23 was that there will be small single-family homes that are close together. She expressed concerns
24 about the trees that will be removed. Although the canopy will be restored, it will be many years in
25 the future before the trees reach maturity.

26
27 Chair Roach noted that a sticking point for some Commissioners seemed to be the setbacks.
28 Commissioner Gong did not believe zero setbacks should be in place. Commissioner Prince
29 pointed out that no one will be obligated to purchase a lot that has those setbacks. Ms. Marsh
30 explained that in a PUD, it is possible to combine units into a singular building as well. If the
31 applicant were to come back and remove utility easements across Lot 4, Lot 5, and Lot 6, it would
32 be possible to combine a couple of units. The intention of a PUD is to provide some flexibility.

33
34 Mr. Christopherson clarified that the accessory building setback is not for an accessory dwelling.
35 There can be a detached accessory dwelling unit (“D-ADU”) on any lot, but the Building Code
36 must be followed for separation. An accessory building would be for something like a shed.
37 Ms. Marsh reported that, according to the Building Code, there needs to be five feet of building
38 separation. If it is closer than five feet there needs to be fire-rated walls. There was additional
39 discussion about the findings enumerated in the Staff Report.

40
41 (END OF AUDIO)

1 5. **“Amare Vita” Subdivision – Preliminary Plan/Plat – 6114, 6178, 6190 South Holladay**
2 **Boulevard (R-1-43) and 2715 East 6200 South (R-1-87). Preliminary Level Review**
3 **and Consideration of Development Details by Applicant J.U.B. Engineering. Review**
4 **of this 11.42-acre (497,455 square foot) Residential Subdivision is Conducted**
5 **According to R-1-43 and R-1-83 Zone Compliance and Subdivision Development**
6 **Submittal and Review Standards According to Holladay Ordinance §13.10A. File**
7 **#25-1-08.**

8
9 **ADJOURN**

10 *_____ moved to ADJOURN. _____ seconded the motion. The motion passed with the*
11 *unanimous consent of the Commission.*

12
13 The Planning Commission Meeting adjourned at approximately _____ PM.

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 on Tuesday, September 2, 2025.*

3
4
5

6 Teri Forbes

7 Teri Forbes
8 T Forbes Group
9 Minutes Secretary
10
11 Minutes Approved: _____

DRAFT

Discussion of remaining items on list

Number 8 I have a question mark. – roach

Me: discussion of how the 50' is being increased to 100, roughly 2/3s of the property.

Moving on to number 9, commissioner roach led through each of the findings for the PUD.

9 is pretty clear that more protection is being added and agreed

Roach asking if the vegetation is preserved as a buffer between adjacent properties. The tree plan was reviewed with trees on the perimeter that are remaining pointed out. Trees along holladay blvd and 6200 s also preserved. Some removal of less desirable trees. Replacement of tree canopy was discussed.

Commissioner Roach questioned active and passive recreation and it was mentioned that the creek and enjoyment of it and the surrounding are provides active and passive recreation. Several commissioners pointed out those examples, as did staff.

Commissioner roach discussed finding 12 an that it was clear that the major benefit and win with the PUD was the creation of singular access points instead of individual driveways along Holladay Blvd that reduce the traffic impact and make entry and exit on an arterial road safer.

Commissioner Cunningham and Berndt brought up bike safety as improvements are placed in the right of way.

Commissioner Roach moved to finding 13 and inquired about the “higher intensity”. Staff discussed the residential treatment facility next door being a higher intensity and a street view of the wall and intersection was shown.

Commissioner Roach stated that finding 14 was clear and that fire access was a safety improvement.

In reviewing conditions the structure coverage proposed by staff was discussed briefly with the applicant who stated that it was reasonable. The applicant discussed the exercise of coverage shown on their site plan and that it supported the coverage proposed.

Some discussion around tree canopy replacement requirements between the commissioners and that the trees being removed would be okay with having required replacements.

Commissioner Roach brought up the point about the rock walls and stated that was clear. Commissioner Cunningham discussed how the walls would be/are on public right of way and that while it's nice, that once the City decided to make improvements, the walls wouldn't necessarily remain. This was noted as a possibility, but the tradeoff of having the property owner maintain and repair the existing walls was discussed as still being a positive trade off.

The gate and queuing of cars was discussed by Commissioner Berndt, Fonte, Gong, and Cunningham. There are concerns about traffic back up and blocking Holladay Blvd. Additional length for the gate distance from the road was discussed. Commissioner Cunningham expressed a preference of two vehicle lengths. Staff clarified that a standard distance of a parking stall is 18 feet long and is the required minimum. Staff also discussed the shoulder improvement and that the width of the road would allow for potentially an extra vehicle entering the property to wait in the exit lane outside of the gate to queue. An existing vehicle would then wait for the vehicle blocking exit to enter the property before exiting. Commissioner Cunningham brought up that although the shoulder improvements would be made, if the City added more infrastructure (sidewalk) there in the future, the shoulder would again be small and not available for queuing and thus didn't want to rely on that. Commissioner Cunningham's preference is for a depth. Staff suggested a depth of one and a half vehicles. The applicant stated they were open to a longer depth to accommodate an extra vehicle.

Chair Roach moved back to finding four and eight and setbacks were discussed more and if they were needed. Commissioner Fonte and Prince both stated that interior setbacks isn't necessarily a detail that needed to be decided and there wasn't discomfort with the perimeter setbacks. Commissioner Prince stated that those people who don't want to live in something that may get built that closely could simply choose not to live there and that no one would be forcing them to do so.

Chair Roach asked if anyone was prepared to make a motion. Commissioner Prince made a motion to approve the PUD that included the findings 1-14 in the staff report with the

conditions in the staff report and including that the gate depth be 18 feet from the property line. Staff reminded Commissioner Prince of the public amenity at the historic Mill site and Commissioner Prince added that as a condition. The applicant asked for clarification regarding the depth of the gate and asked for a minimum of 18 feet, to which the Commission agreed with and Commissioner Roach rephrased the condition to include the gate being a minimum of 18 foot distance from the property line.

Commissioner Fonte (?) seconded. All commissioners voted in favor.

Chair Roach proceeded to the next item on the agenda, the preliminary plat approval. Staff stated that this step was to move to create a preliminary plat that incorporated the previous elements of the PUD Conditional Use.

Commissioner Cunningham noted that finding number five included details referencing floribunda drive that pertained to a previous project. Staff acknowledged the discrepancy and noted that the second portion of finding 5 after the semi-colon would be removed and the first portion could remain as a finding.

Chair Roach opened the public hearing and having no one in attendance to comment, closed the public hearing. Chair Roach asked if anyone was willing to make a motion.

Commissioner Fonte made the motion to approve the preliminary plat with the findings from the staff report, with the second portion of finding number 5 referencing Floribunda removed, and retaining the first portion, after a reminder of what needed to stay by Commissioner Prince. Commissioner Fonte referenced the conditions in the staff report. Commissioner Berndt seconded the motion. All voted to approve.



FILE# n/a

COMMISSION MEETING MINUTES

ADDRESS:

n/a

LEGAL DESCRIPTION: n/a

APPLICANT/REPRESENTATIVE:

City of Holladay Planning Commission

PROPERTY OWNER:

n/a

ZONING:

n/a

GENERAL PLAN DISTRICT:

n/a

CITY COUNCIL DISTRICT:

N/A

PUBLIC NOTICE DETAILS:

n/a

REQUEST:

Adoption of Meeting Minutes

APPLICABLE REGULATIONS:

UCA§52-4-203, 206
2.01.080
13.06.030

DECISION TYPE:

Administrative/Procedural:

Commission shall approve, approve with changes or continue to a later date the agenda item

SITE VICINITY MAP

Effective 5/8/2018

52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.

(1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.

(2)

- (a) Written minutes of an open meeting shall include:
 - (i) the date, time, and place of the meeting;
 - (ii) the names of members present and absent;
 - (iii) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
 - (iv) a record, by individual member, of each vote taken by the public body;
 - (v) the name of each person who:
 - (A) is not a member of the public body; and
 - (B) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
 - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(a)(v); and
 - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

- (b) A public body may satisfy the requirement under Subsection (2)(a)(iii) or (vi) that minutes include the substance of matters proposed, discussed, or decided or the substance of testimony or comments by maintaining a publicly available online version of the minutes that provides a link to the meeting recording at the place in the recording where the matter is proposed, discussed, or decided or the testimony or comments provided.

EXHIBITS:

+

Notes:

Corrections made according to commission direction on 12-1-2020

STAFF:

Jonathan Teerlink, City Planner

DRAFT

MINUTES OF THE CITY OF HOLLADAY PLANNING COMMISSION MEETING

**Tuesday, September 16, 2025
6:00 PM
City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Planning Commission Members:

City Staff:

Dennis Roach, Chair
Karianne Prince
Angela Gong
Jill Fonte
Brian Berndt
Patrick Tripeny

Brad Christopherson, City Attorney
Jonathan Teerlink, Community and Economic
Development Director

PLANNING COMMISSION TRAINING

Chair Dennis Roach called the Training Session to order at 5:30 p.m. He noted that Commissioner Cunningham was absent. New Commission Member, Patrick Tripeny, introduced himself. He has been in Utah for 30 years and has lived in the City of Holladay for three years. He currently teaches architecture at the University of Utah. He was happy to be a member of the community and serve on the Planning Commission.

City Attorney, Brad Christopherson, presented the training and welcomed questions and comments. Chair Roach reported that Commissioner Gong had process questions during the Planned Unit Development (“PUD”) discussion at the last meeting. Mr. Christopherson invited the Commissioners to address the difference between the Planning Commission and the City Council. Commissioner Berndt explained that the Planning Commission advises the City Council on certain issues. Each of the Commissioners brings their individual expertise to the table.

Mr. Christopherson asked the Commissioners to share information about their backgrounds. Commissioner Berndt stated that he has a background in planning. Commissioner Prince is a stay-at-home mother after working for several years and has been involved in the school system with different Community Councils. Chair Roach served as Chair of the Tree Committee for approximately 10 years, where he learned more about City Ordinances. Commissioner Fonte has a background in business, specifically publishing. She also did executive coaching and management consulting. Commissioner Gong worked in public education for 13 years and did policy research. She recently pivoted to public land management and now serves as the Great Salt Lake Program Manager.

1
2 Mr. Christopherson confirmed that the Planning Commission reviews applications and makes
3 recommendations to the City Council. He asked how that works in practice, based on the
4 Commissioner's experience and if there is ever frustration about being advisory. Chair Roach
5 noted that it often depends on the issue. Mr. Christopherson shared an example of a Commissioner
6 who went outside the boundaries and brought some liability to the city that she served. There was
7 an annexation across the street from the home of this Commissioner. It was open space that was
8 pasture land for cows and horses. She loved having unobstructed views of the mountains. On an
9 upcoming meeting agenda, she saw a petition for annexation for the property across the street from
10 her home. This Commissioner created a petition and went door to door identifying herself as a
11 Commissioner. This Commissioner also stated that the city was trying to stop the annexation.
12

13 Mr. Christopherson explained that Commissioners are not policy makers or Council Members. If
14 a Council Member created a petition like this, there would not be the same concerns. However,
15 since the Commission is an advisory body, it is not appropriate for a Commissioner to identify
16 themselves as a representative of the City who is in opposition to an item, because Commissioners
17 do not speak for the City. As a body, the Planning Commission speaks to the City Council and on
18 behalf of the Planning Commission. The Commission does not have a political role or a legislative
19 role. The decision to annex or not is a legislative role rather than administrative. The role of the
20 Planning Commission in an annexation situation is as follows:
21

- 22 • The City Council receives an application for annexation. The Council makes a
23 determination that they would either like to:
 - 24 ○ Send it to the Planning Commission for further study; or
 - 25 ○ Determine that there is no interest in the annexation.

26
27 In an annexation situation, if the City Council has seen the application and determines that there
28 is a desire for further consideration, it is sent to the Planning Commission. The Commission is
29 then asked to review the petition for annexation. Mr. Christopherson next shared information
30 about a Conservation Subdivision, which is somewhat similar to a PUD. He noted that there are
31 some differences. As an example, if there were 100 acres, it might normally be possible to build
32 95 homes on the land. In a Conservation Subdivision, it is possible to have one-half-acre lots to
33 cluster development and preserve up to 50% of the annexed area as open space. A Conservation
34 Easement would be placed on that portion of the property, which would continue to allow for the
35 grazing of animals, the raising of crops, etc. It would still have a rural feel but allow for some
36 residential development. He added that there could be some bonus density provided if there was
37 an affordable housing component.
38

39 Mr. Christopherson shared additional information about the example scenario. The City's interest
40 in that case was not to remove the rural feel of the community, but to create a buffer next to the
41 sewer ponds. This did not align with the interests of the Commissioner, who did not want to have
42 homes across the street from her property. Mr. Christopherson reminded the Commission that
43 Utah is a property rights State. If someone does not own a property, their ability to control what
44 happens there is limited, even as a Commission Member. Commissioner Prince asked what the
45 outcome of the example scenario was. Mr. Christopherson reported that the Commissioner

1 received clarification about her role on the Planning Commission but she continued to exceed her
2 role. When this situation began, the Commissioner had two years left on her term. There were
3 conversations about potentially removing her from the Planning Commission but the elected
4 officials chose not to do so and instead allowed her term to expire. She was not reappointed. The
5 other Commissioners did not agree with her efforts and recognized the role of the Planning
6 Commission.

7
8 Commissioner Prince was reminded of a resident who spoke to the Planning Commission several
9 months back, claiming that the Planning Commission needs to be his advocate.
10 Mr. Christopherson clarified that this was not an accurate statement made by the resident. The
11 State has created statutes that allow for the creation of cities, allow for elections to take place, and
12 allow for the appointment of Commissioners to handle land use and development issues. The City
13 Council establishes policies and codes, so the role of the Planning Commission has limitations.
14 There is a statement read at the beginning of each Regular Meeting stating that the Planning
15 Commission acts on applications that are filed and does not seek out applications.

16
17 In the last six months, Mr. Christopherson has assisted several clients in removing conditional uses
18 from their Land Use Tables. This is because some of the clients have been sued. There have been
19 four lawsuits filed over Conditional Use Permits (“CUP”). Commissioner Fonte asked for
20 example scenarios. Mr. Christopherson shared an example where a CUP application came in for
21 a hotel in a relatively rural community. In the Land Use Table, hotels were listed as a conditional
22 use. The developer came in wanting to put a hotel on a 10-acre piece of commercial property.
23 There was a lot of resident opposition. Mr. Christopherson explained that the reasonably
24 anticipated detrimental effects must be addressed. For example, light pollution would be an
25 example of something that might need to be mitigated. In this example scenario, an eight-foot
26 fence was required instead of a six-foot fence so the noise would have a buffer. In addition, there
27 was a landscape buffer that had to be placed on the property. One of the Commissioners was
28 adamant that there needed to be mature trees, but that was cost-prohibitive. As a result, mature
29 trees were not considered to be a reasonable request. What was deemed reasonable was a
30 landscape buffer in front of an eight-foot wall. There also needed to be shielded lights to address
31 the light pollution.

32
33 Mr. Christopherson shared additional information about the example scenario. In rural
34 communities where there is a lot of irrigation water and flood irrigation is the norm, seasonal
35 wetlands can develop. In the past, seasonal wetlands have been regulated as waters of the United
36 States because wetlands have been determined to be important. However, these wetlands would
37 not exist without the irrigation. Since in the past, these have been deemed as wetlands, there would
38 be wetlands studies and mitigation. All of this resulted in the resident's frustration with the hotel.
39 While he does understand those feelings, this was zoned commercial.

40
41 Commissioner Fonte asked if the example scenario involved an application for a CUP.
42 Mr. Christopherson confirmed this and explained that it was approved with conditions. There is a
43 lawsuit from a handful of Homeowners Associations (“HOA”) and residents related to that CUP
44 approval. That lawsuit is pending, but he noted that the property was already zoned commercial.
45 Mr. Christopherson explained that the process is simple for permitted uses, as approval is not

1 needed from the Commission or Council. Commissioner Fonte wanted to understand why a CUP
2 was needed for the hotel. Mr. Christopherson clarified that the Land Use Table listed hotel as a
3 conditional use. If it were a permitted use, the application would not have come to the
4 Commission.

5
6 Mr. Christopherson explained that there was an appeal of the CUP approval to the District Court.
7 The District Court Judge now needs to review the record to see if the decision was supported by
8 substantial evidence. Substantial evidence means that a reasonable person could come to the
9 conclusion that this should be approved. The appeal argues that this was not reasonable because
10 there are wetlands on this property. However, there was a permission letter issued that states these
11 are seasonal wetlands because of irrigation. Once the irrigation stops, these will no longer be
12 wetlands. There was discussion about the example scenario. Mr. Christopherson shared an
13 additional scenario where one side of the street was mostly commercial and the other was mostly
14 residential. Someone wanted to knock down a house and put additional parking on the parcel. The
15 City Council determined that it was not reasonable for the parking to be located there. The
16 developer appealed and argued that it was reasonable, but the court upheld the Council's decision.
17

18 Commissioner Berndt mentioned the PUD application that was considered at the last Planning
19 Commission Meeting. There was concern about whether there would be a community benefit. He
20 was confused about the fact that there were only internal benefits proposed as part of the
21 application. Mr. Christopherson explained that it depends on how community is defined. For
22 example, there could be a common area that benefits the residents of that particular development.
23 He shared additional information about the PUD process. In the early 1980s, CUPs were often
24 approved based on whether there was support for the proposal. There was a case that came before
25 the Utah Supreme Court, which stated that CUPs are permitted with conditions related to the
26 reasonably anticipated detrimental effects. That decision changed the ways CUPs were handled.
27

28 Community and Economic Development Director, Jonathan Teerlink, explained that Staff
29 provides as much professional support to the Planning Commission and City Council as possible
30 for a list of standards or provisions associated with a permitted use. Every city relies on staff to
31 create a set of standards for how development can be used and implemented on that site. This
32 makes the assumption that the staff is creating the ideal set of standards. Every once in a while,
33 there is a use for it that is not possible to write a set of standards for. It is then possible to hear
34 resident concerns during a Planning Commission Meeting. The standards can then be created and
35 applied specifically to that development. Some examples of situations were shared.
36

37 Mr. Christopherson reported that something that came up in the Legislature during the last session
38 was a push from developers to make the General Plan legislative and binding. That would mean
39 the General Plan would no longer be advisory. It is something that will likely be back in the future.
40

41 Mr. Christopherson stated that notices are sent out within a certain area when a development
42 application comes in. It lets recipients know that there is a public hearing about a certain
43 application, and input is desired. He asked what expectations it puts on members of the public
44 who have never been through this process before. Commissioner Fonte stated that it would require
45 people to pay attention. Commissioner Prince pointed out that residents could comment.

1 Mr. Christopherson added that it could create an improper perception that if enough residents share
2 comments and speak out, something may not move forward. However, in the case of a CUP, it
3 needs to be approved as long as it is possible to determine reasonable mitigating conditions. When
4 there are more controversial items being considered, there are normally a lot of passionate residents
5 who come out to speak either in favor or in opposition. He does not have a problem with that from
6 a process standpoint, but it can create a certain expectation. The Planning Commission does not
7 always have the authority or ability to make a certain decision. For instance, the Commission
8 could forward a negative recommendation to the City Council, but the Council could still vote to
9 approve. Additional discussions were had about reasonably anticipated detrimental effects.

10
11 Mr. Christopherson explained that when someone is upset about a development, similar comments
12 and arguments are normally made. This includes questions about whether a Traffic Study has been
13 conducted. Commissioner Fonte asked if the rationale for a Traffic Study is to determine whether
14 the road will fail as a result of the development. Mr. Christopherson noted that if a development
15 causes the road to fail, the City can require the developer to address the impact of the development.
16 Traffic studies can also look at whether stop signs or other measures are needed.

17
18 Mr. Christopherson shared information about the Utah League of Cities and Towns (“ULCT”).
19 He noted that the ULCT does a good job of balancing the interests of cities and towns. Something
20 developers often state is that the approval process takes too long at the city level. The Legislature
21 has now determined that a city only has so much time to review an application. He added that
22 zoning issues are an area where there is some tension. The Legislature wants there to be smaller
23 lots in order for there to be more affordable homes. There are issues when people in the area do
24 not want smaller homes, because it could impact property values. Mr. Christopherson also noted
25 that there are moderate-income housing requirements that have come from the Legislature.

26
27 Following one hour of Planning Commission training, the Work Session took place.

28
29 **WORK SESSION**

30 Chair Roach called the Work Session to order at 6:30 p.m. He reported that there is one Public
31 Hearing item on the agenda, “Royal Holladay Hills; Block C, Lot 3.” Mr. Teerlink explained that
32 this is what he would consider Phase III of Block C. It is the third building that is being proposed
33 on this block. It shares the Site Plan of a previous Site Plan that was reviewed by the Commission.
34 The reason that was looked at previously was that there was a desire to purchase the ground
35 underneath that building from the developer. This is the second phase of that. It shares a parking
36 lot and landscaping. The approved plans that were reviewed are included in the Meeting Materials
37 Packet, as well as the construction drawings for the building itself. Notices for this went out last
38 week for properties within 500 feet. He has not received any email comments about this item.

39
40 Staff has been able to review the Site Plan based on what was previously approved. Mr. Teerlink
41 explained that the architecture of the building itself is being looked at, specifically how it complies
42 with the Site Development Master Plan (“SDMP”). The chosen materials and styling are similar
43 to what has been approved within the site. The Planning Commission can ask the applicant
44 questions about that. Staff is recommending approval. Chair Roach asked if the architectural
45 styles included in the Meeting Materials Packet are what they will be held to, which was confirmed.

1
2 The Planning Commission took a short break before the start of the Regular Meeting.
3

4 **CONVENE REGULAR MEETING – Public Welcome and Chair Opening Statement.**

5 Chair Roach called the Regular Meeting to order at 6:40 p.m. There is one Public Hearing item
6 on the agenda. All members of the Commission are present with the exception of Commissioner
7 Cunningham. The Opening Statement was not read, as no members of the public were present.
8

9 **PUBLIC HEARING**

10 1. **“Royal Holladay Hills; Block C, Lot 3”- Preliminary Site Plan – 1900 East Rodeo**
11 **Walk Drive (R/M-U) Preliminary Review and Consideration of Commercial**
12 **Development Details as Proposal by Applicant, Steve Peterson. The Commission will**
13 **Review the Site Development and Architectural Details at Lot 3 within Block 'C' of**
14 **the Holladay Hills Mixed Use Development. The Project Entails a Permitted Use, 3-**
15 **Story Commercial Building and Associated Site Improvements According to**
16 **Regulatory Provisions of the Site Development Master Plan (SDMP 2007), Holladay**
17 **Ordinances §13.10a, §13.65. File #19-9-19-10.**

18 Mr. Teerlink presented the Staff Report and stated that the request involves a Preliminary Site Plan
19 for 1900 East Rodeo Walk Drive within the R/M-U Zone. Block C will be considered Phase III
20 of this block. The applicant, Steve Peterson, is proposing a retail development site that shares Site
21 Plan elements with two previous approvals the Planning Commission reviewed. Nothing in the
22 Site Plan has been amended. The footprint of the building was previously seen by the Planning
23 Commission, with Site Plan elements to be shared by all three existing approved buildings.
24

25 The Technical Review Committee (“TRC”) conducted a review with an analysis included in the
26 Staff Report. The TRC compared what was provided by the applicant to what was previously
27 approved for landscaping, parking, and access. This meeting involves review and consideration
28 of the Preliminary Site Plan to amend Block C to include Lot 3. There will also be a review of the
29 architectural elements in congruence with the SDMP for the Royal Holladay Hills site. Staff
30 reviewed what has been provided on the materials board. There are styling features that are similar
31 to what has been seen on some of the other buildings. It is possible to ask the applicant specific
32 questions about the materials. Mr. Teerlink reported that Staff recommends approval of the
33 architectural elements as well as the amendment to Block C, Lot 3.
34

35 Mr. Peterson shared information about the grass on the top level. He explained that those are
36 planter boxes. He believes this will be a positive addition to the Block. There is only one other
37 Lot on Block C, which is leased to another retailer. It is anticipated that it will come before the
38 Planning Commission fairly soon. Chair Roach commented that the modern style ties in with what
39 was seen a few months prior. He asked where the main entryway would be located. Mr. Peterson
40 reported that it will be on Rodeo Walk Drive on the far corner. The location was pointed out for
41 reference. Commissioner Prince asked for information about “ARHAUSE.” Mr. Peterson
42 explained that it is similar to Restoration Hardware. There will be a showroom but shipping will
43 not take place from this location, which will result in less impact on the area.
44

45 Chair Roach opened the public hearing. There were no comments. The public hearing was closed.

1
2 Commissioner Prince praised the design and liked the different elements that have been included.
3 She was comfortable with what had been proposed by the applicant. Commissioner Gong liked
4 what was proposed and found the building to be visually appealing. She noted that there are 66
5 parking stalls, where 57 are required. She commented that reducing the number of parking stalls
6 to what is required would be preferable. There were no additional Commissioner comments.
7

8 ***Commissioner Prince moved to APPROVE a Preliminary/Final Retail Site Development Plan***
9 ***for Block C, Lot 3, enabling the development of “ARHAUSE,” a Retail Use in the R/M-U Zone,***
10 ***located at 1900 East Rodeo Walk Drive, based on the following:***

11 ***Findings:***

12

13

14 1. ***Proposed retail use is a permitted land use of the “Open” Land Use Zone of the***
15 ***SDMP.***

16

17 2. ***Access and featured construction elements are found to be acceptable by all***
18 ***divisions of the Technical Review Committee.***

19

20 3. ***All roads and related infrastructure are presented as private improvements and***
21 ***do not require City construction and maintenance standards review.***

22

23 4. ***All development details and related architectural components comply with the***
24 ***R/M-U Zone and SDMP as a master planned project.***

25

26 ***Commissioner Fonte seconded the motion. Vote on Motion: Commissioner Tripeny-Yes;***
27 ***Commissioner Fonte-Yes; Commissioner Prince-Yes; Commissioner Gong-Yes; Commissioner***
28 ***Berndt-Yes; Chair Roach-Yes. The motion passed unanimously.***

29

30 **ADJOURN**

31 ***Chair Roach moved to ADJOURN. There was no second. The motion passed with the***
32 ***unanimous consent of the Commission.***

33

34 The Planning Commission Meeting adjourned at approximately 6:50 p.m.

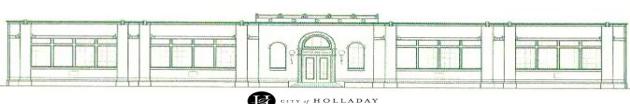
1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the City
2 of Holladay Planning Commission Meeting held on Tuesday, September 16, 2025.*

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6 Teri Forbes

7 Teri Forbes
8 T Forbes Group
9 Minutes Secretary
10
11 Minutes Approved: _____

DRAFT



2026 Calendar

PC Approved MM/DD CC Approved MM/DD

January						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December		
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