

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

Tuesday, July 12, 2022

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

ATTENDANCE:

Planning Commission Members:

Howard Layton, Chair

Karianne Prince

Dennis Roach

Chris Layton

Martin Banks

Ann Mackin

City Staff:

Jon Teerlink, Community Development Dir.

Todd Godfrey, City Attorney

WORK SESSION

Chair Howard Layton called the Work Session to order at approximately 5:38 p.m.

The agenda items were reviewed and discussed. Community Development Director, Jonathan Teerlink, reported that the first item on the agenda was an administrative action item. It related to the Bella Casa Subdivision located at 4555 South Highland Drive. Mr. Teerlink explained that it is a two-lot single-family detached subdivision in the R-2-10 Zone. The R-2-10 Zone allows duplexes on 10,000 square-foot lots. However, there was a provision in the Ordinance to allow for single-family homes on smaller lots. For the Bella Casa Subdivision, there was an 8,000 square-foot lot in the front and a 10,000 square-foot lot in the back. The lot in the front was not large enough to have a twin home but was large enough for a single-family home. The applicant put forth a concept and preliminary level application for a lot split.

Mr. Teerlink noted that a Water Utility Letter had not yet been received from Salt Lake City Public Utilities. That was still forthcoming. He explained that this is not unusual as Salt Lake City Public Utilities was often behind in sending out those letters. The City needs verification that the lot can be serviced by gas, power, water, and sewer. The Technical Review Committee ("TRC") reviewed the application for emergency access, drainage, utility connections, and irrigation protections. The Big Cottonwood Canal Little Irrigation Water Facility runs in front of the property. The company draws water from Big Cottonwood Creek at Arbor Lane and services quite a few properties in Millcreek. There was no proposal to alter the irrigation lateral in any way, however, an Irrigation Protection Agreement would be required before the plat is recorded.

Commissioner Prince wondered what an Irrigation Protection Agreement involved. Mr. Teerlink explained that whenever there is a waterway, irrigation, or canal that bisects or is within a property, an Irrigation Protection Agreement is required. It states that either the existing facility will be protected or, if changes are proposed, that the irrigation company is aware of the proposed changes

and approves the design. The Irrigation Protection Agreement was recorded against the property. There were currently no plans to move the irrigation lateral.

Chair Howard Layton asked about the ability of the applicant to obtain the necessary verification letters for utilities. Mr. Teerlink clarified that the situation was in process. The delay with the Water Utility Letter had to do with staff availability and workload within Salt Lake City Public Utilities. Water Utility Letters are easier to obtain from Holliday Water Company, Jordan Valley Water Conservancy, and Cottonwood Improvement District as opposed to Salt Lake City Public Utilities.

There was discussion regarding the application. The Commission wanted to understand whether the applicant had considered a single-family unit and a duplex to fit three dwelling units onto the property. Mr. Teerlink suggested that the Commission ask the applicant during the Regular Meeting. The drawing submitted showed that the existing home will be demolished. The lot is 10,000 square feet in size and large enough to accommodate a duplex. Mr. Teerlink reported that he received a comment via email from someone who lives at the Chase of Holladay Condominiums. That email would be shared with the Commission before the Regular Meeting.

The TRC recommended Conceptual and Conditional Preliminary Approval. The conditions would relate to the submission of the Utility Availability Letter, a Tree Canopy Preservation Plan, and an Irrigation Protection Agreement. Commissioner Banks asked what the post-development bond would cover. Mr. Teerlink explained that it would cover the emergency access driveway installation. That included the asphalt, guttering, and stormwater retention plans for the project. Commissioner Banks asked if there is enough space for an emergency vehicle. Mr. Teerlink reported that the Fire Code requires 20 feet. The 20-foot width was shown on the drawing. He noted that the existing conditions are too narrow. The bond will ensure that the 20-foot width is paved to the second lot. There was further discussion regarding fire access.

Commissioner Banks noted that the minutes from the Neighborhood Meeting, which were included in the packet, state that there was discussion related to rezoning and subdivision. Mr. Teerlink clarified that when the applicant approached City Staff, he was originally looking for rezone to Neighborhood Commercial (“NC”). It was uncertain whether that would be acceptable from a Planning Commission and City Council point of view, so the applicant was directed to conduct a neighborhood meeting. The proposed use was professional massage therapy and the neighbors were not supportive of a commercial use there. Ultimately, the subdivision was preferred.

The third item on the agenda pertained to a proposed text amendment to Chapter 13 – Land Use Development Code. Most of the elements were similar to what had been discussed previously. Mr. Teerlink explained that it would look at a parking ratio change to allow more flexibility. There was a table included that provided recommendations regarding potential ratios.

Chair Howard Layton recognized Commissioners Ann Mackin and Alyssa Lloyd. Commissioner Lloyd was not present. He presented Commissioner Mackin with flowers and a card from the other Commissioners. There were also flowers and a card for Commissioner Lloyd. Commissioner Mackin stated that it had been a pleasure to serve on the Planning Commission.

She could not believe it had been six years already. Chair Howard Layton noted that it was an honor to be able to serve the City and the public. There were some wonderful people on the Planning Commission and he appreciated hearing all of the different perspectives.

Chair Howard Layton explained that when new members join the Planning Commission, there is normally a reorganization of the Chair and Vice-Chair positions. He assumed that would happen in the near future. Mr. Teerlink stated that the new individuals would be present at the Planning Commission Meeting in August 2022. It would be best to discuss reorganization at that time.

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

Chair Howard Layton called the Regular Meeting to order at approximately 6:03 p.m. He read the Commission Statement into the record and reviewed the public hearing rules and regulations.

PUBLIC HEARING – ACTION

1. **“Bella Casa” Subdivision – Concept / Preliminary – 4555 South Highland (R-2-10) Review and Consideration of an Application by Property Owner, David George to Subdivide a Total of 0.418 Acres of Land (18,198 square feet) to Accommodate a Two-Lot, Residential Subdivision, as Per Holladay Ord. 13.10. File #22-1-05.**

Community Development Director, Jonathan Teerlink reported that the above item is a subdivision application in the R-2-10 Zone. The property is located at 4555 South Highland Drive and includes 0.418 acres of land or 18,198 square feet. The applicant requested that the property be split into two. No rezone was needed or required for the application. Mr. Teerlink explained that the application was reviewed in a three-step process consisting of concept, preliminary, and final level review. Each level includes more significant and detailed items and requirements. The first level, which is the concept, is part of the public hearing process. This review was focused on compliance within the R-2-10 Zone and looks at whether the lots meet the minimum lot size requirements.

Mr. Teerlink noted that the R-2-10 Zone is a duplex zone where a twin home could be built on a 10,000-square-foot lot. However, there was also a provision that a single-family detached home could be built on a lot that was 6,250 square feet. The current proposal was to divide the lot into two with one lot being approximately 8,000 square feet and the other lot 10,000 square feet. Both lots would exceed the minimum requirements for single-family development. Certain service letters were required as well. He explained that service letters were from utility providers and indicated a willingness to serve. It would not be possible to develop a residential lot without the necessary services. The applicant had pursued Service Agreement Letters.

The second level of review was preliminary. This was where most of the development details are provided to the Planning Commission. For instance, the public utilities are located where the utility connections are and in this case, where the existing irrigation lateral is. Information would also be provided describing where the driveway access will be and how the access will be compliant with the Fire Code. Mr. Teerlink explained that the actual building plans and review will be done through the Building Department. The current review was related to the two-lot split that will allow the homes to be built and ensure that there are utility connections and access for emergency vehicles.

The Technical Review Committee (“TRC”) reviewed the application and provided a recommendation to approve the concept. However, there was conditional approval for the preliminary level. There were a few elements that the TRC had requested including submission of the Utility Availability Letter, a Tree Canopy Preservation Plan, and an Irrigation Protection Agreement. Mr. Teerlink explained that the Planning Commission can delegate that review to the TRC so that the plat can be finalized administratively.

Chair Howard Layton opened the public hearing.

David George gave his address as 6070 East 6850 South in Midvale and identified himself as the property owner. He felt that Mr. Teerlink had covered the issues well. There had been some confusion about where the water service is from and that had delayed the water service letter. He had since spoken to Holliday Water Company and learned that the Service Letter would be ready later in the week. The Irrigation Letter would also be ready shortly. Mr. George had not heard whether there was a preference from the ditch company yet. The Tree Canopy Preservation Plan was not yet complete. He had spoken to the neighbors to the south and there were some trees that they were not particularly happy with. The Engineer was determining which trees should be trimmed back so they do not encroach on neighboring properties. He still needed to discuss the matter with the owners of the condominiums to the east. After those discussions, the plan would be finalized.

Mr. George reported that there had been a Neighborhood Meeting and the neighbors were not happy about the idea of a rezone to commercial use. As a result, the two-lot, single-family subdivision had been proposed. Commissioner Chris Layton wondered if the intention was to have one drive access on the south side of the property that would access the front and back parcel. He also wanted to understand whether there would be a duplex on the property. Mr. George explained that there was an existing home on the east side and that the existing home would remain. The new home would be placed in the front. For the new home, there would likely be a side entry garage so that it entered from the access on the south. This would allow the access to be available to both of the homes on the property. It would also make it easier to get in and out of traffic. Commissioner Chris Layton asked for additional details about the existing home. Mr. George reported that there would likely be a detached garage added at some point.

It was noted that the original plans called for the existing home to be demolished. Mr. George clarified that if he had proceeded with the rezone application for the Neighborhood Commercial (“NC”) Zone, the existing home would have been removed. However, a revised plan had been submitted to City Staff that showed that the house would remain. It was an older home and some work needed to be done, but he believed a remodel would make the home more modern. Chair Howard Layton explained that modifications to the existing home were not currently being considered by the Planning Commission. Mr. Teerlink confirmed that redevelopment of the property is a permitted use and the normal Building Permit process would need to be followed.

Commissioner Prince asked if there were any concerns about the documents before the Commission that stated the existing home will be demolished. City Attorney, Todd Godfrey did not believe that made any legal difference. If the property was subdivided, there would be two conforming lots. The applicant has the right to do whatever he wants on the lots as long as

everything complies with the ordinances and the zoning. Mr. George could demolish the home and build a new one or he could leave the existing house and remodel it.

Helen Mitchell gave her address as 4553 South Highland Drive in the Chase of Holladay Condominiums, Unit E. She reported that she met with Mr. George previously and voiced concerns about the commercial use. She was glad that use would not take place but wanted to see clear plans outlining exactly what will be done on the property. Ms. Mitchell was concerned about a tall structure being built there. Something too tall would reduce the privacy of all of the condominium owners.

Dan Maffuccio gave his address as 1836 East Cottonwood Glen Court and identified himself as a member of the Board of Cottonwood Glen. This was described as the area directly to the south of the subject property. He asked that the Commission walk the property because he felt it was a garbage dump with overgrown trees and bushes and a rat infestation. He appreciated that Mr. George was willing to work with neighbors and held a Neighborhood Meeting. The proposal had shifted from commercial to residential use. Anything that happens on that property would be an improvement to what is already there. He felt that the proposal would increase the values of the homes to the south, north, and east. He wondered about the height of the new home.

Doug Wolfe, a more than 20-year resident of Cottonwood Glen, stated that his main concern was that commercial use was initially proposed. Neighbors do not want to see commercial uses in the residential area.

Terry Holloway gave his address as 1832 East Cottonwood Glen Court and stated that he has lived in the area since 2001. He had seen a lot of change take place during that time. He considered the subject property to be an example of necessary change. It is overgrown and needs to be upgraded and taken care of. The proposal to put in a new residential unit and keep the existing residential unit was something he supported. He wanted to see positive changes made to the property.

There was discussion regarding the height limits. It was noted that there would not be an opportunity to have a towering residential unit. Mr. George would need to build within the established zoning requirements. Nothing additional could be done without a rezone.

Patricia Trathen gave her address as 4553 South Highland Drive in the Chase of Holladay Condominiums, Unit D. She asked that someone describe the Tree Canopy Preservation Plan portion of the application. There are a lot of wonderful trees in the area and she wanted to understand the rules and requirements as they relate to the preservation of the tree canopy.

Commissioner Roach shared information related to the Tree Ordinance. He described the requirement for tree canopy protection, which is part of the City Code. It states that developers who remove trees need to replace a certain number of those trees. The replacements need to replenish or restore the canopy that was removed once the trees reached maturity. This did not preserve some of the old-growth trees but there was a requirement that trees be placed onto the property to eventually replace the canopy. He explained that the timeline depends on the type of tree species.

Mr. George stated that the Tree Ordinance is lengthy and detailed. He left those details to the Engineer and Landscape Architect. They would determine what needs to be done on the property. It was important to have a good tree mix. The trees along the south side of the property are more of an issue than the ones on the north side since the south side trees are overgrown and have a tendency to fall. The plan would address which trees would remain and those that need to be removed. As far as the height of the house, he believed it would be a two-story home. It would be set further back from Highland Drive so there is less noise. Chair Howard Layton noted that the Tree Canopy Preservation Plan would need to be submitted and reviewed by the Technical Review Committee. Mr. George expected that the plan would be ready within the next week.

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

Mr. Teerlink addressed the concerns related to building height. In the City of Holladay, the building heights are not related to the zone that the construction project is in. The heights are related to the lot size. There are different categories, such as 0-15,000 square feet, 15,000 square feet to one acre, and one acre and above. For 0-15,000 square feet, the building height limit is 32 feet. The majority of the City had an allowed maximum height of 32 feet. There are also four elements of height regulation. Those essentially force the mass of the building to the center of the property. There was discussion regarding appropriate language for a motion.

Commissioner Prince moved to APPROVE the Conceptual Plan and Preliminary Plat application by David George for Bella Casa, a two-lot, detached single-family residential subdivision, located at 4555 South Highland Drive, in the R-2-10 Zone, based on the following:

Findings:

- 1. The submitted documents for a residential subdivision in the R-2-10 Zone are substantially complete.***
- 2. Each proposed lot exceeds the minimum standards for single-family home development in the R-2-10 Zone.***
- 3. The development complies with the General Plan by providing single-family homes on lots similar to development within the vicinity.***
- 4. The development and construction requirements are proposed within the project boundaries. They do not require neighboring contributions or agreements and are found to be substantially complete.***
- 5. Fire access has been approved by the Unified Fire Authority ("UFA").***
- 6. Direct and unobstructed vehicular access and utility easements to the rear home are already established.***

The motion was subject to the following Conditions of Approval:

1. *That an Irrigation Protection Agreement or irrigation protection letter be completed between the City and the property owner.*
2. *That the owner of the property submits the required Landscaping Plan for review and verification by the TRC, including all tree canopy preservation details.*
3. *Stormwater detention areas and public improvements must be submitted for review and verification by the City Engineer.*
4. *Final water utility connection letters will be obtained prior to the Final Plat submittal to the TRC.*
5. *Post Development Bonding requirements, as determined by the City Engineer.*
6. *Within one year, and in accordance with 13.08.010.D5, to defer administrative review and approval of the Final Plat by the Community and Economic Development Director, following a positive, written recommendation from the TRC.*

Commissioner Mackin seconded the motion. Vote on motion: Commissioner Chris Layton-Aye; Commissioner Mackin-Aye; Commissioner Banks-Aye; Commissioner Roach-Aye; Commissioner Prince-Aye; Chair Howard Layton-Aye. The motion passed unanimously.

ACTION ITEMS

2. Approval of Minutes – May 17, 2022.

Commissioner Mackin moved to approve the May 17, 2022, meeting minutes. Commissioner Prince seconded the motion. The motion passed with the unanimous consent of the Commission.

DISCUSSION ITEM

3. Text Amendment – Chapter 13 Land Use Development Code; Off-Street Parking Requirements, 13.80. Continued Discussion: Review and Recommendation to City Council on Proposed Amendments to Title 13 of the Holladay City Code, Land Use and Development Regulations. Updating Minimum Parking Ratio Requirements by Use and Consideration of Allowing Flex Ratio Provisions as Adjustments to Required Minimums. File #01-04-23-3.

Mr. Teerlink reported that the commercial zones in the City, such as C-1 and C-2, include parking ratio standards that may be considered dated by some. The Holladay Village and Holladay Crossroads Zones have more modern parking ratio standards. Those standards were significantly less than the more traditional parking ratios. The Land Use Table includes a list of land uses with minimum requirements for off-street parking. Over the years, there has been a desire to shift the parking ratios to avoid massive and unused parking lots. One example of that was in the Holladay Village Zone with Harmons. When the Planning Commission reviewed the Site Plan for that development, parking seemed tight for a grocery store, especially when the lot would be shared

with other neighboring uses. However, there was a turnover rate, with visitors coming and going quickly, so it was fairly easy to find a parking spot most of the time.

The City was looking to create a change in the C-1 and C-2 Zone as it related to parking. Mr. Teerlink explained that the Council could discuss some of the different parking ratio theories. He noted that in terms of parking ratio theories, there is a large spectrum. On one end, there is a more traditional parking ratio theory. On the other, a developer could determine what the parking ratios would be based on their expected needs. The latter worked well for specific developments, but over time, the business use may shift as businesses went in and out. That parking ratio could limit the type of businesses that were able to utilize the space in the future.

Mr. Teerlink stated that a middle ground solution was a shared parking lot design. This meant there were parking lots shared among different property owners. For instance, there could be residential, office, commercial, and retail users utilizing the same parking lot. He noted that this solution would involve specifically assigned stalls for residential uses or even retail spaces.

It was proposed that continued discussions take place with the Planning Commission to determine whether parking ratios should be dropped to a more modern level. This would reduce the size of future parking lots and limit the number of expansive heat islands in the City. Mr. Teerlink explained that on the heels of the Parking Ratio Change Study, there would be a request from the City Council and the Mayor to look at the commercial zones in terms of mixed uses. If the parking ratios were too high, it was unlikely that there would be quality mixed-use developments.

In an effort to create more flexible and fluid redevelopment opportunities for property owners, the parking ratios were being reexamined. Chair Howard Layton noted that this was an interesting issue. It was much easier to determine parking when there is mass transit nearby. A lot of areas that have access to mass transit have lower parking requirements. Mr. Teerlink reported that on Page 3 of the Draft Amendments document, there is a table of menu items. Those items could be used to explain why a parking reduction may be appropriate at a specific property. For instance, if there was a certain proximity to transit, shared parking, or on-site bicycle facilities. He clarified that a minimum amount of parking would need to remain.

Commissioner Banks wondered if the suggested parking reductions on the table had been borrowed from another municipality. Mr. Teerlink denied this. The information came from a study that had previously been shared with the Commission. Commissioner Banks wondered if the Xs shown on the table reflected strategies that would reduce traffic. Mr. Teerlink confirmed this and stated that those menu items could potentially reduce traffic.

Commissioner Roach noted that the City of Holladay is trying to create more walkable neighborhoods. He wondered if that had been considered with the parking ratio amendments. Mr. Teerlink stated that walkability nodes are extremely important when looking at traffic and parking reductions. He reported that there is a Reciprocal Parking Agreement with a clinic in the Holladay Village Zone. Outside of the clinic hours, the entire parking lot is open for public use. That was part of a plan that was still being developed for the Holladay Village Zone. Commissioner Prince wondered if the property owners were still liable for injuries after hours or if there was shared liability. Mr. Godfrey explained that those situations had been considered

during negotiations with the Olympus Family Medicine Clinic. Those occurrences were extremely rare and the property owners agreed to the after-hours use.

Commissioner Chris Layton believed the numbers included on the chart in the Draft Amendments document were rational as far as dwelling units and bedrooms. However, he noted that residential projects need to have enough parking for daytime and nighttime uses. Mr. Teerlink agreed. There was a hierarchy of uses that should not be tampered with. When there were multi-family developments, the primary concern typically had to do with guest parking. Certain parking ratio elements would need to be maintained. He noted that there was an opportunity to be more flexible when it came to commercial, retail, and restaurant uses. Commissioner Prince echoed comments shared by Commissioner Chris Layton. Residents would park their vehicles at their homes each night, so it made sense to have stronger guidelines for residential dwellings.

Mr. Teerlink shared the proposed amendment for multiple dwelling units. The definition of multiple dwelling units was three or more units proposed. He shared the ratio currently enforced in the Holladay Village and Holladay Hills Zones. Rather than two spaces for each unit, similar to the single-family ratio, it would depend on the number of bedrooms within the multi-family unit. Chair Howard Layton wondered what City Staff was asking the Planning Commission to consider. Mr. Teerlink explained that the intention was for there to be a recommendation to the City Council in the future. However, he currently wanted to determine whether the Commission was comfortable maintaining the peak parking ratios, with the exception of multi-family developments, and the provision that would allow applicants to come to the Planning Commission during the Site Plan review process to ask for an allowed reduction based on items in the table.

Chair Howard Layton wondered how the parking ratio amendments would be implemented. Mr. Teerlink explained that the amendments would be implemented and codified immediately after approval. If an existing parking lot is redone, the developer would need to consider the new tree and planting requirements per stall. If they want to reduce the size of the parking lot, the menu items would need to be considered during the Site Plan process.

Commissioner Chris Layton noted that some of the base numbers seemed high in certain areas. For example, banks, businesses, or professional offices. He pointed out that it started with two spaces and then one space for every 200 square feet of floor area. He felt that needed to be looked at, especially for professional office uses, since there was a lot more remote work being done. He believed remote work would continue to take place. Additionally, the numbers for doctors and dental clinics seemed high, since the parking needs were spread out throughout the day. With those uses, there was no peak period to accommodate. He liked the progressive nature of the proposed amendments but stated that there were still other opportunities. Mr. Teerlink asked that Commissioners share written comments so additional amendments could be made to the draft.

Mr. Godfrey noted that the standards presented were minimums. Most apartment buildings would have more parking than the minimum amount required. This would likely be true for other residential uses as well. Commissioner Prince liked the idea of seeing another draft of the document. Mr. Teerlink noted that amendments would be made based on Commissioner feedback and the item would return to the Planning Commission for additional discussion and consideration.

ADJOURN

Commissioner Mackin moved to adjourn. The motion was seconded by Commissioner Prince. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 7:20 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the City of Holladay Planning Commission Meeting held Tuesday, July 12, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: 08/16/2022