

1 major redevelopment areas along Fort Union Boulevard. A property owner/developer can use the
2 PDD tool to create a specific development plan and ordinance that applies only to one property.
3 In this case, AJ Rock/Rockworth Development purchased the northern 20 acres of the large gravel
4 pit property. In the total scope of the operation, it is small and consists of the northern side. Some
5 of the tradeoffs of using the PDD are that developers are allowed more flexibility in terms of
6 densities, uses, building height, and massing. They create an ordinance, new zone, and
7 development plan at the same time, which is very labor-intensive up front. Typically, a city council
8 will approve a rezone without seeing the specific development plan, which comes in later.

9
10 There are currently two PDD areas in the City. One was identified as the Walsh property, which
11 is behind 1300 East in the northwest corner of the City. The location was described. Mr. Johnson
12 reported that new ordinances are technically created every time a PDD project is approved. The
13 proposed amendment is only for the PDD-2 Ordinance. Mr. Johnson described what was approved
14 for Rockworth Development, which is a mixed-use development site. The location was identified
15 on a site map displayed and included several development types. One was a 325-unit apartment
16 building with 15% of the units being deed-restricted affordable units. One requirement of the PDD
17 tool is that a percentage of the housing be affordable. Affordability is determined using the Area
18 Median Income (“AMI”) and is defined as 30% of total household costs going toward housing.
19 An affordable housing tool would be affordable to a family or individual making 80% of the AMI.
20 The AMI will vary by city.

21
22 Mr. Johnson noted that the apartment building will be the first phase of the project. A
23 condominium building was also proposed for which the Planning Commission recommended
24 approval. It is a 10-story building with 90 to 99 units. The City Council was concerned with the
25 proposed units so the developer decided to come back later and address the density and massing.
26 The condominium location was approved and the number of units and height will be required to
27 return for a full PDD amendment. A site rendering was presented.

28
29 Throughout the PDD-2 approval process, the applicant conducted numerous site hazard analyses
30 to investigate the potential impact of any future mitigation necessary for various natural hazards
31 present on the site including slope stability, liquefaction, debris flow, rockfall, fault lines, hillside
32 remediation, and mitigation measures for development around the existing water aqueduct. While
33 the site was initially scoped and studied in detail, the approval included a condition that additional
34 scoping would be required as each phase of the project prepares for full engineering design and
35 development. Part of this scoping includes additional fault trenching of each building footprint,
36 which is a requirement that is typical of development in sensitive land areas throughout the City.
37 Since approval was granted, the applicant has been working on additional site engineering
38 including supplemental geotechnical and geologic hazard studies, and preparing full site
39 engineering and construction plans. He noted that the applicant has completed additional trenching
40 for each future building on the site. One fault line near the proposed apartment building was found
41 to have a different orientation where the setback will reduce the size of the apartment building
42 slightly.

43
44 Mr. Johnson reported that a large courtyard and public plaza are proposed, both of which are
45 allowed by the PDD-2 Ordinance. Massing diagrams were displayed. Changes included:
46

- Modified Building Footprint (slight reduction in overall building size);
- Modified Building Massing (shape and massing of the building have been changed);
- Reduction in Total Units (From 325 units to 300 units) and a Comparable Reduction in Parking Stalls; and
- Relocation of Pool Amenity (from on top of the parking structure to the ground within the fault setback zone.

It was noted that the northwest corner changed most significantly due to the removal of one plaza access point that created a building wing. The rooftop pool was also reconfigured to be located on the ground level.

Mr. Johnson noted that there is an approved provision in the PDD-2 Ordinance that states that material changes to the Ordinance or Development Plan arising from a submittal and/or the discovery of unanticipated geologic hazards shall require an amendment to the Ordinance following review, recommendation, and/or approval by the approving City bodies and must go through the full PDD process. The applicant's proposal better defines the term "material changes", which would allow them to make minor modifications that are a decrease and less intense than what was approved as part of the Staff review. The measurement process was discussed.

Commissioner Chappell stated that if the language changes slightly, the square footage will be impacted and result in a significant change to the project. From a structural building standpoint, she felt that 10% has a history of creating a cumulative change. She questioned whether there is a limit. Mr. Johnson reported that the 10% would be based on the development as currently. If there is a scenario where they continue to make modifications, staff would identify the issue and state that it is beyond what is considered a material change. It would then be necessary to go through the full PDD amendment process.

Commissioner Mills recommended that language be added to specify that the change is to a particular structure. Senior City Planner, Samantha DeSeelhorst was supportive of the small percentage and a language clarification. She confirmed that the text amendment is just for this project. She felt that the existing ordinances may serve as a template for other PDDs in the future.

Mr. Johnson reviewed the following Staff analysis and findings:

- The proposed language requires any expansion of use, massing, etc. to follow the prescribed public process. Additionally, the proposed language would also require any substantial reduction or loss of building to adhere to that same public amendment process. It would allow for minor decreases in building intensity, unit counts, heights, etc. (no more than 10% of the original approved Development Plan) to be processed administratively.
- The 10% reduction does not apply to the public trail and courtyard elements of the site, so modification of those amenities would not be allowed outside of a full PDD amendment process.

- The proposed text amendment would not allow for any increase in building height, massing, and density without a full PDD amendment. The proposed amendment is narrowly scoped to allow for slight building modifications typical of a large, multi-phase development of this type, without jeopardizing or modifying the original intent of the approved plan.

The proposed language modifications were discussed. Commissioner Ebbeler understood that one of the City's primary concerns was with the trigger for affordable housing. He suggested that clarifying language be added so that this trigger would not have an impact on the affordable housing counts. Mr. Johnson stated it creates an impact as the affordable housing counts represent a percentage of the total units. If the number of units is decreased, they would lose some of the affordable housing. Staff was comfortable with the language. Language could be added to specify that the 10% is measured from the originally codified Development Plan.

Commissioner Mills asked Staff to be sure to contact all appropriate representatives within the City of Holladay as the modifications will be visible to residents along the city border. Ms. DeSeelhorst stated that notices are sent to the Holladay City Recorder who passes them on to City leadership and the affected entities.

2.0 Additional Discussion Items.

There were no additional discussion items.

3.0 Adjournment.

Commissioner Anderson moved to adjourn. Commissioner Shelton seconded the motion. The motion passed with the unanimous consent of the Commission.

The Work Meeting adjourned at 5:57 p.m.

1 (Wasatch Rock Gravel Pit Ordinance). The matter was discussed extensively during the Work
2 Session. Tom Henriod from Rockworth Companies was available to answer any questions.

3
4 Commissioner Allen opened the public hearing. There were no public comments.

5
6 ***Commissioner Shelton moved to close the public hearing. The motion was seconded by***
7 ***Commissioner Ebbeler. The motion passed with the unanimous consent of the Commission.***
8

9 Commissioner Smith believed it was clear that they were not setting a precedent and consideration
10 was specific for this situation. They may anticipate future needs for modification of other projects
11 that will be considered at that time. Chair Allen reviewed the recommendation of approval.

12
13 ***Commissioner Anderson moved to forward a recommendation of APPROVAL of Project ZTA-***
14 ***22-004 based on the findings in the Staff Report dated January 18, 2023, subject to the following***
15 ***recommendations:***
16

- 17 ***1. The 10% reduction would be measured from the originally codified development***
18 ***plan.***
- 19
20 ***2. The 10% reduction is limited to a specific building.***
- 21
22 ***3. The addition of a colon so all the items of this 10% reduction are included***
23 ***individually.***
- 24
25 ***4. Represents a comprehensive 10% reduction and is not able to be continually***
26 ***reduced.***
27

28 ***The motion was seconded by Commissioner Shelton.***
29

30 Mr. Henriod stated that they were agreeable to the recommended additions and was confident that
31 they will be able to work with Staff. He asked for clarification of the term “massing”. He noted
32 that the additional required trenching has been completed with exception of the hotel pad and the
33 future condominium pad due to the existing amount of fill. Chair Allen believed the term
34 “massing” involves volume and was in reference to the footprint. He supported eliminating the
35 term if it is problematic.

36
37 ***Commissioner Mills moved to AMEND the motion by eliminating the terms “building” and***
38 ***“massing”. The amended motion was seconded by Commissioner Ebbeler.***
39

40 Commissioner Mills clarified that the amendment means that the measures in place are adequate to
41 determine that this is not considered a material change and building massing, as a result of the
42 previous list, would not make it material.

43
44 ***Vote on amended motion: Commissioner Smith-Aye, Commissioner Mills-Aye, Commissioner***
45 ***Anderson-Aye, Commissioner Shelton-Aye, Commissioner Ebbeler-Aye, Commissioner***
46 ***Chappell-Aye, Chair Allen-Aye. The motion passed unanimously.***

1
2 **4.0 Adjourn.**

3
4 ***Commissioner Smith moved to ADJOURN. Commissioner Ebbeler seconded the motion. The***
5 ***motion passed with the unanimous consent of the Commission.***
6

7 The Planning Commission Meeting adjourned at 6:20 p.m.
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1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, January 18, 2023.*
3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

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9 Minutes Approved: _____