

PLANNING COMMISSION

City of Holladay

April 4, 2023

City Council Chambers – 4580 S. 2300 E. Holladay



City of Holladay

This public meeting will be held in-person and also transmitted via live video stream on the [City of Holladay webpage](#). Participation in a *public hearing* portion of this meeting can be accomplished in either of the following ways:

- **During the meeting:** address the Commission when the item is called by the Commission Chair
- **Email:** comments must be received by **5:00 pm** on **04/03/2023** to the Community and Economic Development Department; cmarsh@cityofholladay.com. Emailed comments will be read by the Commission Chair.

MEETING AGENDA

5:30 PM WORK SESSION – The Commission may discuss any or all agenda items. No decisions or voting to occur.

6:00 PM CONVENE REGULAR MEETING – Public Welcome & Chair Opening Statement

PUBLIC HEARING

1. **“Melissa Davis: Sole Balance Foot Zone Therapy” – Conditional Land Use Permit: Home Occupation – 3975 S 3210 E (R-1-10 Zone)**
Review and consideration of a request by Applicant **Melissa Davis** as Owner, for a Conditional Use Permit for Home Occupation. Item reviewed as an administrative application as per provisions stated in Holladay Ordinance §13.08.040
File #23-2-02
2. **“Emigration Brewing Co.” Mixed-Use Commercial/Residential - Conceptual Site Plan – 5025 South Highland Drive (C-2)**
Conceptual review and consideration of a mixed-use development proposal by Application/Property Owner, Bret Laughlin. Item reviewed as an administrative action of a permitted land use, in addition to a conditional land use. Review to include Conceptual Site layout details as per procedures and development standards of the zone §13.62, and §13.08.080 of the Holladay code.
File #23-2-03

ACTION ITEMS

3. **“Oly Vista Subdivision- Landscaping Plan Amendment” – 4877 South Murray Holladay Road (R-1-10 Zone)**
Applicant proposes an amendment to approved landscaping plans approved by the planning commission in accordance with applicable Holladay Ord 13.08.010D(5) 13.08.170.H, 13.10.050B2c(7) and 13.77.D2(c).
4. **Approval of Minutes – 3/07/2023**

ADJOURN

CERTIFICATE OF POSTING

I, Stephanie N. Carlson, the City Recorder of the City of Holladay, certify that the above agenda notice was posted on the City of Holladay bulletin board, the City website www.cityofholladay.com, 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: [DAY, MONTH DATE, 2022 @ TIME AM/PM]

Stephanie N. Carlson MMC, City Recorder
City of Holladay

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call the City Recorder's office at 272-9450 at least three days in advance. TTY/TDD number is (801)270-2425 or call Relay Utah at #7-1-1



FILE# 23-2-02

Sole Balance Foot Zone Therapy

ADDRESS:

3975 South 3210 East

LEGAL DESCRIPTION: 16-35-454-006

LOT 58 & N 5 FT OF LOT 57, HAWKER HEIGHTS ADD #2
4436-0724 10251-3000,4418 10447-2575 10447-3445 10638-7578
10655-6975 10986-2719

APPLICANT/REPRESENTATIVE:

Melissa Davis

PROPERTY OWNER:

Melissa and Brian Davis

ZONING:

R-1-10

GENERAL PLAN DISTRICT:

Low Density Residential-Stable (LDR-S)

CITY COUNCIL DISTRICT:

District #4

PUBLIC NOTICE DETAILS:

Mailed March 23, 2023

REQUEST:

Conditional Use Permit

APPLICABLE REGULATIONS:

13.08.040
General Plan - HDMP Seg B

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:



Request: **CONDITIONAL USE – HOME OCCUPATION**
Project: Melissa Davis: Sole Balance Foot Zone Therapy
Address: 3975 South 3210 East
Zone: R-1-10
Applicant: Melissa Davis
File No: 23-2-02
Notice: Mailed to properties within 500’ on 3/24/2023. Notice mailed to additional properties 3/28/2023.
Planner: Carrie Marsh

GOVERNING POLICIES/ORDINANCES:	13.03.020	CONDITIONAL USE SUBMITTAL REQUIREMENTS
	13.08.040	CONDITIONAL USE PERMIT REVIEW/APPROVAL STANDARDS
	13.76.730	HOME OCCUPATION (REGULATIONS)
	13.100	LAND USE TABLE (ALLOWED AS CONDITIONAL)
	05.54.010	HOME OCCUPATION (BUSINESS LICENSE)

EXCECUTIVE SUMMARY

The City of Holladay conditionally allows the use of an individual’s dwelling for business purposes when the business use is incidental and secondary to the use of the dwelling for dwelling purposes.

Ms. Davis is seeking a Conditional Use Permit to conduct business which involves customers coming to the dwelling to purchase services on the premises by appointment.

Home occupation allows for the production of goods on the property and requires that the sale of those goods involve the use of the main building, not an accessory building or yard space.

APPLICANT / PROPERTY SUMMARY

Applicant Melissa Davis owns property at 3975 South 3210 East, in a single-family residential zone (R-1-10). Ms. Davis is requesting approval to license their home-based business consisting of foot zone therapy. She intends to see up to an estimated three clients each day on weekdays (Monday through Friday) within the hours of ten o’clock am until eight o’clock pm. These are general days and hours in which clients could make appointments. Client appointments will not be on a consistent basis. Ms. Davis states that only one client will be present at a time and as many clients are neighbors, they are likely to walk to the home. Clients who drive will park in the driveway or on the street. Appointments are generally one to one-and-a-half hours long. The applicant held the required neighborhood meeting on March 15, 2023 and there were no concerns expressed by neighbors.

TECHNICAL REVIEW COMMITTEE ASSESMENT

The TRC has reviewed the application in accordance with regulating section 13.08.040 (Conditional Use Permit Review/Approval Standards) and 13.76.730 (Home Occupation) of the ordinance and found that the application has met the required provisions.

TRC RECOMMENDATIONS

The TRC recommends the commission consider the applicant’s oral presentation as well as any public comments (written or oral) as part of the required public hearing while considering this conditional use permit request. Staff recommends approval of this item with the following suggested findings and conditions. Additional considerations or conditions, if any, should be applied carefully and reasonably as per 13.08.040.F

Findings:

1. Land use and home occupation requirements as proposed are in compliance with existing city ordinances
2. The conditional use as proposed meets approval standards as outlined in Chapter 13.08.040

Conditions:

1. Off street parking areas shall be maintained as available during business hours – no street parking allowed.
2. Obtain a Holladay business license
3. Hours of operation limited to Monday through Friday, 10am to 8pm

4. Conditions or complaints found to be in violation of set standards will require re-review by the planning commission or possible revocation of this permit as determined by the Community Development Director

SUGGESTED MOTION FORMAT:

*“I motion the Holladay Planning Commission move to _____ (APPROVE, DENY, CONTINUE) the application for a Home Occupation for “**Melissa Davis: Sole Balance Foot Zone Therapy**”, located at **3975 S.3210 E.**, based upon the findings that the application _____ (see above for staff suggested findings). This motion is subject to the following conditions _____ (see above for staff suggested conditions).”*



**** REVISED NOTICE****

NOTICE OF A PUBLIC HEARING

CONDITIONAL USE PERMIT – Home Occupation

Date: Tuesday, APRIL 4th 2023
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 review and consider a proposal by Melissa Davis for a Conditional Use Permit allowing a home occupation at her property located at **3975 South 3210 East** in the R-1-15 zone. Proposal is in accordance with provisions in Holladay City Code Section 13.76.730.

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

Please submit comments via email by 5:00 pm 04/03/2023 to Carrie Marsh, cmarsh@cityofholladay.com; City Planner. Emailed comments received by the designated times will be forwarded to the Commission prior to the meeting.

Additional information regarding this item & instructions how to view 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 webpage.

ATTENTION: This notice was mailed on 03/23/2023 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.



**** REVISED NOTICE****

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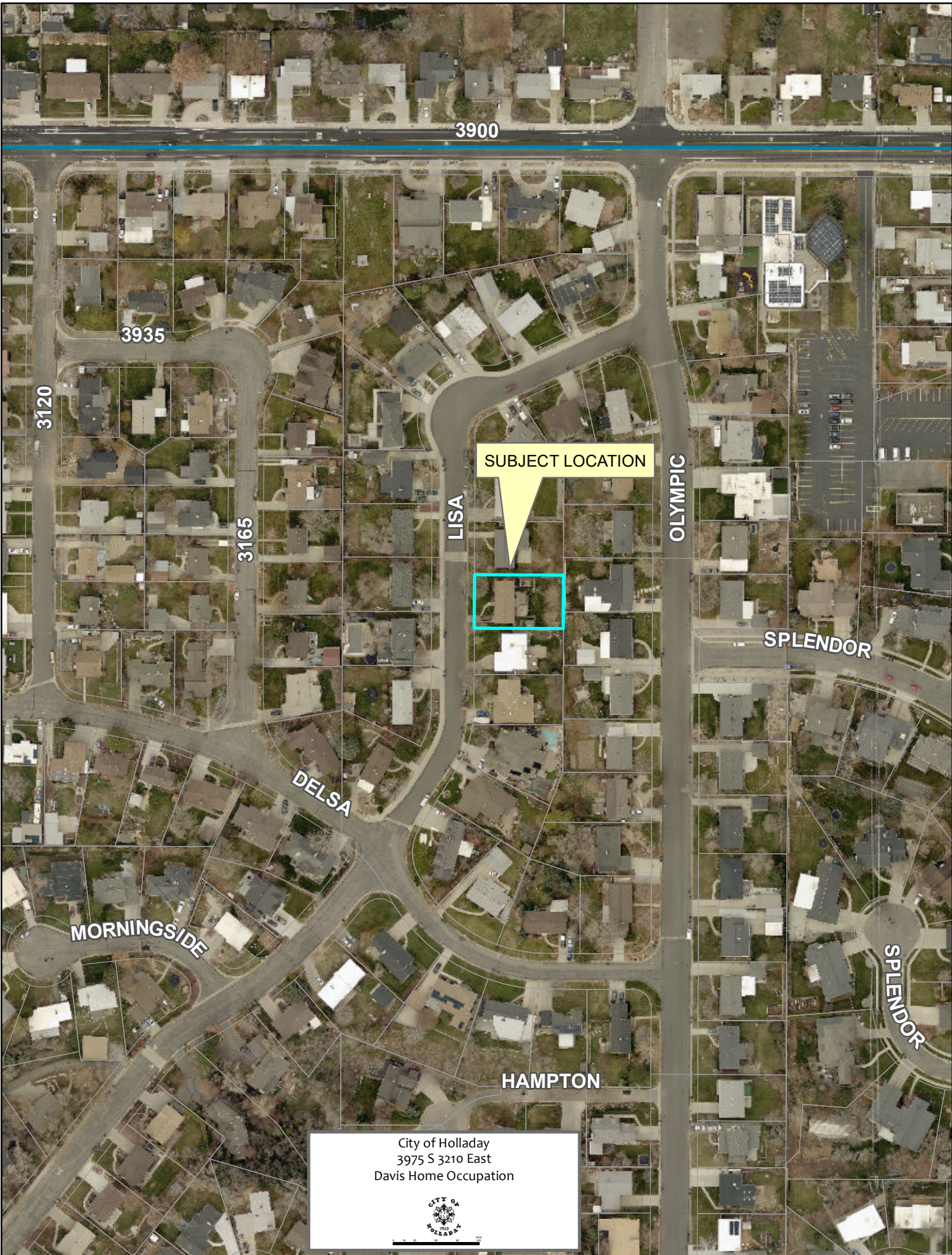
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DELSA

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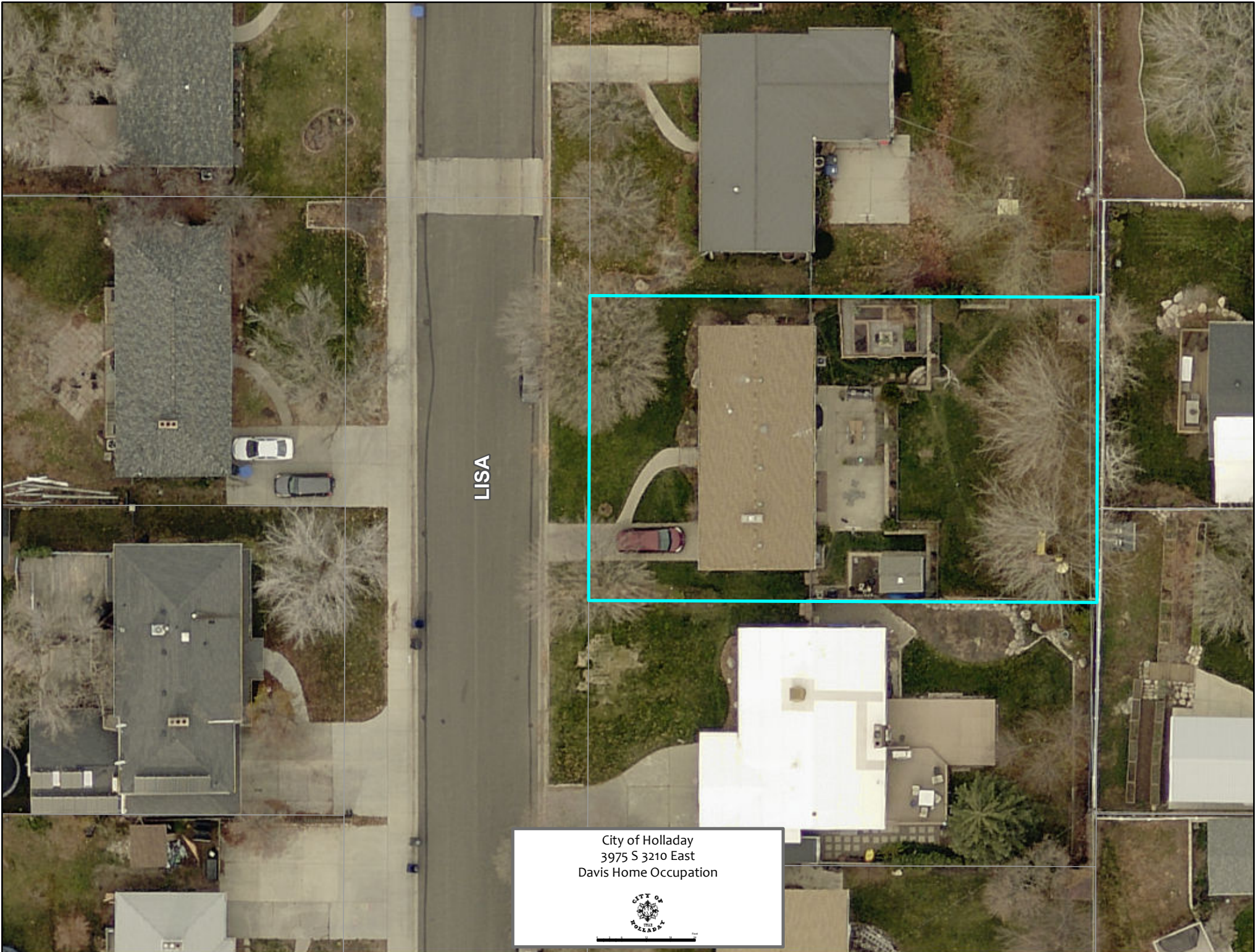
HAMPTON

SPLENDOR

SUBJECT LOCATION

City of Holladay
3975 S 3210 East
Davis Home Occupation

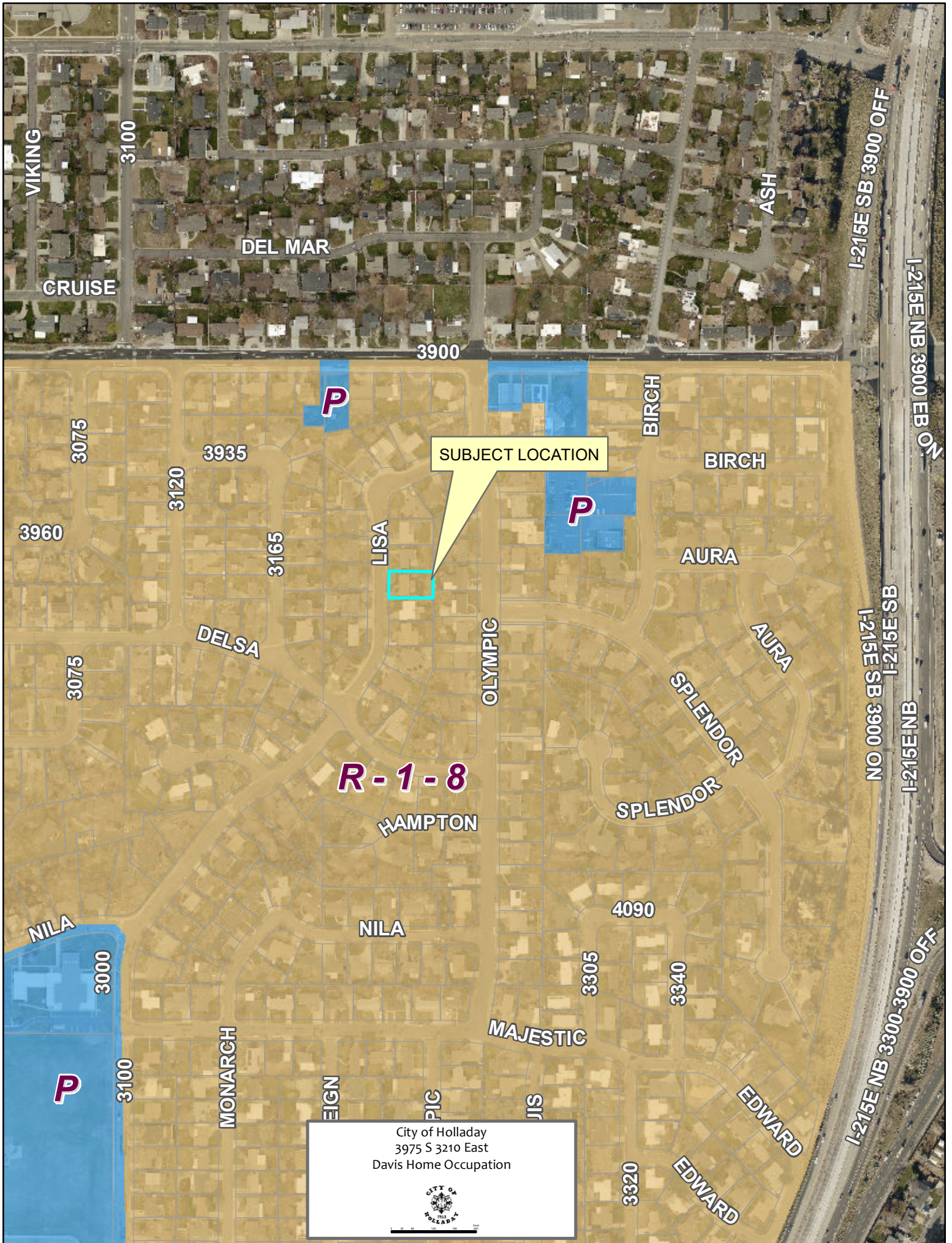




LISA

City of Holladay
3975 S 3210 East
Davis Home Occupation





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SUBJECT LOCATION

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City of Holladay
3975 S 3210 East
Davis Home Occupation





GENERAL LAND USE DEVELOPMENT APPLICATION

Name of Proposed Project: MELISSA DAVIS: Sole Balance Foot Zone Therapy
 Address of Project: 3975 South 3210 East SLc, Ut 84124

ADMINISTRATIVE PROCEDURES APPLY (ORD. 13.08)		LEGISLATIVE PROCEDURES APPLY (ORD. 13.07)	
<input type="checkbox"/>	SITE PLAN () PERMITTED of () CONDITIONAL	<input type="checkbox"/>	REZONE of PROPERTY
<input type="checkbox"/>	SUBDIVISION PLAT	<input type="checkbox"/>	GENERAL PLAN AMENDMENT
<input type="checkbox"/>	CONDOMINIUM PLAT	<input type="checkbox"/>	CODE AMENDMENT
<input checked="" type="checkbox"/>	CONDITIONAL USE PERMIT	<input type="checkbox"/>	PUBLIC STREET: NAME CHANGE, VACATION / CLOSURE or DESIGNATION
<input type="checkbox"/>	SPECIAL EXCEPTION	<input type="checkbox"/>	HISTORIC SITE DESIGNATION
<input type="checkbox"/>	LOT LINE ADJUSTMENT or COMBINATION	<input type="checkbox"/>	DEVELOPMENT AGREEMENT AMENDMENT
<input type="checkbox"/>	OTHER:	<input type="checkbox"/>	ANNEXATION

Applicant Name: (Please Print) MELISSA DAVIS Property Owners Name: (Please Print) MELISSA DAVIS *** ATTACH SIGNED "OWNER AFFIDAVIT" ***
 Applicant's Mailing Address: 3975 South 3210 East City: SLC State: Ut Zip: 84124
 Applicant's Email Address: melissaandbriandavis@gmail.com
 Applicant Phone: 801-550-9523
 Main Contact Person (Please Print): MELISSA DAVIS Phone: 801-550-9523 email: melissaandbriandavis@gmail.com

Brief summary of proposal / request:
Occasional use of home (one room) to do foot zones.

FILING FEES: (ORD 3.35)		
SITE PLAN REVIEW	\$600.00	REZONE of PROPERTY \$900.00 + \$85.00/acre
SITE PLAN AMENDMENT	\$250.00	CODE AMENDMENT \$600.00
SUBDIVISION: Final = 6% of the cost of improvements	\$2,000.00 + \$100.00/lot	GENERAL PLAN AMENDMENT \$300.00 + \$50.00/acre
CONDOMINIUM	\$1,000.00 + \$100.00/unit	HISTORIC SITE DESIGNATION \$600.00
CONDITIONAL USE PERMIT - COMMERCIAL	\$1,000.00 + \$35.00/acre	PUBLIC STREET: \$300.00 - vacation \$500.00 - dedication \$250.00 - namechange
CONDITIONAL USE PERMIT - RESIDENTIAL	\$900.00 + \$50.00/unit	ANNEXATION
CONDITIONAL USE PERMIT - HOME BUSINESS	\$100.00	DEVELOPMENT AGREEMENT AMENDMENT
CONVERSION TO CONDOMINIUM	\$50.00/unit	LOT LINE ADJUSTMENT / COMBINATION: \$75.00
SPECIAL EXCEPTION	\$600.00	OTHER:
SUBDIVISION AMENDMENT	\$500.00	
		FINAL TOTAL DUE: <u>100 -</u>

OFFICE USE ONLY
 FILE NUMBER: 23-2-02
 PERMIT # 190448
 PARCEL NUMBER: _____
 GENERAL PLAN: _____
 ZONE: _____ ACREAGE: _____
 PC ACTION: _____ DATE: _____
 CC ACTION: _____ DATE: _____
 FILE DATE: _____

NEXT STEPS:

- To be considered COMPLETE, this form must be accompanied by all applicable "project tracking" checklist(s)/submittals or it will not be accepted.
- Complete applications must be submitted 3 week prior to the desired Planning Commission date
- Applications are reviewed every Tuesday by the Holladay TRC. You will be notified of any deficiencies, decisions and/or meetings dates at that time
- Planning Commission convenes each month on the 1st and 3rd Tuesday. City Council convenes the 1st and 3rd Thursday of each month
- Your Attendance at the Planning Commission and/or City Council meetings is required by the applicant or a representative of the applicant.

MAR 16 2023

4/4/2023

CITY OF HOLLADAY
AFFIDAVIT OF PROPERTY OWNERSHIP
FOR PROPERTY LOCATED AT

ADDRESS: 3975. SOUTH 3200 EAST SEC, UT 84124

SUBDIVISION Hawker Heights PLAT _____ LOT 58 & N5 FT OF LOT 57
ADD #2

Parcel # 16-35-454-206

PROPERTY OWNER

I (WE), Melissa Davis BEING DULY SWORN, DEPOSE AND SAY THAT I (WE) AM (ARE) THE OWNER(S) OF THE PROPERTY IDENTIFIED IN THE ATTACHED APPLICATION AND THAT THE STATEMENT HEREIN CONTAINED AND THE INFORMATION PROVIDED IN THE ATTACHED PLANS AND OTHER EXHIBITS ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE.

Melissa Davis
PROPERTY OWNER

PROPERTY OWNER

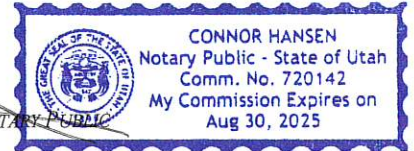
ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF Salt Lake) SS.

THE FOREGOING AFFIDAVIT WAS ACKNOWLEDGED BEFORE ME THIS 10th DAY OF March, 2023, WHO DULY ACKNOWLEDGED TO ME THAT HE DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: Aug 30, 2025

[Signature]
NOTARY PUBLIC



PROPERTY OWNER'S
AGENT AUTHORIZATION

I (WE), _____, THE OWNER(S) OF THE REAL PROPERTY DESCRIBED ABOVE, DO AUTHORIZE AS MY AGENT(S) _____ TO REPRESENT ME (US) REGARDING THE ATTACHED APPLICATION AND TO APPEAR ON MY (OUR) BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE CITY OF HOLLADAY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE ATTACHED APPLICATION.

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF _____) SS.

THE FOREGOING AFFIDAVIT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, _____, WHO DULY ACKNOWLEDGED TO ME THAT HE DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

Home Based Business Application Narrative Request

To whom it may concern,

I am Melissa Davis, and I just completed my foot zone certification. I am registered with the Utah Foot Zone Association as a foot zone practitioner. What is foot zoning? Foot zoning activates our normal line of health. There are hundreds of pressure points at the bottom of our feet that work together like a "switchboard." Foot zoning switches on the entire blueprint of the body down to the cellular level. Once the blueprint is activated, it sends healing information in bringing physical, mental, and emotional energies back to optimum health. Overall, foot zoning triggers the body to align and heal itself.

I would like to perform foot zone therapy to my clients through the training I received from the Wellness Life Zone Foot Zone Academy in Sandy, Utah. These sessions will take place within one dedicated room of my home. I have followed all the criteria that the Utah Foot Zone Association has required for this business. I am set up to see about three clients a day, Monday-Friday, from 10 am -8pm. However, this is not a consistent basis. Each session is approximately an hour to hour and half long. Most of my clients are neighbors, so they will be walking to my home. My other clients drive but there will only be one car at a time.

Sincerely,

Melissa K Davis

Since I will be seeing one person at a time there will only be one extra car in front of my home, ^(on the street or driveway) during those business hours.

The one room that I will be using is off of the front door & is a 13x9 foot room.

Notice of Neighborhood Meeting

March 7, 2023

Melissa Davis
3975 South 3210 East
801.550.9523

Dear Neighbor,

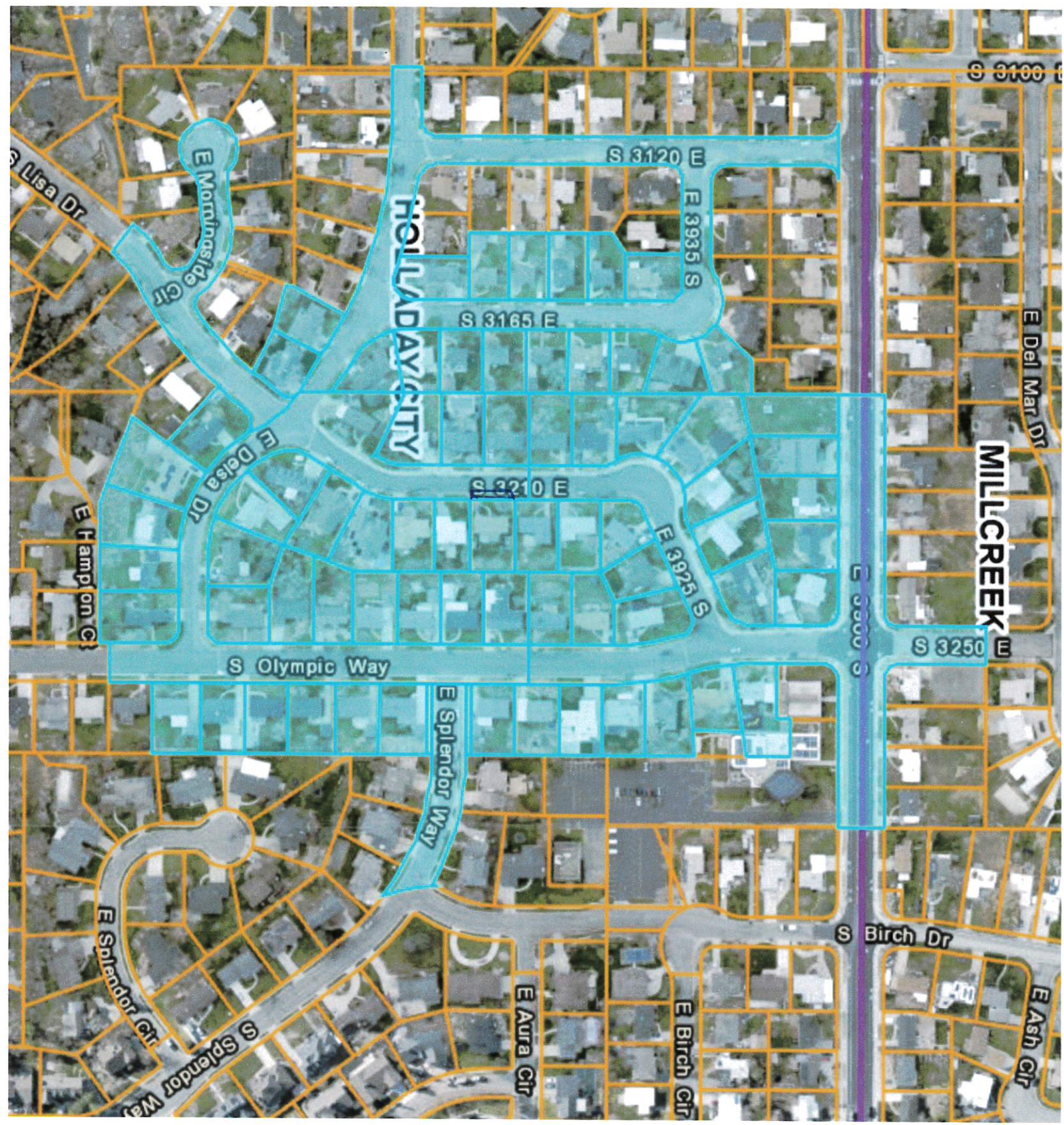
A neighborhood meeting will be held (**March 15th**) at (**8:00 pm**) at **3975 South 3210 East** to discuss a proposed Foot Zone Therapy business in my home, located at 3975 South 3210 East.

Please join me to discuss this foot zone therapy business, Sole Balance Foot Zone Therapy, application and share your thoughts and feelings.

Please note, that this is **NOT** a City of Holladay Planning Commission or City Council meeting. This pre-meeting prior to presenting a pending application to the City of Holladay.

Thank you,

Melissa Davis



Who was notified at the Neighborhood Meeting

3970 S 3165 E	ADAM C STONE
3974 S 3210 E	PAUL CANTARINI; SI
3974 S OLYMPIC WY	TRUST NOT IDENTIFI
3975 S 3165 E	AARON K VANDERM
3975 S 3210 E	BRIAN CHRISTIAN D/
3976 S BIRCH DR	JOSHUA R PARKER;
3978 S 3165 E	EPPERSON INVESTM
3979 S OLYMPIC WY	LLOYD S ALEXANDE
3979 S OLYMPIC WY	LLOYD S ALEXANDE
3980 S OLYMPIC WY	BART HARVISCHAK;
3981 S 3210 E	SARA L VAN KLOOS
3984 S 3210 E	CHRISTOPHER PATTI
3985 S 3165 E	AMBER LEIGH BURNF
3990 S OLYMPIC WY	KRISTEN A SCHULTZ
3991 S 3210 E	EARL C. DALLON; LI

3995 S 3165 E	TRUST NOT IDENTIFI
3996 S 3210 E	DANIEL L OLSEN; RA
3997 S 3210 E	JAMES R ABBOTT
3999 S OLYMPIC WY	DEANNA T DONALD
3999 S OLYMPIC WY	DEANNA T DONALD
4000 S OLYMPIC WY	ANDREW MATSUKAI
4005 S 3210 E	JOHN RECTOR; KIRS
4009 S OLYMPIC WY	1995 W FAM TRUST
4010 S 3210 E	JUDY L HAYNES
4010 S OLYMPIC WY	CHRISTIAN SNUFFER
4019 S OLYMPIC WY	EPPERSON INVESTM
4020 S OLYMPIC WY	BEVERLY J WARNER
4021 S 3210 E	STACY J THEURER
4029 S OLYMPIC WY	JOSEPHINE WRIGHT;
4030 S OLYMPIC WY	GERALDINE L GRAVE

Who was notified at the Neighborhood Meeting

3151 E DELSA DR	TAMARA P SNEDDO
3158 E DELSA DR	CARISSA L CHRISTE
3168 E DELSA DR	GREG & LAURIE LOR
3178 E DELSA DR	BRYAN J RICHMOND
3183 E DELSA DR	MARY LANG
3184 E 3900 S	SALT LAKE CITY CO
3200 E 3900 S	LAYTON FAMILY TRI
3200 E DELSA DR	KIMBERLY D WRIGHT
3201 E 3925 S	JONATHAN CHATEL
3210 E 3925 S	1994 J FAM TR
3211 E 3925 S	ANDREW E ANDERS
3212 E 3900 S	LWK HOLDINGS, LLC
3215 E DELSA DR	TRUST NOT IDENTIFI
3224 E 3925 S	ERIN DOTY; CURTIS
3225 E 3925 S	ROSANNE S HENSHA

3225 E 3925 S	ROSANNE S HENSHA
3230 E 3900 S	LAUREN R PERUFFO
3231 E DELSA DR	DEBRA K ZUMWALT
3247 E 3925 S	REBECCA CUNIBERTI
3280 E 3900 S	MOUNT OLYMPUS PF
3283 E SPLENDOR WY	SZ REV TRUST
3299 E SPLENDOR WY	MARY L BACKMAN F
3910 S OLYMPIC WY	STEVEN L KELLY; B
3921 S OLYMPIC WY	MT OLYMPUS PRESB
3931 S 3165 E	FRANCISCO REYNOS
3931 S OLYMPIC WY	MOUNT OLYMPUS PF
3937 S 3165 E	RICHARD T KENDALI
3939 S OLYMPIC WY	ELWIN K SEDWICK
3944 S 3165 E	SPENCER K WHITE; Y
3944 S 3210 E	KAMI L WARDROP; T

3944 S OLYMPIC WY	KIMBERLY JOAN DO
3947 S 3165 E	DON P HURST
3949 S OLYMPIC WY	LOUIS T ORENSTEIN
3952 S 3165 E	ERME VENTURES, LL
3954 S 3210 E	G ERIC NIELSON
3954 S OLYMPIC WY	TH TRUST
3955 S 3165 E	GERALD L GUDMUND
3955 S 3210 E	DANIEL CLYDE; GRA
3959 S OLYMPIC WY	CRAIG MUELLER; LY
3962 S 3165 E	TRUST NOT IDENTIFI
3964 S 3210 E	REINIG EVANS MORR
3964 S OLYMPIC WY	STACEY C SNOW; TE
3965 S 3165 E	JOHN D & CAROL B
3965 S 3210 E	SDH REV TRUST
3969 S OLYMPIC WY	BONNIJANE BLACK I

Riano 3141 e. Delisa Drive

MEETING MINUTES

3/15/23 @ 8:05

WELCOME AND OVERVIEW OF BUSINESS AND ANY
POTENTIAL ~~OVER OF ANY~~ TRAFFIC CONCERNS. (MELISSA DAVIS)

OFFICIAL MOTION: "I MAKE THE MOTION TO APPROVE A
MOTION: MEL PATTERSON ^{BUSINESS LICENSE FOR SOLE BAKERY FEOT 2011.}

SECOND: SUE CHASE - CANTERINI

VOTE = ALL IN FAVOR. NO OBJECTIONS.

SECRETARY = BRENDA DAVIS



3/15/23



FILE#

ADDRESS:

DECISION TYPE:

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:



Request: **MIXED-USE COMMERCIAL/RESIDENTIAL - CONCEPTUAL SITE PLAN**
 Project: "Emigration Brewing Co. Mixed Use Development"
 Address: 5025 S. Highland Dr.
 Zone: C-2
 Applicant: Bret Laughlin
 File No: 23-2-03
 Notice: Mailed to properties within 500' on 3/24/2023.
 Staff: Jonathan Teerlink and Carrie Marsh

GOVERNING ORDINANCES:	13.62	C-2 COMMERCIAL ZONE
	13.08.10C	CONCEPTUAL PLAN APPROVAL STANDARDS
	13.10.50	CONCEPTUAL SUBDIVISIONS SUBMISSION REQUIRMENTS
	13.06.050 B2	GENERAL ADMINISTRAIVE AND DEVELOPMENT REVIEW PROCEDURES

REQUIRED PLANNING COMMISSION ACTIONS:

Conceptual Site Plan Review: Public hearing is required. PC shall make a motion of either, approve or to continue discussion on this permitted, by-right application. 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 a subdivision plat requires review and approval by the Land Use Authority (Planning Commission) in a three-step process; **Concept, Preliminary, and Final plat**. Decisions and approval must be during public meeting. The notice for the required public hearing has been mailed to all properties within 500' of the subject parcels.

BACKGROUND

An application from the property owners of 5250 S. Highland Dr. has been submitted via applicant Bret Laughlin and Chris Layton. This property is 1.08 acres (46,900 square feet) and is located on the south side of the new Royal Holladay Hills development, on the corner of Arbor Lane and Highland Drive. It is the site of the former Roots Nursery. In March of 2022, the property was rezoned from Neighborhood Commercial (NC) to Commercial (C-2) with the condition that a Development Agreement be recorded against the property which restricts the use of the property to a Townhome and Brewpub Restaurant use. The site plan being reviewed at a conceptual level is a mixed-use development with four townhomes and a brewery on the parcel.

PROJECT SUMMARY

- Rezone with Conditions approved in March of 2022
 - Conditions included a Development Agreement for Townhomes and a Brewpub on the property and a site plan approval within two years.
 - The Development Agreement is being reviewed and signed by City Council on 4/6/202 and is too be recorded before Preliminary approval.
- Development Compliance Details:
 - Mixed-use development is a permitted use; 4 dwelling units and a separate brewery/restaurant
 - Minimum lot requirements for dwelling units and buildings are met
 - Minimum lot area required for 4 dwelling units in two separate structures is 24,000 square feet
 - Minimum lot area for other buildings is 10,000 square feet
 - 74 total parking stalls provided; 69 stalls required
 - 8 Required for residential (2 stalls per 3-bedroom unit)
 - 16 total stalls provided for residential
 - Each unit has 4 parking spaces (2 garage, 2 driveway)
 - 61 total Stalls required for restaurant use;
 - 61 total stalls provided
 - 45 stalls for restaurant (1 stall/4 seats)
 - 16 stalls for employees (1 stall/shift employee)
 - 4 additional stalls are shared as guest parking with the brewery

- 35' Maximum building height; proposed residential and commercial buildings comply with height maximums
- Buildings cover 24% of the lot. Up to 50% is allowed.
- A brewery is a conditional use in the C-2 zone and will be required to apply for a Conditional Use Permit

TECHNICAL REVIEW COMMITTEE ANALYSIS

Zoning, City Planner:

- Property use is limited to mixed-use residential and a brewpub restaurant under conditions of a Development Agreement that accompanied a rezone from Neighborhood Commercial (NC) to Commercial 2 (C-2)
- A combination of uses on the same parcel is allowed within the C-2 Zone §13.62.030 B
- Multiple-family use is permitted in the C-2 Zone when it is an accessory use to a permitted or conditional use §13.100
- Parking requirements are in compliance with Off-Street Parking Requirements §13.80.040

Unified Fire Authority (UFA), Area Fire Marshall:

- Driveways and parking are property sized for Fire and Emergency access from Arbor Lane, a public street
- Automatic fire sprinklers required for commercial building; not required for residential units.
- Other Fire Code Requirements -- *deferred to Preliminary level review*

Engineering, City Engineer:

- Onsite stormwater retention plans required – *deferred to Preliminary level review*
- Full Civil plans -- *deferred to Preliminary level review*

Public Works, City Engineer:

- Public right of ways labeled on site plan
- Driveway entries are properly distanced from intersections

Building, City Building Official:

- No comments

STAFF RECOMMENDATION

All required conceptual level elements of a subdivision proposal have been reviewed by the TRC and have been determined to be complete as per the City’s submission requirements. The TRC recommends that the commission approve the **CONCEPTUAL SUBDIVISION PLAN** based upon the following findings:

FINDINGS:

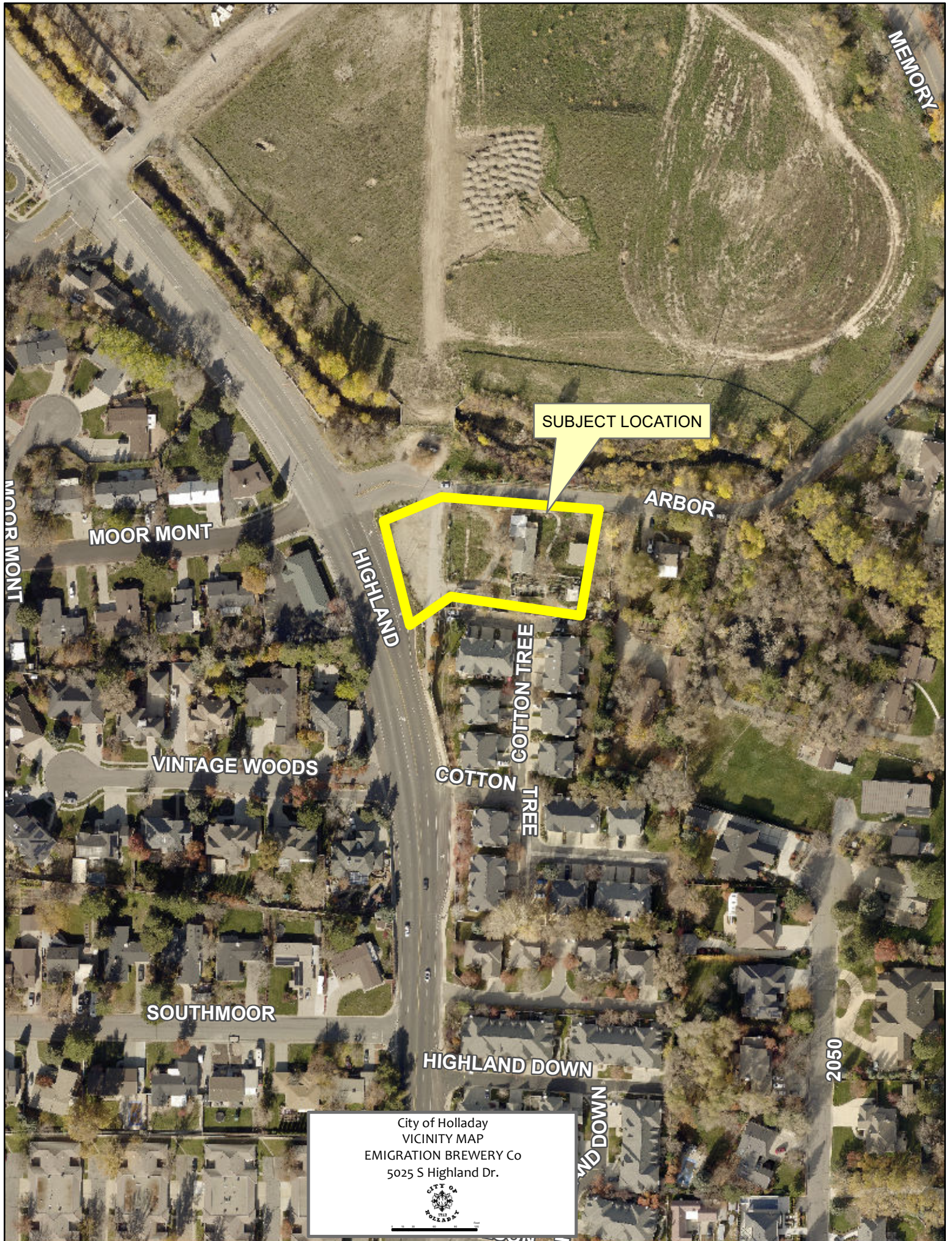
- 1) The proposed land use complies with the required Development Agreement
- 2) The proposed land use complies with allowed uses in the C-2 Zone.
- 3) Lot size requirements by use meet the minimum requirements in the C-2 Zone
- 4) Lot coverage complies with requirements of the C-2 Zone.
- 5) Parking requirements for both restaurant and residential uses are met

MOTION EXAMPLES

“I _____ move to (approve, Deny, Continue) the CONCEPTUAL Site Plan for “Emigration Brewing Co.” located at 5025 S. Highland Drive in the C-2 Zone, finding that the site plan: (see findings above).

SUPPORTING MATERIALS

- Map/aerial view
- Conceptual Site Plan
- Floor plan showing dining areas
- Conceptual Architectural Elevations



SUBJECT LOCATION

MOOR MONT

ARBOR

HIGHLAND

VINTAGE WOODS

COTTON TREE

COTTON

SOUTHMOOR

HIGHLAND DOWN

2050

City of Holladay
VICINITY MAP
EMIGRATION BREWERY Co
5025 S Highland Dr.





ARBOR

HIGHLAND

COTTON BLOSSOM

COTTON TREE

NOTICE OF A PUBLIC HEARING

CONCEPT SITE PLAN – EMIGRATION BREWERY MIXED -USE

Date: **Tuesday, April 4th 2023**
Time: **As close to 6:00 pm as possible**
Location: **City Hall – City Council Chambers**
Hearing Body: **Planning Commission**

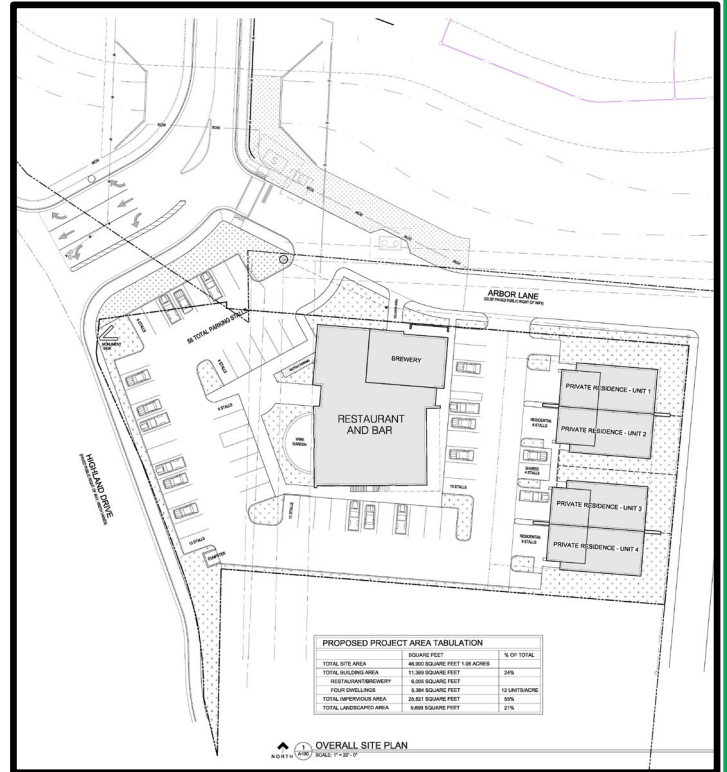
Notice is hereby given that the City of Holladay Planning Commission will conduct a public hearing during their review of a conceptual site layout and Conditional permitting of land uses for **EMIGRATION BREWERY Co.**, a 1.07 acre mixed-use redevelopment site in the C-2 zone located at **5025 South Highland Drive**. All considerations will be reviewed by the Planning Commission for compliance with Holladay Ordinance §13.08.080

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

Please submit comments via email by 5:00 pm April 3 2023 to Carrie Marsh, cmarsh@cityofholladay.com Emailed comments received by the designated time will be forwarded to the Commission prior to the meeting.

Additional information regarding this item & instructions how to view 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.

ATTENTION: This notice was mailed 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.



NOTICE OF A PUBLIC HEARING

CONCEPT SITE PLAN – EMIGRATION BREWERY MIXED -

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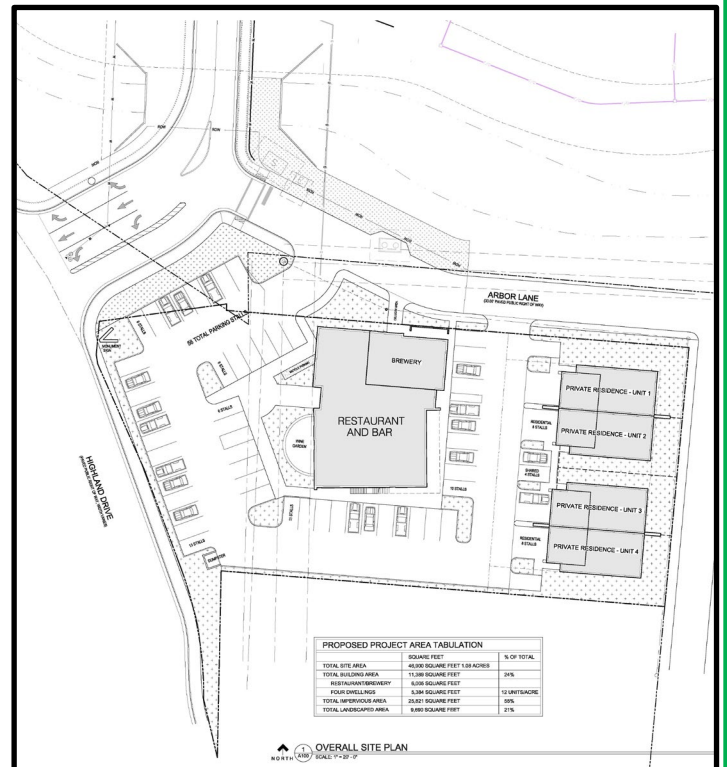
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From: [Jeffrey McCoy](#)
To: [Carrie Marsh](#)
Subject: Proposed Emigration Brewery Co Mixed Use Redevelopment
Date: Friday, March 24, 2023 3:37:13 PM

[External Email - Use Caution]

I offer comments of the subject development.
I am a resident at 1907 Vintage Woods Ct (5070 South).

My greatest concern for this proposed development is the impact to expected traffic flows on Highland Drive.

I would expect significant increases in traffic demand accessing Arbor Lane via Highland Drive. Existing north-bound egress from our subdivision is currently very challenging given the north-south traffic flows and dangerous unregulated speeds on Highland Drive.

I suggest consideration of a reduced speed limit on Highland Drive and/or installation of an additional traffic light at the intersection of Highland Drive and Arbor Lane.

I would be interested in reviewing any credible traffic study associated with this proposed project.

Also, accepting comments from residents living within 500 feet of the subject property is extremely limiting since there are a very limited number of residences that satisfy this restriction.

Thanks for your consideration.

- Jeffrey McCoy
1907 E Vintage Woods Ct
Holladay, UT 84117
(801) 520-4047

Sent from [Mail](#) for Windows

From: [Margaret McCoy](#)
To: [Carrie Marsh](#)
Subject: Concept site plan
Date: Friday, March 24, 2023 3:00:48 PM

[External Email - Use Caution]

I like the idea of emigration brewery and 4 private residences at 5025 South Highland. I have a couple of concerns: (1) Will there be a traffic light on the corner of Highland and Arbor lane? (2) Will there be enough parking for customers (3) Can the speed limit be reduced as cars speed down this area. Otherwise it would be great to have this corner lot built up and the plan sounds good! Thanks, Marge McCoy. 1907 Vintage Woods Court. Holladay

EMIGRATION BREWING
RESTAURANT & BAR

5025 SOUTH HIGHLAND DRIVE
HOLLADAY, UTAH

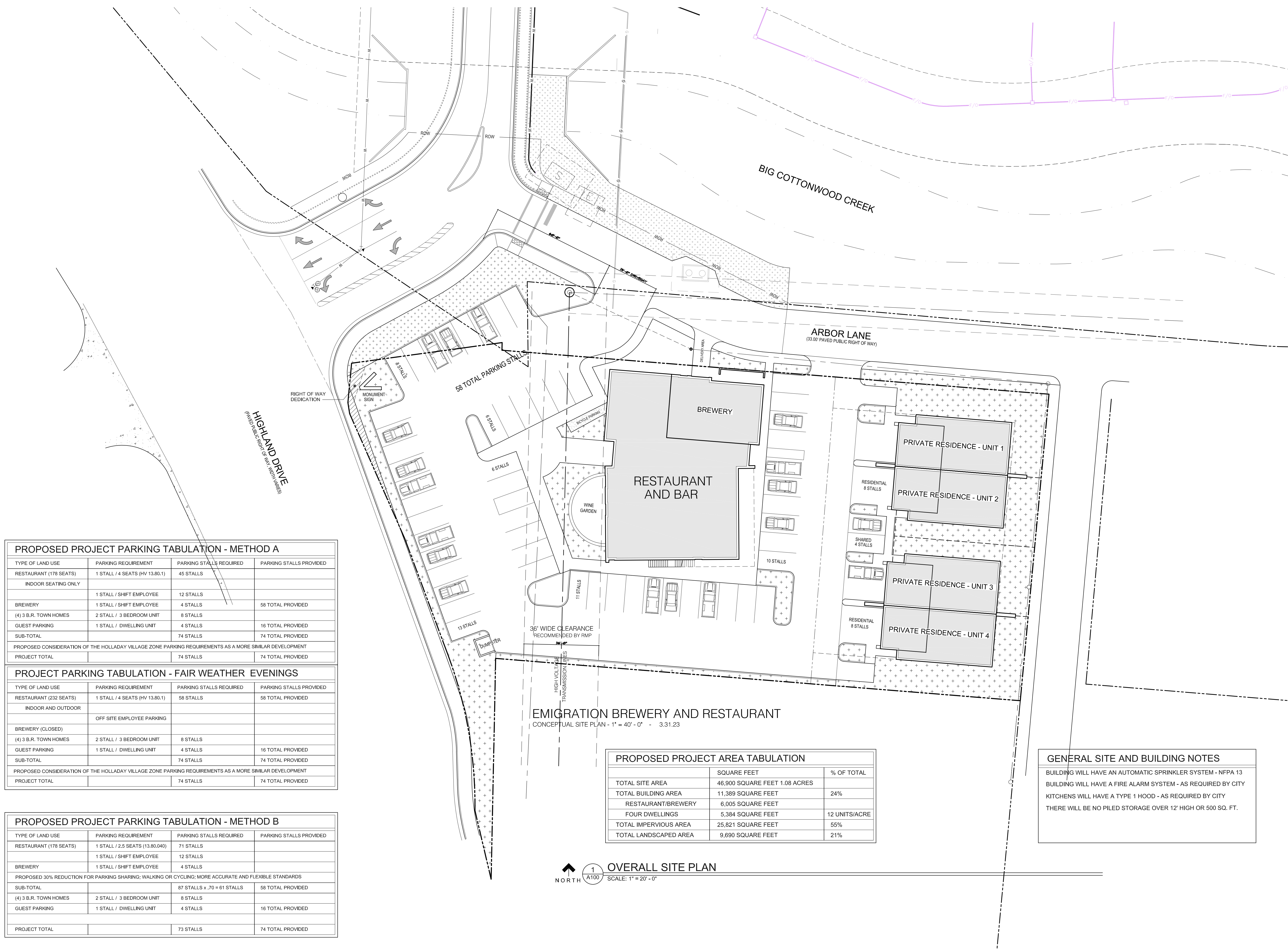
CHRONOLOGY

PROJECT NO
22.025

DWN BY/ CHK BY
CWL

TITLE
OVERALL
SITE PLAN

24X36 SHEET #
A100



PROPOSED PROJECT PARKING TABULATION - METHOD A

TYPE OF LAND USE	PARKING REQUIREMENT	PARKING STALLS REQUIRED	PARKING STALLS PROVIDED
RESTAURANT (178 SEATS)	1 STALL / 4 SEATS (HV 13.80.1)	45 STALLS	
INDOOR SEATING ONLY			
	1 STALL / SHIFT EMPLOYEE	12 STALLS	
BREWERY	1 STALL / SHIFT EMPLOYEE	4 STALLS	58 TOTAL PROVIDED
(4) 3 B.R. TOWN HOMES	2 STALL / 3 BEDROOM UNIT	8 STALLS	
GUEST PARKING	1 STALL / DWELLING UNIT	4 STALLS	16 TOTAL PROVIDED
SUB-TOTAL		74 STALLS	74 TOTAL PROVIDED
PROPOSED CONSIDERATION OF THE HOLLADAY VILLAGE ZONE PARKING REQUIREMENTS AS A MORE SIMILAR DEVELOPMENT			
PROJECT TOTAL		74 STALLS	74 TOTAL PROVIDED

PROJECT PARKING TABULATION - FAIR WEATHER EVENINGS

TYPE OF LAND USE	PARKING REQUIREMENT	PARKING STALLS REQUIRED	PARKING STALLS PROVIDED
RESTAURANT (232 SEATS)	1 STALL / 4 SEATS (HV 13.80.1)	58 STALLS	58 TOTAL PROVIDED
INDOOR AND OUTDOOR			
	OFF SITE EMPLOYEE PARKING		
BREWERY (CLOSED)			
(4) 3 B.R. TOWN HOMES	2 STALL / 3 BEDROOM UNIT	8 STALLS	
GUEST PARKING	1 STALL / DWELLING UNIT	4 STALLS	16 TOTAL PROVIDED
SUB-TOTAL		74 STALLS	74 TOTAL PROVIDED
PROPOSED CONSIDERATION OF THE HOLLADAY VILLAGE ZONE PARKING REQUIREMENTS AS A MORE SIMILAR DEVELOPMENT			
PROJECT TOTAL		74 STALLS	74 TOTAL PROVIDED

PROPOSED PROJECT PARKING TABULATION - METHOD B

TYPE OF LAND USE	PARKING REQUIREMENT	PARKING STALLS REQUIRED	PARKING STALLS PROVIDED
RESTAURANT (178 SEATS)	1 STALL / 2.5 SEATS (13.80.040)	71 STALLS	
	1 STALL / SHIFT EMPLOYEE	12 STALLS	
BREWERY	1 STALL / SHIFT EMPLOYEE	4 STALLS	
PROPOSED 30% REDUCTION FOR PARKING SHARING: WALKING OR CYCLING; MORE ACCURATE AND FLEXIBLE STANDARDS			
SUB-TOTAL		87 STALLS x .70 = 61 STALLS	58 TOTAL PROVIDED
(4) 3 B.R. TOWN HOMES	2 STALL / 3 BEDROOM UNIT	8 STALLS	
GUEST PARKING	1 STALL / DWELLING UNIT	4 STALLS	16 TOTAL PROVIDED
PROJECT TOTAL		73 STALLS	74 TOTAL PROVIDED

PROPOSED PROJECT AREA TABULATION

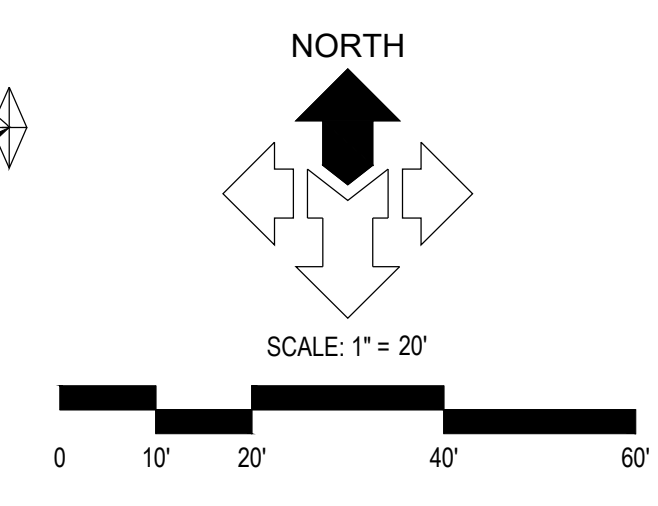
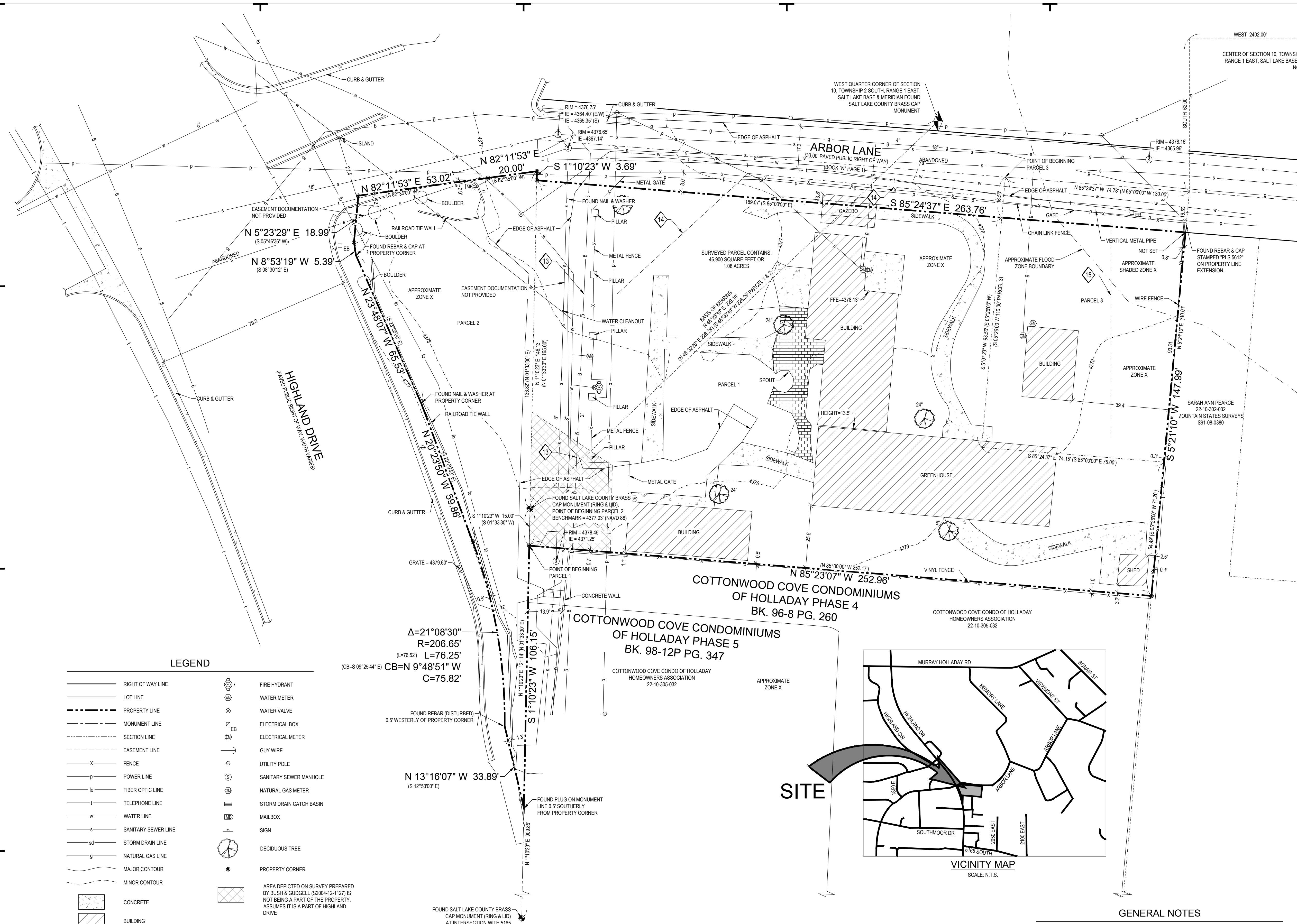
	SQUARE FEET	% OF TOTAL
TOTAL SITE AREA	46,900 SQUARE FEET 1.08 ACRES	
TOTAL BUILDING AREA	11,389 SQUARE FEET	24%
RESTAURANT/BREWERY	6,005 SQUARE FEET	
FOUR DWELLINGS	5,384 SQUARE FEET	12 UNITS/ACRE
TOTAL IMPERVIOUS AREA	25,821 SQUARE FEET	55%
TOTAL LANDSCAPED AREA	9,690 SQUARE FEET	21%

GENERAL SITE AND BUILDING NOTES

BUILDING WILL HAVE AN AUTOMATIC SPRINKLER SYSTEM - NFPA 13
 BUILDING WILL HAVE A FIRE ALARM SYSTEM - AS REQUIRED BY CITY
 KITCHENS WILL HAVE A TYPE 1 HOOD - AS REQUIRED BY CITY
 THERE WILL BE NO PILED STORAGE OVER 12' HIGH OR 500 SQ. FT.

1 OVERALL SITE PLAN
SCALE: 1" = 20'-0"

The drawings, designs, plans, specifications and data included on these drawings are the sole property of Layton Davis Architects and are subject to the copyright of Layton Davis Architects. They were created, compiled and developed for use on the project identified in the title block. Any use of the drawings, designs, specifications, standards, information contained herein, including but not limited to copying or reproduction, which is not expressly authorized by Layton Davis Architects, is strictly prohibited and will result in liability.



DESCRIPTION PER TITLE REPORT

PARCEL 1:
 BEGINNING IN THE CENTER OF HIGHLAND DRIVE AT A POINT BEING SOUTH 46°30'30" WEST 228.29 FEET AND SOUTH 1°33'00" WEST 15.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 1°33'30" EAST 165.00 FEET; THENCE SOUTH 89°00'00" EAST 189.07 FEET; THENCE SOUTH 5°26'00" WEST 93.50 FEET; THENCE SOUTH 85°00'00" EAST 33.89 FEET; THENCE SOUTH 5°26'00" WEST 11.20 FEET; THENCE NORTH 85°00'00" WEST 252.17 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY AND ALL PORTION LYING WITHIN THE LEGAL BOUNDS OF HIGHLAND DRIVE AND ARBOR LANE.

PARCEL 2:
 BEGINNING AT A POINT 228.29 FEET SOUTH 46°30'30" WEST FROM THE WEST QUARTER CORNER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 1°33'30" EAST 136.82 FEET; THENCE SOUTH 82°30'00" WEST 20.00 FEET; THENCE SOUTH 82°30'00" WEST 53.02 FEET; THENCE SOUTH 49°00'00" WEST 18.99 FEET; THENCE SOUTH 9°30'12" EAST 6.39 FEET; THENCE SOUTH 33°25'00" EAST 65.53 FEET; THENCE SOUTH 20°00'43" EAST 59.86 FEET; THENCE SOUTHEASTERLY ALONG A 206.65 FOOT RADIUS CURVE TO THE RIGHT 76.52 FEET (CHORD BEARS SOUTH 09°25'44" EAST 75.82 FEET); THENCE SOUTH 12°30'00" EAST 33.89 FEET; THENCE NORTH 1°33'30" EAST 121.14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY AND ALL PORTIONS LYING WITHIN THE LEGAL BOUNDS OF HIGHLAND DRIVE AND ARBOR LANE.

PARCEL 3:
 BEGINNING AT A POINT NEAR THE CENTER OF A TWO ROD LANE, SAID POINT BEING 2.402 FEET WEST, 62 FEET SOUTH AND NORTH 85°00'00" WEST 130.00 FEET FROM THE CENTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 5°26'00" WEST 110.00 FEET; THENCE NORTH 85°00'00" WEST 74.15 FEET; THENCE NORTH 5°30'00" EAST 110.00 FEET, MORE OR LESS TO CENTER OF A TWO ROD LANE; THENCE SOUTH 85°00'00" EAST 75.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. LESS AND EXCEPTING ANY AND ALL PORTIONS LYING WITHIN THE LEGAL BOUNDS OF ARBOR LANE.

TITLE INFORMATION

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NO. 71932 PREPARED BY METRO NATIONAL TITLE COMPANY. EFFECTIVE DATE: NOVEMBER 6, 2019, AT 7:45 AM.

SCHEDULE B-2 EXCEPTIONS

- 1. THE FOLLOWING AFFECTS PARCEL 3:
 EASEMENT, AND THE TERMS AND CONDITIONS THEREOF.
 GRANTEE: MOUNTAIN FUEL SUPPLY COMPANY, A CORPORATION
 PURPOSE: PIPE LINES, GATES AND GATE-BOXES FOR TRANSPORTATION OF GAS. (SEE DOCUMENT FOR PARTICULARS)
 RECORDED: JULY 23, 1951
 ENTRY NO. 1232986
 BOOK/PAGE: 870 / 69
 SURVEY FINDINGS: ASSUMED LINE SHOWN HEREON AT APPROXIMATE LOCATION
- 2. THE FOLLOWING AFFECTS PARCEL 1:
 EASEMENT, AND THE TERMS AND CONDITIONS THEREOF.
 GRANTEE: UTAH POWER & LIGHT COMPANY
 PURPOSE: ELECTRIC TRANSMISSION, DISTRIBUTION AND TELEPHONE CIRCUITS. (SEE DOCUMENT FOR PARTICULARS)
 RECORDED: NOVEMBER 30, 1964
 ENTRY NO. 2044352
 BOOK/PAGE: 2265 / 329
 SURVEY FINDINGS: SHOWN HEREON
- 3. THE FOLLOWING AFFECTS PARCEL 3:
 EASEMENT, AND THE TERMS AND CONDITIONS THEREOF.
 GRANTEE: UTAH POWER & LIGHT COMPANY
 PURPOSE: ELECTRIC TRANSMISSION, DISTRIBUTION AND TELEPHONE CIRCUITS. (SEE DOCUMENT FOR PARTICULARS)
 RECORDED: NOVEMBER 30, 1964
 ENTRY NO. 2044353
 BOOK/PAGE: 2265 / 330
 SURVEY FINDINGS:
- 4. THE FOLLOWING AFFECTS PARCEL 2:
 EACH AND EVERY RIGHT OF ACCESS RESERVED BY THE STATE ROAD COMMISSION OF UTAH IN THAT CERTAIN QUIT CLAIM DEED, BETWEEN UTAH DEPARTMENT OF TRANSPORTATION, GRANTEE TO GREG C. JOHNSON, GRANTEE, RECORDED: JUNE 15, 1990, AS ENTRY NO. 4929189, IN BOOK 8228, PAGE 2906, OF OFFICIAL RECORDS.
 ALSO: JUNKYARDS, AS DEFINED IN 23 USC, SECTION 136, SHALL NOT BE ESTABLISHED OR MAINTAINED ON THIS TRACT.
 SURVEY FINDINGS: NOTHING TO PLOT

SURVEYOR'S CERTIFICATE

TO METRO NATIONAL EXCHANGE SERVICES, INC., AS QUALIFIED INTERMEDIARY FOR ORANGE PROPERTIES, LLC, A UTAH LIMITED LIABILITY COMPANY, METRO NATIONAL TITLE, FIDELITY NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS. THE FIELD WORK WAS COMPLETED ON JUNE 24, 2021.

DATE OF FLAT OR MAP: JUNE 30, 2021

DAVID B. DRAPER
 LICENSE NO. 6861999

SURVEY NARRATIVE

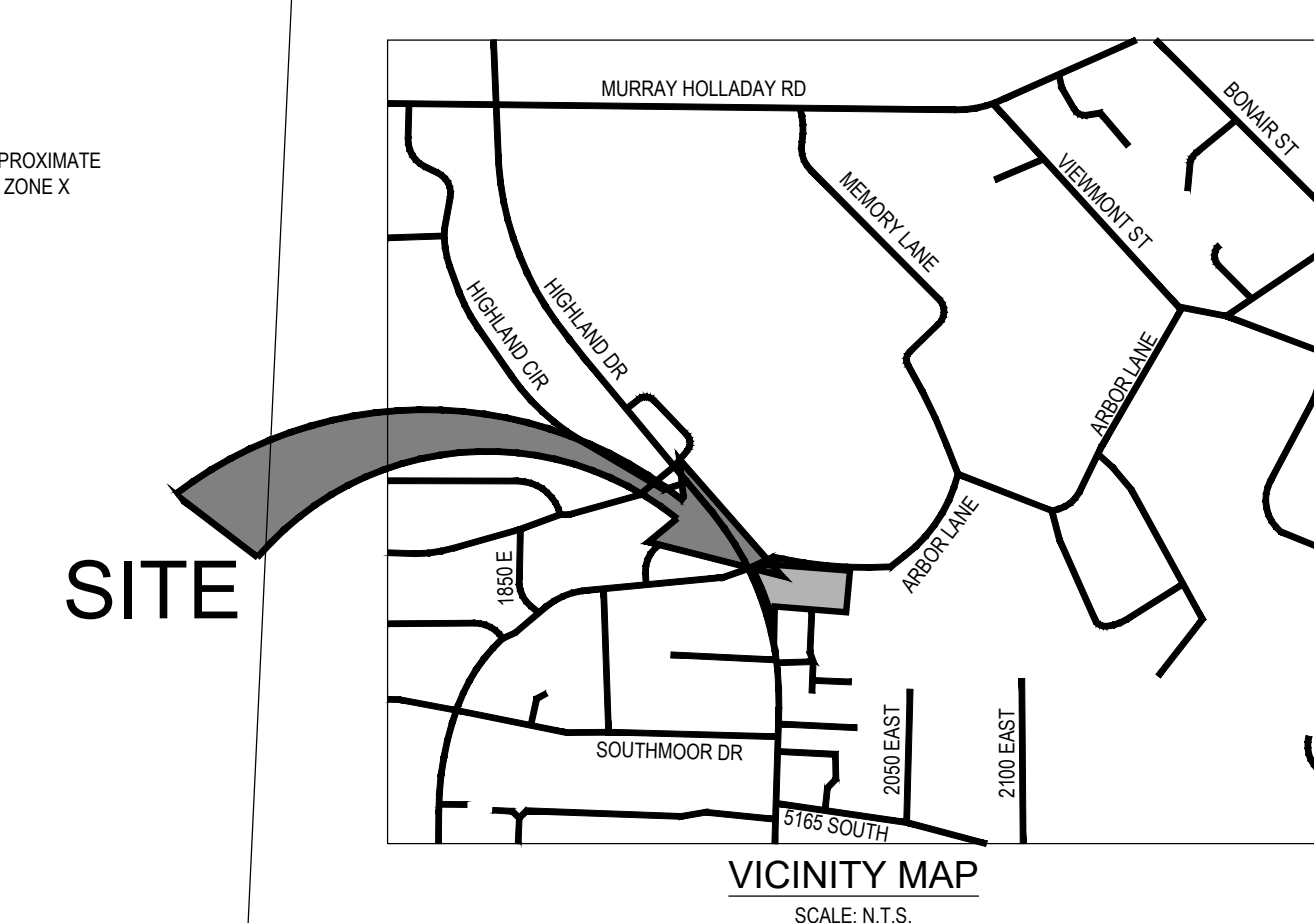
THE PURPOSE OF THIS SURVEY IS TO PROVIDE AN "ALTA/NSPS LAND TITLE SURVEY" ON THE SUBJECT PROPERTY PER CLIENTS REQUEST. THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 46°28'30" EAST ALONG THE MONUMENT LINE, BETWEEN THE FOUND BRASS CAP MONUMENT & THE WEST QUARTER CORNER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THIS SURVEY. THE SOUTH LINE OF THE SURVEYED PROPERTY WAS ESTABLISHED AT THE NORTH LINE OF COTTONWOOD COVE CONDOMINIUMS OF HOLLADAY PHASE 4, THE WESTERLY AND A PORTION OF THE NORTHERLY PROPERTY LINES WERE ESTABLISHED ACCORDING TO DEED. THE REST OF THE NORTH PROPERTY LINE WERE ESTABLISHED AT THE SOUTH RIGHT OF WAY LINE OF ARBOR LANE. THE EAST LINE WAS ESTABLISHED PER A SURVEY PREPARED BY MOUNTAIN STATE SURVEYS ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR AS 591-08-0380

SIGNIFICANT OBSERVATIONS

- NONE OBSERVED

GENERAL NOTES

1. MNEIL ENGINEERING OR MNEIL ENGINEERING - SURVEYING L.C. MAKES NO REPRESENTATIONS AS TO THE EXISTENCE OF ANY OTHER RECORD DOCUMENTS THAT MAY AFFECT THIS PARCEL OTHER THAN THOSE SHOWN IN THE EXCEPTIONS OF SCHEDULE B-2 AS SHOWN HEREON.
2. UNLESS OTHERWISE NOTED HEREON, PROPERTY CORNERS WERE SET WITH A 5/8" REBAR & CAP OR NAIL & WASHER STAMPED "MNEIL ENG."
3. THIS MAP MAKES NO ASSUMPTIONS AS TO ANY UNWRITTEN RIGHTS THAT MAY EXIST BY AND BETWEEN THE ADJOINING LANDOWNERS.
4. COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS UNLESS SHOWN WITHIN PARENTHESIS, INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM CITED TITLE COMMITMENT, DEEDS OF RECORD, SUBDIVISION PLATS, ROADWAY DEDICATION PLATS, CITY ATLAS PLATS, FILED SURVEYS OR OTHER SOURCES OF RECORD INFORMATION.
5. NO OBSERVED EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.
6. THE SURVEYED PARCEL HAS DRIVEWAY ACCESS TO WHAT IS ASSUMED TO BE A PART OF ARBOR LANE.
7. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT PARCEL LIES WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOOD PLAIN) AND ZONE X (SHADED) (AREAS OF 0.2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE) PER F.I.R.M. 4903503126 DATED SEPTEMBER 25, 2009.



LEGEND

- | | | | |
|-------|---------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------|
| — | RIGHT OF WAY LINE | ⊙ | FIRE HYDRANT |
| --- | LOT LINE | ⊕ | WATER METER |
| - - - | PROPERTY LINE | ⊕ | WATER VALVE |
| - - - | MONUMENT LINE | ⊕ | ELECTRICAL BOX |
| - - - | SECTION LINE | ⊕ | ELECTRICAL METER |
| - - - | EASEMENT LINE | ⊕ | GUY WIRE |
| - - - | FENCE | ⊕ | UTILITY POLE |
| - - - | POWER LINE | ⊕ | SANITARY SEWER MANHOLE |
| - - - | FIBER OPTIC LINE | ⊕ | NATURAL GAS METER |
| - - - | TELEPHONE LINE | ⊕ | STORM DRAIN CATCH BASIN |
| - - - | WATER LINE | ⊕ | MALIBOX |
| - - - | SANITARY SEWER LINE | ⊕ | SIGN |
| - - - | STORM DRAIN LINE | ⊕ | DECIDUOUS TREE |
| - - - | NATURAL GAS LINE | ⊕ | PROPERTY CORNER |
| - - - | MAJOR CONTOUR | ⊕ | AREA DEPICTED ON SURVEY PREPARED BY BUSH & GIDDELL (S2004-12-1127) IS NOT BEING A PART OF THE PROPERTY, ASSUMES IT IS A PART OF HIGHLAND DRIVE |
| - - - | MINOR CONTOUR | ⊕ | |
| ▨ | CONCRETE | | |
| ▩ | BUILDING | | |
| ▧ | BRICK | | |

UTILITY COMPANY	CONTACT	CONTACT INFO	STATUS
COMCAST	JEFF HOUSTON	435-224-2356	NOT RECEIVED
LUMINCENTURYLINK	LARRY BUHLER	385-479-7357	SHOWN
HOLLADAY WATER COMPANY	MARLIN SUNDBERG	801-277-2893	NOT RECEIVED
MT OLYMPUS IMPROVEMENT DISTRICT	DEAN AYALA	801-282-2904	NOT RECEIVED
DOMINION ENERGY	SL MAPPING DEPT.	801-324-3970	NOT RECEIVED
ROCKY MOUNTAIN POWER	JOEL SIMMONS	801-813-6993	SHOWN
SALT LAKE COUNTY OPERATIONS	TONYA KELLER	385-488-6124	NOT RECEIVED
SALT LAKE CITY PUBLIC UTILITIES	NICK KRYGER	801-483-4834	SHOWN
UDOT REGION II	GOLDEN HOLT	801-887-3403	SHOWN

McNEIL ENGINEERING
 Economic and Sustainable Designs, Professionals You Know and Trust
 8410 South Sandy Parkway, Suite 200, Sandy, Utah 84070 801.257.7700 mceilingineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

ORANGE PROPERTIES, LLC
5023 & 5025 SOUTH HIGHLAND DRIVE
 SALT LAKE CITY, UTAH
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 1 EAST, S.L.B. & M.

REVISIONS	DESCRIPTION	DATE

PROJECT NO: 21426
 CAD FILE: 21426.ALT
 DRAWN BY: KSL/KEG
 CALC BY: EAM
 FIELD CREW: HD/IQ
 CHECKED BY: DBD
 DATE: 06/30/21

ALTA/NSPS LAND TITLE SURVEY

1 OF 1



EMIGRATION BREWING CO.
ROOTS FINE DINING AND WINE BAR

EMIGRATION BREWING CO.
ROOTS FINE DINING AND WINE BAR





EMIGRATION BREWING

EMIGRATION BREWING CO.
ROOTS FINE DINING AND WINE BAR

PREVIEW



PREVIEW



PREVIEW





Request: **SUBDIVISION PLAN AMENDMENT– LANDSCAPING PLAN**
 Project: “Oly Vista” Subdivision
 Address: 4877 South Holladay Blvd, Holladay Utah 84117
 Applicant: Landblu, LLC, Owner, Buck Swaney, Agent
 File No: 22-1-03
 Notice: N/A
 Planner: Jonathan Teerlink

GOVERNING ORDINANCES:	13.08.010D(5)	PRELIMIANRY PLAN APPROVAL STANDARDS
	13.08.170.H	AMENDMENT PROCEEDURES
	13.10.050B2.c(7)	PRELIMINARY PLAT REQUIRED ELEMENTS; LANDSCAPING PLAN
	13.77.080D2(c)	TREE REMOVAL STANDARDS; UTILITY CONFLICTS

REQUIRED PLANNING COMMISSION ACTION: *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](#)

Considering proposals to amending elements of an approved subdivision are primarily the responsibility of the Planning Commission. The commission *may* delegate consideration in all or in part, proposed amendments to the Community and Economic Development Director.

SUMMARY

In April 2022, property owner and applicant, Buck Swaney received subdivision plan approval to split an existing .801 acres (34,891 sq ft) lot according to R-1-10 zone [lot creation standards regulations](#). During the Planning Commission’s Preliminary level review and consideration of the subdivision plan, an associated tree protection plan was approved by the Technical Review Committee.

Currently, as Mr. Swaney prepares the site for utility installations, on-site surveying efforts has made acutely aware of conflict between required utilities and to the root zone of three protected trees. Therefore Mr. Swaney requests the trees be removed and replaced. Accordingly, Mr Swaney has engaged an arborist to ascertain long-term viability of the trees is question in accordance with Holladay Ord. §13.77.080D. Arborist reporting indicates 2 of the trees would suffer loss to the critical root zone. The third, being in fair health, is considered a high-risk hazard due to the tree leaning, “heavily” toward neighboring structures. – *Please review this letter.*

TECHNICAL REVIEW COMMITTE ANALYSIS

Normally, review authority on applications requesting tree removals fall upon the Community and Economic Development Department §13.77.080D2. However, as this specific project is a subdivision application, the Planning Commission reviews a tree canopy preservation plan. Any amendment to this plan is determined to be heard by the original approving body.

Requirements for proposing removal of Protected Tree(s):

13.77.080.D2. Removal: The Community Development Director or designee shall approve a tree sustainability canopy plan if the submitted plan demonstrates that the removal of an existing tree on the lot is required due to **one or more** of the following:

- a. The tree originates within the net buildable area of a given site as identified on the tree survey and site plan by the applicant;
- b. A tree is located where it interferes with a proposed right- of-way, easement or ingress/egress to the site that cannot be reconfigured;
- c. The tree is located where it interferes with the installation, delivery, or maintenance of proposed or existing utility services to the site;
- d. The tree is located where it creates a safety or health hazard or a nuisance with respect to existing or proposed structures or vehicles or pedestrian routes and there is no reasonable alternative to relocate or reconfigure the improvements;**

- e. The trees are determined by the Community Development Director, designee, or by a certified arborist or other licensed tree care professional to be high risk as defined in section 13.04.040 of this title; or
- f. The tree unreasonably prevents development of a lot or parcel or the physical use and enjoyment thereof.

RECOMMENDATION

No public hearing is required. The TRC recommends that the commission consider comments presented. The CED Director has found that all required elements of a tree removal proposal to be completed as per the City’s submission requirements. The TRC can therefore recommend the commission consider the application based upon the following points;

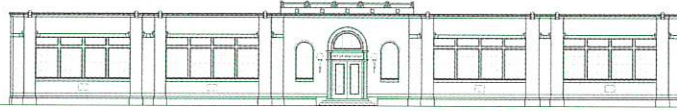
- The submitted letter focuses on three trees proposed to be removed which were originally part of a master tree preservation plan.
- Tree canopy area of the three trees is roughly measured to be ~1,300sqft., much of which crosses over the south property line. Proposed 1:1 replacement (3) Honey Locust *Gleditsia tricanthos* is estimated to meet/exceed this coverage at maturity.
- Utility conflict is valid grounds for applying for removal as is hazardous tree health/conditions. On the other hand, the International Society for Arboriculture (ISA) does provide solutions for tree/utility conflicts – see attached ISA excerpt.
- Staff does not agree, however with the concluding statement made that the trees assessed are not, particularly “specimen trees... that contribute to Holladay’s tree canopy”. Staff urges the commission to disregard this notion as a finding in support of removal as the code is silent on tree species, highlighting only tree canopy regardless of the species.
- Overall, trees bear the brunt of any construction or re landscaping activity. Liability, when hazards conditions are observed, is an elemental cause for concern. Best practice is to limit all work away from the trunk a distance equal to the canopy’s drip zone. In most residential infill redevelopment cases this is not an option.

SUGGESTED MOTIONS

“I _____ Motion to (approve / deny / continue for further discussion) the **LANDSCAPING AMENDMENT** application by **Landblu, LLC** for **Oly Vista subdivision, located at 4877 South Holladay Blvd, in the R-1-10 zone** based upon the findings...

- 1. _____
- 2. _____

subject to the following requirements ... [if any]



CITY of HOLLADAY

September 26th 2022

**RE: "Oly Vista" Subdivision
Final Subdivision Plan Approval
4877 South Holladay Blvd., Holladay Utah 84117
File # 221-03**

Mr. Buck Swaney,

THIS LETTER AND THE ATTACHED DOCUMENTS CONSTITUTE FINAL, CIVIL DEVELOPMENT APPROVAL BY THE CITY OF HOLLADAY TECHNICAL REVIEW COMMITTEE AS DELGATED BY THE PLANNING COMMISSION ON APRIL 5th 2022 FOR, "OLY VISTA" A RESIDENTIAL 2-LOT SUBDIVISION IN THE R-1-10 ZONE.

On September 20th 2022 the TRC completed their review of final site utility and construction development details and final plat for this 2-lot subdivision in the R-1-10 zone.

FINDINGS:

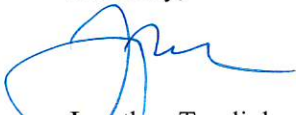
- 1) *complies with the list of requirements enumerated by the Planning during preliminary/conceptual plan approval 05/05/2022*
 - a. *Maintain R-1-10 setbacks as required by code; and,*
 - b. *Final grading plan to comply with grading codes [13.76.700]*
 - c. *Submit the required landscaping plan – supplementing the tree preservation proposals*
 - d. *Obtain final utility connection letters prior to Final plat submittal to the TRC*
 - e. *Post development Bonding requirements as determined by the City engineer*
- 2) *Construction elements and details are found to be acceptable by various divisions the Technical Review Committee*

CONDITIONS:

1. *Post required project bond amount – please met with City Engineer, Jared Bunch*
2. *Address corrections to the final plat as indicated.*

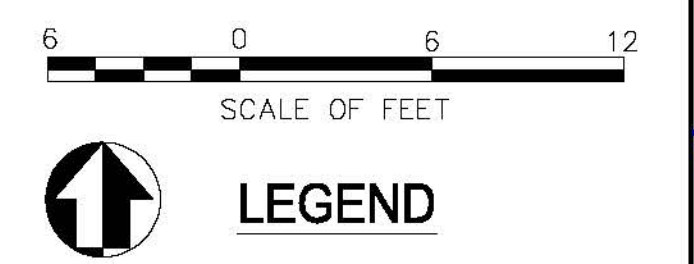
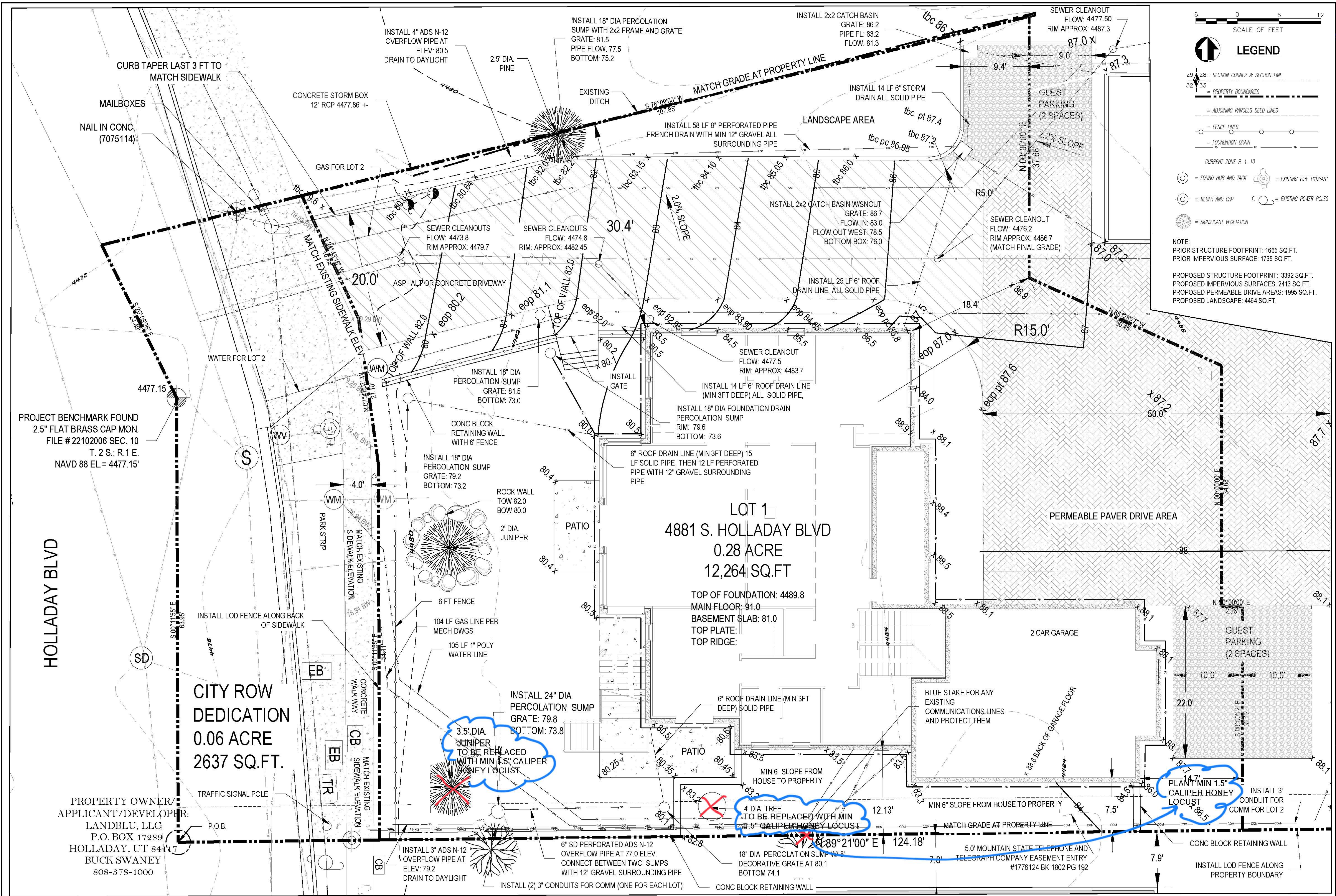
If you should have any questions, please call me at 527-3890, and I will be happy to assist you.

Sincerely,



Jonathan Teerlink
CED, Director





- LEGEND**
- 29/32 = SECTION CORNER & SECTION LINE
 - = PROPERTY BOUNDARIES
 - - - = ADJOINING PARCELS DEED LINES
 - = FENCE LINES
 - = FOUNDATION DRAIN
 - = CURRENT ZONE R-1-10
 - = FOUND HUB AND TACK
 - = EXISTING FIRE HYDRANT
 - = REBAR AND CAP
 - = EXISTING POWER POLES
 - = SIGNIFICANT VEGETATION

NOTE:
 PRIOR STRUCTURE FOOTPRINT: 1665 SQ.FT.
 PRIOR IMPERVIOUS SURFACE: 1735 SQ.FT.
 PROPOSED STRUCTURE FOOTPRINT: 3392 SQ.FT.
 PROPOSED IMPERVIOUS SURFACES: 2413 SQ.FT.
 PROPOSED PERMEABLE DRIVE AREAS: 1995 SQ.FT.
 PROPOSED LANDSCAPE: 4464 SQ.FT.



**OLY VISTA SUBDIVISION
 LOT 1 SITE PLAN
 4881 SOUTH HOLLADAY BLVD
 HOLLADAY, UTAH**



DWG DATE:
 PLOT DATE: 24 January 2023
 SHEET: 3

HOLLADAY BLVD

**CITY ROW DEDICATION
 0.06 ACRE
 2637 SQ.FT.**

**LOT 1
 4881 S. HOLLADAY BLVD
 0.28 ACRE
 12,264 SQ.FT**

PROPERTY OWNER/
 APPLICANT/DEVELOPER:
 LANDBLU, LLC
 P.O. BOX 17289
 HOLLADAY, UT 84117
 BUCK SWANEY
 808-378-1000

PROJECT BENCHMARK FOUND
 2.5" FLAT BRASS CAP MON.
 FILE # 22102006 SEC. 10
 T. 2 S.; R. 1 E.
 NAVD 88 EL. = 4477.15'



March 28, 2023

To whom it may concern,

This document has been prepared to address three trees proposed to be removed at 4881 S. Holladay Blvd, Holladay, Utah 84117. I was contacted by Timber Ridge Tree Service to consult on the removal of these trees to be consistent with the Holladay City tree ordinances. We met at the property to discuss future plans in regard to the proposed new construction. After reviewing the plot plans these are my observations, thoughts, opinions and recommendations.

- The Western Catalpa *Catalpa speciosa* located on the south property line is severely neglected and in decline. Lack of care and pruning over many years has taken its toll causing the crown to suffer from major branch failures. This tree also has a very large codominant union with included bark near the base creating a structural defect that is likely to fail in the near future. Construction will be taking place within the critical root zone of this tree causing further damage to the declining tree. This tree also poses substantial risk to the neighboring house. Health is fair.
- The Pinyon Pine *Pinus edulis* located on the south property line has a very heavy lean towards the neighboring house creating substantial liability and should be considered high risk in an area with a high occupancy rate. Health is fair.
- The Scots Pine *Pinus sylvestris* located on the southwest corner of the property will be heavily impacted by the plans to excavate for underground utility installation because of major root loss on one side and compaction within the critical root zone due to construction. This tree also has a lopsided crown due to its location within the Rocky Mountain Power easement and the subsequent line clearance pruning. Other defects I noted while inspecting this tree are that it has a major codominant union at the base of the tree. Accordingly, the structure of this tree is compromised, and I would recommend removal considering it will be unstable after development of the property. Health is good.

After discussion with the property owner, it is clear they want to comply with Holladay City ordinances and will be replacing the trees with Honey Locust *Gleditsia tricanthos* that will replace the canopy of the trees that will be removed.

In summary, my opinion as a certified arborist is that I don't feel I believe any of the trees assessed in this report are specimen trees or trees that contribute to the Holladay City tree canopy.

Jeremiah Elder
ISA Certified Arborist UT-4544A
ISA Tree Risk Assessment Qualified

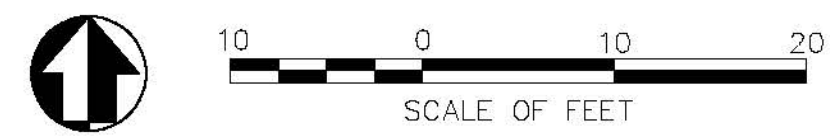
From: [Buck Swaney](#)
To: [Jonathan Teerlink](#); [Garrett Daw](#)
Subject: Canopy Enhancement 4877/4881 HB
Date: Friday, March 31, 2023 11:02:22 AM
Attachments: [3 site DRAFT 6-30-22.pdf](#)

[External Email - Use Caution]

Jon, See attached the proposed minimum canopy enhancement. Two notes:

1. This is a minimum planting, we will plant more trees on lot 2 when the site plan is focused. Likely 1-3 additional large canopy trees with locations tbd.
2. The exact location of each tree represented here may be reasonably adjusted as determined by owner during landscape phase - allowing us to maximize canopy clearance, choose healthy soil locations, and so forth.

Please let me know if you have any additional needs or questions.

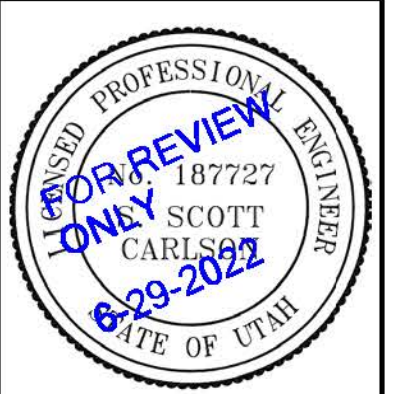
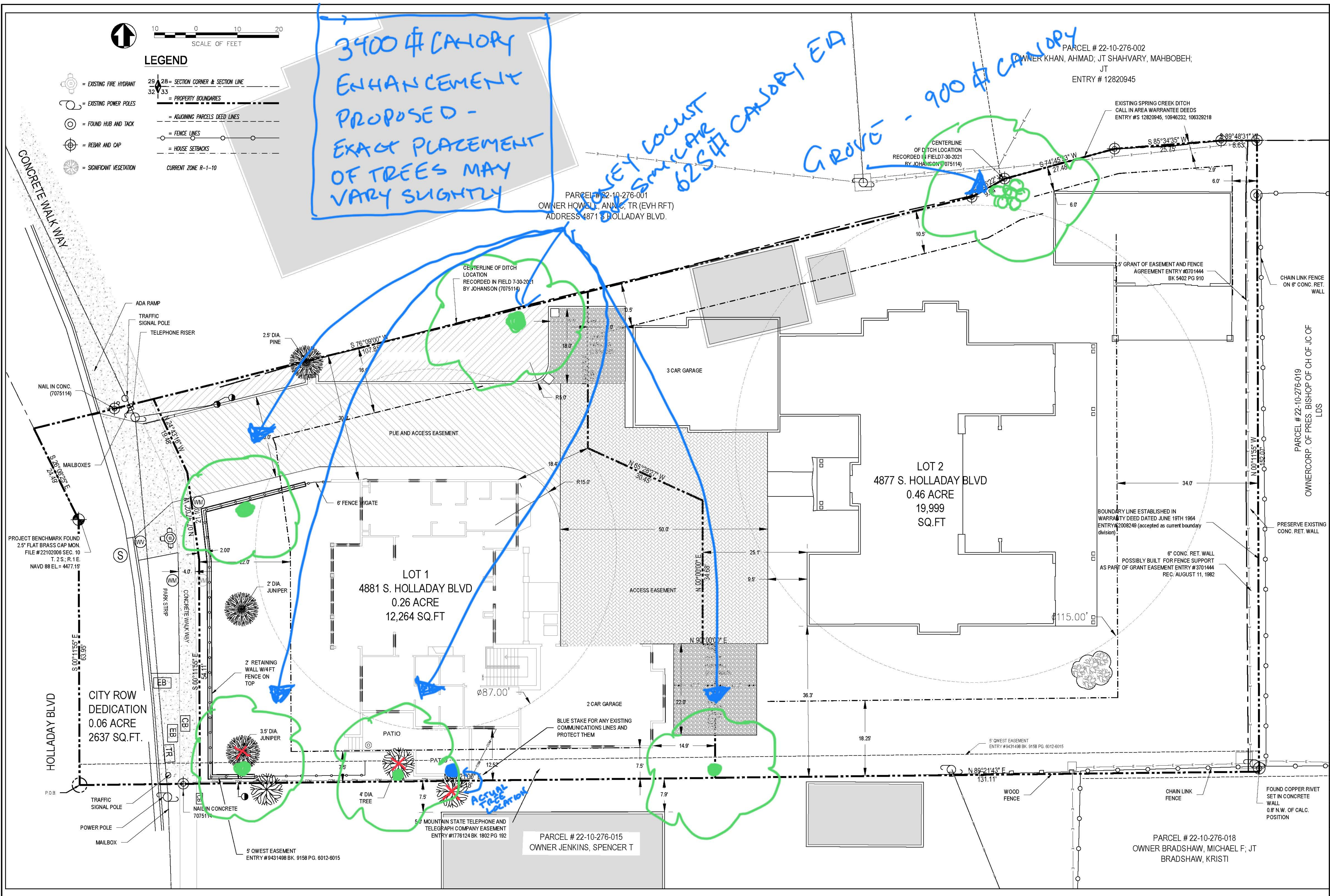


LEGEND

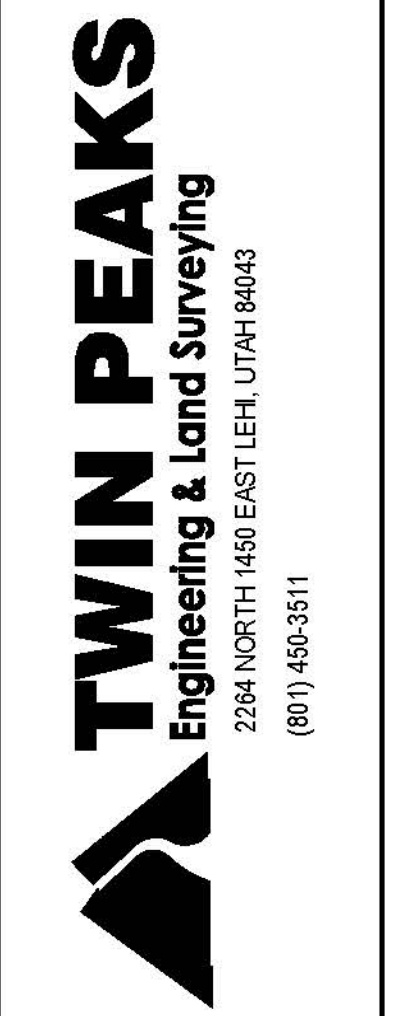
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- = SIGNIFICANT VEGETATION
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- = PROPERTY BOUNDARIES
- = ADJOINING PARCELS DEED LINES
- = FENCE LINES
- = HOUSE SETBACKS
- = CURRENT ZONE R-1-10

**3400 # CANOPY
ENHANCEMENT
PROPOSED -
EXACT PLACEMENT
OF TREES MAY
VARY SLIGHTLY**

**KEY LOCUST
625 # CANOPY EA
GROVE - 900 # CANOPY**



**OLY VISTA SUBDIVISION
SITE PLANS
4877 SOUTH HOLLADAY BLVD
HOLLADAY, UTAH**



DWG DATE: **FEBRUARY 2022**
PLOT DATE: 28 June 2022

impact to trees that are to remain on site. The arborist must work with the builder and developers to determine which trees are to be preserved and which should be removed. It will probably not be practical, or even desirable, to save every tree. The decision must consider the species, size and maturity, location, and the condition of each tree. The arborist should evaluate each tree's condition and suitability for saving. Only healthy, structurally sound trees should be preserved. In addition, it is necessary to take into account the trees' tolerance for construction processes. The largest, most mature trees are not always the best choices to conserve. Younger, more vigorous trees can usually survive and better adapt to the stresses of construction. Try to maintain diversity of species and tree maturity.

An arborist should be involved in evaluating, selecting, and mapping trees worthy of consideration for preservation on a site. Trees should be considered along with all other landscape features (for example, wetlands, streams, and wildlife habitats) during the preliminary design phase. The arborist should prepare—often with the help of a landscape architect—a plan that details the location of trees and other features in relation to the buildings, roads, and infrastructure. This plan should show preservation zones and details of all mitigation and preservation measures for the project (Figure 13.7).

Sometimes design plans or construction procedures can be modified to better accommodate trees. Small changes in the placement or design of a building can make a great difference in whether a critical tree will survive. An alternative plan may be more friendly to

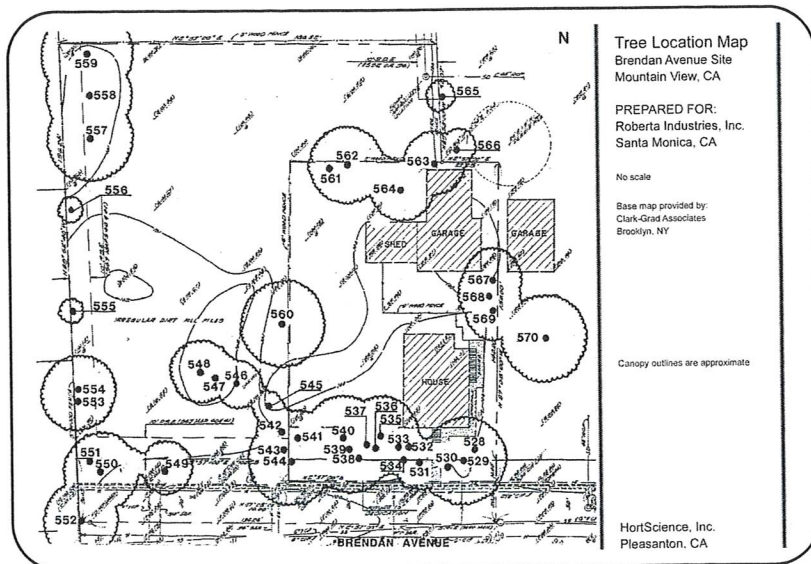


Figure 13.7 A tree survey map depicts the location of individual trees (often referencing tree tag numbers) and their canopy outlines. A topographic plan is generally used as a base map.

the root system. For example, bridging over the roots may substitute for a conventional walkway. Or, instead of trenching beside a tree for utility installation, **tunneling** under the root system is much less damaging (Figure 13.8).

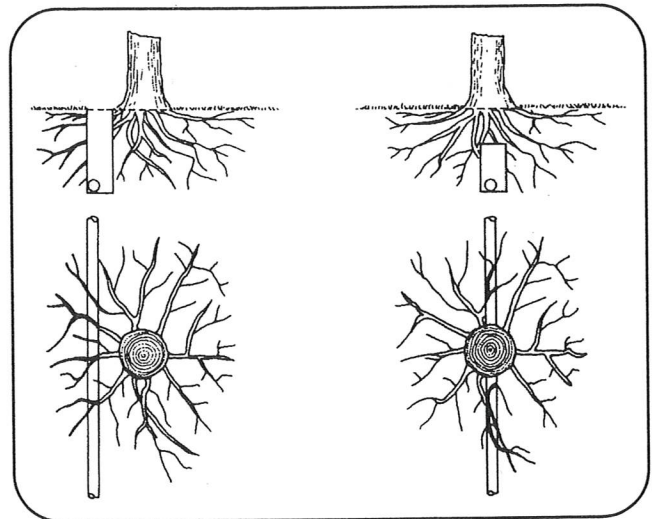


Figure 13.8 Excavation for utilities. Less damage is done to the root system if utilities are tunneled under a tree rather than across the roots.

Specifications

Get it in writing. All of the measures intended to protect trees must be written into construction specifications. The written specifications should detail exactly what can and cannot be done to and around the trees. Each subcontractor must understand the purpose of the **barriers**, limitations, and specified work zones. It is a good idea to post signs as a reminder.

Fines and penalties for violations should be built into the specifications. Not too surprisingly, subcontractors are much more likely to adhere to tree preservation clauses if their profit is at stake. The severity of the fines should be proportional to the potential damage to the trees and should increase for multiple infractions.

AVOIDING TREE DAMAGE DURING CONSTRUCTION

After all the plans have been made, the design plans finished, and the tree assessments completed, it will be time to implement measures for tree preservation on the construction site. Because arborists' ability to repair construction damage to trees is limited, it is vital that the trees be protected from injury.



FILE# n/a

COMMISSION MEETING MINUTES | 3/07/2023

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

EXHIBITS:



STAFF:

Carrie Marsh, City Planner

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.

Notes:

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

Tuesday *, 202_
5:30 p.m.
Holladay Municipal Center
4580 South 2300 East**

ATTENDANCE

Planning Commission Members:

Howard Layton, Chair
Marty Banks, Vice Chair
Paul Cunningham
Ginger Vilchinski
Chris Layton
Dennis Roach
Karianne Prince

City Staff:

Jonathan Teerlink, CED Director
Carrie Marsh, City Planner
Brad Christopherson, Legal Counsel

Work Session

Vice Chairman Marty Banks called the work meeting to order at 5:32 pm.

CED Director, Jonathan Teerlink and City Planner Carrie Marsh presented an overview of passed 2023 Utah Legislative bills affecting Holladay land use policy, processes and development standards.

Bills discussed included;

HB 377 (2022); Land Use Vesting and Conditional use Clarifications.

SB 189 (2022); Small Wireless Facility Deployment

HB224 – Outdoor Recreation Initiative – creates new initiative for planning, coordination, and funding of outdoor recreation infrastructure between state and local governments

HB364 – Housing Affordability Amendments – makes a number of changes to the reporting provisions for MIHPs; makes a number of changes to provisions for state low-income housing tax credits.

HB375 – Removes State allowance for contracted police services.

HB408 – Mobile Business Licensing Amendments – establishes uniform standards for licensing and regulation of all types of mobile businesses, including food trucks and food vendor carts.

SB27 – Transportation Revisions – requires cities and counties to submit newly adopted or amended general plans to their AOG; makes changes to the provisions for transit station area plans.

SB43 – Public Notice Requirements – creates three new standardized classes of requirements for notifications of public meetings/documents/actions; specifies the class of notification required for different land use actions.

SB76 – Water Amendments – requires cities and counties to consult with the state Division of Water Resources in preparing water element of the general plan; requires counties to consult additionally with other entities in preparation of the element; requires a number of other water resource and conservation studies by state agencies and water providers. 3 new lines in cities LUDMA;

SB113 – Local Agricultural Amendments – establishes definitions of “animal enterprise” and “working animals,” and forbids local government prohibition of such; does not apply to an ordinance that is a land use regulation (for municipalities only).

SB158 – Local Government Water Amendments – modifies the requirements and standards for a local government to determine the size of exaction for water rights based on state adopted standards or on five years of historic water use data; authorizes smaller cities and counties to adopt drinking water source protection zones.

SB174 – Local Land Use and Development Revisions – modifies the prioritization and penalties for reporting on Moderate Income Housing Plan compliance, progress; modifies provisions for Internal Accessory Dwelling Units; stipulates a uniform process for review and approval of subdivision plats, and effective date; makes some modifications to lot line adjustment process.

SB199 – Local Land Use Amendments – stipulates that any local land use law passed by unanimous vote of the local legislative body may not be subject to referendum; leaves provisions regarding transit station areas at a two-thirds vote threshold.

SB271 – Home Ownership Requirements – prohibits a county or municipal legislative body from adopting or enforcing a land use regulation that regulates co-owned homes differently from other residential units.

SB260 – Transportation Funding Requirements – would allow (but not require) any county to impose the .20% local option sales tax, if and when the timing makes sense for their communities, with distribution of revenues dependent upon the class of county and presence of transit. SB260 would (1) eliminate the imposition deadline, (2) allow counties with transit service to impose the .20% to divide the funds between transit, cities, and counties, (3) allow counties without transit service to impose the .20% and divide the funds between cities and counties for transportation purposes.

Vice Chair Marty Banks requested that the discussed amendments be provided in summary form prior to public hearing and consideration. CED, Director Jonathan Teerlink acknowledged providing such a summary would be beneficial.

Vice Chair Marty Banks motioned to adjourn the work session. The motion passed by the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 7:00 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Planning Commission meeting held Tuesday, March 23rd, 2023.



Jonathan Teerlink
CED, Director

Minutes approved: