

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

Tuesday, March 15, 2022

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

ATTENDANCE:

Planning Commission Members:

Ann Mackin, Vice-Chair

Martin Banks

Chris Layton

Alyssa Lloyd

Karianne Prince

Dennis Roach

City Staff:

Jonathan Teerlink, Community Development Director

Brad Christopherson, City Attorney

WORK SESSION

In the absence of Chair Howard Layton, Vice-Chair Ann Mackin assumed the Chair and called the Work Session to order at approximately 5:30 p.m.

The agenda items were reviewed and discussed. Community Development Director, Jonathan Teerlink, addressed the Royal Holladay Hills, Block E Preliminary Plan. He reported that over the past several months the Planning Commission has reviewed large development blocks within Royal Holladay Hills that are in various stages of development. This time last year they were looking at a full subdivision plat with all road and utility road improvements. They are now addressing each block on a micro-scale and how they fit into the grander scheme of the original subdivision plat. Preliminary drawings were provided for Block E and how they relate to the civil set for the subdivision that was presented one year ago.

Mr. Teerlink described the new roadway system and identified where the access points are for Block E. The next step is to look at the location of Block E and how it fits with the original subdivision plat, architectural themes, and landscaping themes. The Site Development Master Plan (“SDMP”) is the guiding document rather than the zone in terms of how the site is to relate to other blocks within the project. The Technical Review Committee (“TRC”) reviewed the request and recommended approval. It was noted that heights are measured from the existing grade. When the SDMP was established and because there is so much topography over the site, certain pinpoint locations were set in time so that they know where to measure from. In the open zone, there will be a maximum height allowance of 90 feet.

The possibility of deferring final approval to staff was discussed. It was noted that only the Planning Commission has purview over comparing the architecture to the SDMP. Commissioner Layton asked when the final finish materials will be presented.

Royal Holladay Hills, Block D, was next discussed for which Final Plat Approval was being sought. Mr. Teerlink explained that there is a process for preliminary and final approval for Block D. A Building Permit was approved, and the project was under construction. In the meantime, the dimensional ownership was established for the building, which was to be considered tonight and is the last step in the process.

Commissioner Layton commented that both blocks have their own architectural identity. He wondered if each block will have similar variety. Mr. Teerlink referenced the SDMP which includes a palette of styles that the applicant can choose from. Commissioner Layton liked the diversity of each block.

Commissioner Lloyd moved to adjourn the work session at 5:54 p.m. The motion passed with the unanimous consent of the Commission.

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

In the absence of Chair Howard Layton, Vice-Chair Ann Mackin assumed the Chair and called the Regular Meeting to order at approximately 6:00 p.m. She read the Commission Statement.

ACTION ITEMS

1. **“Royal Holladay Hills, Block E” – Preliminary Plan – 1924 East Rodeo Walk Drive. (R-M/U Zone) Review and Consideration of Submittals by Applicant, Steve Peterson of Preliminary Development/Construction Details for the 3.86 Acre “Block E” within the Royal Holladay Hills Mixed-Use Development. Review Conducted According to Concept Approvals (11/06/2021) and Regulatory Provisions of the Site Development Master Plan (“SDMP” 2007) and Holladay Ordinance 13.65.070(C). File #19-9-19-5.**

Commissioner Banks referenced the summary section of the Staff Report. The fourth bullet point states that the public hearing process was completed on November 6, 2021, for the Preliminary and Final Site Plan. Community Development Director, Jonathan Teerlink, clarified that it was just for the Conceptual Plan.

The applicant, Steve Peterson, was pleased with the progress they are making on the site. He noted that a great deal of thought was put into the overall project. Chris Longson has been involved in the project for the last 23 years and was determined to see the project through to the end. Work on Block D was underway with the framing expected to begin later in the week. Preliminary and final approval was sought tonight on Block E. The hope was to begin permitting as early as mid-summer.

With regard to architecture, Mr. Peterson mentioned that the Design Guidelines specify that the buildings are intended to appear incremental as if developed over time. They hired a different architectural team for each block to create the personality in the overall development. Block E includes for-rent residential units and brownstone units on the south side of the project. There are patios in front with a bridge on the second level to Block D. Blocks D and E are connected via a bridge to the amenity decks on each side. The three townhomes also will have access to the amenities.

When they looked at architectural details in the SDMP they have a streamlined flat roof with glass and compartmentalized floor-to-ceiling windows as part of Block E. There are extended balconies on the condominium building. The edges were rounded to add curb appeal with inverted balconies to add interest. The architecture was intended to be distinct and multi-dimensional. The project includes 170 residential units, 20 of which are condominiums and 7 brownstones. The remaining units are a for-rent product. Specific architectural elements were described. Mr. Peterson stated that they intentionally created separate plaza areas between the condominium units to the north of the brownstones.

Mr. Peterson stated that most of the utilities have been placed on 75% of the site or more. This spring the curb, gutter, asphalt, and some of the landscaping will go in. In terms of retail, they have some exciting tenants coming to the project that they will announce later. They have obtained Letters of Intent and are working on finalizing leases. One includes repurposing the Macy's building. Early in the process, they proposed a user there, but that particular tenant was not able to obtain the needed financing. An office user will occupy the top floor, which is approximately 60,000 square feet in size. There are three floors for a total of 180,000 square feet in that building. The second floor will include smaller office users that will be separated out. The first floor will be retail. The floors will each be 18 to 20 feet in height, which could not be reproduced in a new structure.

Commissioner Layton commended Mr. Peterson and his team for their decision-making and how they are handling the blocks. He stated that the project will add a rich, woven archetype to the whole. He loved the idea of having something that still makes it part of the Royal Neighborhood. He expressed his support. Mr. Peterson stated that they have a team of seasoned and knowledgeable individuals. He explained that as they transition, the tallest buildings will be closer to Highland Drive. As they approach the residential units the heights will taper down. In response to a question, he stated that the townhomes will be part of Block L, which is the furthest south.

Commissioner Roach asked about specific architectural features such as the green wall. Mr. Peterson responded that many of the features described will be inside the common areas between the units. There is another plan that is consistent throughout the entire 58-acre site. John Holbrook from Architectural Nexus identified himself as one of several architects working on the project. He referenced the common courtyard that connects the ground floor through the walkway and past the brownstones to Block E over the bridge. It will be accessible to the public and is more transient-oriented. Each unit that flanks the courtyard area will have a private patio. The ivy and green walls will help divide the patio areas. The larger green wall was more related to the next courtyard down. An ivy wall will break up the concrete and create interest. The private courtyards will be accessed by the units that are adjacent to the courtyards and are not open to the public.

Commissioner Layton commented that it would be helpful for the Commission to understand whether the same material palette will be continued that is suggested in other parts of the architecture. Mr. Holbrook presented a rendering of the condominium tower that will feature a lighter stone material between units. A metal panel will be added to provide contrast. The

brownstones will be of a brick or stone material. Behind that will be the for-rent apartments that will be a mix of brick and stucco.

Commissioner Lloyd asked about the condominium units and if there will be restrictions on short-term rentals. Mr. Peterson stated that they are currently working on the Covenants, Codes, and Restrictions (“CC&Rs”) and the Homeowners Association (“HOA”) documents. It was in the best interest of the owners to not have a lot of turnover. He recognized that there is a delicate balance between not taking away someone’s rights but acting in the best interest of the community that lives there.

Mr. Teerlink stated that it would be in the best interest to ensure that the decision is verified with the City Council to make sure that the land use is compatible with the overarching catalog of uses that will be allowed there. The most important element, in his opinion, would be impact. Short-term rentals have the greatest impact in neighborhoods that do not have much transient use. Due to the price point of the condominium units, Mr. Peterson would be surprised if short-term rentals would be allowed.

Commissioner Lloyd reported that she owns a condominium in Sun Valley and there are problems with owners that rent their units out. She commented that the increase in short-term rentals has changed long-term use and the dynamic of people that are coming and going.

Commissioner Roach observed that there is a lot of roof space associated with the project. He asked if consideration had been given to renewable energy. Mr. Peterson stated that there has not yet, but they want to utilize as much of the roof space as possible. With other projects, they have tried to use materials that do not absorb the sunlight and create a lot of heat. Mr. Holbrook commented that they will plan for the future and run empty conduit to the roof that could be adapted later.

Commissioner Prince inquired about trees within the project. Mr. Holbrook stated that there is a planting plan. Smaller caliper trees will be planted in larger planters throughout the courtyard spaces. A number of street trees were also proposed within the project on each lane.

In response to an earlier question from Commissioner Banks, Mr. Teerlink referenced the Land Use Table for the SDMP and stated that a bed and breakfast use with up to five rooms within a development are allowed. There is, however, a caveat that addresses lodging and limits the number of bedrooms available on each lot and a bed and breakfast use is limited to an assigned number of parking stalls. It was acknowledged that the issue can be controlled through the HOA and CC&Rs.

Mr. Teerlink stated that because the land use is not available in the Land Use Table, it would not be allowed until the applicant requests that it be addressed by the City Council. He was not sure that a condition can be applied to restrict a landowner from a use that is not available in the Land Use Table to begin with.

Commissioner Banks moved to approve the Preliminary Site Development Plan and Plat for Royal Holladay Hills, Block E mixed-use residential (171 units) and retail building in the

R-M/U Zone located at 1924 East Rodeo Walk with Final Site Plan and Plat approvals to be delegated to staff finding that the proposal:

- 1. Complies with the Amended Conceptual Site Plan approved on November 6, 2021, for Block E.***
- 2. Construction elements and details are found to be acceptable by various divisions of the Technical Review Committee.***
- 3. Development details and all related components comply with the R-M/U Zone and SDMP as a master-planned project.***
- 4. The Preliminary Plat is found to be formatted in compliance with City of Holladay and State of Utah regulations.***
- 5. Final site approvals for each of the six lots are to be submitted and reviewed individually as separately owned property.***

Conditions for Final Approval – to be submitted to and verified/approved by the Community and Economic Development Director and City Engineer:

- 1. Work with staff on all needful clarifications, grammatical and/or formatting changes to the final plat prior to recording approval.***
- 2. Clarification of the building elevation in accordance with page 23 of the SDMP.***
- 3. Complete the Federal Emergency Management Agency (“FEMA”) flood plain certification process and permitting.***
- 4. Submittal of a vertical ownership component to the final plat showing separation and delineation of owned spaces within each building; i.e., common vs. private.***

Commissioner Layton seconded the motion. Vote on motion: Commissioner Layton-Aye, Commissioner Lloyd-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Vice-Chair Mackin-Aye. The motion passed unanimously.

Mr. Peterson stated that with the FEMA approval they have a Conditional Letter of Map Revision (“CLOMR”) that establishes the height of the site that it was brought up to. That was accomplished in 2007. Mr. Holbrook explained that the FEMA maps specify where the flood plains are located. In 2007, they submitted a CLOMR with FEMA where they proposed to modify the site to bring it out of the flood plain. FEMA agreed to those modifications and the site was raised as much as eight feet in some places to bring it out of the flood plain. They are now in the process of obtaining the Letter of Map Revision (“LOMR”), which is the final letter that does the map revision. That process was expected to take about one year to complete. He explained that until they have the

final letter, the most they would have to do is carry flood insurance for a period of time until the final is complete.

Mr. Teerlink reported that they are in the middle of the process so there is a certification from the City stating that they understand that the CLOMR has been approved and they are waiting for the LOMR. Mr. Peterson stated that they hope to receive final approval and break ground later in the summer. The study will still be ongoing. The City acknowledged that the CLOMR exists and that they have met the criteria, however, the formal process needs to be followed. City Attorney, Brad Christopherson, stated that the motion, as stated, adequately addresses the issue. Commissioner Banks stated that the question was whether the requirement of insurance in the interim is covered under the certification process. If not, the motion would need to be amended. Commissioner Layton commented that the City is not responsible for whether the applicant obtains insurance. Mr. Teerlink clarified that it is not required as part of the City's certification process. The City requires the LOMR process to be finalized.

2. **“Royal Holladay Hills, Block D” – FINAL Condominium Plat - 1920 East Rodeo Walk Dr. (R-M/U Zone) Review and Consideration of Submittals by Applicant, Steve Peterson of the Finalized Ownership Distribution Plat for the Approved Mixed-Use Building at “Block D”, a 3.63-Acre Site within the Royal Holladay Hills Subdivision. Review Conducted According to Final Site and Building Approvals (02/04/2020) and Regulatory Provisions of the Site Development Master Plan (“SDMP” 2007) and Holladay Ordinance 13.65.070(C). File #19-9-19-3.**

Mr. Teerlink reported that this is the last step in the process. There was a clarification from a motion made last year that required the plat to be brought back before the Planning Commission for review. The TRC verified that the ownership and distribution of space complies with the site plan approved in July of 2020. Mr. Peterson stated that this is the final step to allow them to begin marketing the 16 residential units. He noted that there has been a lot of interest in the 16 condominium and 38 townhome units. Commissioner Prince was impressed by the level of detail provided by the applicant.

Commissioner Banks asked if this is the first vertical ownership product that has come before the City. Mr. Teerlink stated that it is the first at this scale; however, conceptually they have had vertical condominium plats in the Village, but they only have three stories. The property owners will have a great deal of control in terms of what they want to provide as being common space.

Commissioner Prince moved to approve the Condominium Plat for Royal Holladay Hills, Block D a mixed-use, privately owned building within the R-M/U zone located at approximately 1920 East Rodeo Walk Drive, finding that:

1. ***The request complies with the amended final Site Development Plans for Block D.***
2. ***Ownership distribution details include all related components which comply with the R-M/U Zone and SDMP as a master-planned project.***

3. *Final plat is found to be formatted in compliance with City of Holladay and State of Utah regulations.*

Commissioner Banks seconded the motion. Vote on motion: Commissioner Layton-Aye, Commissioner Lloyd-Aye, Commissioner Banks-Aye, Commissioner Roach-Aye, Commissioner Prince-Aye, Vice-Chair Mackin-Aye. The motion passed unanimously.

ADJOURN

Commissioner Prince moved to adjourn. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 6:57 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, March 15, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: **May 3rd 2022**