

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

**Tuesday, May 3, 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  
Carrie Marsh, Associate City Planner  
Jamie Blakesley, 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 5:45 p.m.

The agenda items were reviewed and discussed. Community Development Director, Jonathan Teerlink, addressed the Holladay Court Subdivision request and stated that the Technical Review Committee (“TRC”) has worked with the applicant, Brandon Fry. What is proposed are single-family lots in the duplex zone. While duplex properties are envisioned, an ordinance provision allows for the creation of a single-family home product. The lot density ratio is different in that in the R-2-10 zone duplexes are allowed on a 10,000 square-foot lot; however, a single-family home is not permitted on a 5,000 square-foot lot. The ordinance requires lots be at least 6,250 square feet in size. In this case, the lot size is barely in compliance. The applicant prepared construction drawings showing the layout for the private road, the setbacks, and a grading plan for stormwater retention. The TRC recommended approval of the preliminary plan with final plat approval to be delegated to staff if deemed appropriate by the Planning Commission. Mr. Teerlink presented plat notes staff would like to be added pertaining to Tree Canopy and Stormwater Retention Plans.

***Vice-Chair Mackin moved to modify the agenda and address agenda item number 2 first and then continue to agenda item number 3 while waiting for the applicant for agenda item number 1 to arrive. The motion passed with the unanimous consent of the Commission. Commissioner Prince was not present for the vote.***

Commissioner Roach commented on the plans presented for the retention ponds and stated that at least three of the nine trees will be in direct conflict with the retention ponds. He did not see how a tree can remain healthy and viable if the area is filled with gravel and flooded occasionally. Mr. Teerlink agreed and stated that currently the location of the home is not known. The areas

identified currently serve as a sizing area. Public Works and Engineering are not overly concerned about the location or the conflict between stormwater facilities and tree canopy retention areas. The Engineering Department requires a 15-foot separation between water retention areas and the footprint of the home. Possible adjustments were identified.

Commissioner Lloyd asked about the projected life of gravel sumps. Mr. Teerlink stated that separator systems are built into the catch basin that can be maintained, which extends the life substantially.

Commissioner Roach asked about the canopy requirement and the number of trees required to meet the requirement. Mr. Teerlink referenced the Tree Sustainability Ordinance and stated that for every tree that is removed, one must replace it with a six-inch caliper or larger on the site. Specific tree types were not addressed in the ordinance. The TRC determined that two trees per lot would be appropriate. Potential motion language was discussed.

The Work Session adjourned at 5:59 p.m.

New Associate City Planner, Carrie Marsh was introduced. She was a recent University of Utah graduate.

**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 for the benefit of those present.

**ACTION ITEMS**

1. **“Holladay Court Subdivision” – Preliminary Plan/Plat – 1770 East 3900 South (R-2-10) Review and Consideration of a Follow-Up Application by the Owner, Brandon Fry Detailing Development Features of a Four (4) Lot, Single-Family Home Subdivision in the R-2-10 Zone (Concept Approved 1/25/22). Review and Consideration as Per Standards and Procedures Set Forth in Holladay Ordinance 13.08 and 13.10. File #22-1-01.**

Community Development Director, Jonathan Teerlink, presented the staff report and stated that the above matter involves the administrative review of a residential subdivision on 3900 South. The Planning Commission reviewed the application at the conceptual level in February of this year. The applicant has worked with the TRC to develop preliminary plan level drawings for the four lots in question. The R-2-10 zone is the duplex zone that allows for detached single-family lots, which is what the applicant is seeking as a development product. The TRC reviewed the required drawings and made a few corrections. There were additional comments that the TRC was looking to place on the final plat in the form of elements that are required as each lot comes in for a Building Permit. One pertains to the Tree Canopy Protection Ordinance and the other to stormwater retention requirements. The TRC forwarded a recommendation of approval of the preliminary plan and that final approval be deferred to staff.

Commissioner Prince noticed gravel sumps on the property and questioned the need for them if they are also connected to the sewer lines. Commissioner Layton explained that they help detain the amount of water and disburse it into the system in a managed fashion. Vice-Chair Mackin pointed out that the intent is for each lot to have its own stormwater detention.

Vice-Chair Mackin opened the public hearing. There were no public comments. The public hearing was closed.

***Commissioner Roach moved to approve the preliminary plan application for Brandon Fry for Holladay Court for a four-lot residential subdivision located at 1770 East 3990 South in the R-2-10 Zone based on the following:***

**Findings:**

1. ***Construction details for the development comply with the approved Concept Plan.***
2. ***The required submittals for preliminary subdivision development have been provided where applicable and have been found to be complete and acceptable.***
3. ***Preliminary level drawings were not subject to conditional approval (Concept Plan was approved, unconditionally).***
4. ***Stormwater detention areas and public improvements have been reviewed by the City Engineer.***
5. ***Fire access has been approved by the Unified Fire Authority (“UFA”).***
6. ***Vehicular access and utility easements to the rear are established.***

**Requirements prior to Final Plat Approval:**

1. ***Final Plat notations shall include:***
  - (a) ***Tree Canopy Sustainability Ordinance requires two (2) additional trees planted per lot.***
2. ***Post development Bonding requirements as determined by the City Engineer.***
3. ***Provide Covenants Codes and Restrictions (“CC&Rs”), specifically detailing maintenance of access lane and stormwater retention areas.***
4. ***Section 13.77 shall be adhered to for the tree canopy and Chapter 17 for the stormwater retention for each lot.***

***Commissioner Prince 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.***

**2. Approval of 2022 Minutes – Meeting Dates – 1/25, 2/01, and 3/15.**

The minutes of January 25, 2022, were reviewed and modified.

*Vice-Chair Mackin moved to approve the minutes of January 25, 2022, as presented. The motion was not seconded. The motion passed with the unanimous consent of the Commission. Commissioner Prince was not present for the vote.*

The minutes of February 1, 2022, were reviewed and discussed.

*Vice-Chair Mackin moved to approve the minutes of February 1, 2022, as presented. The motion was not seconded. The motion passed with the unanimous consent of the Commission. Commissioner Prince was not present for the vote.*

The minutes of March 15, 2022, were reviewed and discussed.

*Vice-Chair Mackin moved to approve the minutes of March 15, 2022, as presented. The motion was not seconded. The motion passed with the unanimous consent of the Commission. Commissioner Prince was not present for the vote.*

**DISCUSSION ITEMS**

**3. Review Upcoming Ordinance Amendments. Overview of Statutory and Needful Amendments to Title 13 of the Holladay Land Use Management Code.**

Mr. Teerlink reported that because some Planning Commission Members will soon be retiring and due to statutory obligations to amend the ordinances prior to August 2022, over the next three or four meetings, staff will propose several text amendments to the Planning Commission for recommendation to the City Council. One deals directly with moderate-income housing and provides moderate-income housing areas within the City. This meets State statutory obligations and the City’s own redevelopment obligations for at least 100 units of moderate-income rated housing. The City has participatory obligations from property owners who are looking to have that type of development in areas that they already have purview over. The Planning Commission was presented with the options at the last meeting and directed staff to present them for a recommendation. The area focused on was the Office Research and Development (“ORD”) zone, which is limited to the Millrock area near the gravel pit at 6200 South and 3000 East.

Mr. Teerlink explained that the use has historically been primarily office. Recently, the City Council amended the land use regulation to allow for medical uses to compete with the City of Cottonwood Heights, which has a similar zone directly across the street on 3000 East. There are currently no residential uses allowed in the area. Mr. Teerlink explained that there are problems when there is a requirement to meet moderate-income housing rates. In the City of Holladay, infill is the primary way to develop homes by tearing down an existing home and rebuilding a new one in its place or rehabilitating an existing property. Those options do not make financial sense for many property owners and it is difficult to provide rents that meet the housing minimum. He noted that in the City of Holladay, 80% of the Area Median Income (“AMI”) is \$1,500 to \$1,600 per

month. Currently, every municipality must meet moderate-income rates for their area. In the City of Holladay, the AMI is \$65,000 per year. To get to the rate, rents must be subsidized significantly.

Royal Holladay Hills is required to provide moderate-income housing within the City. Woodbury Corporation is a partner with Royal Holladay Hills and owns and operates several properties within the ORD zone. They have been very flexible in trying to find a way to meet the RDA requirement and help the City meet its statutory obligation to provide the required housing units. Royal Holladay Hills is required to provide 50 moderately priced units in addition to 50 from the State, for a total of 100 moderately-rated units by 2028. The intent was to provide a multi-family housing opportunity that has both market rate and moderate-income housing with the two balancing each other out. There is an opportunity in the ORD for that type of development. Staff plans to research what that looks like and will bring it back to the Planning Commission for a recommendation to the City Council.

Mr. Teerlink reported that when the original agreement to develop land was created by General Growth Properties, the housing rate was not going to be placed within the Cottonwood Mall area and was to instead be disbursed throughout the City. The intent was to provide housing for police officers and teachers to allow them to live near where they work.

Commissioner Lloyd commented that there are various programs available for developers to apply for Section 8 housing. Mr. Teerlink stated that currently in the City there are only a few zones that have flexibility for this type of intensity, which is the ORD zone. He explained that the residential allowances for the C-1 and C-2 zones are conditional and accessory to retail. Staff continues to field phone calls from property owners and developers who would like to put housing in a mixed-use situation but they do not have a clear understanding of the requirements. Staff will study the requirements and present recommendations for the Planning Commission to make a recommendation to the City Council on what to do with accessory residential allowances in retail zones. The intent is to maintain the retail use but allow for residential uses there that continually activate those retail spaces after hours.

Mr. Teerlink stated that staff will look at form-based zoning, which is the Village where there is intensity at the corners rather than near residential neighborhoods. There are models available that work well for the Village.

Vice-Chair Mackin suggested that those with specific expertise sit down with staff and work through the details. Mr. Teerlink did not envision the changes to be overly complicated or onerous. A chart will be provided listing the section and what it accomplishes along with the issue and what is proposed.

Mr. Teerlink reported that the Design Review Board (“DRB”) is a recommending architectural committee that has overseen architectural control in the Village over the past 10 to 12 years. Architectural controls were extended to include the Holladay Crossroads (“HCR”) Zone on 6200 South and Highland Drive. Staff will propose various options including one body that would have purview over both areas or two separate boards consisting of the HCR and Village Review Boards.

Commissioner Layton asked what remains to be reviewed in the Village. Mr. Teerlink stated that Blocks 3 and 4 remain. There are multiple property owners there that own different parts of the building and it is very disjointed. There is also the potential for the Rite-Aid building to be redeveloped at some point in the future. He estimated that they are halfway through the review and development of the Village going north to south. It was reported the DRB has four members and meets as needed. The five TRC members meet every Tuesday. Possible options were discussed including the potential to have one representative from each district in the City. Commissioner Lloyd did not support making changes to something that is currently working well. Mr. Teerlink stated that the ordinance requires the DRB have two members who own businesses in the Village and two who are residents in the immediate vicinity. Based on the scale of the Village, which seemed to work well. If larger buildings come in he would be concerned that there may not be a fair representation. At that point, additional members could be added. Staff agreed to prepare options for the Commission to consider.

Mr. Teerlink reported on a statutory requirement to be met by August of this year. The City is required to have a Water Conservation and Sustainability Ordinance enacted. It would address water conservation and any type of landscaping requirements that are water-heavy. Many municipalities are looking at their landscaping requirements and omitting things such as requiring lawn areas and lawn in park strips. Fortunately, there is no such terminology in the City of Holladay. As a result, he did not expect the change to be dramatic. Due to the foresight of previous City leaders, the landscaping section includes xeriscaping as landscaping. A specific section, however, is needed that the state can refer to it as being an energy conservation/sustainability type ordinance that coincides with the General Plan.

The last two items were housekeeping changes that have given staff consternation when trying to interpret the ordinance. One specifically deals with parking ratios. There are excellent parking ratios in the Village for those that transferred over to the Holladay Crossroads Zone. They are more up-to-date but do not transfer elsewhere. In the C-1, C-2, and RM zones modern parking ratios are inclusive while the current ordinance is woefully inadequate in addressing the needs of multi-modal parking and more up-to-date retail, office, and residential parking situations.

Commissioner Layton commented that parking is trending toward lower requirements per square foot of space. Mr. Teerlink stated that that is true if the place of business is in a retail location that is near a multi-modal street where there is bus and transit access. In those cases, it is more liberal. Some cities are moving away from ratios altogether and placing it in the laps of developers who should be aware of what the ratios are to make a project viable.

Commissioner Lloyd asked about the development of the Harmons corner and concern over the amount of parking. She asked how that had played out from a consumer standpoint. Mr. Teerlink stated that overall it has been positive. Commissioner Lloyd commented that the amount of parking that was provided was much less than people wanted but it was sufficient. Mr. Teerlink stated that at the time there was a ceiling on the parking of 125% of the minimum parking ratio. That was increased slightly for Harmons.

Vice-Chair Mackin agreed and stated that what is there works.

Commissioner Prince stated that it works for Harmons but across the street, the parking is hit and miss. During lunchtime, parking is particularly tight.

**ADJOURN**

***Commissioner Prince moved to adjourn. The motion was not seconded. The motion passed with the unanimous consent of the Commission.***

The Planning Commission Meeting adjourned at approximately 6:50 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, May 3, 2022.***

**Teri Forbes**

Teri Forbes  
T Forbes Group  
Minutes Secretary

**Minutes Approved: 05/31/2022**