

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

Tuesday October 4th, 2022

5:30 p.m.

Holladay Municipal Center

4580 South 2300 East

ATTENDANCE

Planning Commission Members:

Martin Banks, Vice Chair

Paul Cunningham

Ginger Vilchinski

Dennis Roach

Karianne Prince

City Staff:

Jonathan Teerlink, CED Director

Carrie Marsh, City Planner

Brad Christopherson, Legal Counsel

Work Session

Vice Chairman Martin Banks called the meeting to order at approximately 5:30 pm. The agenda items were reviewed and discussed. City Planner, Carrie Marsh gave an overview of the administrative application for a subdivision on Highland Circle for Sequoia Development. Configuration of an 11-unit multifamily development was discussed as the first step in a proposed Planned Unit Development (PUD) process, which will come at a later date. Mrs. Marsh explained that the home currently on the site is currently on the historic register. Applicants initially desired to keep the historic structure and by moving it to the street, but after having found the process is too expensive and the structure would not likely survive.

Community Development Director, Jonathan Teerlink, reported on text amendments to be considered tonight. Based upon the previous presentation by staff, the first amendment is brought by applicants Connie and Robert Jensen. Mr. Teerlink explained that the Applicants withdrew a previous rezone application when discussions at the council level were not receiving seeing much support and reapplied to amend 13.72, as it pertains to lot size minimums. Mr. Teerlink presented the amendment as drafted by city staff on behalf of the Applicants. Primarily the amendment proposes to address the issue of minimum lot size for new subdivisions within the FCOZ zone. The draft focuses on undeveloped property measuring once are or larger. Mr. Teerlink presented the commission with a map study of parcels that would be affected. Commissioner Cunningham questioned the applicability of the FCOZ standards at this site and protentional developability.

The second amendment is brought by city staff as changes to 13.80 of the Off-Street Parking regulations. Previously, the Commission reviewed the draft amendments and Mr. Teerlink described one new addition to the exceptions section, which makes the amendments not applicable to the R-R/U zone.

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

Vice-Chairman Martin Banks called the meeting to order at 6:00 p.m. and read the Commission Statement.

PUBLIC HEARING

1. **Highland Circle Subdivision – 1706 East Murray-Holladay Road – Concept Plan – Administrative review and consideration of a concept plan application by the Property Owner, Sequoia Development, to redevelop .74 acres of land within the Multi-Family Zone. This 11-unit, residential development will be reviewed at the concept level with a historical preservation aspect in accordance zone and subdivision standards as per Holladay Ord 13.08, 13.78 and 13.32.040 – Planner, Carrie Marsh**

City Planner, Carrie Marsh, presented the application as an administrative review of permitted land use within the Residential Multi-Family zone (RM). The application brought by Sequoia development proposes 11 multi-family units on 32,502.5 sq ft of land.

Application Alec Moffat agreed with the comments from Mrs. Marsh and presented details of historic elements of the existing structure on the site. Mr. Moffat described the requests to historic property structure movers who indicated that the building would not withstand a relocation. Sequoia Development is interested in the concept of using the old building but is concerned with the immense cost and unknown outcome of the building surviving a move.

Mr. Moffat described the proposed layout as 11 units and further described a proposed layout, under PUD conditions, to meander the lane and distribute the units among the existing landscape.

Vice Chair Banks opened the public hearing – no comments. Vice Chair Banks closed the hearing

Commissioner Roach commented that the PUD layout is favorable if the tree canopy protections are acknowledged. Mr. Moffat reiterated that it is their intent to keep as many significant trees as possible.

*Commissioner Roach moved, to approve the Conceptual Plan for, agenda item *Highland Circle* an 11-unit multifamily development, subject to the following:*

Findings:

- *The requirements for conceptual subdivision have been substantially completed.*
- *Proposed layout of lots comply with lot area regulations in the R-M Zone.*
 - a. *PUD application will detail layout of 11 total units allowed*
 - b. *Total land area required for all proposed units totals 32,502.5 sq. ft*

Conditions:

- *Remaining utility service letters to be submitted to the TRC with accompanying Preliminary level construction drawings.*
- *PUD application to be submitted after conceptual approval.*

Commissioner Prince seconded the motion. Vote on motion: Paul Cunningham -Aye, Ginger Vilchinski -Aye, Dennis Roach-Aye, Karianne Prince-Aye, Martin Bank-Aye. The motion passed unanimously.

2. **Text Amendment – 13.72.030: Lot and Density Standards within the FCOZ Zone – Legislative review and recommendation to City Council on proposal by applicants, Connie & Robert Jensen to amend Title 13, of the Holladay City Code, Land Use and Development Regulations as it relates to a one-acre minimum lot size requirement for developing new properties within the Foothill Canyons Overlay Zone (FCOZ). – Planner, Jonathan Teerlink**

CED Director, Jonathan Teerlink presented details of the staff report as a legislative application proposed by applicants Connie and Robert Jensen. Commissioners are required to hold a public hearing and forward a recommendation to the City Council for final review and consideration. The history of a previous rezone application by the applicants was reviewed. Mr. Teerlink presented details of the text amendment as a change to the one-acre requirement for new properties with an underlying zone of less than one acre. Mr. Teerlink presented a staff-generated research map indicating which properties would be affected by this amendment.

Robert Jensen presented the background of the property and intent to construct two homes on the lot each measuring greater than a half-acre lot size, which the FCOZ minimum lot size requirement prevents. Connie Jensen presented details of the slope of the property and similarities of those properties developed nearby.

Commissioner Banks voiced minimal concern and acknowledged that the amendment, according to the map provided, would only apply to no more than three properties along Wasatch Blvd.

Commissioner Roach acknowledged that the FCOZ zone, as intended, is to preserve the aesthetic qualities of buildings and development among the foothills. Upon review of the request, Mr. Roach was concerned about not finding enough quantifiable reasons to support the amendment.

Commissioner Prince asked staff to recount the history of the application and the reasoning behind amending the code rather than rezoning the property. Mr. Teerlink recounted the previous motion by the commission as unanimous to not recommend removing the FCOZ zone from the property. Staff also recounted the subsequent discussion by the council which emphasized that a rezone may not be the most appropriate approach, as the FCOZ zone, while limiting lot size, does account for and allow flexibility to build on steep slopes.

Commissioner Vilchinsky requested staff to re-review the lot size minimums of the zone and the current lot size of the property. Mrs. Jensen provided a paper survey of the property showing slope and also indicated two “building pads”, explaining that the two pads and lot lines are shown assuming the amendment was approved.

Questioning the merits of the application, Commissioner Cunningham was concerned over whether or not the goals of the FCOZ zone need to be changed at this location and, or at other locations affected by the proposal.

Mrs. Jensen described the process so far as to be overwhelming. Explaining that the property, when deeded, was described to have had two available home lots. The situation has changed their future plans. Commissioner Cunningham asked Legal Counsel if at the time of codifying the FCOZ overlay, would have county have noticed properties. Legal Counsel, Brad Christopherson

explained that assuming state law was followed, the properties affected would have received notice.

(19:31:30) *Commissioner Cunningham moved to recommend to deny agenda item 2 an application to amend the minimum lot size requirements as currently stated in Holladay § 13.72.030, with the following findings.*

- *The applicant failed to present an argument or evidence linking the proposed minimum lot size requirement to the goals and purpose of the FCOZ overlay zone.*

Commissioner Prince seconded the motion. Vote on the motion: Paul Cunningham -Aye, Ginger Vilchinski -Aye, Dennis Roach-Aye, Karianne Prince-Aye, Martin Bank-Nay. The motion passed (4-1).

3. Text Amendment – 13.80; Off-Street Parking Requirements – Legislative review and recommendation to City Council on a proposal by City staff to amend Title 13, of the Holladay City Code, Land Use and Development Regulations as it pertains to minimum off-street parking requirements and parking ratios by land use within the city.

Mr. Teerlink presented the proposal as a legislative application brought by city staff, requesting updates to the ordinance and to meet objectives stated as recent amendments to the General Plan addressing goals relating to the moderating income housing strategies. No changes were made from previous meetings other than one clarification regarding applicability to the R-M/U zone. The noted zone, Mr. Teerlink described as similar to the Holladay Village zone as having its own parking ration requirements.

Commissioner Prince moved, to recommend approval of amendments to Holladay Ord 13.80 Off Street Parking, subject to the following:

Findings:

1. *Amendments are supported by the stated purpose of chapter 13.80 as elements which, “reduce street congestion and traffic hazards in the City by incorporating adequate, attractively designed facilities for off street parking and loading as an integral part of every use of land in the City”*
2. *Amendments are further supported by the General Plan as stated in the following sections;*
 - a. *Chapter 3 Transportation – Transit Network; Suggested Implementation Measures; “Consider the adoption of an ordinance that requires developers of new commercial, office, mixed-use, and large residential projects to address mass transit and other multi-modal services in their design of parking facilities, street, and pedestrian accesses. Such measures could include parking requirement reductions in lieu of programs that provide bus passes for employees.”*
 - b. *Chapter 3 Transportation – Bicycle Network: “Maintain, expand improve bicycle facilities and networks”*
 - c. *Chapter 5 Moderate Income Housing – Implementation Strategy; Study with intent to reduce parking requirements for residential development.*

- d. Chapter 8 Natural Resources and Sustainability – Sustainability; “Incorporating transportation and parking plans that minimums the use private vehicles and foster the use of alternative transportation options...”*

Commissioner Banks seconded the motion. Vote on motion: Paul Cunningham -Aye, Ginger Vilchinski -Aye, Dennis Roach-Aye, Karianne Prince-Aye, Martin Banks-Aye. The motion passed unanimously.

ACTION ITEMS

4. Approval of Minutes – August 16th , 30th and September 13th

The minutes were reviewed and modified.

Commissioner Roach moved to approve the minutes, as amended. Commissioner Prince seconded the motion. Vote on the motion: Paul Cunningham -Aye, Ginger Vilchinski -Aye, Dennis Roach-Aye, Karianne Prince-Aye, Martin Banks-Aye.

ADJOURN

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

The Planning Commission Meeting adjourned at 7:45 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Planning Commission meeting held Tuesday, October 4th, 2022.

Jonathan Teerlink
CED, Director

Minutes Approved: **November 15, 2022**