

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

Tuesday, September 27, 2022

5:30 p.m.

**City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Planning Commission Members:

Howard Layton, Chair
Martin Banks
Chris Layton
Karianne Prince
Dennis Roach
Ginger Vilchinsky
Paul Cunningham

City Staff:

Jonathan Teerlink, Community Development Dir.
Brad Christopherson, City Attorney

WORK SESSION

Chair Howard Layton called the Work Session to order at approximately 5:30 p.m.

The agenda items were reviewed and discussed. Community Development Director, Jonathan Teerlink, reported that the Action Item on the Regular Meeting Agenda was related to Royal Holladay Hills, Block B. It was a Concept Plan for property located at 1915 East Rodeo Walk Drive. The applicant was Steve Peterson. In the Site Development Master Plan (“SDMP”) a land use zone was listed. He explained that there were three zones: open, restricted, and limited. Block B would be considered an open zone. The open zone allowed for more uses and flexibility in height. However, with this block, only professional office and retail would be provided. Based on the elevations, it did not appear that the height would be higher than the existing building located on the site, but the height was allowed to be a maximum of 90 feet.

As far as use was concerned, Staff had no issues with the proposal for Block B. Mr. Teerlink noted that the parking ratio would be presented during the Regular Meeting. It was important for the applicant to meet the parking requirements for the commercial and office uses in the building. Landscaping and architectural requirements would also need to be met. Those were the main items that needed to be reviewed at the Concept Plan level. Staff did not have issues with what was proposed. Mr. Teerlink referenced Page 16 of the SDMP and noted that there were some questions related to the design. Several architectural themes could be selected. In past applications, the preferred style had been circled, but that had not been done here.

The Technical Review Committee (“TRC”) reviewed the application at the concept level and recommended approval. Mr. Peterson would come back with the preliminary level drawings in the future, which would show in-depth landscaping and building features. Mr. Teerlink reported

that all of the utility connections were reviewed by the Planning Commission last year when the full subdivision was reviewed. Chair Howard Layton wondered if this had been approved previously. Mr. Teerlink confirmed this. In 2019, Blocks B and C were granted concept-level approvals. However, those approvals had since expired and the process had to start over.

Commissioner Chris Layton believed there was a lot of parking. Mr. Teerlink explained that the parking ratio was on Page 9 of the SDMP. Commissioner Banks wondered if the necessary amount of parking stalls would vary based on the percentage of residential and commercial. This was confirmed. There would be a parking requirement for the entire site that would depend on the range of uses. Commercial had a range and residential had a range. Staying within that range was ideal. He believed that Mr. Peterson would try to keep most of the parking within the multi-tiered buildings. There would be a lot of shared parking for the retail spaces for Blocks D and E. As for Block B, it was important to look at the minimum requirements and determine whether the proposed parking met that minimum amount. Mr. Teerlink believed that the minimums would be met and he did not have any concerns there.

The building would have retail on the main level and office uses on the two levels above. There was no residential use within the building. Mr. Teerlink noted that in the SDMP in 2007, and up until 2010, Macy's was planned to stay in the location. The use for the corner on Murray Holladay Road and Highland Drive was intended to be a surface lot. For Macy's to stay in that space, there could not be a building between them and the intersection. That plan was still in place, so there was no placeholder for a building at that corner. He noted that the SDMP could be amended in the future to add a building to that corner.

Commissioner Banks asked what would happen if a proposal had excessive parking. Mr. Teerlink explained that in most of the zones, there was a limit. An applicant could propose to build 125% of the minimum amount, but in this zone, there was no limit. This was due to the range of uses, so the amount of parking necessary would be mostly market driven. The intention was to ensure that the parking ratio was flexible enough to meet the potential uses. Commissioner Banks noted that Block B would be used for office and retail. He asked what the limits were in those respective zoning areas. Mr. Teerlink stated that there were few blocks available for that type of analysis. He was not certain, but it would be possible to ask the applicant for further clarification.

Commissioner Chris Layton believed the building would be close to where the Macy's footprint was. This was confirmed. Mr. Teerlink clarified that this was an adaptive reuse of the Macy's building, but there would be an addition to the south end. The Commission further discussed parking. Commissioner Banks wondered how the maximum amount of parking stalls had been determined. Mr. Teerlink stated that it was calculated based on parking density and the range of uses allowed. Commissioner Chris Layton noted that the Block B parking was strictly to the north. Based on that, it seemed that the proposed parking for the area was appropriate. The other parking stalls were associated with other uses and other blocks on the overall site. Commissioner Banks wondered whether users of Block B would be unable to utilize the other parking areas. It was noted that visitors could use those spots as well as there would not be reserved parking.

Mr. Teerlink reported that the Discussion Item on the Regular Meeting Agenda was a text amendment. There would be a presentation from Staff in preparation for an upcoming text amendment by some applicants who owned property on Wasatch Boulevard. The property owners had requested a rezone to remove the Foothill Canyons Overlay Zone (“FCOZ”) from their property. This would allow the owners to only have the regulation of a half-acre lot. By the time the City Council heard the public hearing previously, the application had been withdrawn, as the more favorable approach seemed to be a text amendment. This would maintain the hillside protections, aesthetics, design, and landscaping while eliminating the one-acre lot minimum.

When the FCOZ was first established, existing lots that were less than half an acre could continue to build. However, when new lots were created, the lots needed to be one acre in size, regardless of the underlying zone. Commissioner Banks wondered whether the one-acre minimum was motivated by aesthetic purposes. Mr. Teerlink explained that it was done to reduce the development impacts on the hillsides, foothills, and canyon areas. This would ensure that there was lower density, which meant there would be fewer aesthetic and erosion impacts.

From the applicant’s point of view, there were not a lot of those smaller properties left. As a result, the request to amend 13.72.030 would not create a significant impact. The desire was to amend the section to state that if a new property was created, the minimum lot size for the underlying zone would prevail. Commissioner Prince wondered if an R-1-10 Zone would allow for that smaller lot. This was confirmed. Commissioner Roach asked how many lots would be able to expand as a result of the amendment. He asked if the amendment could potentially add a lot of additional homes. Mr. Teerlink was not certain, but he planned to have that information ready before there was a public hearing on the item.

Commissioner Banks felt this was a broad amendment to consider. He asked if this was the only path forward for the applicant. Mr. Teerlink explained that the applicant wanted to do what he was told he could back when he originally deeded the ground. The City had gone over multiple options with the applicant. For instance, under the current law, a detached single-family home with an accessory dwelling unit (“ADU”) could be built. Instead of proceeding with that, the applicant had decided to move forward with a possible text amendment.

Chair Howard Layton believed the land area was just under two acres. Mr. Teerlink explained that it was approximately 500 feet under the necessary amount. He had not been able to obtain the additional 500 feet from his neighbor. As a result, he was not able to divide the property into two lots. The text amendment would allow the division to happen. Commissioner Chris Layton was concerned that this could result in subdivisions within the FCOZ. Mr. Teerlink confirmed that the text amendment would apply City-wide. It would not only apply to the subject property.

Commissioner Chris Layton felt it might be best for the applicant to consider another path forward. Chair Howard Layton noted that the Planning Commission had previously suggested that the applicant find another way to achieve their desired outcome. It may be that the text amendment was the only option the applicant thought would work. While it would be nice to accommodate the applicant, the Commission needed to consider the fact that the decision would impact other properties.

Commissioner Chris Layton noted that three-quarters of an acre may be more appropriate than one-half acre. This would result in less disturbance. Mr. Teerlink reminded those present that the FCOZ area was a sensitive lands area. The underlying zone for the subject property was the R-1-21 Zone. Commissioner Roach wondered whether there could be a stipulation in the 13.72.030 language related to undeveloped lots. This would alleviate concerns that someone with an existing lot could then add additional homes to a property. There were not a lot of undeveloped lots. The Commission further discussed the FCOZ overlay and the text amendment.

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

Chair Howard Layton called the Regular Meeting to order at approximately 6:10 p.m. He read the Commission Statement for the benefit of those present.

PUBLIC HEARING – ACTION ITEMS

1. **“Royal Holladay Hills, Block B” – Concept Plan – 1915 East Rodeo Walk Drive (R-M/U Zone) Review and Consideration of Conceptual Submittals by Applicant, Steve Peterson for Redevelopment Details for the 8.06-acre “Block B” within the Royal Holladay Hills Mixed-Use Development. Review of Commercial Uses will be Conducted According to Regulatory Provisions of the Site Development Master Plan (SDMP 2007) and Holladay Ordinance 13.65.070(C). File #19-9-19-1.**

Mr. Teerlink reported that the Action Item was a Concept Plan review for Royal Holladay Hills, Block B, located at 1915 East Rodeo Walk Drive. It was located in the R-M/U Zone. He explained that the Concept Plan review included use, height, parking, and landscaping. Most of those items had already been addressed during the main subdivision review for the entire Royal Holladay Hills plat. As the individual site plans came through for Planning Commission review, the Commission had the administrative authority to approve, continue, or deny the application with findings.

The subject property is in the R-M/U Zone. In that zone, there is not a list of land uses and it referred back to the SDMP. The SDMP was the guiding document. Mr. Teerlink explained that the Staff Report outlined relevant pages to review within the SDMP to approve the Concept Plan. The applicant, Steve Peterson, shared information with the Commission. In terms of the site, Block B was one of the larger lots. Eventually, there would be structured parking, but that was not reflected in the Concept Plan. There would be more than enough parking on site.

Commissioner Banks asked the applicant to identify where the parking to the east, which was not included in the application, would be located. Mr. Peterson pointed out the area on a map. Commissioner Banks wondered if the parking would be shared or would be exclusively for the use of the Block B building. Mr. Peterson explained that the entire site will have shared parking. This included the area north of the building. The parking to the north will eventually be replaced. In the future, there will be another application requesting an amendment. The parking to the southeast was not part of the current application, but could potentially be temporary parking. Mr. Peterson discussed plans for the overall site. More details would be shared in the future.

Commissioner Chris Layton pointed out that this was just the Concept Plan. Nothing was finalized. Mr. Peterson confirmed this. Some engineering still needed to be done. Commissioner Chris Layton believed that conceptually, this was an adaptive reuse of an existing retail building. It would be turned into mixed-use and there would be an addition to the east. Mr. Peterson noted that there might be an atrium to the south. Commissioner Chris Layton asked if the existing Macy's building was rectangular. This was confirmed. Images were shared with the Commission.

Chair Howard Layton asked that Mr. Peterson share information about the architectural elements. Mr. Peterson referenced Page 16 of the SDMP, which included some inspirational images. There were Mixed-Use Precedents shown that he felt would be suitable for the kind of mixed-use that would be in Block B. Elements of those designs could be incorporated. The inspiration images were reviewed and discussed. Mr. Peterson pointed out the roof lines and glass. The intention was to use elements from several different images. Commissioner Prince wondered whether there would be windows on the Block B building as there had been descriptions related to metal fins. Commissioner Chris Layton pointed out that quite a bit of glass had been included in the concept.

Commissioner Chris Layton noted that the applicant had presented a concept and photographs of inspirational images. Architecturally, he had noticed that every Block was a little bit different, but everything was appropriate for the area. Each Block was also well-designed architecturally. He did not want the applicant to be held to the designs on the inspiration images if that was not the current vision. Commissioner Chris Layton pointed out that each Block he had seen so far appeared to be connected but different. Being able to transform an existing building was impressive. Mr. Peterson thanked Commissioner Chris Layton and offered to pass his comments along to the architects.

Chair Howard Layton explained that as part of the Concept Plan, the Commission needed to review landscaping, parking, and the basic site layout. The Commission discussed parking. The shared ratio meant there was a 20% discount on the necessary number of stalls. Mr. Peterson reported that Block B would conform to all site requirements. Commissioner Chris Layton pointed out that Rodeo Walk Drive looked like it had a different pavement treatment than the other streets. He wondered whether it still had vehicular access. Mr. Peterson explained that he was not ready to commit to that yet, but in the drawings, bollard posts were being considered between Block B and Block C. Those would be on the edge of the road, but details were still being finalized.

Commissioner Chris Layton noted that there were two pad buildings. He wondered if it was a concept put forth by the landscape architect. Mr. Peterson explained that a restaurant was interested in taking one of the pads. Commissioner Banks asked that the plant schedule be shared with the Commission. One of the responsibilities at the current stage was to address landscaping. On the schedule, there was a fair amount of detail and explanation related to potential landscaping in the limited corner. He asked for additional information about the other areas on the periphery of Block B. Mr. Peterson reported that the periphery landscaping around the roads had been approved as part of the Subdivision Plat. Example images were shared. Commissioner Banks was especially interested in seeing the landscaping between Block B and Murray Holladay Road.

Mr. Peterson noted that there was an existing sidewalk by Murray Holladay Road. Additionally, there was an elevation change, so that had to be considered.

Commissioner Banks referenced the northwest corner. He believed that was the large parking area. He wondered if there would be an attempt to put landscaping between Highland Drive and that parking area. Mr. Peterson noted that there could be future development there. Commissioner Chris Layton pointed out that the section being discussed was part of Block A and not part of Block B. It was not part of the current Concept Plan discussion for Block B. Chair Howard Layton noted that it was helpful to understand the full vision of the site. Many of the Commissioners were not part of the original plan approval, so it was important to have a robust perspective.

Commissioner Roach asked about the parking lot north of the building. It looked like it would have several islands. He was curious about the landscaping requirement in the SDMP as recently a Parking Lot Ordinance was passed for the rest of the City. He wondered if there was a desire to incorporate any design elements that would provide more shade canopy. Mr. Peterson explained that the area would conform to the SDMP requirements. Kris Longson gave his address as 4954 South Fairview Drive in Holladay and shared additional information related to the parking lot. He explained that the islands and landscaping would not be put in because that area would be torn out in the near future. Those were just temporary parking lots.

Commissioner Prince pointed out that the Commission approved a Concept Plan for estate lots in the past, but she had not heard much about that. Block D was happening and Block E had been discussed. She asked for a brief status update. Mr. Peterson shared information with the Commission. He reported that in Block L, there are 38 townhomes. In Block E, the plans are ready and the work had gone out to bid. The engineering was currently being done. Additional information about the other projects was shared. Mr. Longson added that the work being done on the other Blocks had already been approved by the Planning Commission.

Commissioner Roach asked for additional information about parking for Block B. The current design was temporary and it would continue to be a heat island. This made sense as the area would be torn out in the future anyway. He wondered if there would be greenscape added to the parking structures that would be built at a later date. Mr. Longson explained that the structures had not been designed yet, but he assumed there would be some landscaping. However, it would depend on the height and overall design. He referenced the grade difference.

Chair Howard Layton opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Chris Layton noted that what was presented was a portion of Block B, not the entire Block B area. Conceptually, there was not enough information to approve everything that would happen within Block B. He wondered whether a motion to approve the application could include only the discussed portion of the Block. This was confirmed. Mr. Teerlink explained that the application could be viewed at face value, where there was an adaptive reuse building with a parking lot and some blank pads. Ideally, it would be helpful if those pads had information about future development.

Commissioner Chris Layton understood that this was conceptual and the Planning Commission was only talking about the conceptual ideas. However, it seemed that the discussion was only centered around the south half of Block B. He would feel more comfortable if the motion language covered the conceptual approval of the south half of the block. Alternatively, it could state that the approval was based on what had been presented. There would need to be conceptual approval for what happened north and east of the building. Mr. Teerlink pointed out that the Commission could refer to the old Macy's building as an adaptive reuse and the landscaping associated to the south. City Attorney, Brad Christopherson explained that the Commission could call this Phase I of Block B or it could be referred to as the old Macy's building. Either one would be appropriate.

Commissioner Banks asked if there were uncertainties south of the building. Commissioner Chris Layton believed the south half of the block had been presented clearly. The Commission understood the conceptual intent there. The north half of the block was less clear. As a result, he did not want the motion to state that Block B was being approved for conceptual review. He suggested that the Commission only approve the south half of Block B, as presented.

Commissioner Banks felt it was important to clarify that the south half of Block B was defined as the building, temporary parking, and pad sites. The eastern structured parking was not part of the conceptual review. Concept approval for the north and east sides of Block B could be done in the future. Commissioner Banks was supportive of this idea but stressed the importance of specificity. Further discussions were had about potential motion language. Mr. Teerlink noted that the motion could reference approval of the Concept Plan for the old Macy's building and the associated parking lot and landscaping. This would ensure the intent of the Commission was captured.

Commissioner Prince moved to APPROVE the Royal Holladay Hills, "Block B," Concept Plan at 1915 East Rodeo Walk Drive based on the following findings:

- 1. The approval is based on the plan that was presented at the Planning Commission Meeting regarding the old Macy's building, the parking, and the landscape plan around the Macy's building, including the triangle to the south.***
- 2. The concept subdivision requirements are sufficiently and substantially met and comply with the requirements for submission, the SDMP, and the R-M/U Zone.***

Commissioner Chris Layton seconded the motion. Vote on motion: Commissioner Prince-Aye; Commissioner Roach-Aye; Commissioner Banks-Aye; Commissioner Chris Layton-Aye; Commissioner Vilchinsky-Aye; Commissioner Cunningham-Aye; Chair Howard Layton-Aye. The motion passed with the unanimous consent of the Commission.

DISCUSSION ITEMS

2. **Text Amendment – 13.72.030; Foothill Canyons Overlay Zones; Minimum Lot Size Staff Presentation and Preview of an Application Proposed to Amend Title 13, of the Holladay City Code, Land Use and Development Regulations as They Relate to Changing the One-Acre Minimum Lot Size of New Properties within Holladay’s Foothill Canyons Overlay Zone (FCOZ) – Public Hearing Scheduled for 10/4/2022.**

Mr. Teerlink reported that the above matter was a Discussion Item related to a proposed text amendment to 13.72.030. It pertained to the FCOZ. He reported that the item was not noticed as a public hearing and the presentation from the applicant was not ready. There had been an overview and discussion during the Work Session. Staff would prepare visuals, mapping, and data as well as draft changes to the language before the next Planning Commission discussion on the item.

There were questions about whether other municipalities had modified the overlay. This was confirmed. Commissioner Banks believed Salt Lake City had made significant modifications to handle conflicts between ski resorts and environmental groups. Commissioner Chris Layton explained that an overlay was a broad way to address certain issues, but did not always apply to every property. Commissioner Prince wanted to know if the Commission had to approve the text amendment. This was denied. Any property owner could bring a text amendment request to the Planning Commission for consideration. Changing the Ordinance would ultimately be a City Council decision, but the Commission could share a recommendation.

ADJOURN

Commissioner Prince moved to adjourn. The motion was seconded by Commissioner Roach. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 6:55 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, September 27, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: **January 10, 2023**