

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

**Tuesday, October 1, 2024
6:00 PM
City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Planning Commission Members:

Dennis Roach, Chair
Karianne Prince
Ginger Vilchinsky
Angela Gong
Paul Cunningham
Jill Fonte

City Staff:

Carrie Marsh, City Planner
Jonathan Teerlink, Community & Economic
Development Dir.
Brad Christopherson, City Attorney

WORK SESSION

Chair Dennis Roach called the Work Session to order at approximately 5:30 p.m. He noted that all Commissioners were present, with the exception of Commissioner Brian Berndt. City staff and legal counsel would also be present at the meeting. There are three items on the Regular Meeting agenda. The first is a Public Hearing item for a Zone Map Amendment at 5428 South Highland Drive. The Action Items on the agenda are "1740 East Holladay Townhomes," which is a Residential Site Plan for a Permitted Use, and the approval of several different Meeting Minutes.

City Planner, Carrie Marsh, shared information about the Public Hearing item. She reported that this is a Zone Map Amendment for 5428 South Highland Drive. Some background information about the property was shared. Ms. Marsh explained that it was originally two parcels until 2013. The owner of those two parcels combined them into a single parcel. The property was sold to the current owner and the current owner would like to return it to two separate parcels, but maintain the zoning on the rear parcel that has driveway access off of Baywood Drive. That would remain at half an acre and then there are about 0.44 acres that fronts onto Highland Drive. The rezone would be applied to that front piece, as outlined in the most recent version of the narrative.

Ms. Marsh reported that the request is to return the property boundary to where it was before the two parcels were combined. The house currently on the property is older and there is access off of Highland Drive. As for the rear house, that area is half an acre. It would stay in the R-1-21 Zone and access from Baywood Drive. She acknowledged that this is an unusual situation, where only the front portion of the parcel on Highland Drive is proposed to be rezoned. The R-2-10 Zone was selected based on the Highland Drive Master Plan. Ms. Marsh explained that the proposed zone matches the guidance included in the Highland Drive Master Plan. The Zone Map was shared.

Chair Roach believed this is one of four homes along Highland Drive in that area that does not have a walled-off look. Ms. Marsh believed that was true, but has not driven down that section of

Highland Drive. A lot of those properties are larger parcels where the back side is what backs up to Highland Drive. Commissioner Karianne Prince reported that she drove by and it is fenced.

Commissioner Paul Cunningham asked if there is anything that could potentially change based on a future review of the General Plan. Ms. Marsh explained that the proposal is in line with the General Plan guidance. The applicant was originally thinking about the R-1-15 Zone, which works for the property but is not necessarily in line with what the Highland Drive Master Plan envisions. She reviewed some of the zones around the subject property, which includes Neighborhood Commercial to the north and commercial property to the south. Any properties with frontage on Highland Drive can rezone, in accordance with the Highland Drive Master Plan. Rezoning is typically done at the discretion of the property owner. The City generally does not come in and rezone properties. A zone recommendation is made when a property owner makes a request.

Chair Roach believed the Highland Drive Master Plan said something about not disrupting existing neighborhoods. Ms. Marsh stated that the guidance for rezoning is that no new R-M Zones be established in that section. There was discussion regarding the R-2-10 Zone and the proposal. The R-2-10 Zone allows for two attached units for every 10,000 square feet but also allows for single-family detached. Ms. Marsh noted that each unit that is detached is 6,250 square feet.

Chair Roach shared an example scenario where the R-2-10 Zone was extended to the houses on either side and those were then purchased. In the Highland Drive Master Plan language, it mentions five units per acre. If the example scenario occurred, there could be three more units than that. Ms. Marsh explained that there would need to be a subdivision where half an acre was kept in the protective zone and whatever remained would be on the front. It would require someone to purchase some of the fronting parcels on Highland Drive and combine enough to reach an acre.

Commissioner Cunningham is concerned that Highland Drive will continue to become busier. Vehicles trying to pull off of Highland Drive into residential areas are difficult already and this rezone could make the issue more extreme. However, he acknowledged that the proposal is consistent with the zoning the City wants in the area. Getting on and off Highland Drive will be disruptive to traffic. Ms. Marsh noted that a lot of development she has seen involves a shared driveway where there is a single access point that three houses are sharing. That is fairly typical for some of the new developments off of Highland Drive. Community and Economic Development Director, Jonathan Teerlink, reported that it is a City-owned road in that particular location. There is a grant to improve Highland Drive, but that work has not happened at this time. He noted that while some aspects of the grant have changed, the grant is something that is still in process.

Commissioner Jill Fonte believed the point of the General Plan and Highland Drive Master Plan was to increase density along that corridor. Mr. Teerlink explained that this is true to a point, which is the reason there is a five-units-per-acre maximum in place. There were no additional questions.

The first Action Item on the Regular Meeting agenda is for “1740 East Holladay Townhomes.” Ms. Marsh reported that the Conceptual Site Plan for this was reviewed on July 16, 2024. The applicant came back with a revised Site Plan that has central access with a hammerhead to facilitate turnarounds. In order to have that central access, which was recommended by the Fire Marshal

and the City Engineer, it pushed the setbacks slightly smaller on all sides of the property. There is an allowance referenced in the Code for Site Plan modifications for public safety and for environmental concerns. She pointed out that the creek is there. This also relates to public safety access, because emergency medical services and fire services must be able to reach all of the units.

Commissioner Cunningham asked if 1740 East is a public or private road. Ms. Marsh reported that it is public, but it is a smaller access. Commissioner Prince pointed out that the narrative says it is public, but in the documents submitted, there are references to a private road, so there is some confusion there. Ms. Marsh explained that on the Final Site Plan, all of that will be clarified. The Planning Commission can make sure this is noted in the findings and state that for the Final Site Plan, that road needs to be clarified. It has a green street sign on it, which indicates it is public, but it is largely an access road for the multi-family development and applicant property.

There was discussion about the floodplain. Ms. Marsh reported that it is not possible to build in the floodplain. It is a common situation to ask for a variance where the land that can be built on is limited by a natural feature. Commissioner Angela Gong noted that the Planning Commission saw the Conceptual Site Plan in July, but the setbacks are now proposed to be smaller. She asked if the Commission is being asked to decide whether that is appropriate and if the proposed density is appropriate. Ms. Marsh explained that the unit total is an entitled right. There are allowances within the code to reduce setbacks in the case of public safety and environmental concerns.

Mr. Teerlink shared information about the Technical Review Committee (“TRC”). Based on the previous concept layout, there was no TRC support for access. In order to present a plan that could be recommended with appropriate emergency access, this is the layout that was arrived at with the developer. It requires a reduction in setback on the north side. The ordinance states that the Planning Commission can reduce setbacks if there is something that is in conflict with health, safety, and welfare. To not approve a reduction of setbacks in lieu of reducing the number of units would put the City at odds with the density allowance. The applicant could go back to the original plan and the Planning Commission would then need to consider a recommendation that does not have TRC support for the layout. The layout currently being considered may not be as attractive as what was previously considered, but it makes the necessary access possible.

Commissioner Prince noted that at the previous meeting for this item, the Commission stated that whatever went forward had to meet the Fire Marshal requirements and Engineering items. Mr. Teerlink explained that in order to do that, all of the units needed to be shifted a certain amount north. That shift caused an encroachment into the setback area. There was a meeting with the Engineering Department and Fire Department to work on a layout that was considered acceptable, but it forced them to move into a setback. Ms. Marsh explained that the setback went down from 15 feet to 10 feet. There is some variation, but the closest points are proposed to be 10 feet.

Commissioner Prince asked if the change to setbacks is a suggestion or if the Commission is being asked to approve them. Ms. Marsh reported that what is before the Planning Commission is the Preliminary Site Plan. The Commission is being asked to make a determination on the Preliminary Site Plan with the change in the setbacks. She clarified that this is not a Planned Unit Development (“PUD”). Commissioner Fonte was unclear about what basis there would be not to approve the application. It is not possible to state there is too much density or that the setbacks need to remain,

as the latter would mean there would not be approval from the TRC. Based on that, it feels like the Planning Commission does not have an option to deny what is currently before them.

Commissioner Gong stated that sprinklers are an option for fire suppression, but not for emergency medical services. This was confirmed. Ms. Marsh explained that there needs to be appropriate access for emergency situations, but there were also concerns about trash removal and the ability for vehicles to turn around on a narrow public road. Those elements need to be considered for public safety and emergency access. Chair Roach pointed out that there is a heat island just north. He wondered whether it would be appropriate to require more tree landscaping along there. Ms. Marsh believed it could be suggested to the applicant, but it could not necessarily be required.

There was additional discussion about the floodplain and the options available. Chair Roach noted that the last Action Item on the Regular Meeting agenda is the Approval of Minutes. He reported that there are four sets of Meeting Minutes for the Planning Commission to vote on.

Chair Roach closed the Work Session and the Planning Commission took a short break.

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

Chair Roach called the Regular Meeting to order at approximately 6:00 p.m. He reported that all Commissioners were present at the meeting, with the exception of Commissioner Berndt. Commissioner Gong read the Commission Statement for the benefit of all attendees.

PUBLIC HEARING

1. **Zone Map Amendment – Rezone from R-1-21 to R-2-10 - 5428 South Highland Drive. Review and Make a Recommendation to the City Council on a Proposal by Applicant Ashley Woolley to Amend the Holladay Zone Map at this Location from the Current Residential Single-Family Zone (R-1-21) with a ½ acre Minimum Lot Size to the Residential Two-Family Zone (R-210) for Approximately 0.44 acres of Property, in accordance with the Highland Drive Master Plan. Item Reviewed as a Legislative Action, According to Procedures Set Forth in Holladay Ordinance §13.07. File #24-4-12.**

Ms. Marsh presented the Staff Report and explained that the application is for a Zone Map Amendment. The request is to rezone from the R-1-21 Zone to R-2-10 at 5428 South Highland Drive. She explained that this is a unique request because the applicant is only requesting to rezone the front portion of the property. The property was two parcels prior to 2013. Those two parcels were purchased and combined into one single parcel. However, the current owner wants to divide them back to how they were previously and assign the appropriate zoning to each parcel.

The property that has access off of Baywood Drive would retain the R-1-21 Zone. The front portion, which is 0.44 acres, would be rezoned to R-2-10. Ms. Marsh explained that the R-2-10 Zone was selected because of the Highland Drive Master Plan, which calls for a density that is no more than five units per acre. The square footage in the R-2 Zone can be divided in a few different ways if a future property owner would like to redevelop. The current owner wants to leave the house that exists on the property, but the R-2 Zone would enable an attached unit with two units in it as well as a single-family detached house or three single-family detached houses.

The reason for higher densities on Highland Drive is that it serves as an arterial road and has two lanes. Ms. Marsh reported that to the north and south there are some higher densities. There is a unique pocket of lower density in Segment B of the Highland Drive Master Plan. She noted that the Highland Drive Master Plan states that R-M Zones are not appropriate, but other zones are in that segment. Information about the uses surrounding the subject property was shared. There is a church directly across the street with commercial properties on each side of the church. Additionally, there is a pocket of single-family homes all zoned as R-1-21. The majority of those homes have frontage on the interior neighborhood with the back to Highland Drive. There are two or three of those houses that front onto Highland Drive directly. Ms. Marsh outlined a scenario in the Staff Report with properties that could potentially do something similar. Three or four properties could potentially do something similar to what the applicant has proposed, but due to the size of the existing properties and the layout, that would require coordination between owners.

Ms. Marsh reported that Highland Drive is a transit route, which includes Utah Transit Authority (“UTA”) Route 220. She is available to answer questions or the applicant can share information. Commissioner Prince asked what the zoning was when the parcel was two separate properties. Ms. Marsh believed it was all under the R-1-21 Zone. Chair Roach asked to review the zone map. He was curious about the other R-2 Zones near the subject property. The corner of 5600 was noted. Ms. Marsh confirmed there is a mixture of zones in the surrounding area. Chair Roach stated that there are not really any R-2 Zone properties along Highland Drive until the intersection.

The applicant, Ashley Woolley, introduced herself to the Commission. She thanked City Staff for guiding her through this process and preparing the Staff Report for the meeting. She also thanked Commissioners for volunteering their time. Ms. Woolley explained that she is applying to rezone the front half of a property at 5428 South Highland Drive to bring it into compliance with the Highland Drive Master Plan. The property has two complete residences sitting back to back on a single parcel. One property faces east toward Highland Drive and one property faces west toward Baywood Drive. A decade ago, the former owner consolidated the two parcels into a single parcel.

Ms. Woolley purchased the property four years ago and lived in the Baywood house. She used the home on Highland Drive as an accessory dwelling unit (“ADU”). Her family has recently moved to a different part of Holladay. She would like to undo the consolidation so she can sell the Baywood house but keep the Highland Drive house. The original Highland Drive parcel is slightly too small for the current zone of R-1-21. With the advice of the Planning Department, she is requesting that it be rezoned to R-2-10, in accordance with the Highland Drive Master Plan. Ms. Woolley explained that she is not proposing any new development or changes to the property use.

Ms. Woolley addressed some of the questions that arose during the Work Session. Several Commissioners wondered whether there was a historic home, but it is not designated as such. As far as she understands, it would be eligible for that kind of designation, but it has never been sought out. She put together a photo album of the property for Commission consideration. One highlight of the home is the living room. It has original windows, glass, woodwork, hardwood floor, hardware, and so on. Though the home is not designated as historic, in her view, it has architectural and aesthetic value and could be on a designation if that were ultimately pursued.

Ms. Woolley confirmed that access from Highland Drive to the property is difficult. At one point, someone was living there full-time, but it has mostly been used as an ADU. There is no one currently living there. The intention is to renovate the bathroom in the fall. She explained that there are no plans for anyone to live there full-time in the near future, but it could happen. There is no intention to develop the property, but if that ever changes, Site Plan approval would be needed and there would be a process to go through with the City. That is not something they are interested in at this time. Rather than selling the property as it is, where someone else might come in and tear down the home and build a bunch of houses, she wants to preserve that piece of history.

Chair Roach asked if the decision to move to the R-2-10 Zone was made based on advice from City Staff. This was confirmed. Ms. Woolley explained that in the initial conversations, they suggested R-1-10 or R-1-15, so she originally submitted the application that way. After additional review, City Staff stated that R-2-10 would be more consistent with the Highland Drive Master Plan.

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

Commissioner Gong stated that there is a family connection and will recuse herself from the vote.

Commissioner Cunningham moved to forward a recommendation to the City Council to APPROVE an application by Ashley Woolley to amend the Holladay Zoning Map for 0.44 acres of land located at 5428 South Highland Drive from R-1-21 to R-2-10, based on the following findings:

- 1. The proposed amendment is consistent with the goals, objectives, and policies of the General Plan.***
- 2. The proposed amendment is harmonious with the overall character of existing development in the vicinity.***
- 3. There has been no public identification of adverse effects on abutting properties.***
- 4. There is the adequacy of facilities and services intended to serve the subject property, such as roadways, parks and recreation facilities, police and fire protection, schools, stormwater draining systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection.***

Commissioner Prince seconded the motion. Vote on Motion: Commissioner Prince-Aye; Commissioner Fonte-Aye; Commissioner Vilchinsky-Aye; Commissioner Cunningham-Aye; Commissioner Gong-Recused; Chair Roach-Aye. The motion passed unanimously.

ACTION ITEMS

2. **“1740 East Holladay Townhomes” Residential Site Plan of a Permitted Use - Preliminary/Final Review – 4821 South 1740 East (R-M). Preliminary/Final Review and Consideration of a Residential Site Plan Proposed by Application/Property Owner, Brad Reynolds to Accommodate Nine Units within the Residential Multi-Family (R-M) Zone. Item Reviewed as an Administrative Action for Permitted Uses in Accordance to Zone and Subdivision Standards Required by Holladay Ord §13.10 File #24-9-01.**

Ms. Marsh presented the Staff Report and explained that the application is for a Permitted Use Site Plan in the R-M Zone at a preliminary level. The subject property is located at 4821 South 1740 East. This is a site that was reviewed for a Conceptual Site Plan on July 16, 2024. The applicant has now come back for preliminary after receiving feedback from the Fire Marshal, City Engineer, and Planning Staff. The size of the property allows for nine units. There will be two parking spaces for the proposed three-bedroom units. The original Site Plan had access around the perimeter on the north and east sides of the property. However, the Fire Marshal and City Engineer had concerns about the way that access was shown. Their concerns related to the environment, due to Big Cottonwood Creek, and public safety. There were several elements to consider, including pavement, garbage access, Public Works access, turnaround, and emergency services.

The original Conceptual Site Plan had two units that would have fire sprinklers, which would have met the requirements for fire. That being said, there were still difficulties with other emergency services accessing the units that were further away. There were also concerns about the turning radius for vehicles. The Fire Marshal worked with the developer to create an access that is central to the site. Due to the floodplain, the property is somewhat limited in terms of where the development can take place and where the structures can be built. To accommodate the central access with a hammerhead turnaround, the building placement was readjusted. The adjustments to the placement pushed the buildings out to the north side and slightly to the east side as well.

Ms. Marsh noted that the previous concept was preferred by the developer, but there was a public safety issue, so certain adjustments needed to be made. The preliminary plan shows the central access. All of the garages will be off of that central access. There is adequate turnaround space for public turnarounds as well as emergency service turnarounds. The Planning Commission has the ability to approve a setback adjustment when there are environmental or public safety concerns.

Chair Roach asked about the south side of the property. He wondered whether the change of the layout would require additional berming and berthing. Ms. Marsh does not believe so. Commissioner Prince asked if the setback needs to be specifically addressed in the motion. Ms. Marsh explained that the Commission can reference the Staff Report if there is a desire to be specific. The section of code that is outlined there is 13.08.080E (1 A and C) and 13.08.080E(3D).

Chair Roach wanted to know if there is visitor parking included in the plan. This was denied, but it was clarified that the applicant might have additional information about that. Commissioner Prince noted that 1740 East has public signage but is listed as private on some of the documents. She asked if there could be parking along the side of that street. Ms. Marsh reported that this was looked at during the TRC Meeting. There is green signage and this is a public street and has been maintained as a public street. She clarified that there is no parking on one side of the street. Commissioner Prince wondered whether the parking there is something the Planning Commission

should consider in the recommendation made. Mr. Teerlink confirmed that the recommendation can mention that no parking is permitted along that first section. He shared an aerial for reference.

The applicant, Brad Reynolds, introduced himself to the Commission. As has been stated by Staff, the originally submitted Site Plan was different than what is currently before the Planning Commission for consideration. There was a strong recommendation from the TRC that the Site Plan be changed, so it was reworked according to the recommendations made. This is a challenging site because there are certain restrictions by the Federal Emergency Management Agency (“FEMA”), flood control, and the stream, where there has to be a minimum of 50 feet that cannot be encroached upon. The Site Plan was reworked and everyone was pleased, including the Fire Marshal and the City Engineer. There is now easy accessibility proposed on the site. Mr. Reynolds explained that the idea was to provide a lot of green space around the creek, so everyone living in the area could enjoy that. There is not a steep bank off of the creek and there will be grass going down to that area. He is available to answer any outstanding Commissioner questions.

Commissioner Prince believed that when the site was seen previously, the units faced the creek. She asked what the current plan envisions. The original concept was shared with the Commission. Previously, the units faced one another, but there were balconies and decks that looked out toward the creek. The center portion was left somewhat open so there was a route to the open area near the creek. With the new plan, it is similar and the center is somewhat open, but there are more units that face directly to the north. Chair Roach believed there was a wall running along the north end of the property. Mr. Reynolds stated that there is a fence from the Linden apartments and a slight lip of asphalt where it connects to the property. That is minimal and there is no wall in place there. There is no plan to put a wall there, but instead transition off of that fence to the grade. There is a 4-foot sidewalk planned that will connect and go around the perimeter of the project. As the Landscaping Plan is finalized, some landscaping will be considered to soften some of the hard surface. On the back, against the creek, there are some large pine trees already located there.

Chair Roach noted that there will be a heat island and noise island created in the center if there is no appropriate landscaping. Mr. Reynolds believed in the center, there might be some shrubs in between the driveways, but there would not be a lot of landscaping done in that center area. Commissioner Cunningham noted that the public road ends at the property line. He wondered what would be done for trash collection. Mr. Reynolds stated that it would all be private. Everyone will have an individual garbage can and there will be collection once a week to collect those.

Commissioner Cunningham asked how many visitor parking stalls would be on the site. Mr. Reynolds reported that there are two designated visitor parking stalls currently, but the code does not require any. He pointed out the location of the proposed visitor parking stalls on a map. Commissioner Cunningham understands that the code does not require visitor parking spaces, but with nine residences and only two visitor stalls, there could be some issues that arise on the site. Mr. Reynolds referenced the apartment parking lot. The entrance there that is closest to his property normally has a lot of excess parking available. There have been discussions with them and a little more property to the north might be purchased, but none of that has been finalized. It might be possible to work out a parking arrangement with them as the project moves forward.

Commissioner Cunningham wondered whether the applicant is supportive of language stating that there can only be parking on one side of the street. Mr. Reynolds does not have an issue with that,

but he does not like painting the curb red. He would rather see a sign placed there because, after a year or so, the red-painted curb does not look aesthetically pleasing. In order for it to look decent, it needs to be repainted every year. In his opinion, the red-painted curb is not the ideal choice. Mr. Teerlink stated that for something like that, the City would go in and paint the curb as needed.

Commissioner Cunningham thought it would be best to prevent parking on both sides of the road. Mr. Teerlink explained that on-street parking is something that can be looked at more closely in the future. There was discussion about the existing fence in the area. Commissioner Gong believed the plan lost a lot in the changes proposed. She understands that there are public safety concerns, but the feel of the plan changed from a neighborhood feel to one where residents will drive into their garages and never see anyone else. The plan is materially different in how it will be for the residents living there. She wondered whether the applicant considered building fewer units or making them smaller. Mr. Reynolds believes there are advantages and disadvantages to the changes made. He noted that there was a lot of hard surface on the other Site Plan. With the changes made, that has been greatly reduced, so there will be more green space. Based on the changes made to the plan, he feels this will be a nicer project overall for residents to live in.

Commissioner Prince asked earlier about the direction the front doors will face. She asked if the doors opening out into the drive had been considered. Mr. Reynolds stated that there are three units that are open to the north. The other two of the five-plex open to the east and west. There are balconies and decks that will be on the third floor and those will be open. There was discussion about the views residents will have. Mr. Reynolds stated that there would be a large grass area.

Commissioner Fonte asked if reducing the number of units on the property had been considered. She pointed out that this could provide more open space and green space. Mr. Reynolds reported that there is a lot of green space on the plan, but confirmed that a reduction was considered. What is challenging for developers and homeowners is affordability. Removing two units will make the project more difficult financially. Ms. Marsh reported that when more units are added, it naturally results in smaller units. Smaller units end up being more affordable. When there are fewer units, the size and the price increases. That is the tradeoff with having fewer units on a property.

City Attorney, Brad Christopherson, explained that this is not a public hearing item. Ms. Marsh reported that a public hearing was held for the concept. Moving forward, the concept will be done with Staff and only preliminary will come to the Planning Commission. The final will go back to Staff. Commissioner Cunningham noted that this plan is not at all what was seen at the concept level. He wondered whether the Planning Commission is allowed to ask for further comments. Mr. Christopherson reiterated that there has already been a public hearing held and there is a clear process in place. As a result, it is his recommendation that there not be additional comments.

Chair Roach mentioned the suggested findings listed in the Staff Report. His concern with the proposal is that all of the green space tends to be out on the creek where it naturally exists. There is hardscape against hardscape. It is difficult to feel good about that because he feels it will perpetuate a heat island problem. Commissioner Prince asked whether some of that will be addressed when the applicant comes back with an actual Landscaping Plan. Ms. Marsh reported that the Landscaping Plan will not come back to the Planning Commission, but there are landscaping requirements in the code that are compliant with water conservation. She pointed out that this is a property that would need to go through a variance process anyway for reduced

setbacks. That is likely to be granted based off of the creek having a 50-foot border where nothing can be built. She explained that the border has a significant impact, so reducing setbacks is a standard application. There was additional discussion about future landscaping on the site.

Commissioner Gong acknowledged that it makes sense to change the plan for public safety. What she is having a difficult time with is that the applicant knew from the start that it was near the creek and there were certain limitations associated with that. She does not feel the setbacks should be changed, but that the applicant should build within the area that is buildable. While there is an entitlement for nine units, the creek is there and needs to be taken into account. She feels the creek should take precedence rather than the number of units. It does not make sense to her that the setbacks will be changed in order to fit the number of buildings on the lot. Commissioner Fonte pointed out that the Planning Commission does not have a choice about that. The applicant is entitled to nine units and the floodplain needs to be considered. Mr. Teerlink shared information about what is done elsewhere versus what is done in the State of Utah. He noted that FEMA has a process where it is possible to modify the floodplain to create a developable area. Rather than disturbing the creek as it currently exists, the applicant's request is flexibility in the setbacks.

Mr. Christopherson stated that in the history of the United States, residential use of land has been considered the highest and best use. The State of Utah favors property rights but also favors the full utilization of the highest and best use for residential. Historically, people have been the greatest asset and resource. Mr. Teerlink compared the original proposal to what is currently envisioned. Commissioner Gong expressed concerns related to the layout and the neighborhood feel.

Chair Roach strongly encouraged the applicant to find ways to soften the hardscape with trees wherever possible. He acknowledged that the proposal is not out of line given the neighboring properties and the zone. The parking will be a challenge, but the current proposal is in compliance. Commissioner Prince asked whether a suggestion should be included to state that there should be no parking from Murray Holladay Road to the property boundary. There was no strong support.

Commissioner Prince moved to APPROVE the Preliminary Site Plan application by Brad Reynolds for “1740 East Townhomes,” a nine-unit multi-family residential development, located at 4821 South 1740 East in the R-M Zone, based upon the following findings:

- 1. The requirements for Preliminary Site Plan have been substantially completed.***
- 2. The development complies with the minimum area required for a nine-unit multi-family home development in the R-M Zone.***
- 3. The development complies with the General Plan.***
- 4. Parking minimums of 18 spaces are met with garage parking.***
- 5. Reduced setbacks on the north, east, and west property lines, as shown on the Site Plan, are required to address environmental and public safety concerns.***

This motion is subject to the following conditions:

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1. *Address engineering comments as part of the Final TRC approval.*
2. *The applicant must provide CC&R, specifically detailing maintenance of the access lane and stormwater retention areas for Final TRC approval.*

Commissioner Vilchinsky seconded the motion. Vote on Motion: Commissioner Cunningham-Aye; Commissioner Vilchinsky-Aye; Commissioner Fonte-Aye; Commissioner Prince-Aye; Commissioner Gong-Aye; Chair Roach-Aye. The motion passed unanimously.

3. Approval of Minutes – April 16, 2024 / June 25, 2024 / July 16, 2024 / August 20, 2024.
Chair Roach moved to APPROVE the April 16, 2024, Planning Commission Meeting Minutes. There was no second. The motion passed with the unanimous consent of the Commission.

Chair Roach moved to APPROVE the June 25, 2024, Planning Commission Meeting Minutes. There was no second. The motion passed with the unanimous consent of the Commission.

Chair Roach moved to APPROVE the July 16, 2024, Planning Commission Meeting Minutes. There was no second. The motion passed with the unanimous consent of the Commission.

Chair Roach moved to APPROVE the August 20, 2024, Planning Commission Meeting Minutes. There was no second. The motion passed with the unanimous consent of the Commission.

ADJOURN

Chair Roach 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 7:03 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the City of Holladay Planning Commission Meeting held on Tuesday, October 1, 2024.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: **November 19, 2024**