

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

**Tuesday November 19, 2024**

**5:30 p.m.**

**Holladay Municipal Center**

**4580 South 2300 East**

***ATTENDANCE***

**Planning Commission Members:**

Dennis Roach, Chair

Kariann Prince, Vice Chair

Paul Cunningham

Jill Fonte

Brain Berndt

**City Staff:**

Jonathan Teerlink, CED Director

Carrie Marsh, Senior Planner

Brad Christopherson, Legal Counsel

**Work Session**

Chairman Roach called the Work Session to order at 5:36 pm. He noted that all of the Planning Commissioners were present with the exception of Commissioner Ginger Vilchinsky and Angela Gong. City Staff and legal counsel were also present. One item on the Regular Meeting agenda include a rezone request located at 2091 E Murray Holladay Rd.

Senior Planner, Carrie Marsh presented the rezone item stating that it was one similar to previous applications as a standard rezone from RM to PO. Mrs. Marsh described the applicant as the property owner, who has some additional uses that they'd like to utilize in the PO zone. Since those uses are not allowed in the RM zone, a massage therapist, fall under personal services, a business use only allowed in the PO zone. Mrs. Marsh went on to explain the history of the property as originally built and approved as an office building in RM zone, now only the uses do not align.

Chairman Roach inquired as to if anything else is being done with the property, other than needing to obtain a business. Stating that there's no changes happening. It's literally just a use allowance that basically taking something that's existing, non-conforming in uses and bringing it up compliance like several others of these we have seen in the past

Mrs. Marsh clarified nothing is being done to this property just expanding uses to beyond just an office use. So, and then in the future the property owner could lease to businesses like dental laboratories, medical laboratories or Professional Services like salons.

Chairman Roach reviewed meeting minutes on the agenda which the commission had no comments on.

Chairman Roach requested staff to present on any issues of benefit for the Commission that would fill in for 15 minutes of the work session. Legal Counsel, Brad Christopherson provided

insight on commissioner ethics and procedures on reviewing Conditional Use permit. Substantial evidence was discussed as a critical element of approved or disapproving of a conditional use permit as well as appropriate conditions the commission could apply.

Commissioner Berndt asked to clarify a Traffic Study and when it can be used as a condition of approval. What kind of elements are provided in a traffic study

CED Director Jonathan Teerlink provided an overview of elements in a traffic study and when it is used during review of a redevelopment project based on whether or not the new use proposed would detrimentally impact local traffic service.

Mr. Christopherson continued to provide guidance on creating reasonable conditions that are defensible. Conditions to mitigate potential impacts are normally provided in the staff reports.

Chair Roach closed the Work Session and the Planning Commission moved to convene the regular meeting.

### **CONVENE REGULAR MEETING**

Chairman Roach called the meeting to order at 6:00 p.m. He noted that all of the Planning Commissioners were present with the exception of Commissioner Ginger Vilchinsky and Angela Gong for the benefit of the public. He stated that as no members of the public are present for public hearing, he omitted opening statements.

1. **PUBLIC HEARINGS (Published/Noticed to Neighborhood only)**
  - 1.1 **Zone Map Amendment – Rezone from RM to PO – 2091 E Murray Holladay Rd (Discussion and Possible Decision) – Planner, Carrie Marsh.**

Senior Planner, Carrie Marsh, gave overview of the staff report for a rezone application at 2091 E Murray Holladay Rd, made by the applicant and property owner, Bob Neslen. Mrs. Marsh described that the current zone in RM and the building currently and has historically served as an office building with office uses permitted under the former version of the RM zone.

Mrs. Marsh gave history of the PO Zone as created in 2018 with the expectation that office building owners would take advantage of expanded use allowances not previous allowed in the RM zone. Applications would be accepted by the property owners.

Chairman Roach thanked staff and after no questions from the commission as the applicant to present.

Bob Neslen stated he didn't have anything to add and was appreciative of the thorough report.

Chairman Roach thanked the applicant and after no questions from the commission opened the public hearing. Seeing non, Chairman Roach closed the Public Hearing and opened the discussion on the application.

Commissioner Brian Berndt queried staff on the difference between the RM and the PO site development standards

Mrs. Marsh described the building height increase to 40 feet and the differences in setback standards as they related to buffering of residential zones. The intent of PO development is to push the building to the street instead of building in the middle of the property. Parking standards stay the same with only differences in structure and use.

***Commissioner Karianne Prince moved, to forward a recommendation to that the City Council approve the rezone application by Bob Neslen to amend the Holladay Zoning map for .56 acres of land located at 2091 E Murray Holladay Road from RM to PO subject to the finding provided in the packet – as follows:***

***Findings:***

- 1. The proposed amendment is consistent with 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. The proposed amendment intends to perpetuate, or maintain stability of existing uses at the address***
- 4. The proposed amendment would not adversely affect abutting properties; and***
- 5. Facilities and services intended to serve the subject property, such as, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, environmental hazard mitigation measures, water supply, and wastewater and refuse collection are considered adequate.***

***Commissioner Brian Berndt seconded the motion. Vote on motion: Brain Berndt -Aye, Jill Fonte -Aye, Paul Cunningham - Aye, Karianne Prince - Aye, Dennis Roach - Aye***

**ACTION ITEMS**

**1. Approval of Minutes – May 7, and October 1.**

***Commissioner Roach moved to APPROVE the Meeting Minutes, as presented, from May 7<sup>th</sup> 2024, and October 1<sup>st</sup> 2024. Commission Berndt seconded the motion. The motion passed with the unanimous consent of the Commission.***

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

The Planning Commission Meeting adjourned at 6:33 p.m.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Planning Commission meeting held Tuesday, November 19<sup>th</sup>, 2024*



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Jonathan Teerlink  
CED, Director

**Minutes approved: February 4, 2025**