



**Minutes of the
Millcreek City Council
September 11, 2023
7:00 p.m.
Regular Meeting**

The City Council of Millcreek, Utah, met in a regular public meeting on September 11, 2023, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website with an option for online public comment.

PRESENT:

Council Members

Jeff Silvestrini, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2 (excused)
Cheri Jackson, District 3
Bev Uipi, District 4 (electronic, arrived at 7:33pm)

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Mike Winder, City Manager
John Brems, City Attorney
Kurt Hansen, Facilities Director
Rita Lund, Communications Director
Dan Drumiler, Stormwater Engineer
(electronic)

Attendees: Chief Steve DeBry, Vince Coley, Joey and Megan Dolim, Laura Renshaw, Katie Murakami, Jake Murakami, Cate and Patrick Nelson, Kathy Blake

REGULAR MEETING – 7:00 p.m.

TIME COMMENCED: 7:01 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order, recognized the events of September 11, 2021, and led the pledge of allegiance.

1.2 Public Comment

Kathy Blake, Woodland Avenue, noted that the developer for item 2.1 removed the secondary access onto Woodland Avenue based on neighborhood feedback. She expressed appreciation for that and support for the project.

The mayor said emails for a rezone project on Wasatch Boulevard had been received and the council was aware of the comments for and against the application from residents. He acknowledged his 41st wedding anniversary to his wife, Leslie Silvestrini.

2. Planning Matters

2.1 First Reading: ZM-23-001/GP-23-001, Request to Rezone from the R-1-8 Zone to the C-3 Zone to Accommodate an Approximate 21,000 Square Foot, 3 Level Ground-Up Medical/Dental Office Building and a General Plan Map Amendment from the Public/Quasi Designation to the City Center Designation at 3179 S. Highland Drive by Applicant Rigby Watts & CO, Adam Watts

Francis Lilly said Millcreek obtained the property from the Church of Jesus Christ of Latter-Day Saints. A portion of the property was surplussed to Dominion Energy to relocate a regulator station. The remainder of the property was put out to a request for proposals (RFP). Mayor Silvestrini noted the Church required the city to demolish the chapel that existed on the property as a condition of sale. Lilly showed the council a map of the property with the R-1-8 portion proposed to be rezoned to C-3. The rezone would include a development agreement and a zone condition limiting the property to retail, office, and medical/dental only. The whole property would change on the General Plan Future Land Use Map and be redesignated from Public/Quasi to City Center. The city felt a less intensive single-purpose commercial use would be the best fit for the site since it fronted a residential neighborhood. The chosen RFP was for a 21,000 square foot medical/dental office building primarily due to the low traffic impacts generated from that use. To accommodate the use, the city initiated a text amendment to the City Center Overlay Zone Bulk and Yard Regulations Chapter. The text amendment would provide an alternative for commercial single purpose buildings to be exempt from doing a 20 foot building setback, but had to meet specified building dimensions and footprint, and include some enhanced design features.

Lilly showed the council slides of the site plan as it evolved through the application process. The applicant would provide sole access onto Highland Drive and provide 74 parking stalls with 3 of them being ADA. The Fire Marshal was okay with the single ingress/egress. Millcreek will have use of the parking lot in the evening as part of a shared parking agreement for Millcreek Common overflow. Lilly highlighted the trees on a site plan that would be preserved as well as the new trees that would be added. Lilly showed renderings of the building and noted the building would be 47 feet tall, 7 feet of which was a parapet. A medical office trip generation study was conducted. In 2019, a Highland Drive Corridor Study was conducted to consider the highest impact of the property. The medical office trips created 78 PM new daily trips and the future greatest impact scenario created 123 PM peak hour trips. The medical office building would generate about 23 more AM peak hour trips and 45 fewer PM peak hour trips. The 2019 study found that traffic operations were not problematic at the Highland Drive / Woodland Avenue intersection in the AM peak hour. The proposed medical office building generates fewer trips in the PM peak hour where congestion was an issue on Highland Drive. The development agreement would include conditions on:

1. Uses of Property will be limited to retail, office and medical/dental only.
2. Drive through uses including menu boards, outdoor speakers, microphones, ordering windows and ordering boxes are prohibited.
3. Setbacks will be substantially the same as depicted on the attached site plan in Exhibit C.
4. Vehicle access will be substantially the same as depicted on the attached site plan in Exhibit
5. The Project shall include a precast concrete wall along the east property line compliant with City code. The color of the precast concrete wall must be approved by the city.

6. Developer agrees to preserve certain trees as depicted on the attached tree preservation plan in Exhibit C.
7. Parking lot landscaping shall include a minimum 4' wide pedestrian path as depicted on the attached site plan in Exhibit C.
8. Developer agrees to enter into a deferral agreement with the City related to required public improvements abutting Woodland Avenue on the north side of the Property on or before certificate of occupancy of the structure to be developed and built on the Property is issued to Developer.

Lilly said there was a well-attended neighborhood meeting. In summary, the majority of the attendees were pleased with the design, height and use of the proposed medical/dental building and the low impact the use would generate when compared to all other uses available to the site. The impacts on Woodland Avenue and lighting on the site were issues of concern. The residents were saddened by the removal of trees, but happy that they would be replaced. In their meeting, the Millcreek Community Council moved to recommend approval of the proposed rezone application as presented and not remove the Woodland Avenue access point. In their meeting, the Canyon Rim Citizens Association moved to recommend approval of the proposed rezone application as presented, including the location of the building. The Planning Commission recommended the applications for approval and added a condition that the applicant will situate the trees on the north side of the property such that it will allow one exit for a disaster and also a zone condition be recorded on the property limiting the uses to retail, office, and medical/dental only with the main access being from Highland Drive only. Lilly said staff supported the Planning Commission's recommendation.

Council Member Jackson expressed concern with people turning onto Woodland Avenue expecting an access and there not being one, thereby putting traffic onto Woodland Avenue. Mayor Silvestrini was willing to support the neighborhood on not having an access and said the situation could be monitored for future change. John Brems said the development agreement could have an administrative approval if it needed to change, adding a triggering event. Council Member Catten was worried about southbound traffic turning onto Woodland Avenue. Lilly pointed out the offices would be an established clientele that would learn how to park there. Council Member Catten pointed out that with Millcreek Common overflow parking, it was not established clientele. Lilly said zone conditions were limited to affecting height, building design and materials, uses, and residential density.

Adam Watts, applicant, said he tried to accommodate the neighborhood's requests with access and trees.

3. Business Matters

3.1 Discussion and Consideration of Resolution 23-44, Approving and Authorizing the Execution of an Interlocal Cooperation Agreement with Salt Lake County Relating to the Conduct of the Community Development Block Grant Program, Emergency Solutions Grant Program, and the Home Investment Partnership Program

Mayor Silvestrini said this was a revision to the interlocal agreement with Salt Lake County. Millcreek is a member of the Urban County, so the city participates in social

welfare type grant projects but maintains control over hard costs for capital improvement type projects. There were some new federal requirements that needed to be approved.

Council Member Jackson moved to pass Resolution 23-44, Approving and Authorizing the Execution of an Interlocal Cooperation Agreement with Salt Lake County Relating to the Conduct of the Community Development Block Grant Program, Emergency Solutions Grant Program, and the Home Investment Partnership Program. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 23-45, Approving an Interlocal Cooperative Agreement with Salt Lake County with Respect to the 2022-2028 UPDES Media Campaign Cost Sharing

Dan Drumiler said this was a partnership with the Salt Lake County Storm Water Coalition to meet requirements with the public education and outreach program. Salt Lake County provides a media campaign. The city has done the partnership in the past. The agreement is for \$9,638.84 per year paid from the Storm Water Fund. He recommended the council pass the resolution to meet storm water quality requirements. Mike Winder pointed out that UPDES stands for Utah Pollutant Discharge Elimination System. Drumiler noted the city's corrective action plan was under review.

Council Member Catten moved to approve Resolution 23-45, Approving an Interlocal Cooperative Agreement with Salt Lake County with Respect to the 2022-2028 UPDES Media Campaign Cost Sharing. Council Member Jackson seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4. Reports

4.1 Mayor's Report

Mayor Silvestrini reported that the council and some staff attended the Utah League of Cities and Towns conference the prior week. He was succeeded as President of the League by the mayor of Provo.

4.2 City Council Member Reports

Council Member Catten reported September was "Get to the River" month for the Jordan River. Council Member Uipi reported that Churchill Junior High held a successful rock concert. She expressed appreciation for the mayor. Council Member Catten acknowledged interviewing Laura Renshaw with the Millcreek Library for the Promise Program.

4.3 Staff Reports

Mike Winder announced the first Millcreek Business Market at Millcreek Common on September 14th. Rita Lund said the playground at Fortuna Park was unsafe and Salt Lake County would be removing it. She asked if the council was interested in putting swings in during the interim until funds for a better playground were installed. Council Member Catten suggested putting an article in the newsletter highlighting the safety concerns of

the old playground. The mayor said a group had been wanting to rent the park for an event and he suggested they use a different park. The Arts Council would also like to discuss using another venue for the Millcreek Arts Festival next year. Winder said the city hall grand opening was scheduled for November 16th.

5. Consent Agenda

5.1 Approval of August 14, 2023 Work and Regular Meeting Minutes

5.2 Approval of August 28, 2023 Work and Regular Meeting Minutes

Council Member Jackson moved to approve items 5.1 and 5.2. Council Member Catten seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

6. New Items for Subsequent Consideration

There were none.

7. Calendar of Upcoming Events

- Historic Preservation Commission Mtg. 9/14/23 6:00 p.m.
- Planning Commission Mtg. 9/20/23 5:00 p.m.
- City Council Mtg. 9/25/23 7:00 p.m.

ADJOURNED: Council Member Catten moved to adjourn the meeting at 7:55 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED:

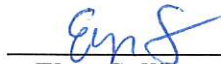


Jeff Silvestrini, Mayor

Date

9-25-2023

Attest:



Elyse Sullivan, City Recorder