

Rezone

C-2 to R-M

File # ZM-23-006

2888 E 3300 S

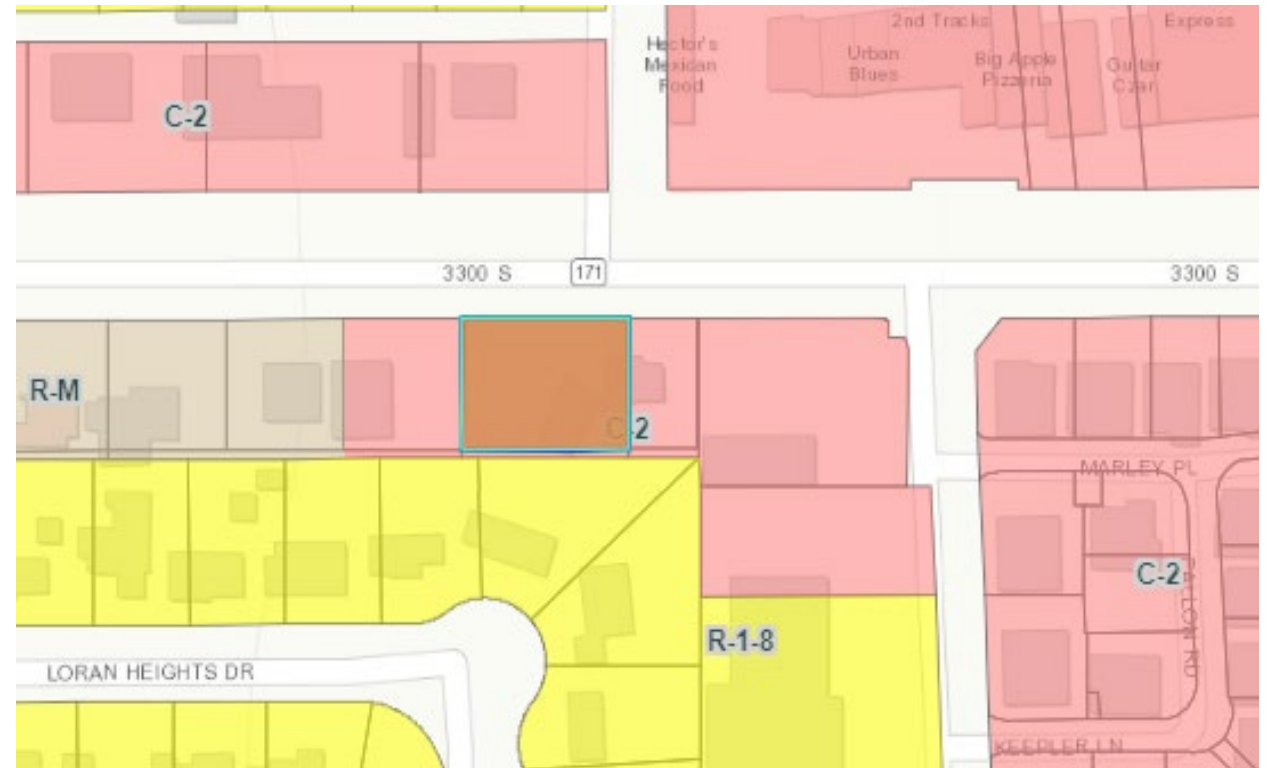
APPLICANT: TARIQ MUGHAL





Proposal and Vicinity

The lot is located at 2888 E 3300 S and equal .32 acres. The vicinity is composed of single-family dwellings (R-1-8) to the south, residential multifamily (R-M) to the east, and commercial (C-2) to the north and east of the subjected parcels.

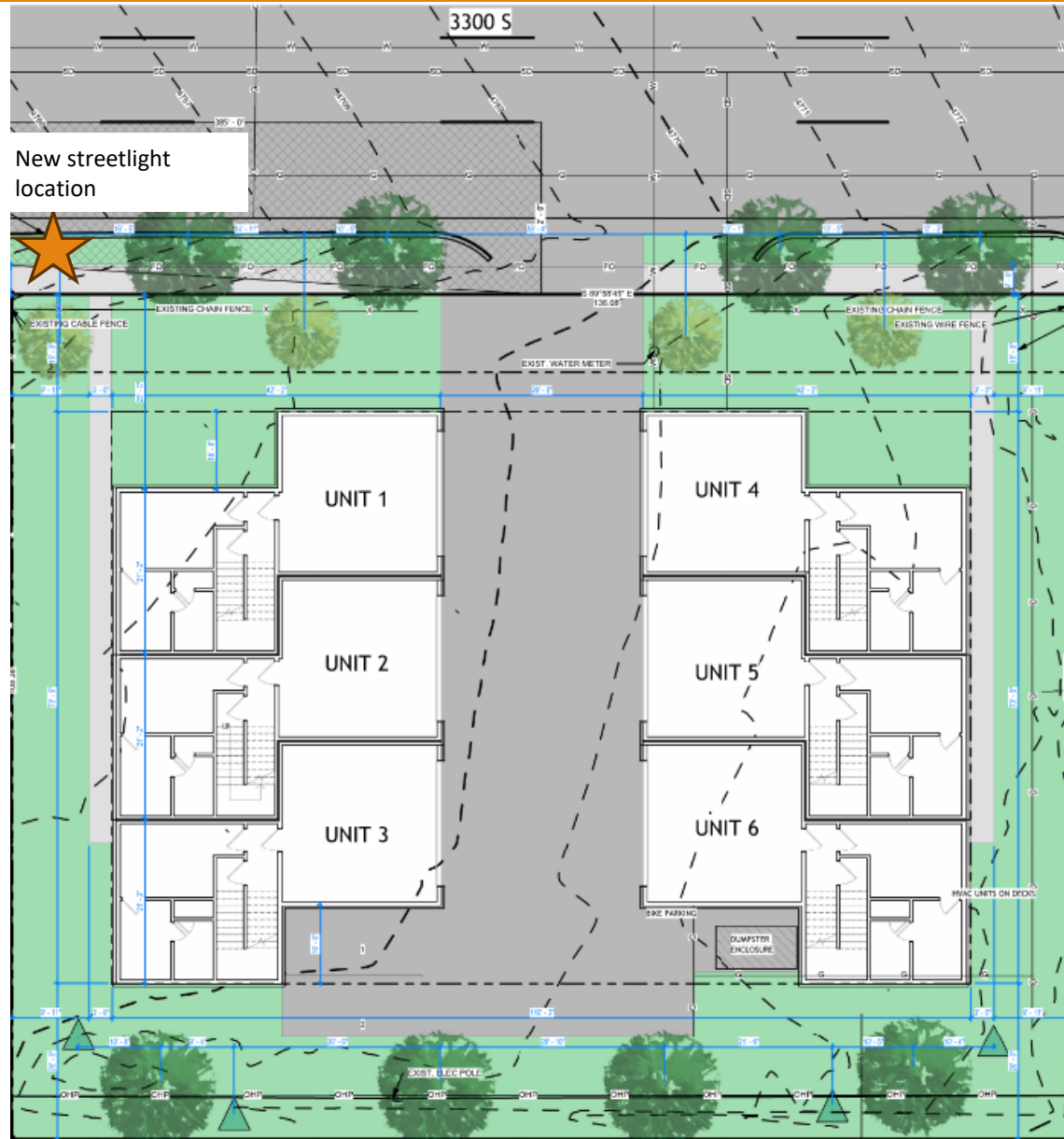


Site Description

- The future project will consist of six (6) townhome units capped at thirty-five (35) feet high, well below the maximum required height in the R-M zone, which is forty-five (45) feet.
- Total area of site is .32 acres (13,940 sf)
- The project's proposed footprint is 39% of the site, meeting the requirements set forth in [MKZ 19.44 \(Residential Multi-family\)](#).
- The project's proposed **open space area** is 40% of the site, meeting the requirements, as per [MKZ 19.44 \(Residential Multi-family\)](#).
- No amenities are required or proposed.
- Every unit will be built with a two-car garage, and two guest parking stalls (6 units x .25 = 1.5 stalls) meeting the parking requirements, as per [MKZ 19.80 \(Parking and Mobility Standards\)](#).
- Water-wise planting is envisioned to compose all landscape, as set forth in [MKZ 19.77 \(Landscape standards\)](#).
- Most architectural requirements have been met, including frontage requirements, as set forth in [MKZ 19.44 \(Residential Multi-family\)](#).

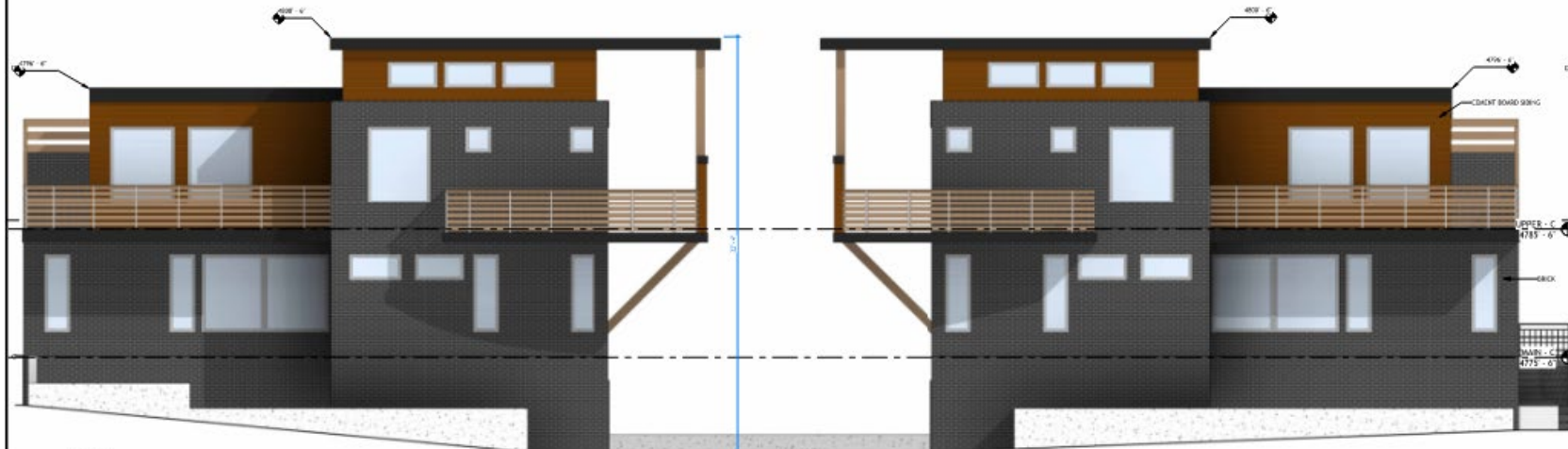






SPECIAL NOTES - ELEVATIONS

- WHERE REQUIRED OR PROVIDED FOR RESIDENTIAL BUILDINGS, BALCONIES OR PATIOS SHALL HAVE AN ORNAMENTAL FENCE THAT IS AT LEAST THREE FEET TALL.



North
1/4" = 1'-0"

North Elevation - Street Facing Facade

BRICK: 1,317 SF @ .825
SHALLOTTED WOOD: CEMENT BOARD SIDING: 240 SF @ .10%
TOTAL: 1,557 SF

- BRICK COMPOSING EPS BRICK SHALL HAVE 2 MASSING ON FACADE DESIGN ELEMENTS:
1. VISUAL BREAKS ALONG THE STREET-FACING FACADES SUCH AS HORIZONTAL ARTICULATION IN THE PLANE OF THE FACADE BY AT LEAST 2 FEET.
2. UNUSUAL RECORDED AS A STEEPENESS: USABLE TERRACES AT LEAST 10 FEET DEPTH ALONG THE STREET-FACING FACADES. USABLE TERRACES MUST PROVIDE RETAIN PRIVATE OR COMMON LEISURE SPACE.

Main Floor - First Floor of Facade

WINDOWS: 240 SF @ .10%
WALLS: 160 SF @ .10%
TOTAL: 400 SF

Upper Floor - Second Floor of Facade

WINDOWS: 160 SF @ .10%
WALLS: 200 SF @ .10%
TOTAL: 360 SF



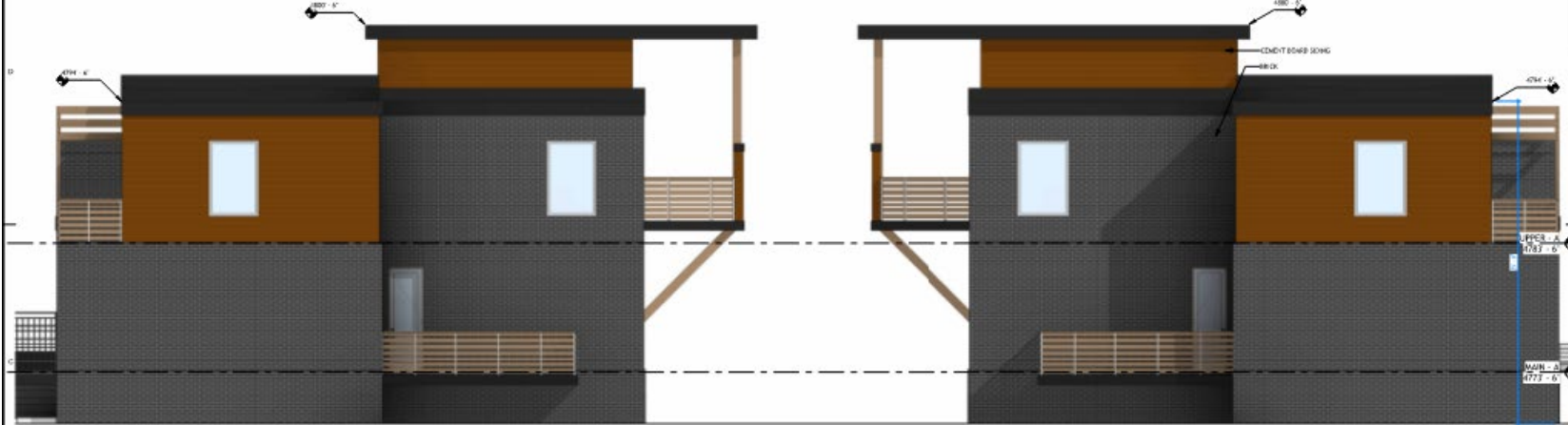
East
1/4" = 1'-0"

East Elevation

BRICK: 1,317 SF @ .825
SHALLOTTED WOOD: CEMENT BOARD SIDING: 240 SF @ .10%
TOTAL: 1,557 SF

GENERAL NOTES - ELEVATIONS

1. WHERE REQUIRED OR PROVIDED FOR POSTERIOR, RAILINGS SHALL COME ON PILE TO WALL, HAVE AN OUTSIDE FINISH THAT IS AT LEAST 18 INCHES TALL.



SOUTH ELEVATION

BRICK: 1,200 SF, 77%
SIMULATED WOOD, CEMENT BOARD SIDING: 300 SF, 23%
TOTAL: 1,500 SF

① South
1/4" = 1'-0"



WEST ELEVATION

BRICK: 800 SF, 40%
SIMULATED WOOD, CEMENT BOARD SIDING: 120 SF, 40%
TOTAL: 920 SF

② West
1/4" = 1'-0"

GENERAL NOTES - ELEVATIONS

1. WHERE REQUIRED OR PROVIDED FOR RESIDENTIAL BUILDINGS, BALCONIES OR PATIOS SHALL HAVE AN ORIGINAL FENCE THAT IS AT LEAST THREE FEET TALL.



① Courtyard East
1/4" = 1'-0"

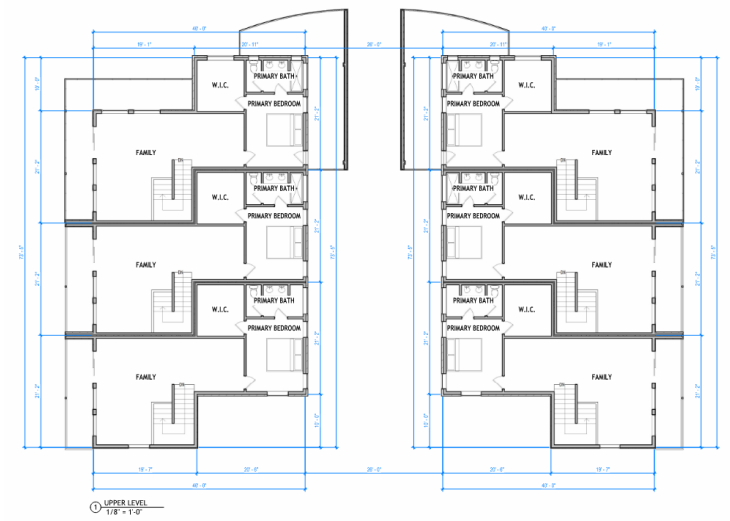
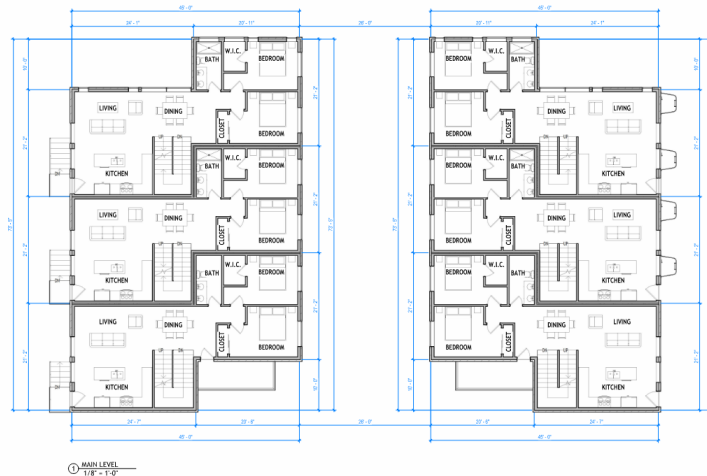
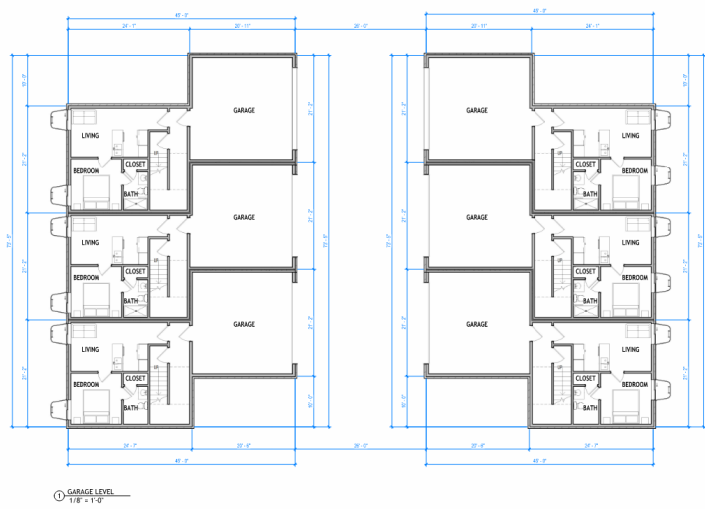
COURTYARD EAST ELEVATION
BRICK: 1,100 SF, 80%
SIMULATED WOOD, CEMENT BOARD SIDING: 104 SF, 10%
TOTAL: 1,304 SF



② Courtyard West
1/4" = 1'-0"

COURTYARD WEST ELEVATION
BRICK: 1,100 SF, 80%
SIMULATED WOOD, CEMENT BOARD SIDING: 104 SF, 10%
TOTAL: 1,304 SF

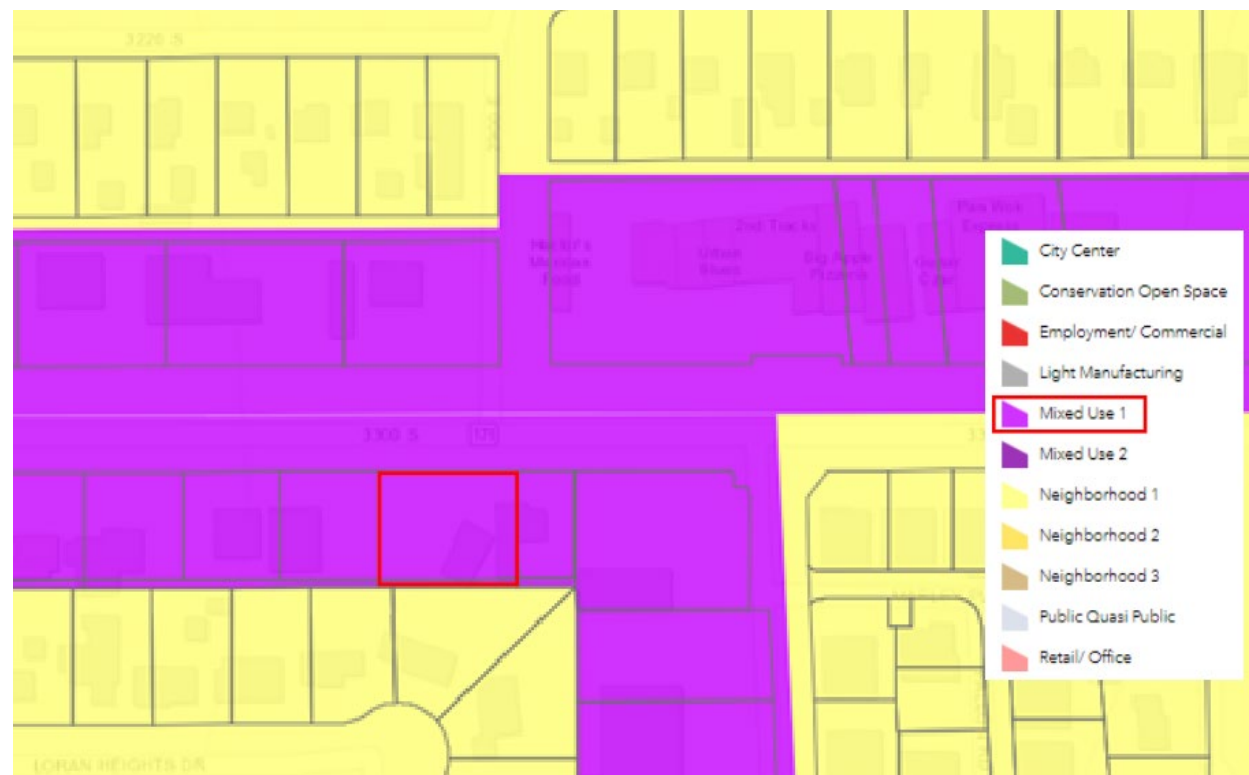




Future Land Use (General Plan)

MIXED-USE 1	Primary: A mix of commercial, retail, professional offices, medium density residential, and service oriented uses. Secondary: Civic and government uses, as well pocket parks, community gardens, and other small-scale gathering spaces.	Development along Mixed-Use 1 Corridors will generally be 1 to 2 stories. Development abutting a lower-intensity, established residential neighborhoods should provide transitions in massing and height.	- Provides opportunities for a mix of pedestrian and transit oriented uses. - Infill and redevelopment, and/ or the adaptive reuse of vacant buildings or underutilized sites are encouraged, but not in a manner that clashes with the surrounding neighborhood in terms of use, mass, height and scale.
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- *GOAL N-1: Preserve and enhance the physical elements that define each neighborhood's character.*
- *GOAL N-2: Strive for a variety of housing choices in types, styles, and costs of housing throughout Millcreek.*
- *GOAL N-6: Encourage and support the integration of appropriate mixed-use development in selected neighborhoods.*



Community Council Response

The Canyon Rim Citizens Association unanimously approved a motion to recommend a rezone from C-2 to R-M, to accommodate the proposed six-unit residential development as presented by staff, with no further recommendations or conditions.

The East Millcreek Community Council unanimously approved a motion to recommend a rezone from C-2 to R-M to accommodate the proposed six-unit residential development; However, members of the East Millcreek Community Council proposed the following conditions or items to address in a potential development agreement:

- Units to be allowed for owner occupancy.
- No Short-term rentals written in the CC&R's.
- No left turns on 3300 South, coming out of parking lot.
- A ten (10) feet fence to be placed along the south property line, against the R-1 neighborhood. The fence must be composed of sturdy materials such as brick or masonry.
- No motion lights, balcony screens, or any mitigation to protect the privacy of the R-1 neighborhood, just south of the subjected lot.



Planning Commission Response

On the October Planning Commission meeting, The Planning Commission moved that based on the findings, conclusions, recommendations, and the evidence presented during the meeting and staff report, that the Planning Commission recommend approval of application file number ZM-23-006 to rezone a property on 2888 E 3300 S to the residential R-M Zone subject to a development agreement as presented, with the added condition that it be platted for owner occupancy.



Findings and Conclusions

Based on the findings listed within this report, the following conclusions can be made:

1. A Multifamily residential use would be in harmony with the current land use designation because the general plan designation for these parcels is under “*Mixed-Use 1*”, which its primary intended use is accommodate medium-density residential in mixed-use corridors.
2. The proposal will meet the requirements set forth in MKZ 19.44(Multi-family Residential zone), 19.77 (Landscape standards) and 19.80 (Parking and Mobility Standards).
3. A development agreement may best ensure the type, scale, style, materials, orientation, dedication, utilities easements, access, phasing, and other aspects pertaining to the future development of these properties, where the underlying zoning and land use ordinances may be insufficient; Therefore, a development agreement may be in place to ensure development design and layout of the property.
4. All development will be required to meet the minimum zoning and land use ordinances; to which the concept plan may likely evolve from what is currently presented for this rezone application.



Development Agreement Terms

- **Uses.** The Project shall consist of six (6) total residential units, being contained within two buildings.
- **Height.** The height of the buildings shall not exceed 35 feet in height, as measured from original grade (TBD).
- **Setbacks.** The building setbacks shall be as depicted on the site plan.
- **Parking.** The Project shall have at least fifteen (15) parking stalls, twelve (12) of which shall be contained within a two-car garage. The remaining two (2) guest parking shall be located near the southernmost property line of the Project site, as depicted in the attached site plan, Exhibit C.
- **Landscaping and Open Space.** The Project shall consist of forty (40) percent open space and be landscaped according to Millcreek code (MKZ 19.77). Additionally, the following trees shall be located as conceptually depicted in the attached site plan, Exhibit C and as listed below:
 - Eight (8) Queen Elizabeth hedge maple (2-inch caliper)
 - Four (4) Honey locust (2-inch caliper)
 - Four (4) English Holly conifers (min. 8 feet tall)



Development Agreement Terms (Continued)

- **Exterior Lighting.** All exterior light fixtures (excluding public streetlights) shall be shielded and directed downward to prevent outward glare.
- **Materials.** The buildings facades shall consist of high quality, durable, low maintenance materials (e.g., composite siding and trellises, brick, stone, stucco, glass, and metal) in accordance with the R-M Zone ordinance. The arrangement of the materials and the windows shall be as per the elevations sheets as depicted in the attached site plan.
- **Right-of-way improvements.** Applicant shall provide a 10' wide public utility easement parallel to and abutting the 3300 South right-of-way. The Developer shall also install frontage improvement to the abutting right of way (including but not limited to curb, gutter, sidewalk, landscaped park strip, asphalt, utilities.)
- **Street Lightning.** The developer shall install one (1) standard streetlight within the park strip of the 3300 South right of way, located near the northwest corner of the property.
- **Utilities.** All utilities including open ditches as part of a private irrigation systems, shall be placed underground or piped, with the appropriate access and maintenance easements, (subject to utility providers approval).



Recommendation

Based on the findings, conclusions, recommendations, and the evidence presented, I motion that the City Council recommends approval of application, file number ZM-23-006, to rezone a property on 2888 E 3300 S, to the residential R-M Zone; subject to a Development Agreement, as presented.



Memo

To: Council Member Cheri Jackson

From: Laurie Johnson – HR/Finance Coordinator

cc: Lisa Dudley – HR/Finance Director

Date: November 27, 2023

Re: November 27, 2023 - Treasurer's Report

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- As of today, the balance of the Series 2021 Bond Construction Fund is: \$0. The final draw was sent this morning. (City Hall construction)
 - As of today, Millcreek's PTIF account balance is: \$42,035,674.07.
 - As of today, FY24 property tax has been received in the amount of \$2,239,013.43. Last year at this same time, Millcreek had received \$2,353,220.70.
 - As of today, FY24 sales tax has been received in the amount of \$3,750,506.48. Last year at this same time, Millcreek had received \$3,816,869.02.

Thank you,