



Planning & Development Services Division

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Millcreek Township Planning Commission

Public Meeting Agenda

Wednesday, July 16, 2014 4:00 P.M.

THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,
ROOM N1100

ANY QUESTIONS, CALL (385) 468-6700

REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken by the Planning Commission on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

PUBLIC HEARINGS

28908 – Abey Baraghoshi is requesting approval of a zone change from the R-1-8 (single family residential) zone to the R-M (multi-family residential) zone. **Location:** 3800 South 1300 East. **Community Council:** Millcreek. **Planner:** Lyle Gibson

28928 – Ruth MacAngus is requesting approval of a zone change from the R-2-6.5 (Residential) zone to the C-1 (Commercial) zone. **Location:** 707 East Empire Avenue. **Community Council:** Millcreek. **Planner:** Lyle Gibson

28931 – Kenny Robison is requesting approval of a zone change from the R-2-10 (Residential) zone to the C-2 (Commercial) zone. **Location:** 3930 South 400 East. **Community Council:** Millcreek. **Planner:** Lyle Gibson

28878 – (Continued from 05/14/2014) Kathy Commander is requesting Conditional Use approval for a hair salon to be located in an existing single-family dwelling as allowed by the Historic Preservation Chapter of the Zoning Ordinance. **Location:** 1106 East 4500 South. **Zone:** R-M (Residential multi-family). **Community Council:** Millcreek. **Planner:** David J. Gellner, AICP

28883 – Jacquy Mauer representing Jean Brown Associates is requesting conditional use approval for a change of use from residential to office. **Location:** 3837 South 1030 East. **Zone:** R-M (Residential Multi-Family) **Community Council:** Millcreek **Planner:** Lyle Gibson

28911 – Laurel Osborn is requesting a conditional use permit for family food production. **Location:** 2254 and 2257 East Alva Circle. **Zone:** R-1-21. **Community Council:** East Mill Creek **Planner:** Lyle Gibson

28923 – Daniel Thurgood representing Verizon Wireless is requesting conditional use approval for a new 60 ft. tall monopole and equipment shelter. **Location:** 601 East 4500 South **Zone:** R-M (Residential Multi-Family) **Community Council:** Millcreek **Planner:** Lyle Gibson

28926 – Charlie Taylor, representing Yesco, is requesting conditional use approval for an electronic message center at the Woodlands Business Park. **Location:** 4001 South 700 East. **Zone:** C-2 (Commercial) **Community Council:** Millcreek **Planner:** Lyle Gibson

28932 – Ned Skanchy representing Olympus Hills Shopping Center LTD is requesting approval of a conditional use for a modification to the shopping center's existing parking requirement and modification to the existing conditional use permit in order to add additional leasable space to the center. **Location:** 3969 South Wasatch Blvd. **Zone:** C-2 (commercial) **Community Council:** Mt. Olympus. **Planner:** Lyle Gibson

28939 – Steve Stoddard is requesting conditional use approval for a 27 unit apartment complex. **Location:** 3225 South 900 East. **Zone:** R-M (Residential Multi-Family) **Community Council:** Millcreek **Planner:** Lyle Gibson

28918 – Michael Anderson is requesting to have a 4-plex declared legal through special exception. **Location:** 2275 East Atkin Avenue. **Zone:** R-2-6.5 (Residential) **Planner:** Lyle Gibson

28791 – (Continued from 05/14/2014 and 06/11/2014) - Colin Strasser is requesting Preliminary Plat Approval for a 4-lot subdivision (configured as two standard lots and two flag lots) on two property parcels. **Location:** 3176 and 3180 South, 2300 East. **Zone:** R-1-6 (Residential) **Planner:** David J. Gellner, AICP

28909 – Rick Plewe is requesting final plat approval for amendments to the Creekside at Honeycut PUD Subdivision. **Location:** 3548 South Honeycut Road. **Zone:** R-1-10 **Planner:** Lyle Gibson

28614 – Eric Saxey of Everest Builders is requesting approval of a site plan amendment made to an 8 unit Residential Planned Unit Development. The project received conditional use approval in March of 2014 and has been modified in attempt to satisfy the conditions imposed. **Location:** 1451 East 3900 South. **Zone:** R-M **Community Council:** Millcreek **Planner:** Lyle Gibson

BUSINESS MEETING

- 1) Approval of Minutes from the May 14, 2014 and June 11, 2014 meetings.
- 2) Other Business Items (as needed)

ADJOURN



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	0	8	
Applicant Name:	Abey Baraghoshi	Request:	Zone Change						
Description:	R-1-8 (single family residential) to R-M (multi-family residential zone)								
Location:	3800 S. 1300 E.								
Zone:	R-1-8 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	No formal recommendation from staff								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting approval of a zone change from the R-1-8 single family residential designation that is current on the property to the R-M multi-family residential zone. The subject property is located at 3800 S. and 1300 E., the parcel is 0.47 acres in size. The surrounding properties are zoned R-1-8 to the north, west, and across the street to the east. The properties to the south along 1300 East are zoned the requested R-M. The applicant owns the property immediately adjacent to the subject parcel and wishes to zone the remainder of his land to match his other property so it would all be R-M.

The applicant is seeking a recommendation from the Millcreek Township Planning Commission to pass along to the Salt Lake County Council for a final decision.

1.2 Neighborhood Response

As of the date of this report staff has not received any correspondence from the neighborhood.

1.3 Community Council Response

This item is scheduled to be heard by the Millcreek Community Council at their regularly scheduled agenda on 7/1/2014.

2.0 ANALYSIS

2.1 General Plan

The property is subject to the Millcreek Township General Plan. The General Plan Map adopted in 2009 has designated this property in a yellow area (area with modest potential for absorption of growth, likely to experience modest change in overall character over time) as well as being located along a corridor (Corridors may have diverse land uses and functions along their length, corridors typically experience change over time, responding to changing market conditions and new approaches to land use planning) 1300 East and near another corridor 3900 South. The general plan also speaks to the intersection of 2 corridors as an important node which would absorb significant growth in the community. This property is not directly on the intersection but within a short distance.

2.2 Existing Zoning and Land Use

The lot is currently vacant and subject to the following zoning ordinance:

Chapter 19.14 R-1-3, R-1-4, R-1-5, R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-1-21, R-1-43 SINGLE-FAMILY RESIDENTIAL ZONES

The purpose of the R-1 zones is to establish single-family neighborhoods which provide persons who reside therein a comfortable, health, safe and pleasant environment.

19.14.020 Permitted uses.

Permitted uses in the R-1 zones are as follows:

Zone Permitted Uses

All R-1 zones --Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Agriculture;
- Home business, subject to Chapter 19.85;
- Home day care/preschool, subject to Section 19.04.293;
- Household pets;
- Residential facility for persons with a disability.

R-1-6, R-1-7, R-1-8, R-1-10, R-1-15 --Single-family dwelling.

R-1-21, R-1-43 --Guesthouse, the square footage must be less than one thousand two hundred square feet;

- Maximum of four horses for private use only, not for rental;
- Single-family dwelling.

19.14.030 Conditional uses.

Conditional uses in the R-1 zones are as follows:

Zone Conditional Uses

All R-1 zones --Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under

one half-acre or one thousand two hundred square feet on lots one-half acre or larger;

--Cemetery;

--Day care/preschool center, subject to Section 19.76.260;

--Golf course;

--Home day care/preschool, subject to Section 19.04.293;

--Planned unit development;

--Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;

--Private nonprofit recreational grounds and facilities;

--Public and quasi-public uses;

--Residential facility for elderly persons;

--Temporary buildings for uses incidental to construction work, which building must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work or thirty days after notice, the building will be removed by the county at the expense of the owner.

R-1-3, R-1-4, --Single-family dwelling.

R-1-5 --Single-family project developments

The planning commission may approve a detailed development plan for the entire single-family project in an R-1-3, R-1-4, R-1-5 zone, pursuant to Chapter 19.84 of this title. Thereafter, the development services division director may, as authorized by the planning commission, approve use permits for individual residential uses, provided that the plans comply with all requirements and conditions of the approved development plan.

R-1-6, R-1-7, R-1-8, R-1-10, --Nursery and greenhouse, provided that there is no retail sales;

19.14.055 Density.

The allowable density for planned unit developments shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

R-1-8 4.5 units per acre

19.14.060 Building height.

Except as otherwise specifically provided in this title no building or structure shall exceed the following height (see Section 19.04.095 (A) for definition of "height"):

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on properties other than those listed in number one of this subsection.
3. No dwelling shall contain less than one story.

2.2(b) Proposed Zoning

Chapter 19.44 R-M RESIDENTIAL ZONE

19.44.010 Purpose of provisions.

The purpose of the R-M zone is to provide areas in the county for high-density residential development.

19.44.020 Permitted uses.

Permitted uses in the R-M zone include:

- Agriculture;
- Home business, subject to Chapter 19.85;
- Home day care/preschool, subject to Section 19.04.293;
- Household pets;
- Residential development, with a maximum number of two units per structure per lot;
- Residential facility for elderly persons.

19.44.030 Conditional uses.

Conditional uses in the R-M zone include:

- Airport;
- Apartments;
- Apartments for elderly persons;
- Banks;
- Bed and breakfast homestay (provided it is located on a lot which has a minimum area of ten thousand square feet);
- Bed and breakfast inn, which may include conference meeting rooms;
- Boardinghouse;

- Cemetery, mortuary, etc.;
- Day care/preschool center;
- Dwelling group.
 - A. The development shall comply with the maximum allowable density for the R-M zone.
 - B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than twenty feet.
 - C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall not be less than twenty feet wide for one or two rear dwelling units, and not less than thirty feet wide for three or more dwelling units.
 - D. minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with county standards.
 - E. Every dwelling in the dwelling group shall be within sixty feet of an access roadway or drive.
 - F. The development plan shall provide landscaping as specified in Chapter 19.77 of this title. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.
 - G. The development shall be approved by the development services director and the county fire chief before final approval is given by the planning commission.
- Electrolysis of hair;
- Golf course;
- Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only;
- Home day care/preschool, subject to Section 19.04.293;
- Hospital;
- Hotel;
- Lodginghouse;
- Massage (every massage technician shall be licensed by the state);
- Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals;
- Mobile home park;

- Nursery and greenhouse, excluding retail sales;
- Nursing home;
- Office, business and/or professional;
- Parking lot;
- Pigeons, subject to health department regulations;
- Planned unit development;
- Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
- Private nonprofit recreational grounds and facilities;
- Public and quasi-public uses;
- Rail transit mixed-use, provided it meets the following requirements:
 - A. The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.
 - B. The property is located within one-quarter mile of a rail station.
 - C. Buildings and impervious areas shall not cover more than eighty percent of the site.
 - D. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.
 - E. Parking is not allowed between the building and the public street.
 - F. The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.
 - G. The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.
 - H. The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."
 - I. All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.
- Reception center and/or wedding chapel;
- Residential development with any number of dwelling units per structure per lot, pursuant to Section 19.44.040;
- Shared parking;
- Short-term rental provided:
 - A. A full-time manager lives on the property. The full-time manager may be the owner of the property; and
 - B. Except for the manager's dwelling unit, all of the dwelling units on the property, lot, planned unit

development, or dwelling group shall be rental units, short-term or long-term.

-- Sportsman's kennel (minimum lot area one acre);

-- Tanning studio;

-- Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction and thirty days after notice, the buildings will be removed by the county at the expense of the owner;

-- Veterinary; provided, that:

A. The operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line,

B. There is no sale of merchandise on the premises, and

C. There is no overnight boarding of animals.

19.44.100 Building height.

A. No building or structure in an R-M zone shall contain more than six stories or exceed seventy-five feet in height, and no dwelling structure shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

19.44.110 Density.

The allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

Single-family dwellings 7.0 units per acre
Two-family dwellings 12.0 units per acre
Three-family dwellings 15.0 units per acre
Four-family dwellings 18.0 units per acre
Multi-family dwellings 25.0 units per acre*
Rail transit mixed-use No maximum density

* Where supported by the community general plan, and found by the planning commission to be compatible with land uses in the vicinity, multi-family residential development which incorporates innovations of design, amenities, and features, may be approved by the planning commission for higher densities than shown above, but shall in no case be higher than 32.0 units per acre.

2.4 Other Issues

If approved any project proposal for the property would be subject to a permitted or conditional use review as a separate process depending on the final requested use.

3.0 STAFF SUGGESTED CONSIDERATIONS

3.1 Considerations for APPROVAL of the proposed Zone Change

- 1) The proposed zone change is consistent with the Millcreek Township General Plan
- 2) The uses allowed within the proposed zone are appropriate for the subject location.

3.2 Considerations for DENIAL of the proposed

- 1) The proposed zone change is inconsistent with the Millcreek Township General Plan.
- 2) The allowed uses within the proposed zone are inappropriate for the subject location.

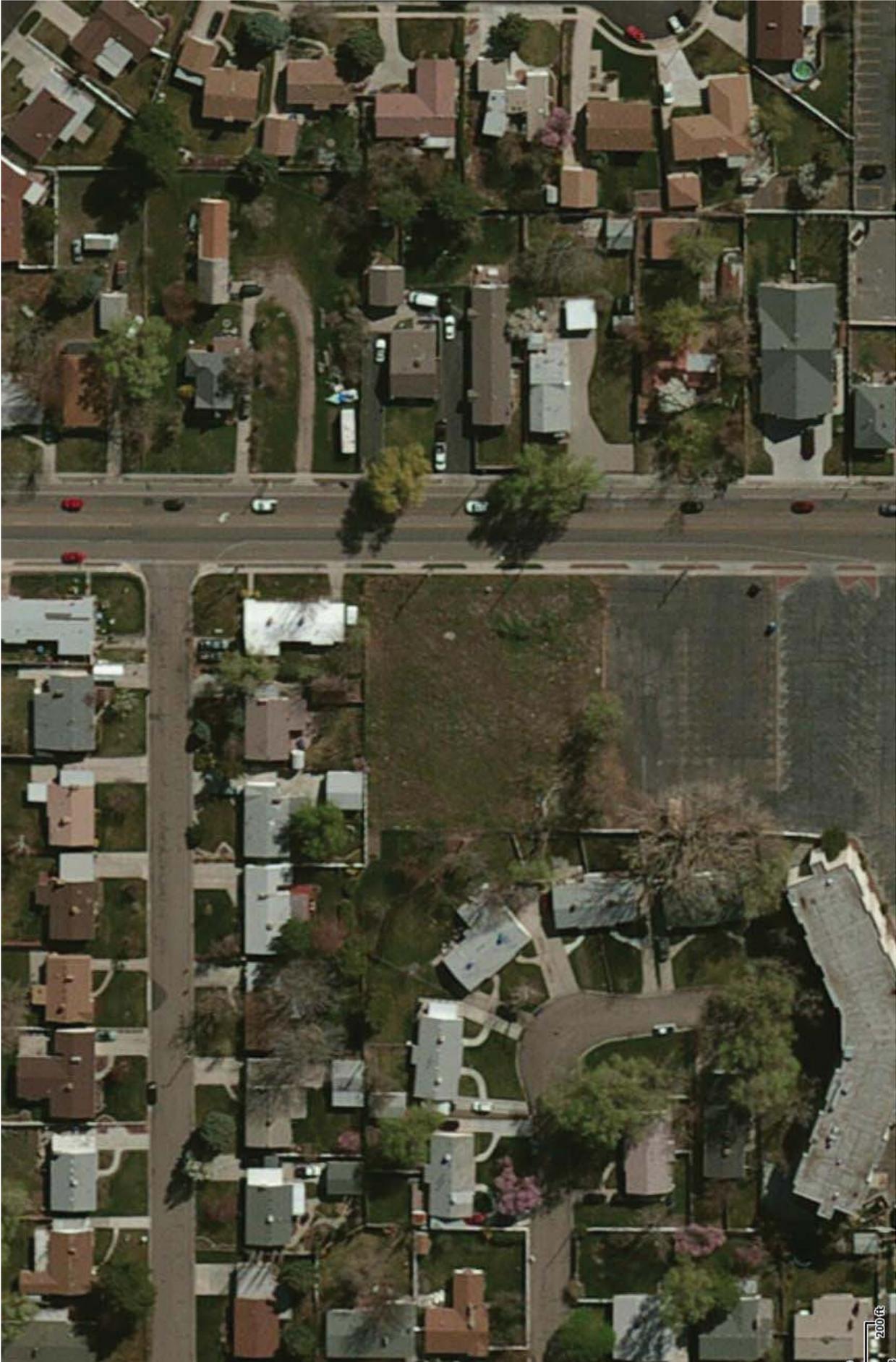
3.3 Other Considerations

19.90.060 Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder. +



200 ft









0 0.25 0.5 Miles



1126309

Map created by M. G. ...
Salt Lake County Planning and Development Services
in conjunction with the office of
Salt Lake County Assessor, Auditor
Information Services, Recorder and Surveyor

MILLCREEK TOWNSHIP GENERAL PLAN OFFICIAL MAP

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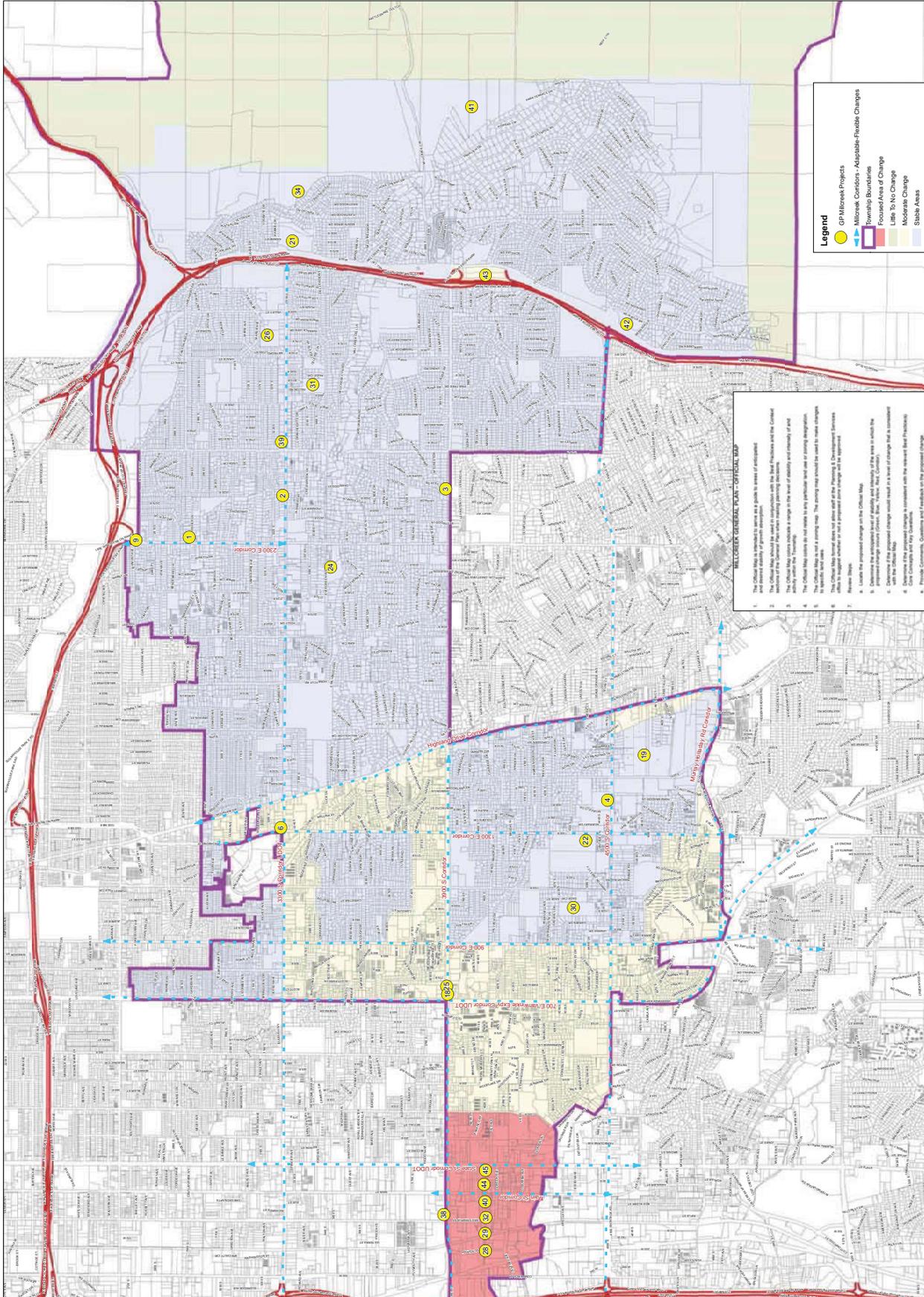
Legend

- GP Microcreek Projects
- Microcreek Corridors - Adaptable-Feasible Changes
- Township Boundaries
- Focused Area of Change
- Little to No Change
- Moderate Change
- Stable Areas

MILLCREEK GENERAL PLAN - OFFICIAL MAP

- The Official Map is intended to be used as a guide to areas of anticipated land use and development.
- The Official Map is intended to be used in conjunction with the General Plan and the Comprehensive Zoning Ordinance.
- The Official Map is intended to be used in conjunction with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance.
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- 1. 100' E. Corridor
- 2. 200' E. Corridor
- 3. 300' E. Corridor
- 4. 400' E. Corridor
- 5. 500' E. Corridor
- 6. 600' E. Corridor
- 7. 700' E. Corridor
- 8. 800' E. Corridor
- 9. 900' E. Corridor
- 10. 1000' E. Corridor
- 11. 1100' E. Corridor
- 12. 1200' E. Corridor
- 13. 1300' E. Corridor
- 14. 1400' E. Corridor
- 15. 1500' E. Corridor
- 16. 1600' E. Corridor
- 17. 1700' E. Corridor
- 18. 1800' E. Corridor
- 19. 1900' E. Corridor
- 20. 2000' E. Corridor
- 21. 2100' E. Corridor
- 22. 2200' E. Corridor
- 23. 2300' E. Corridor
- 24. 2400' E. Corridor
- 25. 2500' E. Corridor
- 26. 2600' E. Corridor
- 27. 2700' E. Corridor
- 28. 2800' E. Corridor
- 29. 2900' E. Corridor
- 30. 3000' E. Corridor
- 31. 3100' E. Corridor
- 32. 3200' E. Corridor
- 33. 3300' E. Corridor
- 34. 3400' E. Corridor
- 35. 3500' E. Corridor
- 36. 3600' E. Corridor
- 37. 3700' E. Corridor
- 38. 3800' E. Corridor
- 39. 3900' E. Corridor
- 40. 4000' E. Corridor
- 41. 4100' E. Corridor
- 42. 4200' E. Corridor
- 43. 4300' E. Corridor
- 44. 4400' E. Corridor
- 45. 4500' E. Corridor
- 46. 4600' E. Corridor
- 47. 4700' E. Corridor
- 48. 4800' E. Corridor
- 49. 4900' E. Corridor
- 50. 5000' E. Corridor





STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	2	8	
Applicant Name:	Ruth MacAngus	Request:	Zone Change						
Description:	Rezone from R-2-6.5 (2 family residential) to C-1 (neighborhood commercial)								
Location:	707 E. Empire Avenue								
Zone:	R-2-6.5 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	No formal recommendation from staff								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

Ruth MacAngus is requesting approval of a zone change from the existing R-2-6.5 (2 family residential) zone to the C-1(neighborhood commercial) zone. The purpose for requesting the rezone is for the intent of using the site as a retail sales yard for their wholesale nursery which currently operates east of this property at the end of Empire Avenue. While this is the current intent, it is important to recognize that the property would be allowed any use within the C-1 zone subject to the appropriate permitted or conditional use process.

The subject property consists of 3 parcels that are all currently vacant. In total the 3 parcels include 0.36 acres which is the total area being considered for the new zoning designation. The property is a corner property along 700 East and Empire Avenue. It is currently surrounded by R-1-6 single family residential zoning to the north, east, and south. The zoning across 700 East on the west side of the street is regulated by the City of South Salt Lake, but the current land use is primarily single family residential.

1.2 Neighborhood Response

As of the date of this report staff has not received any comment from the neighborhood.

1.3 Community Council Response

This item is scheduled to be heard by the Millcreek Community Council during its regularly scheduled meeting on 7/1/2014.

2.0 ANALYSIS

2.1 General Plan

The property is designated on the Millcreek General Plan Map as a location of anticipated moderate change (yellow) and lies along 700 East which is designated in the map as a corridor or road along which change and variety in use would be anticipated.

2.2 Existing Zoning and Land Use

The property is currently vacant, but subject to the R-2-6.5 zone as follows:

Chapter 19.32 R-2-6.5, R-2-8, R-2-10 MEDIUM DENSITY RESIDENTIAL ZONES

The purpose of the R-2 zones is to establish low to medium density residential neighborhoods which provide persons who reside therein a comfortable, healthy, safe and pleasant environment.

19.32.020 Permitted uses.

Permitted uses in the R-2 zones are as follows:

Zone Permitted Uses

R-2-6.5, R-2-8, R-2-10 -- Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Agriculture;
- Home business, subject to Chapter 19.85;
- Home day care/preschool, subject to Section 19.04.293;
- Household pets;
- Residential facility for elderly persons;
- Residential facility for persons with a disability;
- Single-family dwelling;
- Two-family dwelling.

19.32.030 Conditional uses.

Conditional uses in the R-2 zones are as follows:

Zone Conditional Uses

R-2-6.5, R-2-8, R-2-10 --Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Cemetery;
- Day care/preschool center, subject to Section 19.76.260;
- Dwelling group.

- A. The development shall comply with the maximum allowable density for the zone in which it is located.
- B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, if the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall be at least fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be at least the front yard required in the zoning district, except on corner lots the side yard which faces on a public street shall be at least twenty feet.
- C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least twenty feet wide for one or two rear dwelling units and at least thirty feet wide for three or more dwelling units.
- D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet county standards.
- E. Every dwelling structure in the dwelling group shall be within sixty feet of an access roadway or drive.
- F. The development plan shall provide landscaping as specified in [Chapter 19.77](#) of this title. Solid visual fences shall be provided along all interior property lines unless the planning commission approves otherwise.

--Golf course;

--Home day care/preschool, subject to Section 19.04.293;

--Nursery and greenhouse, provided that there is no retail sales;

--Pigeons, subject to health department regulations;

--Planned unit development;

--Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;

--Private nonprofit recreational grounds and facilities;

--Public and quasi-public uses;

--Short-term rental provided:

--A. The dwelling unit is located in a single-family or two-family dwelling, but not located in a planned unit development or dwelling group; and

--B. The site has frontage on a street with an existing or proposed right-of-way of at least sixty-six feet, as identified on the map entitled "Road Widening and Improvement Map" on file with the development services division and such map is made by this reference, as such, a part of this title as if fully described and detailed herein;

--Sportsman's kennel with a minimum lot area of one acre;

--Temporary buildings for uses incidental to construction work, which buildings must be removed upon

the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner.

R-2-10 --Bed and breakfast homestay.

19.32.055 Density.

The allowable density for planned unit developments and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding, the planning commission shall not approve a planned unit development with density higher than the following:

Zone Single-Family Dwelling Two-Family Dwelling

R-2-6.5 - 7.0 units per acre (single family) 12.0 units per acre (2 family)

2.2 (b) Requested Zoning

Chapter 19.56 C-1 COMMERCIAL ZONE

19.56.010 Purpose of provisions.

The purpose of the C-1 zone is to provide areas in the county for neighborhood commercial development.

19.56.020 Commercial developments over twenty-one thousand square feet.

Commercial developments in the C-1 zone over twenty-one thousand square feet shall follow the conditional use permit procedure pursuant to Sections 19.84.020 through 19.84.130 of this title.

19.56.030 Permitted uses.

Permitted uses in the C-1 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Art needlework shop;
- Art shop and/or artist supply;
- Athletic goods store;
- Baby formula service; baby diaper service; babysitter agency;
- Bakery;
- Bank;
- Barbershop;
- Beauty shop;
- Bicycle shop;
- Bookstore;

- Cafeteria; catering establishment;
- Candy store; confectionery;
- China and/or silver shop;
- Class A beer outlet;
- Clothes cleaning, dyeing and pressing agency;
- Clothing store (limited to a maximum of three thousand square feet of total floor area);
- Florist shop;
- Fruit or fruit juice store; fruit and/or vegetable stand;
- Gift shop;
- Greenhouse;
- Health food store;
- Ice cream shop;
- Ice vendor units and/or reach-in ice merchandiser units; electrical icemaker units; ice storage of not more than five tons' capacity;
- Key and lock service;
- Laundry, automatic self-help type; laundry agency;
- Manicuring, pedicuring and electrolysis of hair;
- Medical and dental clinic and laboratories;
- Newsstand;
- Notions;
- Nurses' agency;
- Office, business or professional;
- Optometrist and/or oculist;
- Pet shop;
- Photographer and/or sale of photographic supplies;
- Popcorn and/or nut shop;
- Radio and television sales and repair;
- Shoeshine shop; shoe repair shop;
- Stationery and greeting card sales;
- Tailor shop.

19.56.040 Conditional uses.

Conditional uses in the C-1 zone include:

- Ambulance service;
- An apartment attached to and on the same parcel as an automobile service station and occupied by a manager or other employee;
- Antique shop without outside display;
- Automobile service center which is limited to tune-ups, lubrication and oil change, front-end alignment and brake repair, providing there is not outside storage of parts or material;
- Automobile service station, excluding the repairing, painting or upholstering of motor vehicles; automatic automobile carwash, not to exceed four wash bays;
- Baking, ice cream making and/or candy making incidental to retail sales serving not more than three outlets in the county and employing not more than three persons;
- Bed and breakfast inn, which may include a restaurant and conference meeting rooms;
- Class C fireworks store;
- Copy service;
- Day care/preschool center;
- Delicatessen;
- Dog and cat groomery, excluding overnight boarding;
- Drugstore;
- Frozen food locker incidental to a main grocery store or food business;
- Grocery;
- Home occupation;
- Massage (every massage technician shall be licensed by the state);
- Milk distributing station and sales of dairy products, excluding processing or bottling;
- Mobile store provided it meets the following requirements:
 - A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county,
 - B. A maximum display area of one hundred square feet outside the portable structure, a minimum of ten feet behind the property line, not on landscaped areas, and not obstructing access to the property,
 - C. Compliance with the sign ordinance,
 - D. The structures comply with the yard requirements of the zone,
 - E. The mobile store including display area shall not be located within the clear view of intersecting

streets,

F. Written approval from the property owner to locate on the site;

- Parking lot;
- Planned unit development;
- Private school;
- Public and quasi-public use;
- Reception center and/or wedding chapel;
- Resource recycling collection point provided it meets the following requirements:
 - A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county,
 - B. All material shall be contained within an enclosed container,
 - C. The structures or bins comply with the yard requirements of the zone,
 - D. Written approval from the property owner to locate on the site,
 - E. Maintenance of the site in a clean, neat and orderly manner;
- Restaurant;
- Shared parking;
- Tanning studio;
- Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction, and thirty days after notice, the buildings will be removed by the county at the expense of the owner.

19.56.050 Businesses and retail shops --Conditions.

The stores, shops or businesses designated above in this chapter shall be retail establishments only, and shall be permitted only under the following conditions:

- A. Such business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles;
- B. All products, whether primary or incidental, shall be sold at retail on the premises; no entertainment, except music, shall be permitted in cafes, confectioneries or refreshment stands;
- C. All uses shall be free from objection because of odor, dust, smoke, noise, vibration, or other causes.

19.56.090 Building height.

No building or structure in the C-1 zone shall contain more than two and one-half stories, or exceed thirty-five feet in height.

2.4 Other Issues

If approved any project proposal for the property would be subject to a permitted or conditional use review as a separate process depending on the final requested use.

3.0 STAFF SUGGESTED CONSIDERATIONS

3.1 Considerations for APPROVAL of the proposed Zone Change

- 1) The proposed zone change is consistent with the Millcreek Township General Plan
- 2) The uses allowed within the proposed zone are appropriate for the subject location.

3.2 Considerations for DENIAL of the proposed

- 1) The proposed zone change is inconsistent with the Millcreek Township General Plan.)
- 2) The allowed uses within the proposed zone are inappropriate for the subject location.

3.3 Other Considerations

19.90.060 Conditions to zoning map amendment.

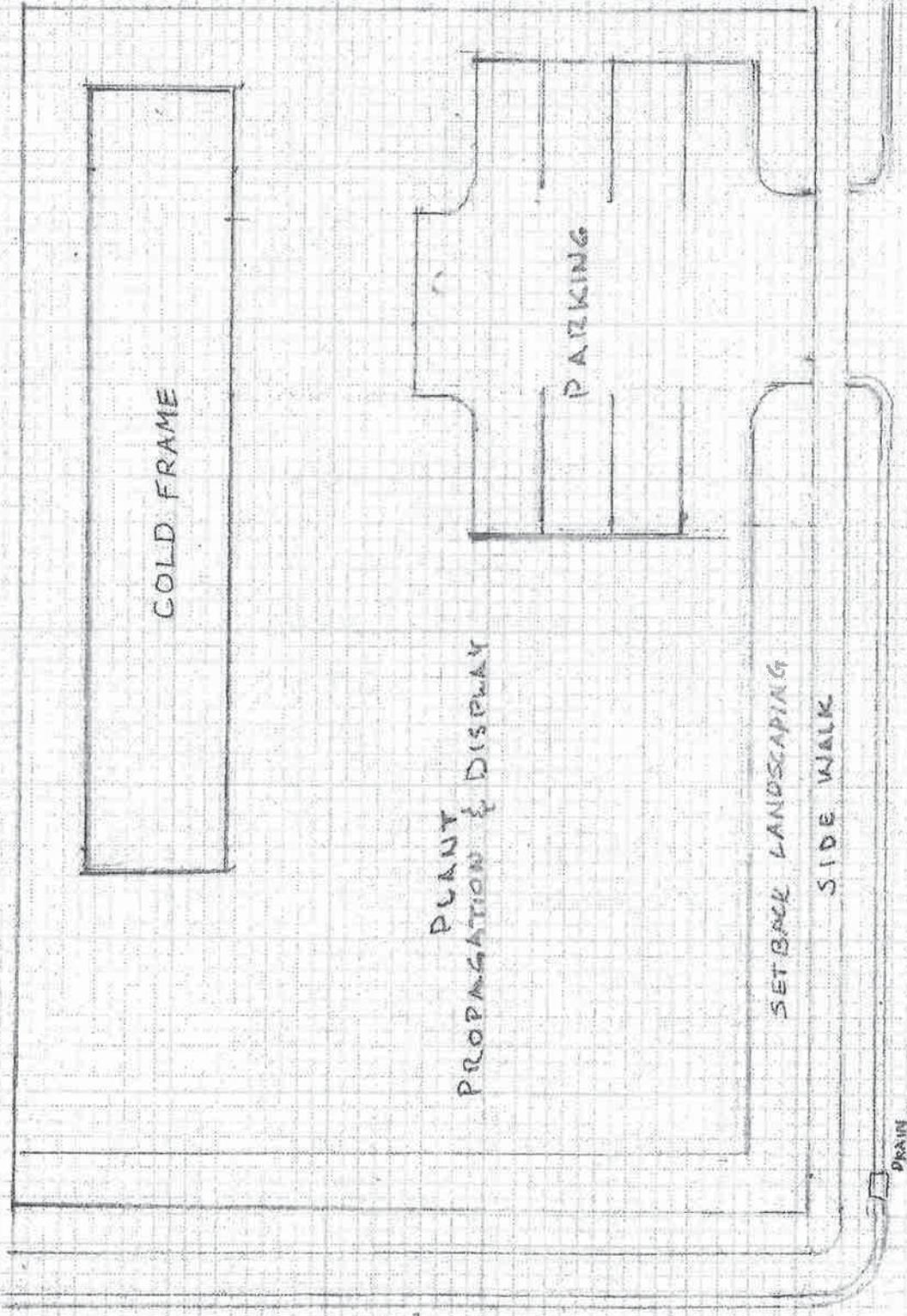
A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder. +

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E



COLD FRAME

PLANT PROPAGATION & DISPLAY

PARKING

SETBACK LANDSCAPING

SIDE WALK

EMPIRE AVENUE

103.53'
X 148.08'

DRAIN

700
EAST

SITE PLAN FOR EVANS ESTATES 1 MAR 12
 GROWING EMPIRE NURSERY 717 EMPIRE AVE
 RUTH MACANGUS 801 666-7099

1 INCH = 20 FEET



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	3	1	
Applicant Name:	Kenny Robison	Request:	Zone Change						
Description:	Zone Change from R-2-10 (Residential) to C-2 (Commercial)								
Location:	3930 S. 400 E.								
Zone:	R-2-10 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	No formal recommendation from staff								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting a zone change at the above listed address including portions of parcels 16-31-451-008, 16-31-451-010, and all of 16-31-451-011. The 2 northern most parcels are already partially zoned C-2 commercial and the subject property has historically been used as a continuation of the existing commercial business along 3900 South.

This application came about in response to a business license application where it was discovered that the southern portion of the property being discussed did not allow for the business being requested. The property owner was unaware that their property had multiple zones along the same parcel. The principle purpose for this request is to match the zoning on the property with the existing use. A similar situation occurs along multiple other parcels to the west of the subject property indicating that the commercial zoning was originally applied to a large stretch of 3900 South and was likely not considered on a case by case basis for the extent of the zoning.

The surrounding area includes several businesses that front 3900 South. To the south there is an mental health clinic in the R-M zone. Fronting 400 East are single and 2 family residential properties in the R-2-10 zone.

1.2 Neighborhood Response

As of the date of this report staff has not received any response from the neighborhood.

1.3 Community Council Response

This item is scheduled to be heard by the Millcreek Community Council during their regularly scheduled meeting on July 1, 2014.

2.0 ANALYSIS

2.1 General Plan

The property is subject to the Millcreek Township General Plan and Millcreek Township General Plan Official Map. The property in its entirety lies within the yellow designation indication it is an area where moderate change over time would be expected. 3900 South is also a Corridor designation on the map indication that properties along that street are more likely to experience change and absorb growth in the community. Only one parcel actually fronts 3900 South though all parcels are within approximately 200 feet of the right of way along 3900 South.

2.2 Existing Zoning and Land Use

The northern 118 ft. of the property is already zoned C-2 commercial and includes both business and residential uses. The remaining southern portion of the property is zoned R-2-10 for 2 family residential. This property includes 2 greenhouse buildings, equipment storage, and portions of one house and the entirety of another.

Chapter 19.32 R-2-6.5, R-2-8, R-2-10 MEDIUM DENSITY RESIDENTIAL ZONES

Zone Permitted Uses

R-2-6.5, R-2-8, R-2-10 -- Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

- Agriculture;
- Home business, subject to Chapter 19.85;
- Home day care/preschool, subject to Section 19.04.293;
- Household pets;
- Residential facility for elderly persons;
- Residential facility for persons with a disability;
- Single-family dwelling;
- Two-family dwelling.

19.32.030 Conditional uses.

Conditional uses in the R-2 zones are as follows:

Zone Conditional Uses

R-2-6.5, R-2-8, R-2-10 --Accessory uses and buildings customarily incidental to a conditional use. Any

accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

--Cemetery;

--Day care/preschool center, subject to Section 19.76.260;

--Dwelling group.

A. The development shall comply with the maximum allowable density for the zone in which it is located.

B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, if the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall be at least fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be at least the front yard required in the zoning district, except on corner lots the side yard which faces on a public street shall be at least twenty feet.

C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least twenty feet wide for one or two rear dwelling units and at least thirty feet wide for three or more dwelling units.

D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet county standards.

E. Every dwelling structure in the dwelling group shall be within sixty feet of an access roadway or drive.

F. The development plan shall provide landscaping as specified in [Chapter 19.77](#) of this title. Solid visual fences shall be provided along all interior property lines unless the planning commission approves otherwise.

--Golf course;

--Home day care/preschool, subject to Section 19.04.293;

--Nursery and greenhouse, provided that there is no retail sales;

--Pigeons, subject to health department regulations;

--Planned unit development;

--Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;

--Private nonprofit recreational grounds and facilities;

--Public and quasi-public uses;

--Short-term rental provided:

--A. The dwelling unit is located in a single-family or two-family dwelling, but not located in a planned unit development or dwelling group; and

--B. The site has frontage on a street with an existing or proposed right-of-way of at least sixty-six feet, as identified on the map entitled "Road Widening and Improvement Map" on file with the development services division and such map is made by this reference, as such, a part of this title as if fully described and detailed herein;

--Sportsman's kennel with a minimum lot area of one acre;

--Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner.

R-2-10 --Bed and breakfast homestay.

19.32.055 Density.

The allowable density for planned unit developments and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding, the planning commission shall not approve a planned unit development with density higher than the following:

R-2-10: (single family) 5.0 units per acre, (2-Family) 8.0 units per acre

19.32.060 Building height.

Except as otherwise specifically provided in this title, no building or structure shall exceed the following height (see Section 19.04.095(A) for definition of "height"):

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on other properties.

2.3 Proposed Zoning

Chapter 19.62 C-2 COMMERCIAL ZONE

19.62.010 Purpose of provisions.

The purpose of the C-2 zone is to provide areas in the county for community commercial development.

19.62.020 Commercial developments over one acre.

Commercial developments in the C-2 zone over one acre must follow the conditional use permit procedure pursuant to Sections 19.84.020 through 19.84.130 of this title.

19.62.030 Permitted uses.

Permitted uses in the C-2 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Addressograph shop;
- Antique shop without outside display;
- Archery shop and range, providing the use is conducted within a completely enclosed building;
- Art needlework shop;
- Art shop and/or artist supply;
- Athletic goods store;
- Automobile service station;
- Awning sales and repair;
- Baby formula service; baby diaper service; babysitter agency;
- Bakery;
- Bank;
- Barbershop;
- Beauty shop;
- Bicycle shop;
- Blueprinting and/or photostating;
- Bookstore;
- Bowling alley, including billiard and/or pool tables;
- Bus terminal;
- Cafeteria; catering establishment;
- Candy store; confectionery;
- Carbonated water sales;
- Class A beer outlet;
- Class B beer outlet;
- Clothes cleaning, dyeing and pressing;
- Clothing store;
- Coal and fuel sales office;

- Costume rental;
- Dancing;
- Department store;
- Delicatessen;
- Dog training, provided all training is within a completely enclosed building;
- Dramatics school;
- Drapery and/or curtain store;
- Dressmaking;
- Drive-in refreshment stand;
- Drugstore;
- Dry goods store;
- Electrical and heating appliances and fixture sales and repair;
- Egg candling and sales;
- Employment agency;
- Film exchange;
- Five-and-ten cent store;
- Fix-it shop;
- Flooring or floor repair shop;
- Florist shop;
- Fountain equipment supply;
- Frozen food lockers;
- Fruit or fruit juice store; fruit and/or vegetable stand;
- Fur sales, storage and/or repair;
- Furniture sales and/or repair;
- Gift shop;
- Greenhouse and nursery; plant materials; soil and lawn service;
- Grocery;
- Gunsmith;
- Gymnasium;

- Hardware store, not including the sale of lumber;
- Health food store;
- Hobby and/or crafts shop;
- Home day care/preschool, subject to Section 19.04.293;
- Hospital supplies;
- House cleaning and repair; house equipment display;
- Ice cream shop;
- Ice vendor units and/or reach-in ice merchandiser units; electrical icemaker units; ice storage of not more than five tons' capacity;
- Insulation sales;
- Interior decorating store;
- Jewelry store;
- Janitorial service;
- Key and lock service;
- Laundry, automatic self-help type; laundry agency;
- Leather goods sales;
- Linen shop;
- Luggage shop;
- Machine tools sales;
- Manicuring, pedicuring and electrolysis of hair;
- Medical and dental clinic and laboratory;
- Milk distributing station and sale of dairy products, excluding processing or bottling;
- Military store;
- Mobile lunch agency;
- Monument sales, retail;
- Motorboat sales;
- Music store;
- Newsstand;
- Notions;
- Novelty shop;

- Numismatic shop; gold, silver and platinum dealer;
- Nurses' agency;
- Office, business or professional; office supply; office machines sales and repair;
- Oil burner shop;
- Optometrist and/or oculist;
- Ornamental iron, sales only;
- Painter and/or paint store;
- Pest extermination and control office;
- Pet shop;
- Photographer and/or sale of photographic supplies;
- Popcorn and/or nut shop;
- Radio and television sales and repair and/or station;
- Residential facility for elderly persons;
- Restaurant;
- Roofing sales;
- Safe sales;
- Secondhand shop;
- Shoe shop; shoeshine shop; shoe repair shop;
- Sewing machine shop;
- Stationery and greeting card sales;
- Swimming pool;
- Tailor shop;
- Taxidermist;
- Taxi stand;
- Tire shop, sales only;
- Theater, indoor;
- Tobacco shop;
- Towel and linen supply service;
- Travel bureau;

- Upholstery shop;
- Variety store;
- Wallpaper store;
- Weather-stripping shop.

19.62.040 Conditional uses.

Conditional uses in the C-2 zone include:

- Agency for the sale of new motor vehicles, trailers and campers, including the incidental sale of used motor vehicles, trailers and campers, provided this use is incidental and located on the same property as the primary use of new motor vehicle sales; agency for the rental of motor vehicles, trailers or campers;
- Ambulance service;
- Apartments for elderly persons;
- Arcade, not to be located within a one thousand foot distance, via the most direct pedestrian route, of the property line of any school or private educational institution having an academic curriculum similar to that ordinarily given in public schools. For purposes of measuring distance, a pedestrian route shall not include a route which requires crossing a physical barrier such as a fence, canal or freeway, or include trespassing across private property.
- Athletic club and/or health club;
- Automobile repair, including incidental body and fender work, painting and upholstery and/or welding; automatic automobile wash;
- Automobile service center, which is limited to tune-ups, lubrication and oil change, front-end alignment, brake repair, and muffler repair, providing there is not outside storage of parts or materials;
- Baking, ice cream making and/or candy making;
- Bath and massage (every massage technician shall be licensed by the state);
- Bed and breakfast inn, which may include a restaurant and conference meeting rooms;
- Cat and dog groomery, excluding overnight boarding;
- Cemetery, mortuary, etc.;
- Check cashing, provided that each check cashing business shall be located a minimum distance of six hundred feet from any other similarly licensed facility;
- Class C fireworks store;
- Copy service;
- Day care/preschool center;
- Golf course;
- Hardware store, including the sale of lumber, providing all storage of lumber is within a completely

enclosed building;

-- Home day care/preschool, subject to Section 19.04.293;

-- Home occupation;

-- Hospital;

-- Hotel and apartment hotel;

-- Indoor firearms and/or archery range;

-- Mini-storage units, secondary to the main use of the parcel;

-- Mobile home park;

-- Mobile store provided it meets the following requirements:

A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county,

B. A maximum display area of one hundred square feet outside the portable structure, a minimum of ten feet behind the property line, not on landscaped areas, and not obstructing access to the property,

C. Compliance with the sign ordinance,

D. The structures comply with the yard requirements of the zone,

E. The mobile store including display area shall not be located within the clear view of intersecting streets,

F. Written approval from the property owner to locate on the site;

-- Motel;

-- Multiple dwellings; group dwellings;

-- Neighborhood storage;

-- Open storage for recreational vehicles only (campers, snowmobiles, etc.), but not to include the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery, or parts thereof, as in an impound lot or junkyard, etc.; and such use will be required to install a six-foot solid visual barrier fence or masonry wall around the entire storage area (chain-link with slats is acceptable) as a conditional use in the commercial C-2 zone, and as an accessory use only to a main use, such as a service station, carwash or similar use. Gravel or grass surfacing will be allowed for the storage area;

-- Package agency;

-- Parking lot;

-- Planned unit development;

-- Plumbing shop;

-- Printing shops;

- Private nonprofit locker club;
- Private post office box service;
- Private school;
- Public and quasi-public use;
- Rail transit mixed-use, provided it meets the following requirements:
 - A. The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.
 - B. The property is located within one-quarter mile of a rail station.
 - C. Buildings and impervious areas shall not cover more than eighty percent of the site.
 - D. Commercial uses shall be allowed on the first floor of buildings fronting on a public street.
 - E. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.
 - F. Parking is not allowed between the building and the public street.
 - G. The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.
 - H. The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.
 - I. The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."
 - J. All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.
- Reception center and/or wedding chapel;
- Recreation, commercial;
- Rent-all store, provided that there is not outside storage;
- Resource recycling collection point provided it meets the following requirements:
 - A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county,
 - B. All material shall be contained within an enclosed container,
 - C. The structures or bins comply with the yard requirements of the zone,
 - D. Written approval from the property owner to locate on the site,
 - E. Maintenance of the site in a clean, neat and orderly manner;
- Restaurant liquor license;

- Seed and feed store;
- Shared parking;
- Sign-painting shop;
- Single-family dwelling in conjunction with a service station;
- State store;
- Swap meets and flea markets within drive-in theaters or enclosed buildings;
- Tanning studio;
- Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work;
- Theaters, outdoor, providing:
 - A. A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides,
 - B. Driveways and parking areas shall be provided with properly maintained dustless surfaces,
 - C. Automobile off-street storage areas for automobiles awaiting entrance to the theater shall have a capacity of at least fifteen percent of the number of automobile parking spaces provided inside the theater,
 - D. Minimum area for a single-screen theater shall be ten acres; minimum area for a two-screen theater shall be twelve acres;
- Transfer company, provided trucks no larger than two tons' capacity are used;
- Unoccupied model buildings for display, accessory to a sales office;
- Veterinary, providing operation is completely enclosed within an air-conditioned building.

19.62.050 Businesses and uses --Conditions.

The uses specified above in this chapter for the C-2 zone shall be permitted only under the following conditions:

- A. All manufacturing shall be done wholly within a completely enclosed building, and shall be incidental to and operated in connection with a use permitted in this chapter;
- B. All uses shall be free from objections because of odor, dust, smoke, noise, vibration, or other causes.

19.62.110 Building height.

No building or structure in the C-2 zone shall contain more than six stories, or exceed seventy-five feet in height, and no dwelling structure shall contain less than one story.

19.62.130 Density.

The allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby

land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

- Single-family dwellings 7.0 units per acre
- Two-family dwellings 12.0 units per acre
- Three-family dwellings 15.0 units per acre
- Four-family dwellings 18.0 units per acre
- Multi-family dwellings 25.0 units per acre*

2.4 Other Issues

The existing greenhouse on the east side of the property even with the zone change will be required to correct the setback along the east side of the property fronting 400 East.

Separate from the rezone application, the property owner intends to apply for a lot consolidation with planning and development services. This process is done with staff and not subject to public comment, but should clean up some property lines for the existing development and future considerations.

3.0 STAFF SUGGESTED CONSIDERATIONS

3.1 Considerations for APPROVAL of the proposed Zone Change

- 1) The proposal is consistent with the Millcreek Township General Plan and Official Zoning Map.
- 2) The proposed zoning and allowed uses would be appropriate for the subject property.

3.2 Considerations for DENIAL of the proposed

- 1) The proposal is not consistent with the Millcreek Township General Plan and Official Zoning Map.
- 2) The proposed zoning classification and allowed uses. would not be an appropriate fit for the subject property.

3.3 Other Considerations

19.90.060 Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.





Google earth

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STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	8	7	8	
Applicant Name:	Kathy Commander	Request:	Conditional Use						
Description:	Hair Salon in a Designated Historic Building								
Location:	1106 East 4500 South								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>					
Zoning Condition:	Listed in Section 1.1 Below								
Community Council Rec:	Approval								
Staff Recommendation:	Approval with Conditions								
Planner:	David J. Gellner, AICP								

1.0 BACKGROUND

**1.1 Summary
Conditional Use**

Kathy Commander is requesting Conditional Use Approval for a hair salon to be located in an existing single-family dwelling as allowed by the Historic Preservation Chapter of the Zoning Ordinance.

The subject property is zoned **R-M/zc** (Residential multi-family with a **zoning condition** that specifies: 1) all uses are Conditional; and, 2) Apartments, dwelling groups and other multi-family uses are not allowed. In addition, the property is now listed as a Designated Historic Site per the action of the Salt Lake County Council. More information on this process is included in Section 1.5 and 1.6 of this report.

1.2 Hearing Body Action

This item is on the agenda to receive a Decision from the Planning Commission.

1.3 Neighborhood Response

Notice of this application was sent to property owners and residents within a 300 foot radius of the subject property. As of the date of this report, Planning Staff has not received any public comments on the proposal.

1.4 Community Council Response

The Millcreek Community Council had this request on their Agenda for discussion at their meeting of May 6, 2014. At that meeting, the Millcreek CC recommended approval of this application by the Millcreek Township Planning Commission.

1.5 Prior Planning Commission and Other Related Actions

This item originally appeared on the Millcreek Township Planning Commission agenda of May 14, 2014. The application was continued until the July 16, 2014 PC meeting in order to let the associated application (File #28877) run through the approval process and have a hearing before the County Council. Associated file #28877 seeks a Zoning Ordinance Amendment to have the subject property listed as a designated historic site per Chapter 19.86.020 (Historic Sites Designated) in the Salt Lake County Zoning Ordinance. The application for an Ordinance Amendment was heard by the Planning Commission on May 14, 2014 and is subject to approval by the County Council. Approval of this property as a historic site would allow for additional uses not specified in the underlying zone, specifically the proposed hair salon. This is outlined in more detail in Section 2.2 of this report.

1.6 County Council Action on Associated File # 28877- Designated Historic Site

On June 24, 2014 the Salt Lake County Council held a Public Hearing on File #28877 to discuss the proposed Ordinance Amendment which would add this site to the Historic Sites Designated in the Salt Lake County Zoning Ordinance - Chapter 19.86.020. By unanimous vote, the County Council approved the Zoning Ordinance Amendment adding this property known as the "Millcreek Farmhouse" to the list of Historic Sites Designated.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		Discussion: The proposed site development appears to comply with all provisions of the Zoning Ordinance. In relation to Parking, the Planning Commission has discretion to modify requirements of the base zone to better fulfill the purpose of the chapter. Parking is discussed in detail in Section 2.2 of this report. Staff is recommending (and the Planning Commission can approve) that no additional parking be required. Summary: Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Discussion: All reviews to date show the ability of the use to comply with all applicable laws and ordinances. Summary: Staff feels that this criteria has been met.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C'</u> : <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Discussion: The nature of the types of businesses currently in the building or proposed, are unlikely to generate high volumes of traffic. Summary: Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D'</u> : <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Discussion: The use as proposed appears to comply with this standard. The required Salt Lake County Building permit will check and require compliance for building exiting, accessibility, bathrooms, any life safety requirements, etc. Summary: Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E'</u> : <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Discussion: The proposed use will not significantly modify the buildings or structures that currently exist on site. As such, the proposed use will not be incompatible with nearby building and does not appear to be out of compliance with the standards of the general plan. Summary: Staff feels that this criteria has been met.

2.2 Zoning Requirements

A Hair Salon is not listed as an allowed use in the R-M (Residential Multi-family) Zone. However, the Historic Preservation (Chapter 19.86) of the Salt Lake County Zoning Ordinance allows for the Planning Commission to consider additional uses for a historic site per Chapter 19.86.060 - Additional Uses for Historic Sites. This list includes: 1) Antique shop; 2) Art shop; 3) Boardinghouse; 4) Child nursery; 5) Dental office of clinic; 6) Dwelling; 7) Nursing home; 8) Office; 9) Private educational institution; 10) Reception centers; 11) Restaurant; and, 12) Other uses of similar intensity.

The underlying R-M Zone allows for a wide variety of uses as defined in Chapter 19.44. These range from Permitted Uses such as a home daycare or preschool to Conditional Uses such as a bed and breakfast, nursing home, business or professional office, hospital and apartments to name a few.

The proposed use of a hair salon would appear to be in line with item #12 (other uses of similar intensity) and would presumably have an intensity that would not exceed any of these other listed uses, nor exceed those of other Permitted and Conditional uses allowed in the R-M Zone.

Parking requirements for a Hair Salon generally come under the Retail stores section of Chapter 19.80.040 - Off Street Parking Requirements - Number of Spaces Required. the requirement is 1 space per each 250 square feet of gross floor area. The Assessor's Office lists the existing building as being 1327 square feet. Using this information, the required parking for the building would be 5 spaces including spaces that comply with ADA requirements. Site investigation shows six (6) spaces in the rear of the building as well as some ADA parking adjacent to the building itself. This would be sufficient on-site parking to meet requirements if the entire building were devoted to this use. However, the building also includes some

mixed office uses. According to the applicant's proposal, the building also includes: "4 office spaces, a small conference room, and one garage studio office space."

Chapter 19.86.050 - Site Modification - Historic Preservation states:

The planning commission may modify all yard, parking, landscaping, height and other requirements of the base zone, as necessary to fulfill the purpose of this chapter. In so doing, the nature and character of adjacent properties shall be considered to ensure that the health, safety, convenience and general welfare will not be impaired. The planning commission may establish development criteria to control impacts associated with the heaviest permitted use in the base zone, including, but not limited to, noise, glare, dust or odor.

The applicant's proposal originally included adding some additional parking to the north side of the property close to 4500 South. This would include a second drive entrance to the property from Ranchfield Road and seven (7) additional spaces in front of the building. Given the mix of uses in the building - office, salon, etc., the size of the building and the anticipated intensity of these uses, the additional parking was discussed with staff and the applicant in order to accommodate all potential future uses in the building. It should be noted that both the Applicant and the Historic Preservation Commission expressed concern about the impacts of this additional parking in the front of the building on the existing mature landscaping, and the large grass front yard, the nature of which adds significantly to the overall site aesthetics and nature.

Staff agrees that the additional parking in the front of the building would have a detrimental impact on the overall historic feel and look of the site, which runs contrary to purposes of the Historic Preservation Chapter and the goal of preserving the special aesthetic value of the site. Staff also concurs that the addition of the hair salon would likely have a negligible additional impact on the existing parking and traffic to the building. Staff is therefore recommending that the Planning Commission not require additional parking per the allowances of Chapter 19.86.050 - Site Modification. Staff does not believe that this will have a detrimental impact on the neighboring properties and that the current parking without the additional parking in front would better serve the purposes of the chapter and retain the unique features of the property including the landscaping.

2.3 Other Agency Recommendations or Requirements

This proposal was sent for review by outside agencies. Given that it is an existing building, the normal issues of grading, urban hydrology etc. did not apply. The Salt Lake County Building Department noted this in relation to the application:

- 1) A building permit needs to be obtained for the change of use and all remodeling being done to the building.
- 2) At the time of a building permit application, provide architectural analysis and floor plan of the building showing compliance with the building including exiting, accessibility, bathrooms, any life safety requirements, etc.

2.4 Other Issues

Staff did not receive any comments from the County Health Department in relation to the proposal. The hair salon would be required to obtain a Salt Lake County Business License and comply with the licensing requirements therein, to include all Health Department regulations related to operation of such a business.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) A Salt Lake County Building Permit is required for the change of use and all remodeling being done to the building.
- 2) A current Salt Lake County Business License is required for all businesses in the structure.
- 3) All requirements of the Salt Lake County Health Department in relation to the operation of a hair salon must be met.
- 4) Any additional signs for businesses on the property require a separate application and approval through Salt Lake County.

3.2 Reasons for Recommendation

- 1) The proposed use meets appears to comply with all five (5) required standards that must be met before Conditional Use approval can be granted by the Planning Commission.
- 2) Reasonable conditions off approval have been applied in order to mitigate the anticipated detrimental impacts of the proposed use.

4.0 PROJECT PHOTOS



Image 1 : Front of the "Millcreek Farmhouse" seen from 4500 South showing mature landscaping



Image 2 : East side of the "Millcreek Farmhouse" on Ranchfield Road showing mature landscaping



Image 3 : East side of the "Millcreek Farmhouse" on Ranchfield Road showing rear parking area.



Image 4 : Back of the "Millcreek Farmhouse" on Ranchfield Road showing the existing parking area.



Parcel Details and Valuation Information

Legal Description	Sketch	Parcel Map	More Details	Printable Version	Valuation Summary	Search Again
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Click here to see [Neighborhood Parcel Values](#)

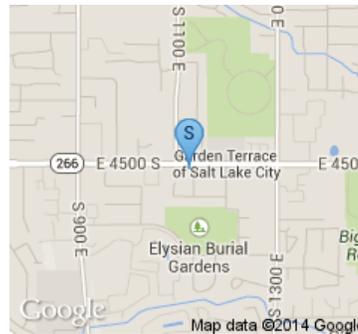
Click here to see [Adjoining Parcel Values](#)

This page shows the assessor's CAMA data, as it was, on May 18, 2013, and will not change until the next tax year.

Residence Record Building Style CB Assessment Classification P Extrinsic Wall Type SO Roofing AS Central AC N Heating C Owner Occupied Y Number of Stories 1.0 Total Rooms 8 Bedrooms 4 Full Baths 2 3/4 Baths Half Baths Number of Kitchens 1 Finished Fire places 1 Year Built 1884 Effective Year Built 1989 Interior Grade A Interior Condition A Extrinsic Grade A Extrinsic Condition A Overall Grade A Overall Condition A Visual Appeal A Maintenance A Conformity E Livability A Primary Kitchen Quality S Primary Bath Quality O Main Floor Area 1327 Upper Floor Area Finished Attic Area Above Ground Area 1327 Basement Area Finished Basement Area Finished Basement Grade Carport Surface Area Attached Garage S. Area Built-in Garage S. Area Basement Garage S. Area Percent Complete 100	Parcel Record 22054060070000 Owner THE CORNER STORE LC Address 1106 E 4500 S Total Acreage 0.33 Tax Class Id Property Type 111 - SNGL FAM RES Tax District 17 % Exempt Exempt Type Building Permit <hr/> Valuation / Tax Year 2013 Land Value \$ 135,200 Building Value \$ 95,600 Market Value: \$ 230,800 Tax Rate not set <hr/> Detached Structure Record ID 1 Structure GARAGE Description Assessment Class SQUARE-FEET Units SQUARE-FEET Measure 1 24 Measure 2 33 Effective Year Built 2011 Actual Year Built 1994 Quality AVERAGE Condition EXCELLENT Income Flag Replacement Cost New \$ 20,988 Replacement Cost New , Less Depreciation \$ 20,568 Sound Value \$ 0 Building Number	Land Record Record ID 1 Lot Use RESIDENTIAL Lot Type PRIMARY-LOT Land Class Income Flag Seasonal use Influence Type Influence Effect L Assessment Class RES-PRIMARY Lot Depth Acres 0.33 Zone 1108 Sewer PUBLIC Number Lots 1 Lot Shape REGULAR Lot Location CORNER Neighborhood 287 Nbhnd Type STATIC Nbhnd Effect TYPICAL Topography LEVEL Traffic HEAVY Traffic Influence TYPICAL Street type TWO-WAY Street Finish PAVED Curb Gutter Y Sidewalk Y
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Value History / Tax Year

	Record ID	Land Value	Building Value	Market Value	Tax Rate
2012	1	\$ 130,800	\$ 99,000	\$ 229,800	.0156060
2011	1	\$ 130,800	\$ 105,800	\$ 236,600	.0137100
2010	1	\$ 130,800	\$ 105,300	\$ 236,100	.0131160
2009	1	\$ 142,500	\$ 83,800	\$ 226,300	.0123040
2008	1	\$ 146,900	\$ 98,700	\$ 245,600	.0104440



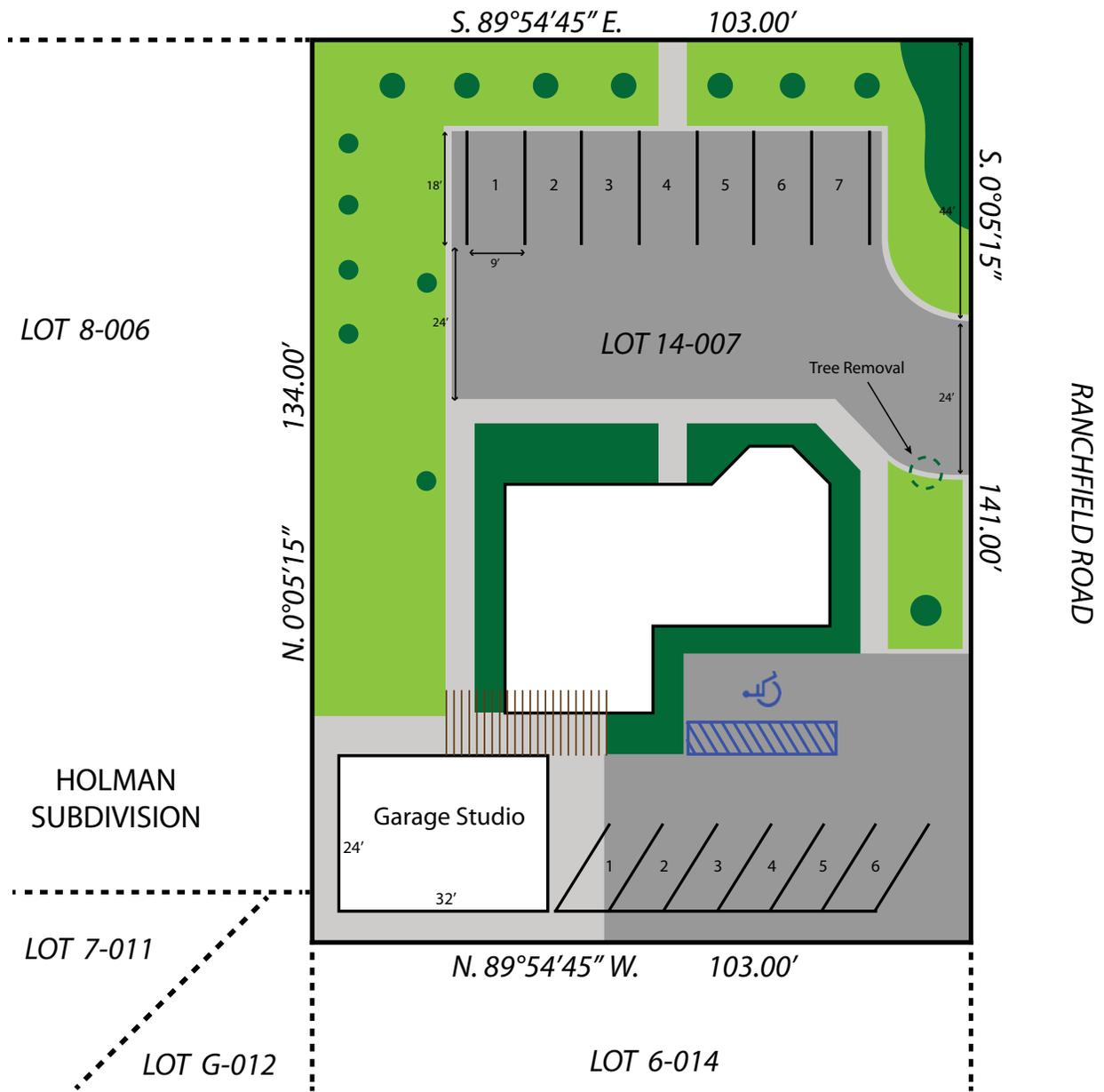
40.674032690,-111.859195450

[search again](#)

←
MONUMENT AT
INTERSECTION
1100 E. & 4500 S.

Scale
1/8" = 1'
↑ N

4500 SOUTH



S. 89°54'45" E. 103.00'

S. 0°05'15"

LOT 8-006

134.00'

LOT 14-007

Tree Removal

RANCHFIELD ROAD

141.00'

N. 0°05'15"

HOLMAN
SUBDIVISION

Garage Studio
24'
32'

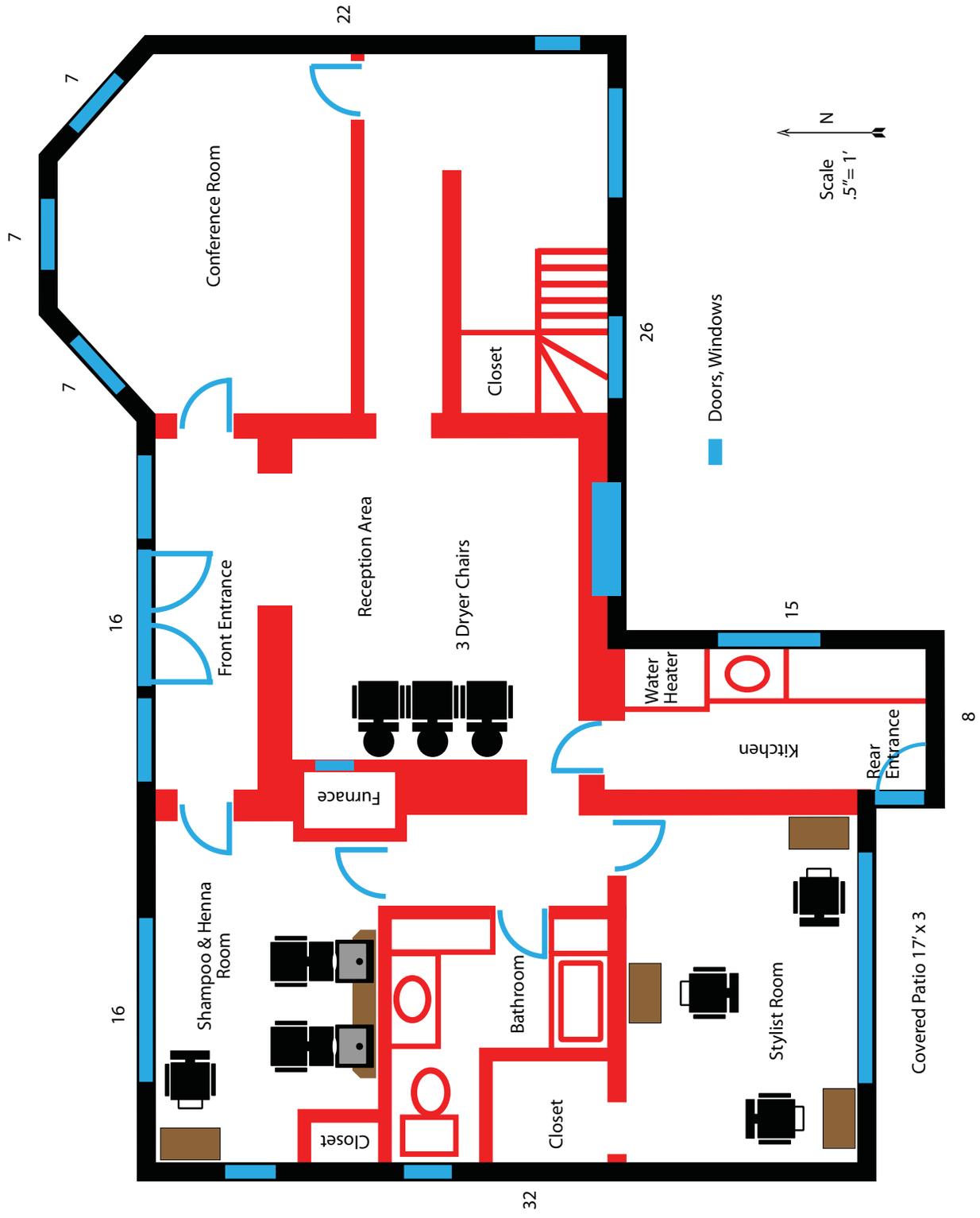
LOT 7-011

N. 89°54'45" W. 103.00'

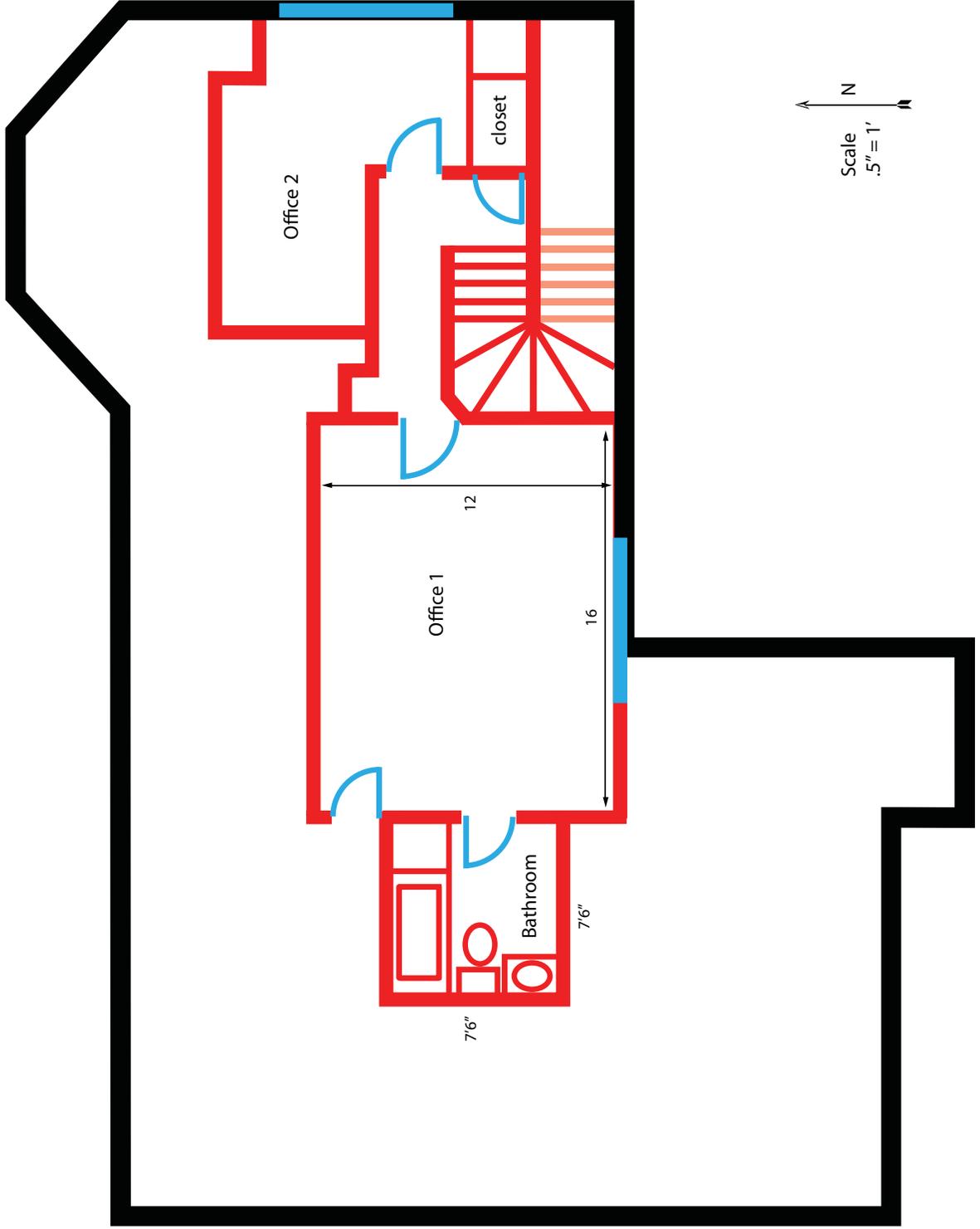
LOT G-012

LOT 6-014

Main Floor Plan: 2014



2nd Floor Plan: 2014



March 28, 2014

Salt Lake County Planning & Development
Millcreek Planning Commission
Salt Lake County Council

To Whom It May Concern:

We are tenants, Robert & Kathryn Commander, in a building located at 1106 East 4500 South, in Millcreek Township of Salt Lake City, Utah, currently owned by Corner Store, LC, and managed by Billie Crocker. The following is our proposal to designate this building a historic site and our request for your consideration of a conditional use permit.

At first glance, it is clear that this home reflects an era from the past, and is unique to most other homes along 4500 South Corridor. A modest white stucco bungalow nestles behind a row of mature catalpa trees on a third of an acre lot, and offers a charm and serenity in welcoming the community. The house was built in 1884 according to the Salt Lake County Assessor. As parcel ID numbers did not exist beyond 1930, it is unclear yet as to the name of the original owner. Land Title Abstracts by the SL County Recorder show this property residing in Section 5, 2 South, 1 East, NW quarter of SE of the Mill Creek Precinct.

The Mill Creek Precinct was established in 1863, of Salt Lake County in the Utah Territory, and was considered some of the best and most productive farming land in Utah. Thomas Boam, William Wallace Merrill, and Edward Pugh are among the earliest grantees of land deeds from the US Government for this area, recorded in 1873 to 1875, though land transactions occurred many years earlier. Some of these names are documented as just a few of the thousands of Mormon Pioneers in Brigham Young's emigration from Nauvoo to Salt Lake City as early as 1847. They and their families became settlers, farmers and early founders of the Millcreek Ward/Precinct in Salt Lake City.

The Edward Pugh House, built in 1863, is listed in the National Register of Historic Places, and is located at 1299 East 4500 South, just two blocks east. It is written that Edward Pugh acquired land in 1853 to 1857 and describes it as a rectangular plot of land stretching roughly from 9th East to 17th East, and from 30th South to 47th South, which would have included this corner property. In speaking with descendants of the Pugh family, we were unable to confirm any connection between the two homes and still do not know who built the home, however, it is clear that a local farmer, Orlando F. Johnson acquired this property in 1909 or 1910 and farmed the land for decades. The attached photo was taken during his ownership (1934). The land was subdivided to create the Ranchfield subdivision in 1957.

Another neighboring home listed in the National Register of Historic Places is the Butler-Wallin House at 1045 East 4500 South, built in 1928. It is described as a revival style residence, significant for its association with the agricultural and suburban development of Salt Lake County's Second-Generation. Its architecture and style is definitely of more interest than ours, but it was built roughly 40 years later, and may not actually represent the hard working life of Millcreek's First-Generation farmer. In addition to their real estate, their property value consisted of just a few cattle, horses and mules, where few households had the luxury of owning a vehicle.

Our search for names associated with this property has included findings in the Salt Lake County Recorder Title Abstracts, the Millcreek Precinct of the United States Census, Assessment Rolls in the Salt Lake County Archives and Salt Lake Directories at the Utah History Research Center. Orlando Freedman Johnson is the earliest known owner of home acquiring ownership in 1909 or 1910. A summary of our findings is attached.

Regardless of who may have owned this property and when, we feel that the home reflects a true glimpse of Millcreek's past, whereas so many other structures have been forever lost. The home is in excellent condition, and its grounds have been well maintained. From the attached photo taken in 1934, we feel that it still maintains its original presence and integrity. A rough drawing included in a 1934 Tax Card shows the garage had been added. It describes the house as a single story residence. Thus, the two present dormers we're added later, and neither are believed to alter the home's front appearance. In 2002, improvements were made to the front entrance. The exterior is roughly the same, but the front covered porch and entrance have been remodeled, accommodating a small welcoming foyer inside, accessed by centered French doors. The kitchen was relocated to a smaller rear portion of the home, providing for a larger reception area in the entry.

In addition to our request to designate the building as an historical site, we are also asking your consideration for a Conditional Use permit. Currently the building is zoned as an RM Residential Multi-Family, and includes 4 office spaces, a small conference room, and one garage studio office space. When we signed our lease, all parties involved were under the impression that the building was zoned for a Salon. Unfortunately, after incurring start up costs and further review, we discovered that the zoning approved a tanning or cosmetic salon, among other uses, but it did not allow for a Beauty Salon. We were surprised by this inconsistency and seek to remedy that difference.

Our business is named Painted Heads, offering a unique combination of Beauty, Art and Wellness. We are a small, non-traditional hair salon and henna art studio, and registered with the State of Utah. We provide the natural art form of Henna to the heads of women, children and men experiencing hair loss due to chemotherapy or other health related conditions, helping transform one's loss of self-esteem into a healing experience.

Millcreek Planning Commission

Page 3

We offer this as a Free Service to the cancer community. The county has approved our Henna Service and current parking needs. Providing a hair styling service for our clients during hair loss due to chemotherapy or when regaining their hair, and for otherwise healthy clients is necessary to maintain and support our philanthropic efforts.

We chose this building for its warmth, comfort and environment and believe that it is vital to our clients experience and our overall success. We have 4 stylist chairs and use organic products in promoting a healthy environment. A Painted Heads Art Gallery will enhance the walls, creating awareness and additional revenue, with limited retail. All aspects of our business are intended to attract a viable clientele, promote good will and provide a memorable experience for all. We believe that we can, and have, blended in harmoniously with the community, bearing no impact on our neighbors, and can help preserve and maintain the historical nature of the property.

We have no intention of changing or remodeling any part of the existing building. We realize that in the future an increase in visitors may require a need for more parking, therefore, a proposal for additional parking, located in the front of the building, and an estimate for costs are attached. If additional parking is required, we ask that an appropriate time line for implementation can be discussed, as the cost is significant.

As we are unable to determine the original owner of the property, we have chosen to name the building the Mill Creek Farm House. We do not wish to diminish the historical appearance by adding a large commercial application and feel a modest monument type sign will work best. Currently, a realtor style sign is located in the front area of the property, of which we wish to replace with something similar in size but more permanent, and placed either in the same location or moved to the NW corner of the lot.

Thank you for your consideration of these proposals.

Sincerely,

Robert & Kathryn Commander, Tenants



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	8	8	3	
Applicant Name:	Jean Brown	Request:	Conditional Use						
Description:	Change of use from residential to office and storage								
Location:	3837 S. 1030 E.								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting a conditional use permit for a change of use from a single family residential use to professional office as allowed in the R-M zone.

As of 2009, the property is already subject to the R-M zone which allows for office, business and/or professional. The planning commission is hearing this item to determine if any new conditions would be necessary to mitigate reasonably anticipated detrimental impacts from the new proposal.

The applicant is proposing to maintain the structure on the property so it will maintain its appearance as a single family residence but will be utilized for office as demonstrated in the attached floor plans. Parking will be located directly behind the home to be accessed from the existing parking lot for the research center's main structure.

1.2 Hearing Body Action

This item is on the agenda for a decision from the Millcreek Township Planning Commission.

1.3 Neighborhood Response

As of the date of this report, staff has not received any comments from the neighborhood.

1.4 Community Council Response

This item is scheduled to be heard by the Millcreek Community Council during their meeting on July 1, 2014.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The existing structure will remain meeting ordinance requirements for height, setbacks, etc. The parking requirement for 2000 sq. ft. of office is 8 stalls. The rear parking provides for the 8 stalls, in addition there is parking in the garage and driveway.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		The proposal appears to be able to meet this requirements. Verification of compliance with all other applicable laws and ordinances will be verified through the technical review process prior to issuing final approval.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Most of the traffic to this property will enter through the existing lot to the east. There is sufficient parking to meet ordinance requirements meaning that cars will likely not be on the street.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		No apparent safety concerns from the proposal.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Where the building will remain and the parking will be in the back next to their existing parking the proposal appears to be compatible with the surrounding area.

2.2 Zoning Requirements

19.44.030 Conditional uses.

-Office, business and/or professional

-Storage is not an allowed use on its own in the R-M zone, but storage would be allowed so long as it is accessory to the office use such as a file room.

19.80.040 Number of spaces required.

Parking: 1 per 250 sq. ft. of office.

2.3 Other Agency Recommendations or Requirements

Final recommendations from other agencies are still pending, however initial review has indicated that the the proposal is feasible so long as a building permit is pulled for a change of occupancy classification.

2.4 Other Issues

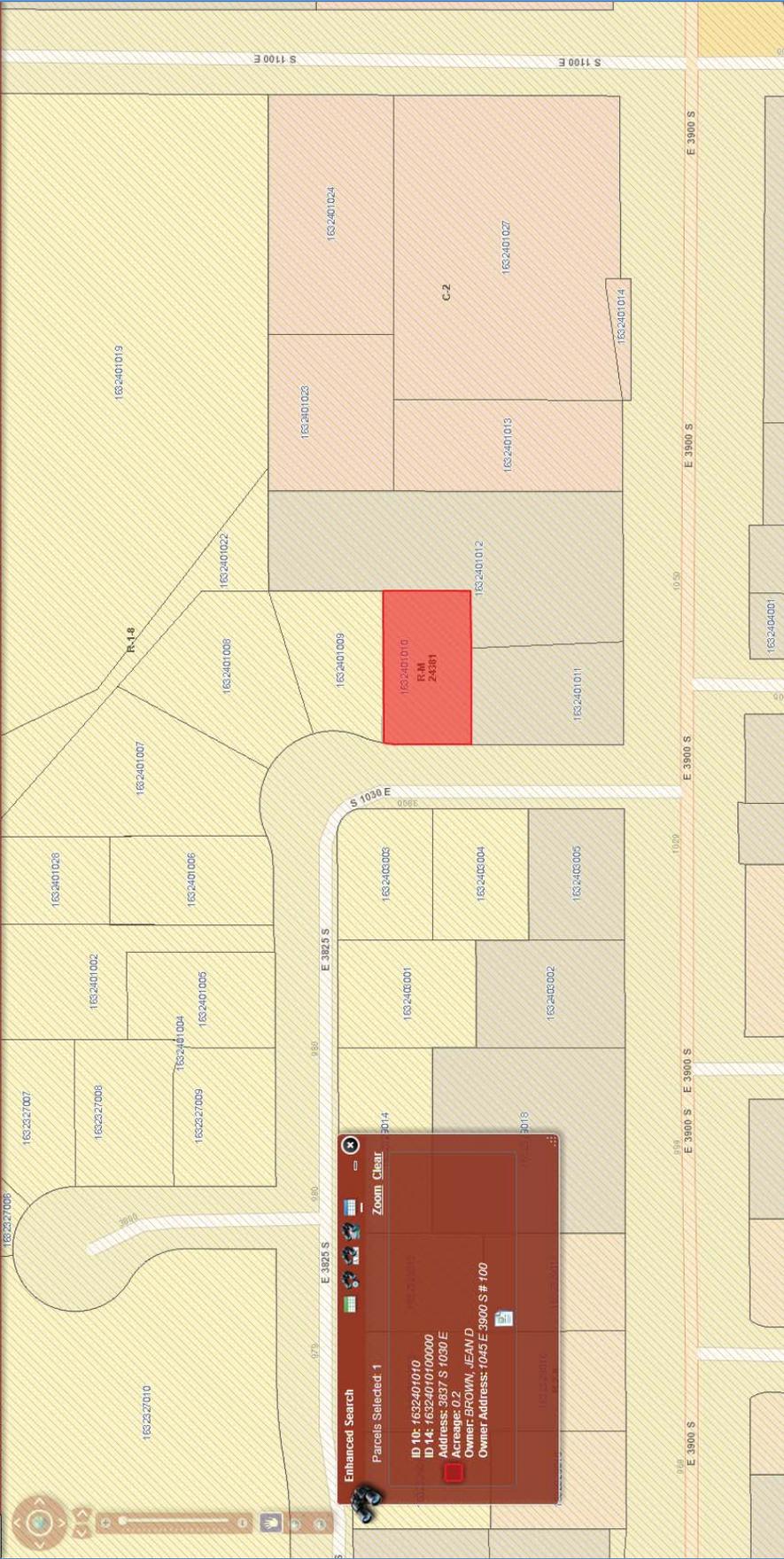
Access to the new parking appears to require the elimination of a few stalls in the existing lot. Parking counts indicate that the existing lot has approximately 10 extra stalls based on the size of the existing office so to remove 2 or 3 for access would still indicate sufficient parking for the existing office.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use .

3.2 Reasons for Recommendation

- 1) Parking requirements are already regulated by ordinance and appear to meet minimum requirements.
- 2) Prior to receiving a business license for this location, the change of occupancy would be handled through a required building permit.



Enhanced Search
Parcels Selected: 1
Zoom Clear

ID 10: 1632401010
ID 14: 16324010100000
Address: 3937 S 1030 E
Acreage: 0.2
Owner: BROMM, JEAN D
Owner Address: 1049 E 3900 S # 100



















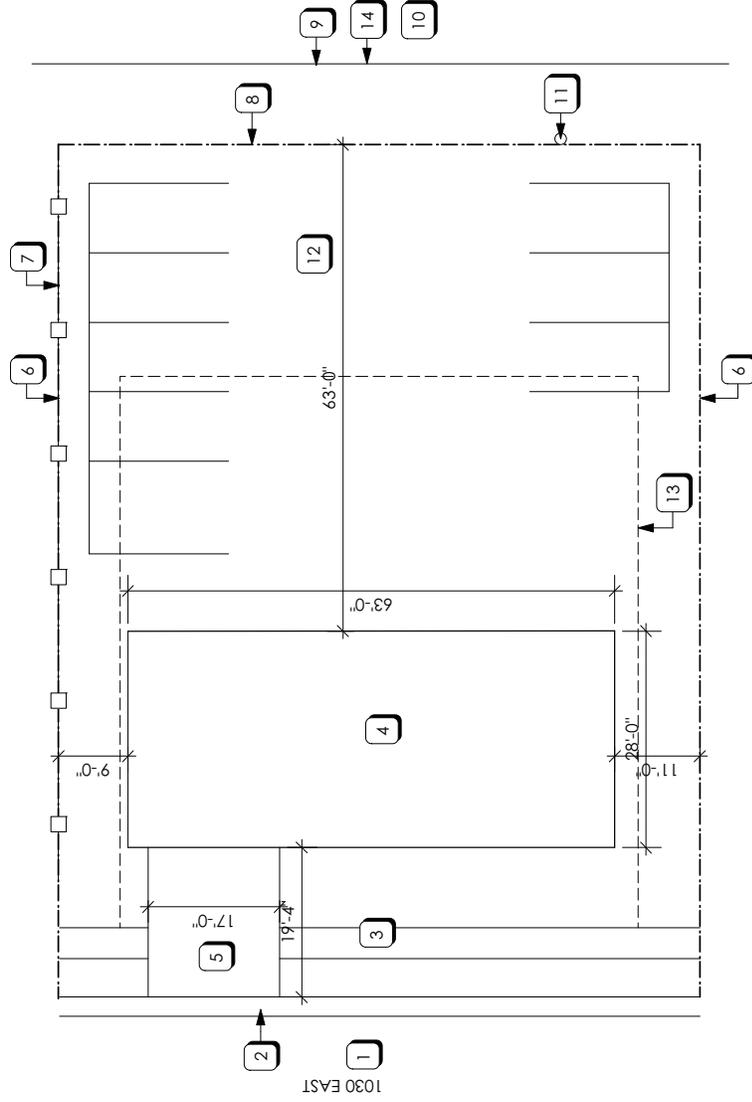


OFF-STREET PARKING REQUIREMENTS

TOTAL FLOOR AREA = 2058 SQ FT

OFFICE USE REQUIRES 1 PARKING SPACE PER 250 SQ FT

2058 /250 = 8 PARKING SPACES REQUIRED



SITE PLAN KEYED NOTES

1. STREET
2. EXISTING CURB AND GUTTER
3. EXISTING SIDEWALK
4. EXISTING BUILDING
5. EXISTING DRIVEWAY
6. SIDE YARD SETBACK
7. EXISTING FENCE
8. REAR PROPERTY LINE
9. EXISTING CURB
10. EXISTING PARKING LOT
11. EXISTING UTILITY POLE
12. PROPOSED PARKING AREA (8 SPACES)
13. REQUIRED MINIMUM SETBACK LINE
14. PROPOSED CURB CUT

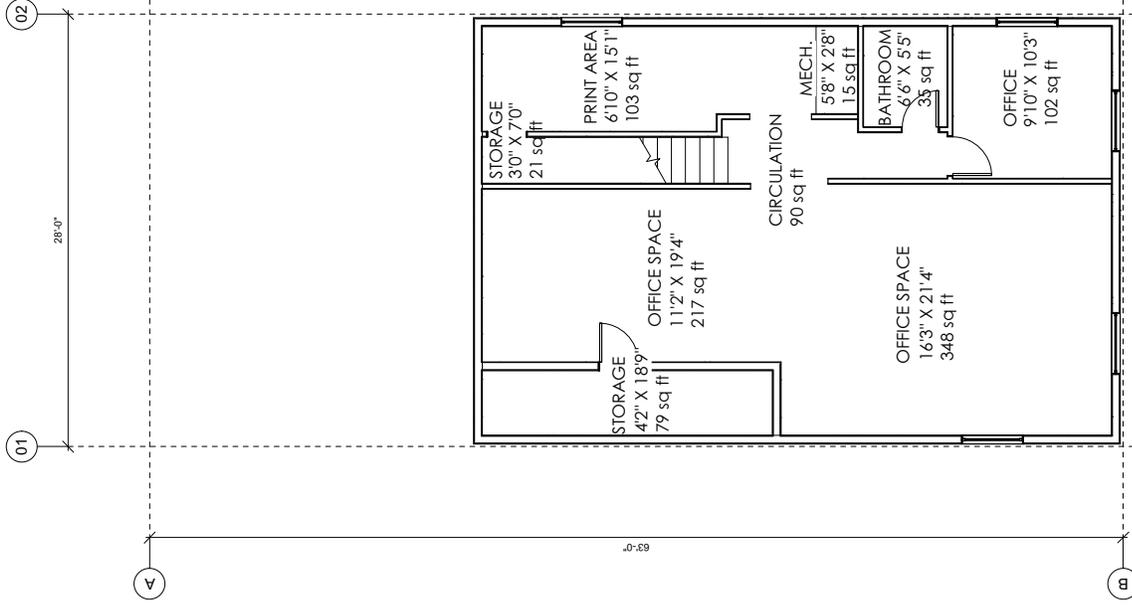
JEAN BROWN ASSOCIATES



311 S 900 E STE 103
SALT LAKE CITY
UTAH 84102
801-322-3053
amdarchitecture.com



3 APRIL 2014



FLOOR PLAN NOTES

LOWER FLOOR TOTAL AREA: 1078 sq ft

LOWER FLOOR AS-BUILTS
 Scale: 1/8" = 1'-0"



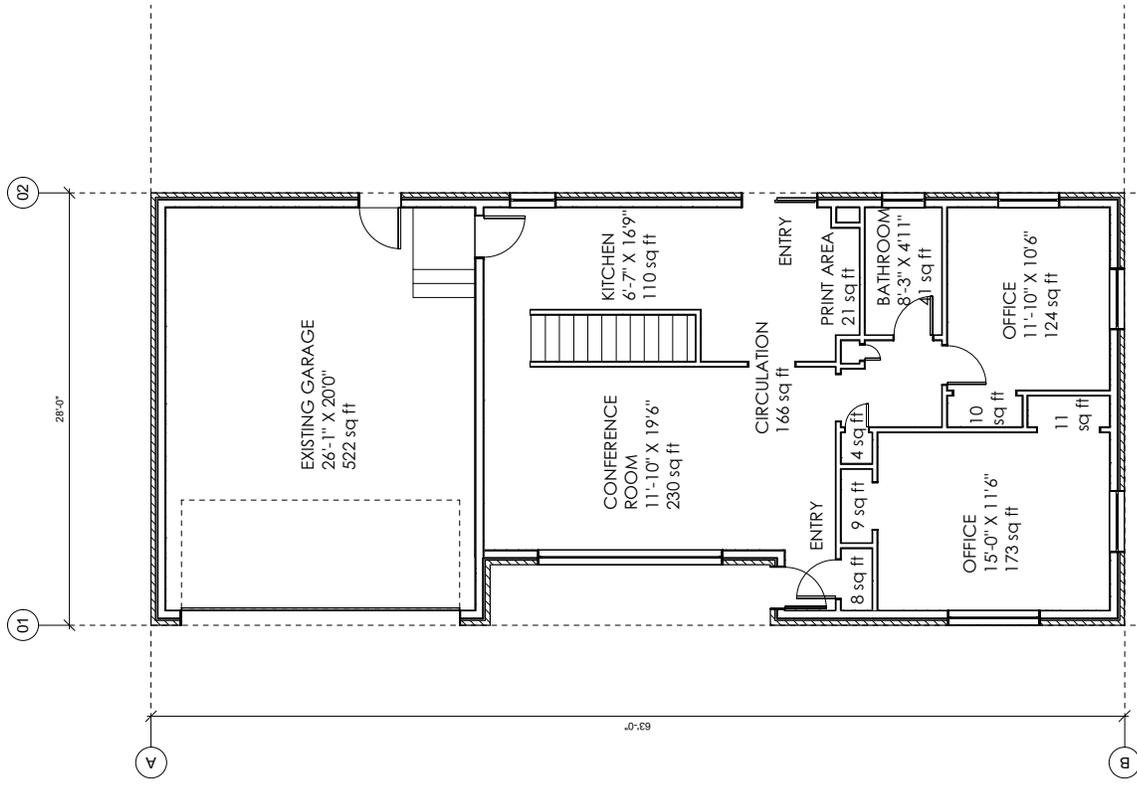
311 S 900 E STE 103
 SALT LAKE CITY
 UTAH 84102
 801-322-3053
 amdararchitecture.com



AMDA
 ARCHITECTURE

3 APRIL 2014

JEAN BROWN ASSOCIATES



FLOOR PLAN NOTES

MAIN FLOOR TOTAL AREA: 980 sq ft

GARAGE AREA: 522 sq ft

MAIN FLOOR AS-BUILTS
 Scale: 1/8" = 1'-0"

311 S 900 E STE 103
 SALT LAKE CITY
 UTAH 84102
 801-322-3053

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AMD
 ARCHITECTURE

3 APRIL 2014

JEAN BROWN ASSOCIATES



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	1	1	
Applicant Name:	Laurel Osborn	Request:	Conditional Use						
Description:	Animals and Fowl for Family Food Production								
Location:	2254 and 2257 E. Alva Circle.								
Zone:	R-1-21 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Approval								
Staff Recommendation:	Approval with Conditions								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is seeking a conditional use approval for Animals and Fowl for Family Food Production as allowed in the R-1-21 zone.

The subject property was recently granted a rezone for the purpose of seeking this use. During the rezone the ordinance was changed to require a conditional use permit for family food production and the definition of family food production was modified to further restrict the number of animals allowed in the zone.

The applicant is requesting approval for this use on 2 separate properties, therefore each lot would be allowed the use requested if approved.

1.2 Hearing Body Action

This item is on the agenda for a final decision from the Millcreek Township Planning Commission.

1.3 Neighborhood Response

Regarding this particular application, staff has not received comment from the neighborhood as of the date of this report. Their was neighborhood comment passed along to staff during the rezone process both expressing support and concern for the zoning request at the time that may be pertinent to the consideration of this application. The comments received have been attached to this report.

1.4 Community Council Response

The East Mill Creek Community Council heard this item during their June Meeting and voted to recommend approval of the request.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		As proposed, the site plan demonstrates compliance with square footage of accessory structures, setbacks for buildings, and setbacks for the keeping of animals.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Prior to final approval, applicant must receive approval from regulating and reviewing agencies verifying compliance will all other applicable laws and ordinances. Based upon reviews done to date, it appears that the proposed use and site plan is capable of complying with all applicable laws and ordinances.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		The proposed use is not anticipated to have an affect on traffic in the area.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Concerns have been raised regarding environmental health issues. Calls to the Utah Department of Environmental Quality have indicated that the State DEQ does not have concerns about this scale or type of use. The Salt Lake County Health Department has mandated that a list of conditions be recorded against the subject property. They feel that with the adherence to their required conditions that environmental health hazards can be avoided. Another concern was the proximity of the proposed use to a ground water well, it has been verified that the subject property is outside of the ground water source protection zone. Also, there are no anticipated fire, geologic, or soil safety concerns from the proposed use.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard 'E': The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		While the use will be unique in the area, the structures proposed will not adversely impact properties in the vicinity through lack of compatibility as they will be accessory structures of small scale and size similar to accessory structures allowed on other residential lots in the area.

2.2 Zoning Requirements

19.76.240 Animal and fowl restrictions.

No animals or fowl shall be kept or maintained closer than forty feet from any dwelling on an adjacent parcel of land, and no barn, stable, coop, pen or corral shall be kept closer than forty feet from any street, except that in the R-2-10C residential zone, no corral or stable for the keeping of horses may be located closer to a public street or to any dwelling on an adjacent parcel of land than one hundred feet.

19.04.235 Family food production.

"Family food production" means the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese and twenty pigeons, provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any lot in zones where family food production may be a permitted or conditional use.

19.14.020 Permitted uses.

All R-1 zones —Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

19.14.030 Conditional uses.

R-1-21, R-1-43 —Animals and fowl for family food production;

2.3 Other Agency Recommendations or Requirements

Building Inspector

No building issues with keeping the animals at the site.

Conditions of approval are that any new structure regulated by the building code that will be constructed needs to be built under a building permit. This includes accessory structures greater than 200 sq. ft. in size or more than one story tall, fences over 7' tall, any electrical, plumbing, or mechanical systems, etc.

Urban Hydrology

1. Must provide means of preventing storm water from entering Mill Creek channel.
2. Will be addressed in final grading plan with County.

Salt Lake County Health Department

When these parcels are used for 'Family Food Production', per Salt Lake County Ordinance associated with zone R-1-21:

-Solid waste will not accumulate. Trash containers will be used, with lids down, for the collection of animal waste. Additional containers will be rented as needed. This/these containers will be disposed of weekly.

-Animal feed will be secured from rodent/vermin contact.

-Animal waste will be collected at least every 7 days or more frequently as needed to prevent odor or nuisance for surrounding properties.

-Honey bees' flight patterns/hive placement will not interfere nor impact surrounding properties. Water will be available to bees. Numbers of hives and their boxes will be kept within the county ordinance standards.

-Waste water will not be discharged nor maintained on my property. Liquid waste will not collect.

-No sewage nor wastewater will be placed nor conducted into any storm drain system, street, alley, sidewalk, gutter, watercourse, canal, river nor stream (specifically Millcreek which adjoins our property) Our property grading/fencing will be maintained so as to allow no impact upon Millcreek through contact nor run-off.

State Health Department: No real regulation apart from making and distributing food.

Registration of pet / animal food - for producers and distributors. No regulation from state for use and storage of food at this level. No specific regulation for animals from state for something of this nature, would be left to local control.

Animal Services Response:

The only animals (domestic fowl) we would be able to regulate, by means of a permit, through our animal control ordinance, would be chickens & ducks, but only on property zoned R-1-4, 6, 7, 8, 10 & 15.

And, of course, we would become involved on issues such as containment, if animals were to get out and become a problem.

Salt Lake City Public Utilities

Not concerned about the animals in relation to the creek, provider in the area, this is outside their watershed so they do not draw from it.

Sanitation

Doesn't have much to be done regarding regulation of these animals. Waste would need to be removed within 7 days. Concerns about possible new rodents and water contamination. Aware of issues with goats and sheep that bring queue fever that can be airborne and impact others. Dunks release *bacillus thuringiensis* (a bacteria that kills mesquito larva) in still water from troughs... mesquito abatement district has more info. Mesquito abatement rep can inspect. Dead animals should be removed every 24

hours. Could be a condition.

2.4 Other Issues

The chickens and the coop they are currently kept in have been previously confirmed to be a non-conforming use, the chickens will still however count toward the animal type and count on the parcel where they are kept.

The health department has indicated the specific requirements for the keeping of bees. Bees are not an animal or fowl as allowed by the family food production definition of the Salt Lake County Ordinance. Instead bees are only allowed where permitted in ordinance under the designation of 'apiary'. An apiary is only allowed in agricultural zones.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Conditions recorded against the property as required by the health department shall be observed.
- 2) Any troughs to be used for the animals shall have 'dunks' installed to control mesquito larva in still water.
- 3) Dead animals shall be removed from site within 24 hours.

3.2 Reasons for Recommendation

- 1) It is the understanding of Planning and Development Services staff based on information provided by the State of Utah Property Rights Ombudsman that the limiting of animals is not an appropriate condition as that is a restriction of a use that is permitted and not a mitigation of the impacts from the use. Based on this, it is the opinion of staff that with the conditions as proposed the use will be appropriately mitigated from any reasonably anticipated impacts.

3.3 Other Recommendations

Before final approval is given, grading and urban hydrology must verify that appropriate measures are in place along the north side of the property to protect the stream from potential contamination.

Conditional Use Application
2 May 2014

I would like to place on my 'farm' family farm animals as defined by the ordinance newly crafted by the County Council.

I will continue to keep my chickens.

I will probably keep two sheep, two cows, 4 geese. Maybe I will have two goats.

I am considering small jersey cows (one third to one half the size of standard cows).

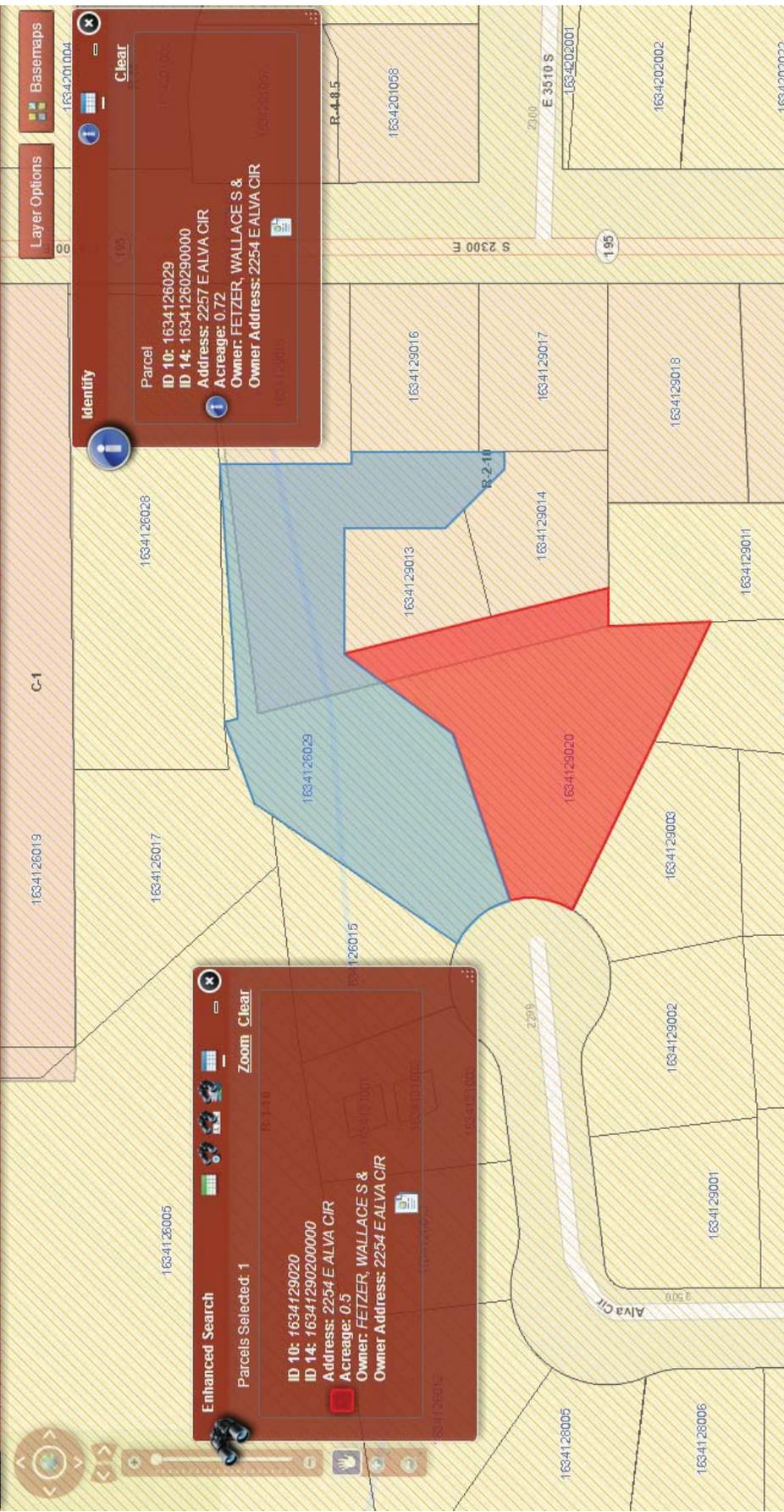
I will 'buy' another trash disposal barrel from the county which will be exclusive to animal waste.

Animal waste will be 'mucked' and placed within the barrel, with the lid down.

My animals will be contained in my property and will not be a hazard nor nuisance for neighbors. Their 'housing' will be within ordinance guidelines for size and height.

My animals will have no impact upon Millcreek. They will not be penned by nor have access to this water source. Millcreek is fenced away from my animal area. There is no grading issue that will allow for animal waste to impact the creek.

Laurel Osborn



Enhanced Search
Parcels Selected: 1
Zoom Clear

ID 10: 1634129020
ID 14: 16341290200000
Address: 2254 E ALVA CIR
Acreage: 0.5
Owner: FETZER, WALLACE S &
Owner Address: 2254 E ALVA CIR

Identify
Clear

Parcel
ID 10: 1634126029
ID 14: 16341260290000
Address: 2257 E ALVA CIR
Acreage: 0.72
Owner: FETZER, WALLACE S &
Owner Address: 2254 E ALVA CIR











Housing and Space Guidelines for Livestock

As New Hampshire becomes more urban, the potential for conflict between the farming and non-farming communities increases. By using best management practices*, farmers can greatly reduce or eliminate problems of odor and fly control, pesticide drift, contamination of surface and ground waters, and damage to neighboring crops. With best management practices in place, farming activities are compatible with other land uses in urban environments.

Farming activities may involve full-time, part-time or backyard farmers. Existing commercial farms are protected by the Right to Farm Law. This allows for properly managed agricultural enterprises to continue operating in residential areas.

Housing

Most farm animals need some shelter in the winter time, but their natural coats allow them to endure much colder temperatures than people can tolerate. When animal housing is designed for human comfort, it can actually be too warm and unhealthy for animals. Buildings with plugged air cracks and windows covered with double plastic are often poorly ventilated. This situation can result in a buildup of moisture and animal odors, creating an unhealthy environment.

A simple, three-sided shelter with an open front will meet the needs of many farm animals and is often the building of choice to raise healthy livestock. When designing a three-sided animal shelter, make sure the open side faces the south away from prevailing wind. Locate the structure on an elevated, well-drained site and make it accessible for feeding and materials handling.

There are several factors to consider when planning adequate livestock shelter in cold weather:

- **Air quality:** An animal shelter should either be open, with provisions for natural ventilation, or enclosed, using fans and proper air inlets around the ceiling perimeter to provide ventilation. Tight buildings result in a buildup of respiration gases and animal odors, which can irritate the animals' lungs and cause pneumonia.
- **Drafts:** Animals can stand cold temperatures, but you should protect them from drafts. Constructing panels in front of an open building can reduce drafts. When animals are allowed to run loose in a pen, instead of being hitched, they will search for the most comfortable spots.
- **Dry bedding area:** Animals will be comfortable in the cold if they have clean, dry bedding. A thick, dry bed provides insulation from the cold ground and decreases the amount of energy the animal has to expend to keep warm. Shelter from the snow and rain allows an animal's coat to remain dry, to provide maximum insulating value.

Water
enough
food in cold
weather to
maintain their energy reserves. Animals need food for growth and maintenance. They require additional amounts of good quality feed during cold weather to allow for the extra energy expended in keeping warm. Hay racks or feed bunks will properly dispense forages to reduce waste.

Space

Refer to the table on the next page for estimates on the space needs of various animals for exercise yards and pasture. You will not need a pasture as long as you provide adequate purchased feed, have an exercise yard and develop a sound plan for manure management.

If you do provide pasture, the number of animals it will support per acre depends on soil fertility and environmental considerations. *Rotational grazing* — the practice of sectioning off one section of a pasture with electric fencing and confining animals in that section, then repositioning the fence and moving animals to another section — prevents pastures from being overgrazed and will support more animals than one large unimproved pasture of equal size.

The following table lists the minimum space requirements, housing types and fencing needs of various farm species, along with the number of animals that will meet the food, fiber, recreation and other needs of an average family farmstead. Use it only as a rough guide.

(Note to municipal planners: The minimum space and housing guidelines in the chart apply to both commercial farms and backyard operations. However, you should not apply the numbers of animals suggested in the "Family Needs" category to commercial farms when drafting ordinances regulating agriculture in your community.)

*Refer to the "Manual of Best Management Practices (BMPs) for Agriculture in New Hampshire" for specific guidelines on proper animal waste handling and barnyard management. To request a copy, call the New Hampshire Bureau of Markets at (603) 271-3685.

Fact sheet and table developed by David C. Seavey, Extension Agricultural Resources Educator and John C. Porter, Extension Dairy Specialist. Updated 6/2009, by John C. Porter, Extension Professor and Dairy Specialist, Emeritus.

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Beef Cattle Housing & Equipment

As a rule, all ages of cattle can stay on pasture during the warm weather months. Pastured or grass fed beef is a growing trend with New England beef producers and the consumer's demand for this product is increasing.

A one or two-sided structure with a roof can provide shelter to cattle during periods of intense cold. Structures should be built with the open sides facing the south or east (depending upon prevailing winds) to maximize effects of solar radiation during the winter.

Cattle on average can consume 1 gallon of water per 100 pounds live weight per day.

Introduction:

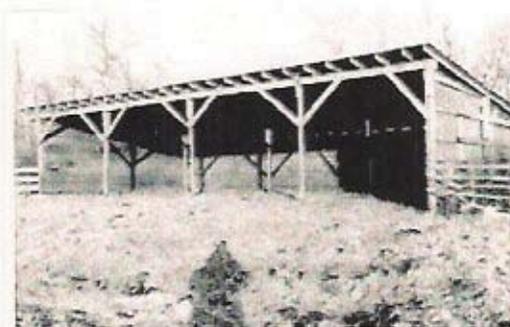
In New England, beef enterprises are cow/calf, feeder, or a combination of both. Cow/calf enterprises usually require less financial investment in facilities than feeder operations. Feeder cattle facilities require more confinement pens, more automation of feeding systems and less need for roofed shelters. Each type of facility must be designed accordingly.

Several different designs for housing and handling facilities are suitable for beef operations taking into consideration the weather, topography, and the availability of feed and pasture. It is important to know all the rules and regulations with respect to location, design, and type of operation. Check with your local Building Inspector to obtain the required permits prior to building or renovating your existing facility. You should also talk to an experienced builder or contractor to ensure the cost of the facility is within the objectives of the operation.

It is important to choose a location for buildings and handling facilities that is on well-drained soil with properly designed surface water drainage situated away from streams, other bodies of water and is not close to population centers. Check with your county Natural Resources and Conservation Service (NRCS) office for recommended guidelines.

Some Recommended Structures for Beef Cattle Housing:

Open sided, single slope roof shed - This type of housing is most typical of structures used and is suitable for all cattle on the farm. This is the least expensive of new structures and very easy to build. Open sheds should face the south for winter sun and block the prevailing winds. Pole barns of this design can be partitioned for groups of animals without complicated interior construction.



Open sided, clear span pole shed - The clear span provides more space for equipment to remove manure and thus any side of the building can be open to the environment. The gable end of the barn is recommended to be open so that the discharge of rain and snow is not over the open side of the building. When the gable end is open, the bays areas are usually deeper and provide more protection from the wind. The back end of the structure may be dark and damp and may need additional design attention for ventilation and lighting. This type of housing is more practical for smaller sized herds (under 20 head of cattle).



Former Dairy Barns - Today there are many unused dairy barns due to dairy farmers either retiring or dispersing. The renovation costs are usually less than the cost of a new structure. Lighting and ventilation are usually adequate in former dairy facilities for use by beef cattle.

Manure removal is a major piece of the renovation plan.

Conventional tie stalls that are used on New England dairy farms with a

gutter are not recommended. Free stall barns are the ideal dairy facility for use with beef cattle since the manure handling is already set-up.



Hoop Barns - One of the least expensive structures for housing cattle is the hoop barn. Hoop barns are similar to greenhouses. One disadvantage is the heat and



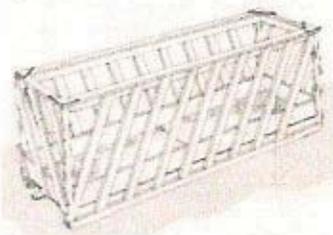
ventilation problems during the summer months, but this should not pose an issue if you are planning on grazing your cattle during the warmer climate months.

Feeding Equipment:

Feed Bunks - The main requirements for feed bunks are that they are practical, good quality, rugged, and economical. The bunk length and capacity should meet livestock requirements.

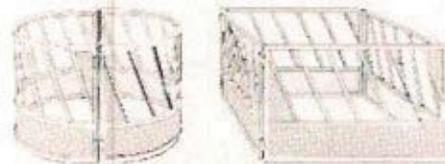


Portable Hay Feeders - This portable feeder is a proven hay-saving design for free-choice supplementary hay feeding in a field, feedlot, or loose housing barn. The sloping spacers allow cattle of varying sizes to



feed comfortably with their heads inside the feeder. This helps to reduce waste since cattle do not have to withdraw their heads to stand and chew.

Round and big bale feed racks are easy to load, move, and also prevent hay wastage. The round version requires a bender to reform the square tube rails, but the round shape makes it easier to roll it from place to place. The square version is easier to build in the farm shop, and it can be completely collapsed for transport in



a pickup truck. Important feed-saving features are the solid lower section and the slanted

divider bars above.

Water Equipment - Many watering equipment system options are available. Different systems may be used throughout the year. If you are grazing animals, you may want portable water tanks to reduce the impact of cattle in one location. In the winter, depending upon your climate, you may need heated units for use in pasture. There are many things to consider when selecting a system for use on your farm. The most important factor to understand your livestock' water needs and ensure that the current system can meet those requirements.

Headgate - The headgate is the most important part of the entire working facility. It should be sturdy, safe, easy to operate, and work smoothly and quietly. Headgates come in four basic types; self catching, scissors-stanchion, positive-control and fully opening stanchion. The self-catching headgate closes automatically due to the movement of the animal. The scissors-stanchion type has biparting halves that pivot at the bottom. The positive-control type locks firmly around the animal's neck. The fully opening stanchion consists of two biparting halves that work like a pair of sliding doors. The self-catching, scissor-stanchion and the fully opening stanchion are available with either straight or curved stanchion bars. The straight-bar stanchion is extremely safe and will rarely choke an animal. The disadvantage is animals can move their heads up and down unless a nose bar is used. The curved-bar stanchion offers more control of the animal's head but is more likely to choke the animal than the straight-bar type. Both types are safer than the positive-control headgate. No matter which type of headgate is selected, proper adjustment for the type of cattle being worked is necessary to prevent injury to the animals.

Holding Chute - The holding chute is secured to the head gate and located immediately behind it. The holding chute should generally not be any wider than 26 inches but should be adjustable in order to compensate for different-size animals. The sides should be solid so that animals are not able to look out and be scared by their surroundings.

Working Chute - The working chute connects the holding chute with the holding pen. It should be long enough to hold five to six animals at a time.

Crowding Pen - The crowding pen is located at the back of the working chute. Size should be about 150 square feet. This area will hold five or six head of cattle.

Holding Pens - Holding pens should mesh conveniently with the rest of the facility. Each holding pen should provide approximately 20 square feet of space per animal.

Scales - Scales are optional depending on your size operation but can be useful in weighing cattle. The scales should be located so cattle can be easily moved on and off. Do not locate scales in highly trafficked areas.

Loading Chute - The loading chute may be optional if a trailer is used to transport animals. The loading chute should be located directly off the crowding pen.

Conclusion:

While improving your ability to handle cattle efficiently and safely does cost both time and money, it is an investment that provides an excellent and often immediate return. A number of options are available if you want to install a new facility or improve an existing one, enabling you to improve your facility so that it meets your needs without exceeding your resources.

Resources:

Bartlett, Ben. "The ABC's of Livestock Watering Systems". Michigan State University. 2006.

http://www.lpes.org/SmallFarms/9_Watering.pdf >

Government of Saskatchewan Agriculture. "Beef Cattle Housing and Feedlot Facilities". 2008.

www.agriculture.gov.sk.ca/Beef_Cattle_Housing >

For more information visit www.umass.edu/cdl
Factsheets in this series were prepared by Stephen Herbert, Masoud Hashemi, Carrie Chickering-Sears, and Sarah Weis in collaboration with Ken Miller, Jacqui Carlevale, Katie Campbell-Nelson, and Zack Zenk.
This publication has been funded in part by Mass. Dept. of Agricultural Resources in a grant to the Massachusetts Farm Bureau Federation, Inc. by Mass. Dept. of Environmental Protection, s319 Program, USDA-SARE.

Suggested Space and Housing Guidelines for Fully Mature Farm Animals

Animal Unit	Horse	Beef Cow	Dairy Cow	Dairy Goat	Pig	Sheep	Hen	Broiler	Turkey
Enclosed Housing Area/Animal	1 horse -Tie stalls 45 sq. ft.; 5' x 9' - Box stall 12' x 8' or 10' by 10'	1 cow 75-100 sq. ft.	1 cow 75-100 sq. ft.	1 goat 20-25 sq. ft.	1 pig 48 sq. ft. with exercise yard; 100 sq. ft. without exercise yard	1 sheep 20-25 sq. ft.	1 hen 3-4 sq. ft.	1 broiler 3-4 sq. ft.	1 turkey 6 sq. ft.
Exercise Yard Area /Animal	200 sq. ft.	100-125 sq. ft.	100-125 sq. ft.	50 sq. ft.	200 sq. ft.	50 sq. ft.	10 sq. ft.	20 sq. ft.
Pasture Area /Animal	1-2 acres	1-2 acres	1-2 acres	0.2-0.3 acres	12-14 sows/acre/ rotational pasture	0.2-0.3 acres	100 sq. ft.
Type of Housing and Boundary Setback	Enclosed ventilated barn or open 3-sided barn Setback 50 ft.	Open front 3-sided barn Setback 50 ft.	Open front 3-sided barn, free-stall or enclosed stanchion barn Setback 50 ft.	Enclosed barn with removable side panels or windows Setback 50 ft.	Enclosed barn, huts, shed, hutchies or lean-to Setback 50 ft.	Open front 3-sided shed Setback 50 ft.	Enclosed barn Setback 50 ft.	Enclosed barn Setback 50 ft.	Enclosed barn Setback 50 ft.
Fencing	Electric Wooden rail Woven wire	Barbed wire Electric Woven wire	Barbed wire Electric Woven wire	Electric Woven wire	Electric Plank rail	Electric Woven wire	Chicken wire	Chicken wire
Family Needs	1 horse per family member	1/2 - 1 beef animal/year; raise 2 animals/yr to provide cont. supply	1-2 cows	2-3 goats	2 pigs per yr.	6 sheep	6 hens	24 broilers	12 turkeys

7 February 2013

I am Lois Flegal. I have lived at 2231 Alva Circle since 1961.

The Osborn family moved onto our circle (our little piece of heaven) in 1969. They have been wonderful neighbors ever since.

They and their daughter Laurel have always grown a huge garden and have shared of their delicious produce with me.

Their orchard of various fruit varieties has always been shared with the neighborhood too.

They have always been generous with their time in assisting me with my home and yard.

As I told this committee and the county council 12 years ago, for as long as I have known them they have kept all manner of critters in their yard: goats, birds, rabbits, chickens etc.

Their animals have never bothered me. They have been responsible owners.

I approve of their rezone proposal.

Lois O. Flegal

FEB, 7, 2013

2244 Alva Cir
SLC, UT
84109

I, Kim Gladstone,
am not opposed to
Laurel Osborn's
re-zoned proposal.
Thanks Kim Gladstone

To whom it may concern:

The Osborns and their daughter installed their aviary almost 8 years ago. Before that time they had ducks or geese without an aviary.

Since its installation, they have continued to have in the aviary, ducks and geese along with pheasants, quail and partridge.

Along with their variety of poultry and game birds, in the 25 years that we have been next door neighbors, they have also kept goats and rabbits.

I live right next door. Their animals and fowl have never been a problem for me as their neighbor.

Carol Satterfield
2251 Alva Circle
SLC, UT 84109

Carol Satterfield
2-7-13

APPLICATION 28270

February 12, 2014

To: Salt Lake County Planning Commission
Meeting of Wednesday, February 12th, 2014

I live at 2279 East Keller Lane; I am adamantly opposed to the re-zoning of this area to allow for livestock in our backyards.

I have lived in my home since the 1960's; I am 91 years old and am unable to attend these hearings. My husband and I purchased our home in a residential area and it should remain a residential area.

The property owned by Laurel Osborne and my home share the same backyard fence and I feel it is intolerable to have livestock in my backyard, with the smells and flies it would be extremely unhealthy for me and my neighbors.

I am also very concerned about my property values.

Please do not change the zoning in our residential community to allow livestock in our backyards.

Thank you for at least hearing my concerns, I would appreciate any and all help from your committee in not allowing this injustice to happen.

Thank you,

Laura D. Byrne

Emailed to: lrebert@slco.org

Laurel Osborn and Wallace S Fetzer properties 2254 and 2257 Alva Circle, Salt Lake City, UT 84109

Quit Claim Deed

When these parcels are used for 'Family Food Production', per Salt Lake County Ordinance associated with zone R-1-21:

Solid waste will not accumulate. Trash containers will be used, with lids down, for the collection of animal waste. Additional containers will be rented as needed. This/these containers will be disposed of weekly.

Animal feed will be secured from rodent/vermin contact.

Animal waste will be collected at least every 7 days or more frequently as needed to prevent odor or nuisance for surrounding properties.

Honey bees' flight patterns/hive placement will not interfere nor impact surrounding properties. Water will be available to bees. Numbers of hives and their boxes will be kept within the county ordinance standards.

Waste water will not be discharged nor maintained on my property. Liquid waste will not collect.

No sewage nor wastewater will be placed nor conducted into any storm drain system, street, alley, sidewalk, gutter, watercourse, canal, river nor stream (specifically Millcreek which adjoins our property) Our property grading/fencing will be maintained so as to allow no impact upon Millcreek through contact nor runoff.



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	2	3	
Applicant Name:	Daniel Thurgood	Request:	Conditional Use						
Description:	Communications Facility - New Wireless Tower and Equipment Shelter								
Location:	601 East 4500 South								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	David J. Gellner, AICP								

1.0 BACKGROUND

1.1 Summary

The applicant, Daniel Thurgood representing Verizon Wireless is requesting Conditional Use Approval for a new 60 ft. tall monopole and equipment shelter located on the subject property referenced above. The subject property is zoned R-M (high density residential). The R-M Zone allows for a monopole as a Conditional Use in the zone.

1.2 Hearing Body Action

This item is on the agenda to receive a Decision from the Planning Commission.

1.3 Neighborhood Response

Notice of this application was sent to property owners and residents within a 300 foot radius of the subject property. As of the date of this report, Planning Staff has not received any public comments on the proposal.

1.4 Community Council Response

The Millcreek Community Council has this request on their Agenda for discussion at their meeting of July 1, 2014. As of the date of this report, the Millcreek CC has not formally reviewed this application or made a formal recommendation. Their comments and any forthcoming recommendations will be provided to the Millcreek Planning Commission at the hearing scheduled for July 16, 2014.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The proposal appears to meet all requirements of the Zoning Ordinance. Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		*All reviews and staff analysis show that the use will comply with all other applicable laws and ordinances. The items related to the Building Code outlined in Section 2.3 will be addressed before any permits are issued. Staff feels that this criteria will be met through the enforcement of the Building Code provisions.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		The proposed use is not anticipated to have any impact on traffic. Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		*All reviews and staff analysis show that the use will comply with all other applicable laws and ordinances. The items related to the Building Code outlined in Section 2.3 will be addressed before any permits are issued. Staff feels that this criteria will be met through the enforcement of the Building Code provisions.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Discussion: The proposed monopole is located in the back corner of an existing mixed-use office complex that is adjacent to residential uses. While the tower will certainly be visible given it's height, staff does not believe that it will adversely impact properties in the vicinity through a lack of compatibility.

Summary: Staff feels that this criteria has been met.

2.2 Zoning Requirements

Wireless telecommunications facilities are governed by Chapter 19.83 of the Salt Lake County Zoning Ordinance. Specifically, the following provisions are applicable to this application:

19.83.020 - Definitions

"Monopole facility" means an antenna or series of individual antennas mounted on a single cylindrical pole. Also includes associated equipment.

19.83.060 - Facility Types and Standards

C. Monopole. The following provisions apply to monopoles:

1. The height limit for monopoles is sixty feet except the planning commission may allow a monopole up to eighty feet in the C-2, C-3, M-1, and M-2 zones if it finds: (1) that the monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses, (2) the monopole will be available for co-location with other companies, and (3) the monopole will be setback at least three hundred feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.

2. In all R-1, R-2, and R-4-8.5 zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use. Public and quasi-public uses, as defined in Sections [19.04.440](#) and 19.04.450, include but are not limited to churches, schools, utilities, and parks.

3. No monopoles shall be allowed in the front yard setback of any lot.

4. Monopoles shall be setback from any residential structure a distance equal to its height.

5. Stealth monopole facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by development services division for permitted uses and the planning commission for conditional uses. Stealth monopoles are not required to be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.83.050).

19.83.090 - Additional Requirements

The following shall be considered by the planning commission for conditional uses:

A. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.

B. Location of the antenna on other existing structures in the same vicinity such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc. where possible without significantly impacting antenna transmission or reception.

C. Location of the antenna in relation to existing vegetation, topography including ridge lines, and buildings to obtain the best visual screening.

D. Spacing between monopoles which creates detrimental impacts to adjoining properties.

2.3 Other Agency Recommendations or Requirements

This proposal was sent for review by outside agencies. Given the type of application, this review was limited to the Salt Lake County Building Department. The Building Department noted this in relation to the application:

The initial review was Denied with the following comments:

1. Need to verify the distance from the property line to any exhaust outlets from the equipment shelter. Per the Mechanical Code, any exhaust outlets need to be at least 10' from the property line.
2. The shelter wall that is less than 10' from the property line will need to meet the requirement of 1 hour fire rated construction.

Once these issues are resolved, conditional approval will be based on:

1. Building permits are required for both the new monopole and the new equipment shelter.

NOTE: Staff considers these to be technical review issues that will be addressed during the review and finalization of the Conditional Use for this application. Compliance with these items will also be addressed during and through the Building Permit process. As such, staff's recommendation will take into account that these items must be complied with before final approval will be granted.

2.4 Staff Analysis

The proposed facility will take up four existing parking spaces in the back of the parking lot. While staff has not conducted or requested a parking study, the impact appears to be negligible in terms of the overall parking available at this complex of mixed use office and professional facilities. There are no records of parking-related issues at this site.

Staff visited the site to verify conditions in the field as a basis of comparison to the submitted drawings. Staff noted a number of things that will be mentioned here as part of the discussion and analysis of the Conditional Use Criteria in Section 2.1 of this report. Those are:

- 1) The Ordinance requires: "Monopoles shall be setback from any residential structure a distance equal to its height. " The submitted drawing indicates that this provision will be met with the proposed monopole location and field observation confirms this to be the case.
- 2) The height limit for monopoles in the R-M zone is sixty feet. The definition of monopole (19.83.020) stipulates that "Also includes associated equipment. " The applicant's proposal shows a monopole of 60 feet in height with the addition of a 6 foot lightning rod on top which is not included in that 60 foot height. The maximum height of the antennas is 60 from grade. Planning Staff have by tradition interpreted the height limit to be that of the pole and any antennas (equipment) above grade, including any base for the antenna. They have not included appurtenances such as a lightning rod in that height calculation given the smaller massing and scale. This was also confirmed with the Zoning Administrator. Using that methodology, the tower is within the allowed height limit for the zone.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) The height of the monopole and any antennas or associated equipment is strictly limited to 60 feet with an additional 6 foot long lightning rod being allowed.

- 2) Building permits are required for the monopole and equipment shelter.
- 3)Any exhaust outlets need to be located at least 10 feet from the adjoining property line. (This will be verified at the time of a Building Permit application and the Building Permit will not be issued unless and until this condition has been met and verified.)
- 4)The equipment shelter wall that is located within 10 feet of the property line will be required to have 1-hour fire rated construction. (This will be verified at the time of a Building Permit application and the Building Permit will not be issued unless and until this condition has been met and verified.)
- 5)Any future antenna changes, upgrades, additions and repairs that do not alter the general mass, scale and aesthetics of the facility will be reviewed at a staff level.

3.2 Reasons for Recommendation

- 1) The proposed use appears to comply with all five (5) required standards that must be met before Conditional Use Approval can be granted by the Planning Commission.
- 2) Outside of the provisions of the Zoning Ordinance, enforcement of the Building Code provisions will ensure that all health and safety impacts are addressed.

4.0 PROJECT PHOTOS



Image 1 : Proposed location of tower/shelter in NW corner of property.



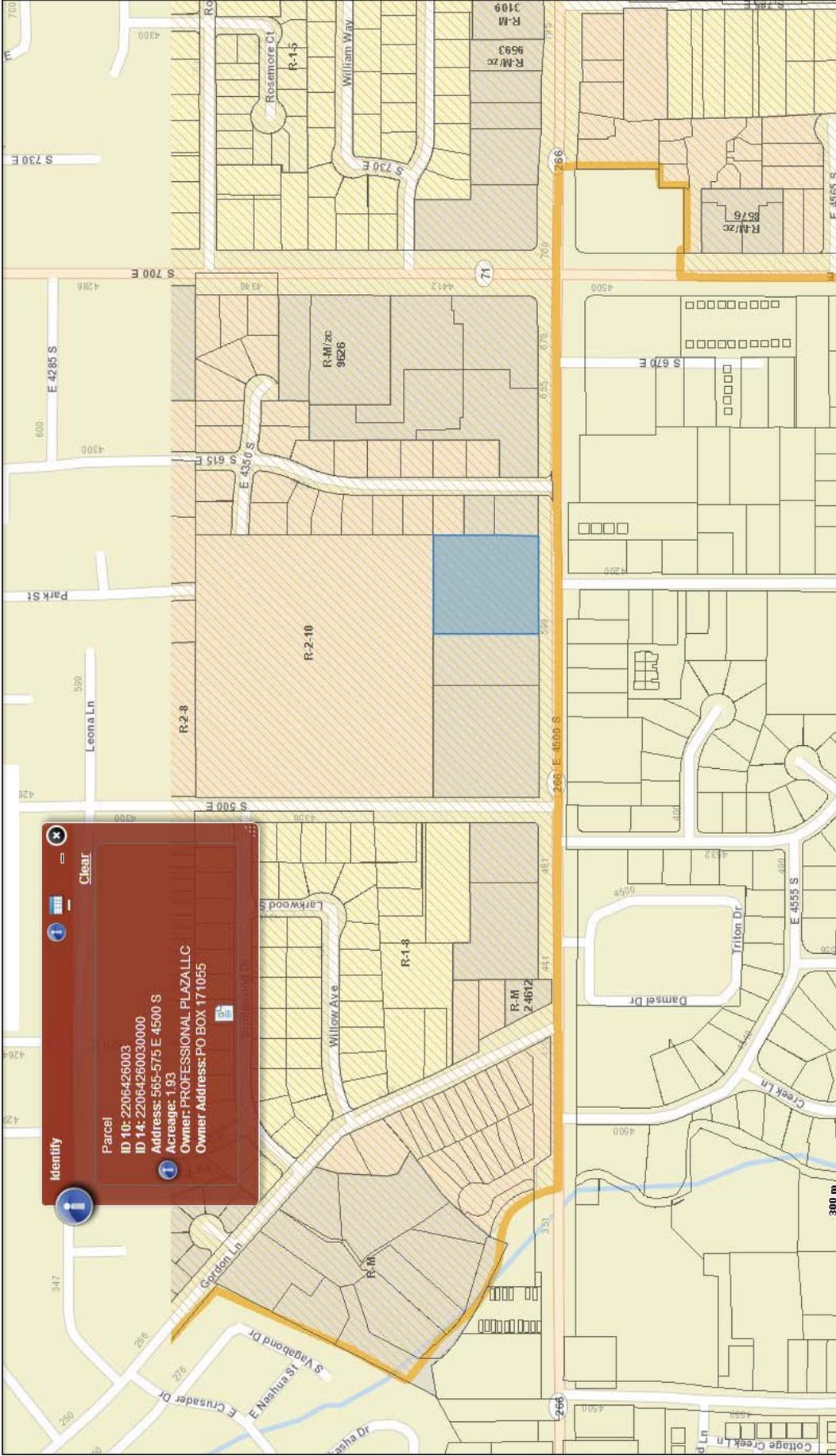
Image 2 : Proposed location of tower/shelter in NW corner of property.



Image 3 : Backstop on baseball/school field of James Moss Elementary to west of proposed location



Image 4 : Looking SE from school yard of Moss Elementary toward proposed location



Address Will Be: 601 E 4500 S



VERIZON WIRELESS
9608 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088



TAEC
Technology Associates Engineering Corporation, Inc.
TECHNOLOGY ASSOCIATES

UTAH MARKET OFFICE
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84125
CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

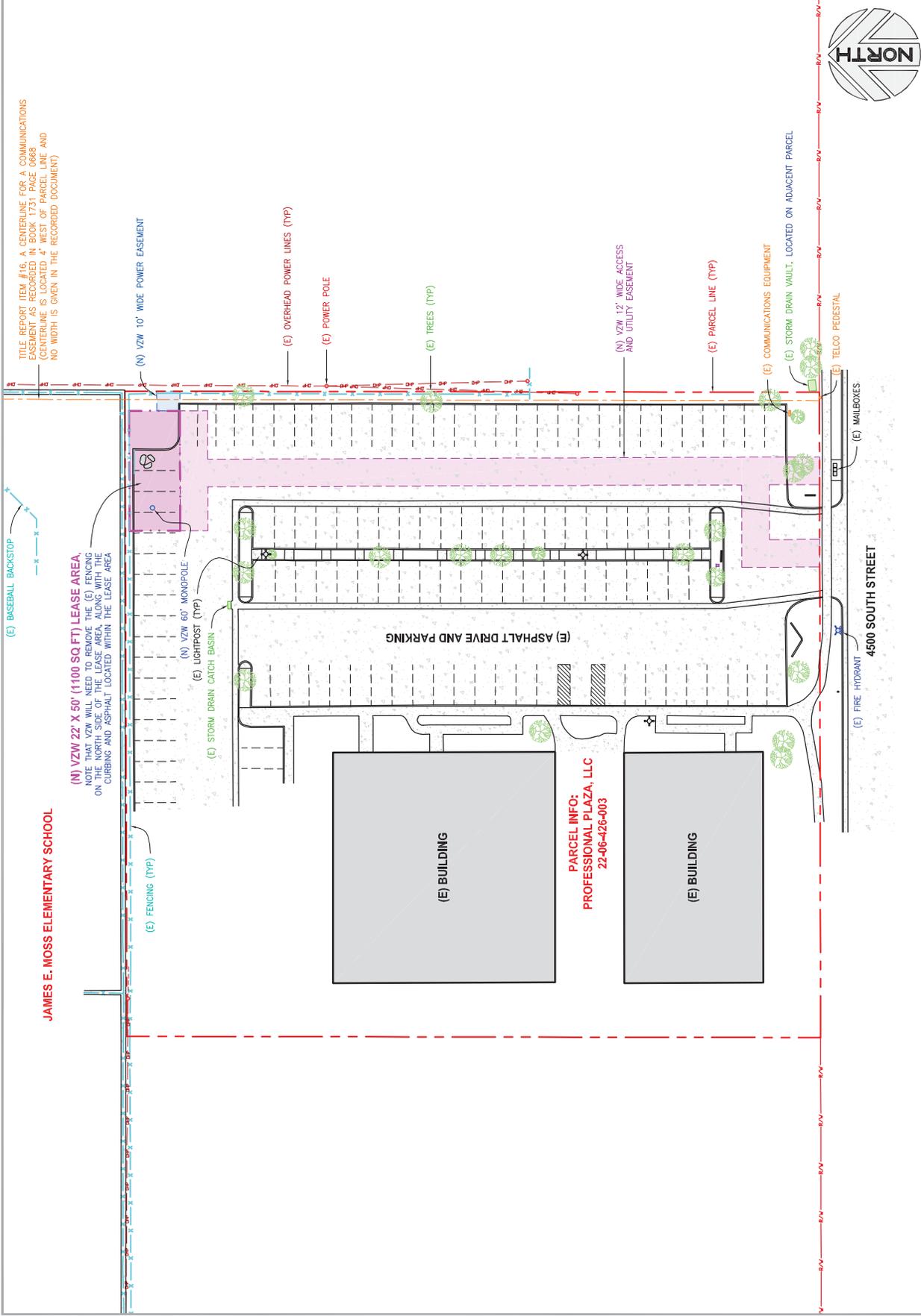
REV	DATE	DESCRIPTION
1	05.05.2014	REVISED ADDRESS
0	05.01.2014	ZONING DRAWINGS

SAL - SUNSHINE
NE SEC 6, T2S, R1E
601 EAST 4500 SOUTH
S.L.C, UTAH 84107
--- RAWLAND SITE ---

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C100.1

TITLE REPORT ITEM #16, A CENTERLINE FOR A COMMUNICATIONS EASEMENT AS RECORDED IN BOOK 1731 PAGE D668 (CENTERLINE IS LOCATED 4' WEST OF PARCEL LINE AND NO WIDTH IS GIVEN IN THE RECORDED DOCUMENT)



JAMES E. MOSS ELEMENTARY SCHOOL

(N) VZW 22' X 50' (1100 SQ FT) LEASE AREA. THIS VZW WILL NEED TO REMOVE THE (E) FENCING ON THE NORTH SIDE OF THE LEASE AREA AND CURBING AND ASPHALT LOCATED WITHIN THE LEASE AREA.

PARCEL INFO:
PROFESSIONAL PLAZA, LLC
22-06-428-003



SCALE: 1/4" = 10'-0"

OVERALL SITE PLAN



VERIZON WIRELESS
9608 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

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DRAWN BY: JAY C

CHECKED BY: DAN T

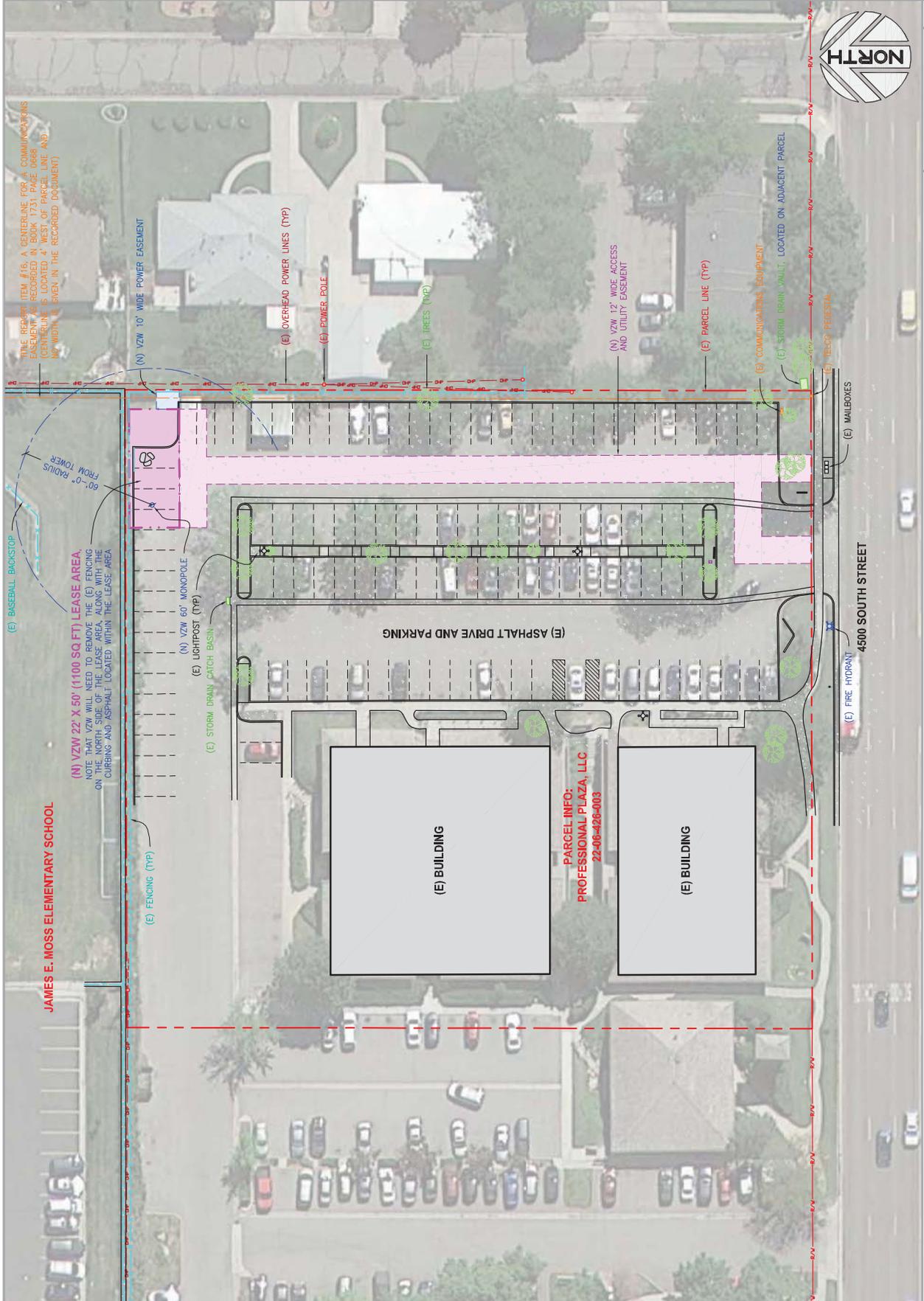
REV	DATE	DESCRIPTION
1	05/05/2014	REVISED ADDRESS
0	05/01/2014	ZONING DRAWINGS

SAL - SUNSHINE
NE SEC 6, T2S, R1E
601 EAST 4500 SOUTH
S.L.C., UTAH 84107
--- RAWLAND SITE ---

SHEET TITLE
OVERALL SITE PLAN
WITH AERIAL PHOTO
UNDERLAY

SHEET NUMBER

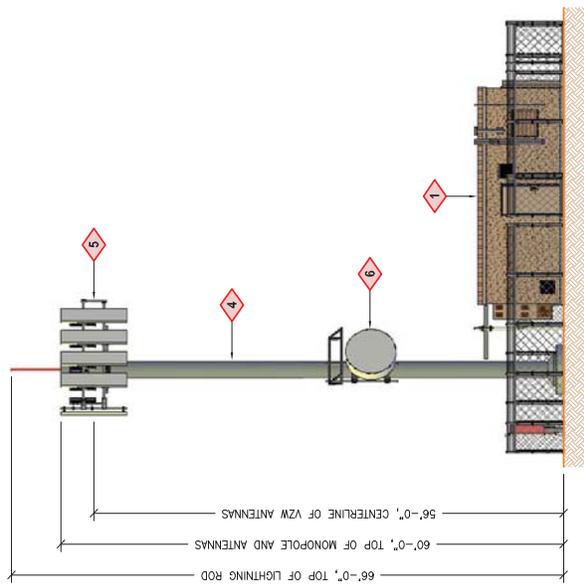
C100.2



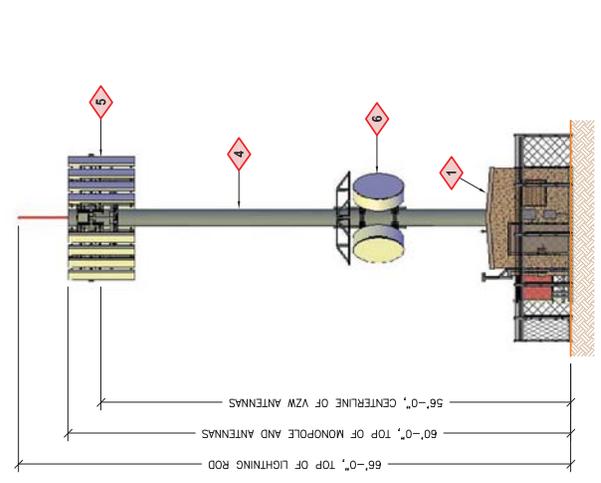
SCALE: 1/4" = 10'-0"

OVERALL SITE PLAN WITH AERIAL PHOTO UNDERLAY

SITE ELEVATION
LOOKING NORTH

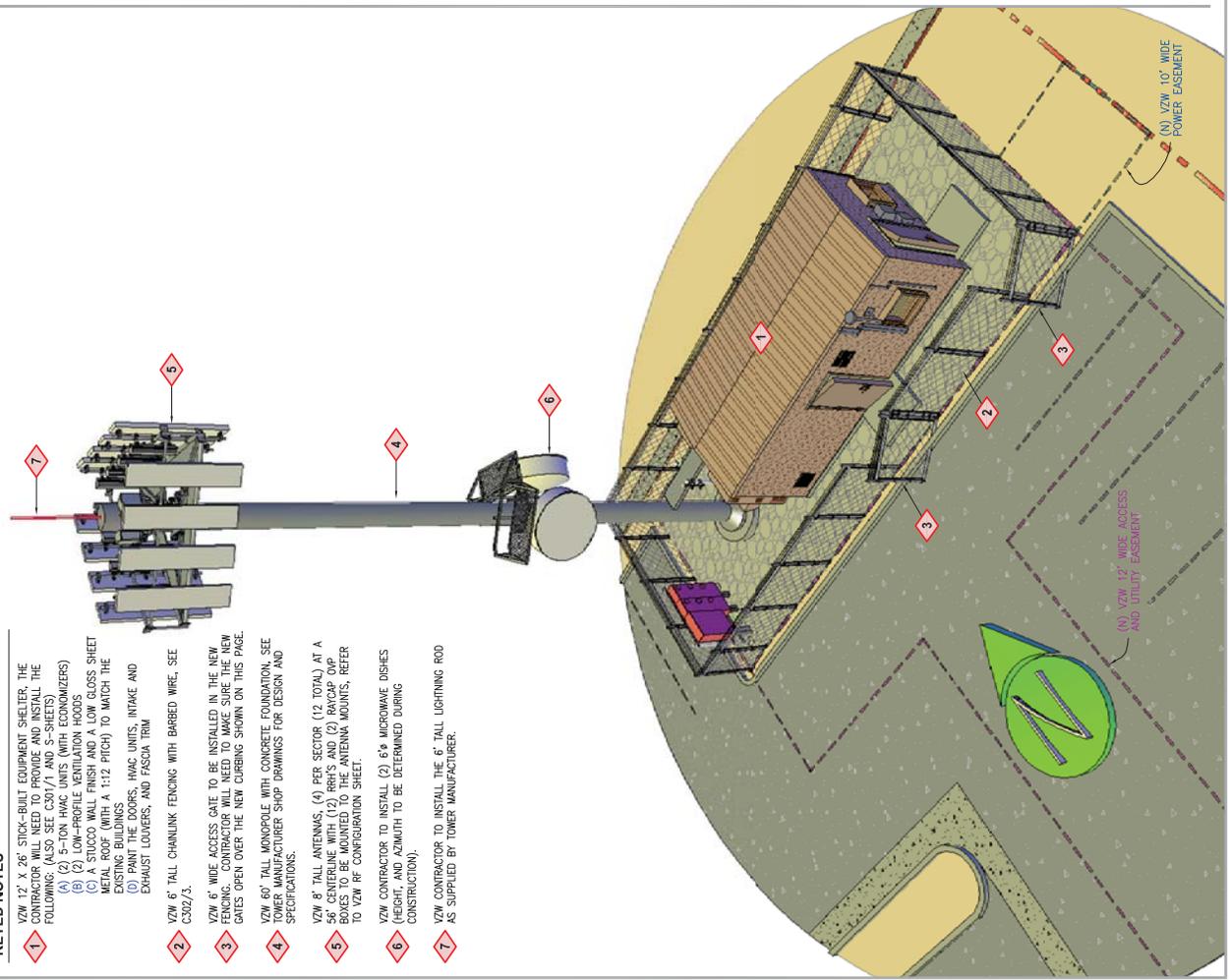


SITE ELEVATION
LOOKING WEST



KEYED NOTES

- 1 VZW 12' X 26' STICK-BUILT EQUIPMENT SHELTER. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL THE FOLLOWING (ALSO SEE C302/2 AND S-SHEETS):
 - (A) (2) 5-TON HVAC UNITS (WITH ECONOMIZERS)
 - (B) (2) LOW-PROFILE VENTILATION HOODS
 - (C) A STUCCO WALL FINISH AND A LOW GLOSS SHEET METAL ROOF (WITH A 1:12 PITCH) TO MATCH THE EXISTING BUILDINGS
 - (D) PAINT THE DOORS, HVAC UNITS, INTAKE AND EXHAUST LOUVERS, AND FASCIA TRIM
- 2 VZW 6' TALL CHAINLINK FENCING WITH BARBED WIRE, SEE C302/3.
- 3 VZW 6' WIDE ACCESS GATE TO BE INSTALLED IN THE NEW FENCING. CONTRACTOR WILL NEED TO MAKE SURE THE NEW GATES OPEN OVER THE NEW CORING SHOWN ON THIS PAGE.
- 4 TOWER MANUFACTURER SHOP DRAWINGS FOR DESIGN AND SPECIFICATIONS.
- 5 VZW 8' TALL ANTENNAS. (1) PER SECTOR (12 TOTAL) AT A 56" CENTERLINE WITH (12) BRIS, AND (2) RAINCAP (6" BOXES TO BE MOUNTED TO THE ANTENNA MOUNTS, REFER TO VZW RF CONFIGURATION SHEET.
- 6 VZW CONTRACTOR TO INSTALL (2) 6" MICROWAVE DISHES (HEIGHT, AND AZIMUTH TO BE DETERMINED DURING CONSTRUCTION).
- 7 VZW CONTRACTOR TO INSTALL THE 6' TALL LIGHTNING ROD AS SUPPLIED BY TOWER MANUFACTURER.



verizon
wireless

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DRAWN BY: JAY C
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REV	DATE	DESCRIPTION
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SAL - SUNSHINE
NE SEC 6, T2S, R1E
601 EAST 4500 SOUTH
S.L.C, UTAH 84107
--- RAWLAND SITE ---

SHEET TITLE
SITE ELEVATIONS

SHEET NUMBER
C200



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	2	6	
Applicant Name:	Charlie Taylor	Request:	Conditional Use						
Description:	Electronic Message Center Sign								
Location:	4001 South 700 East								
Zone:	C-2 Community Commercial	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	David J. Gellner, AICP								

1.0 BACKGROUND

1.1 Summary

The applicant, Charlie Taylor, representing Yesco, is requesting Conditional Use Approval for an electronic message center (EMC) sign at the Woodlands Business Park located on the subject property referenced above.

The subject property is zoned C-2 (Community Commercial). The C-2 Zone allows for a ground type of EMC and requires Conditional Use approval if the proposed sign is within 300 linear feet or less of a residence.

The applicant is replacing an existing sign at this location with a sign that is slightly shorter and appears slightly wider than the existing sign and that incorporates the EMC. The footprint and sign support will be reused from the existing sign.

1.2 Hearing Body Action

This item is on the agenda to receive a Decision from the Planning Commission.

1.3 Neighborhood Response

Notice of this application was sent to property owners and residents within a 300 foot radius of the subject property. As of the date of this report, Planning Staff has not received any public comments on the proposal.

1.4 Community Council Response

The Millcreek Community Council has this request on their Agenda for discussion at their meeting of July 1, 2014. As of the date of this report, the Millcreek CC has not formally reviewed this application or made a formal recommendation. Their comments and any forthcoming recommendations will be provided to the Millcreek Planning Commission at the hearing scheduled for July 16, 2014.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The proposed sign appears to meet all applicable provisions and requirements of the Zoning Ordinance. Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		The proposal appears to meet all other applicable laws and ordinances. Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Discussion: The sign shall not present a traffic hazard due to poor design and no traffic increases are anticipated. The regulations for an EMC sign includes specific provisions related to the type of images, duration, transition and illumination that must be adhered to. These provisions were incorporated to lessen driver distraction and mitigate safety issues. Summary: Staff feels that this criteria has been met.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		The proposal appears is not anticipated to create safety hazards due to the circumstances listed above. Staff feels that this criteria has been met.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p><u>Standard 'E':</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i></p>
		<p>Discussion: The proposed sign is replacing an existing sign located on the same footprint. The new sign will be slightly shorter and wider but will incorporate the EMC technology. As the sign sits on the edge of developed commercial property with some taller buildings, a variety of uses and adjacent to a very busy major arterial (700 East), staff does anticipate that the sign will not have impacts related to lack of compatibility with surrounding buildings. There is a residence within 300 feet of the sign on the west side of 700 East. Given the distance to that residence of approximately 250 feet, the busy nature of the road itself, and the tall buildings on the subject property, this sign should have negligible additional impact on that residence. The Planning Commission also has at its discretion the ability to impose additional restrictions in terms of hours of operation, sign height, size etc. Staff is not recommending any additional conditions. This is highlighted in Section 3.3 - Other Recommendations of this report.</p> <p>Summary: Staff feels that this criteria has been met.</p>

2.2 Zoning Requirements

Electronic message center signs are governed by Chapter 19.82 of the Salt Lake County Zoning Ordinance. Specifically, the following provisions are applicable to this application:

19.82.135 Electronic message center requirements for on-premises signs

- A. An electronic message center shall only display static images. An electronic message center shall not display scrolling text, video images, or scintillating images.
- B. The minimum image display duration shall be four seconds.
- C. The maximum image transition duration shall be three seconds. Transitions from one static image shall fade out and fade or dissolve in to the next static image without the use of flashing, animation, or movement.
- D. All electronic message centers shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The nighttime illuminance of an electronic message center shall not increase ambient lighting conditions by more than three-tenths footcandles when measured perpendicular to the electronic message center face at a distance determined by the following formula:

Measurement Distance (in feet) = The square root of [Area of electronic message center face in square feet) × 100]

- E. Where allowed as a conditional use, conditions may be imposed by the planning commission regarding hours of sign operation, sign height, sign size, and/or setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the general plan, or to prevent potential traffic hazards.
- F. Electronic message center conditional use requirements, allowed sign types, and allowable

sizes by zone are set forth in Table 19.82.135

The provisions found in Table 19.82.135 are summarized here:

- a) In the C-2 Zone, a ground type of EMC is allowed as a Conditional Use if the proposed sign is within 300 linear feet or less of a residence.
- b) Up to 50% of the total allowable sign size can be an EMC.
- c) Ground signs are limited in height to 30 feet in the C-2 Zone.
- d) The Ordinance allows for a sign 48 sq. ft. plus 1 sq. ft. for each foot of frontage over 30 on a street to a maximum of 256 sq. ft. Based on the size of property frontage, this property would qualify for the maximum size allowed of 256 square feet.

2.3 Other Agency Recommendations or Requirements

This proposal was sent for review by outside agencies. Given the type of application, this review was limited to the Salt Lake County Building Department. The Building Department noted this in relation to the application:

Building permits are required for the construction of the new sign.

2.4 Staff Analysis

This application is coming before the Planning Commission as a Conditional Use after an initial review by staff showed the proposed EMC to be within 300 feet of an existing residence. The land uses to the west, across 700 East consist of properties zoned R-M (Residential) that are within 300 feet of the proposed sign. There appears to be at least one residence within 300 feet of the proposed sign, at a distance of approximately 250 feet.

Based on the property frontage size of over 700 feet, a sign of up to 256 square feet would be allowed. This is the maximum size for a ground sign in the C-2 Zone. The applicant is proposing a ground sign that totals approximately 180 square feet, one half of which would be the EMC. Thus, the sign is within the allowed size and the EMC is 50% of the proposed sign and less than 50% of the allowable sign on the property.

The maximum sign height for the zone is limited to 30 feet. The applicant is proposing a sign 25 feet in height. The proposed sign is approximately 4 feet shorter than the sign that is being replaced at this same location. It is utilizing the same footprint and base/supports as the existing sign.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Provisions A-D of the Chapter 19.82.135 relating to the allowed images, display duration, image transition and ambient illumination must be strictly adhered to.
- 2) A Salt Lake County Building Permit is required for construction of the sign.

3.2 Reasons for Recommendation

- 1) The proposed use appears to comply with all five (5) required standards that must be met before Conditional Use Approval can be granted by the Planning Commission.

3.3 Other Recommendations

The Planning Commission has discretion for the following: "Where allowed as a conditional use, conditions may be imposed by the planning commission regarding hours of sign operation, sign height, sign size, and/or setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the general plan, or to prevent potential traffic hazards." Staff is not suggesting any specific conditions related to the hours of operation but recognizes that the Community Council may make recommendations in that regard to the Planning Commission based on their knowledge of the area. The Planning Commission may adopt appropriate mitigation measures to address anticipated impacts from the sign in terms of hours of operation, sign height, size etc. based on the input of the Community Council, citizen comments, and their own knowledge and observations of the site.

4.0 PROJECT PHOTOS



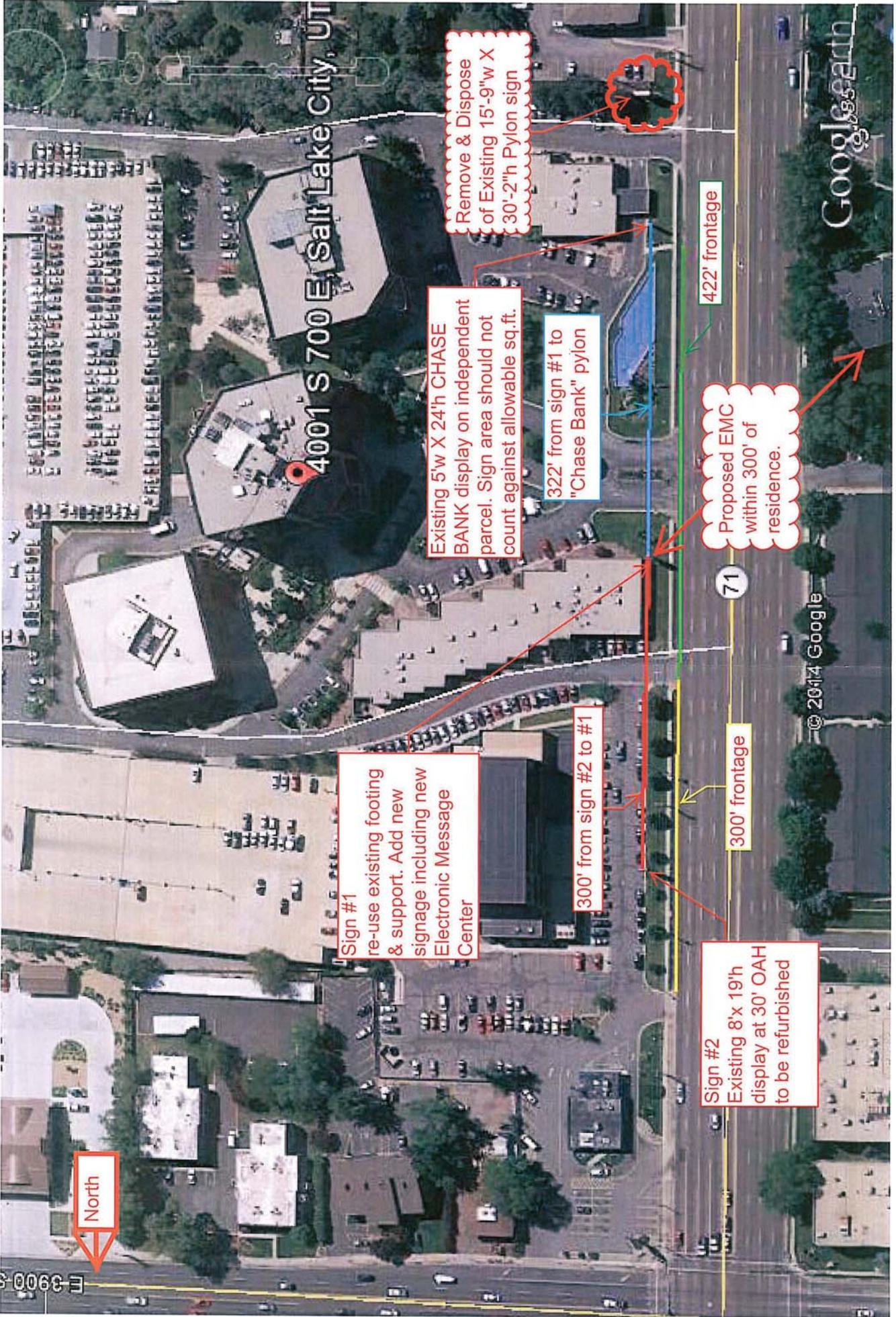
Image 1 : Proposed EMC - Looking north on 700 East



Image 2 : Proposed EMC - Looking NW from parking - residential visible across 700 East



Image 3 : Proposed EMC - Looking south on 700 East



North

4001 S 700 E Salt Lake City, UT

Sign #1
re-use existing footing
& support. Add new
signage including new
Electronic Message
Center

300' from sign #2 to #1

Sign #2
Existing 8'x 19'h
display at 30' OAH
to be refurbished

300' frontage

Existing 5'w X 24'h CHASE
BANK display on independent
parcel. Sign area should not
count against allowable sq.ft.

322' from sign #1 to
"Chase Bank" pylon

422' frontage

Remove & Dispose
of Existing 15'-9" w X
30'-2" h Pylon sign

Proposed EMC
within 300' of
residence.

© 2014 Google

Google Earth

71

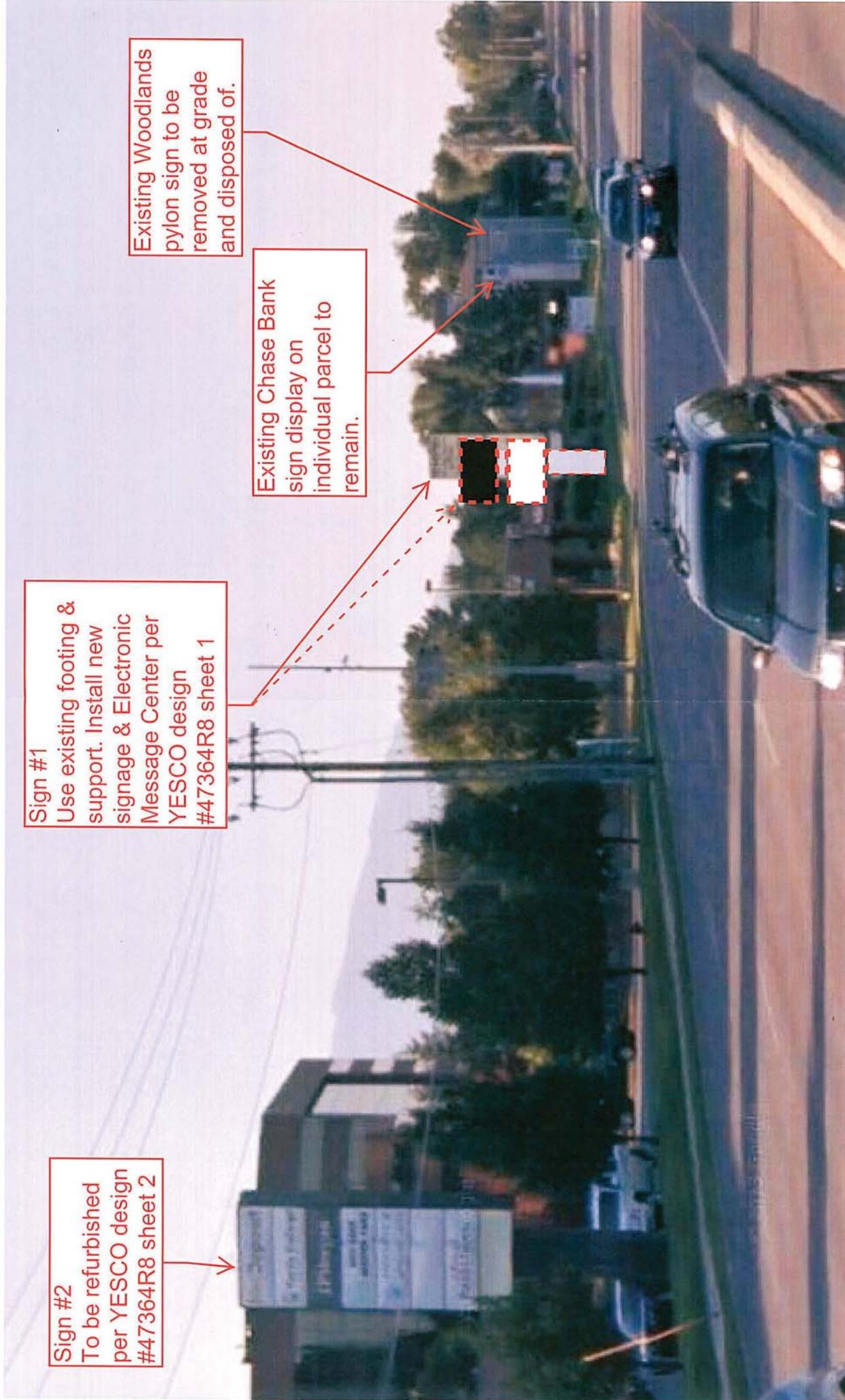
E 3900 S

Sign #2
To be refurbished
per YESCO design
#47364R8 sheet 2

Sign #1
Use existing footing &
support. Install new
signage & Electronic
Message Center per
YESCO design
#47364R8 sheet 1

Existing Woodlands
pylon sign to be
removed at grade
and disposed of.

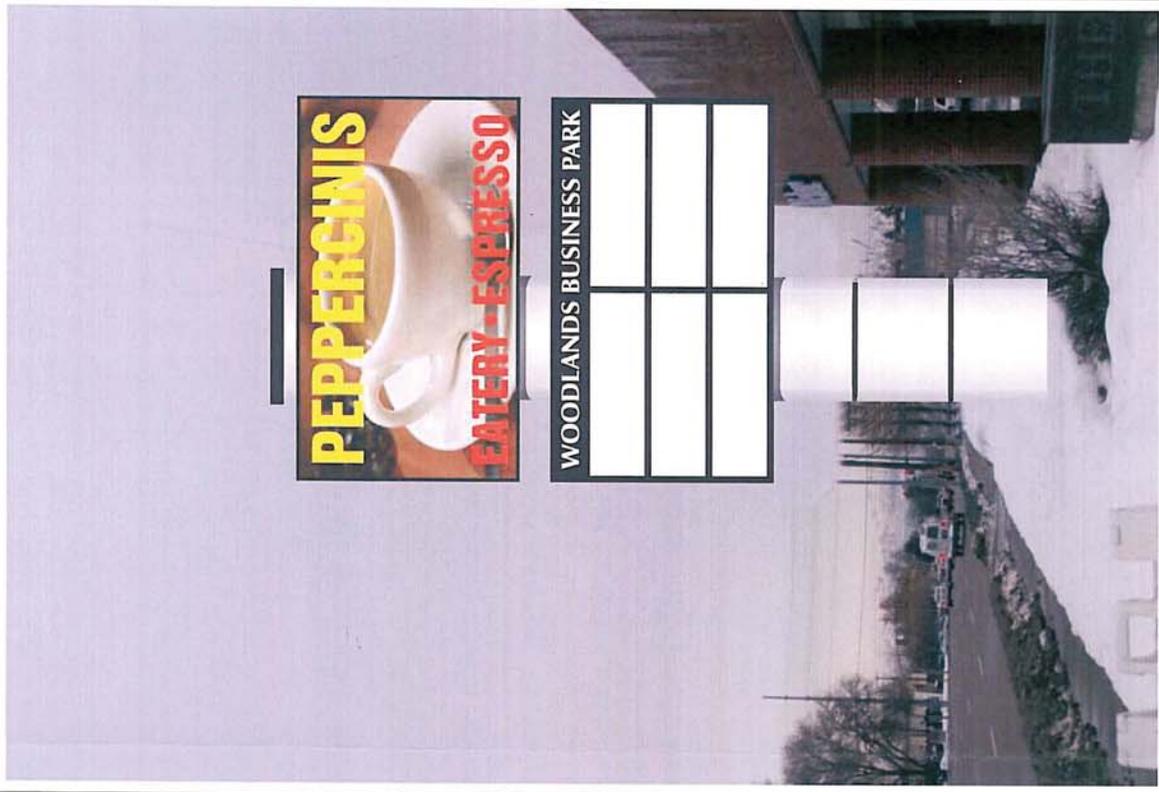
Existing Chase Bank
sign display on
individual parcel to
remain.



BEFORE



ART SUPERIMPOSED ON PHOTO (DAY) - SHOWN AT APPROXIMATE RELATIVE SCALE



 YESCO. Rocky Mountain Region Salt Lake City 1605 South Gateway Blvd Salt Lake City, UT 84104 801-487-8481	
Denver 3770 John St. Denver, CO 80239 303-575-9533	
© 2014 YESCO, LLC A Division of WWW.YESCO.COM	
CLIENT	WASATCH PROPERTIES WOODLANDS
ADDRESS	4001 SO. 700 E.
PROJECT TYPE	SIC. UT.
DESIGNER	AGENCY / ARCHITECT JEFF K.
INSTALLER	CHRISTIAN
INSTALL DATE	1.9.2014
CUSTOMER APPROVAL	
Client Signature + Date	_____ _____
Installer Signature + Date	_____ _____
ELECTRICAL CITY	
THIS SIGN IS DESIGNED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODES AND ALL APPLICABLE LOCAL CODES. ALL CHARGES ARE NOT ACCURATE. ILLUSTRATED DIMENSIONS ARE APPROXIMATE. ALL DIMENSIONS WILL BE VERIFIED BY THE MANUFACTURER PRIOR TO FABRICATION.	
VOLTS	• • • • •
AMPS	• • • • •
YESCO IS A UL RECOGNIZED MANUFACTURER THIS SIGN IS DESIGNED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODES AND ALL APPLICABLE LOCAL CODES. ALL DIMENSIONS ARE APPROXIMATE. ALL DIMENSIONS WILL BE VERIFIED BY THE MANUFACTURER PRIOR TO FABRICATION.	
DATE	REVISION
4/15/14	1
4/15/14	2
4/15/14	3
4/15/14	4
4/15/14	5
4/15/14	6
4/15/14	7
4/15/14	8
4/15/14	9
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4/15/14	100



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	3	2	
Applicant Name:	Ned Skanchy	Request:	Conditional Use						
Description:	Site Plan Amendment - Additional building pad and parking reduction.								
Location:	3969 S. Wasatch Boulevard								
Zone:	C-2 Community Commercial	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Approval								
Staff Recommendation:	Approval with Conditions								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

Ned Skanchy representing Olympus Hills Shopping Center LTD is requesting approval of a conditional use for a modification to the shopping center's existing parking requirement and modification to the existing conditional use permit in order to add additional leasable space to the center.

Recent there has been some activity across the street to the west of the mall on the vacant UDOT property. Salt Lake County Township Services engaged the community upon hearing interest in developing the UDOT parcel to determine what uses the community would prefer on that site. In addition to interest expressed on the UDOT property, the community representatives acknowledged the connection to the Olympus Hills mall site as a complete neighborhood center. The general plan speaks to this type of proposal in the Land Use and Mobility Best Practice under the following core concepts:

1. Develop communities as a network of neighborhoods with distinct activity centers, with multimodal connections.
2. Encourage parking policies that will reduce the overall amount of paved areas in activity centers as well as in residential neighborhoods.
3. Adopt land use policies that support transit and increase ridership.
4. Provide safe safe, connected, and attractive networks for bicycles and pedestrians.

In addition project #44 called on the Millcreek General Plan Map calls out the Olympus Hills Shopping Center as a natural extension of the UDOT property neighborhood center. In fact, according to Economic Development, for certain types of development to succeed on the UDOT property additional amenities at the mall site are necessary.

The applicant originally expressed interest in an outdoor dining patio to serve some of its restaurant tenants which required the removal of a few parking spaces. As staff worked with the applicant regarding this initial request and it was determined that while looking at making changes to parking it may be wise to consider any and all desired changes to the property so that the request could be considered as part of a bigger picture. From this point the applicant put together the attached proposal which includes more leasable space, a modified parking lot with additional landscaping and re-striped stalls, and a outdoor dining patio.

While the amount of additional space does not require that the site landscaping be brought into compliance with 19.77 Water Efficient Landscaping, the applicant has expressed interest in greening up the parking lot and has proposed additional landscape islands and trees to more closely follow the intent of that ordinance.

Currently the property is required to have a parking ration of 1 stall per 250 sq. ft. of leasable space. This totals a required parking of 660 stalls. The site currently has 670 stalls, 10 more than the minimum requirement as originally approved for this project. The proposal would be to add 5,600 sq. ft. of leasable space for office, restaurants, or retail in addition to the dining patio. After the new construction and modifications to the parking lot the parking lot would be left with 640 stalls. This is a change in the parking ration from 4 stalls per 1,000 sq. ft. to 3.76 stalls per 1,000 sq. ft. Apart from the anecdotal evidence that staff has heard stating that there is always available parking, the applicant and the office of Township Services conducted a parking count to determine the amount of vacant parking at different times throughout a week, reports are attached. While these counts are specific only to a short period of the year, when combined with the anecdotal evidence it appears that there may be justification for the reduction. On average between the 2 counts, there were 240 stalls available. Reducing that by 30 for the new proposal still leaves 210 available stalls for the 5,600 sq. ft. of new proposed leasable space. This is about 37 stalls per thousand sq. ft. proposed. Temporary stores would further reduce this ratio as is the case under the current permitted ratio.

Planning and Development Services staff has looked at the proposed parking using the shared parking table and percentages in 19.80.080 of the Salt Lake County Ordinance. Using the current approved ratio dispersed amongst the different uses at the shopping center and found that there is sufficient parking even at peak times with the additional construction.

type of use	total sf	parking requirement	Total spaces
Office & Industrial	30000	4	120
Retail	110000	4	440
Restaurant	20000	4	80
Theater/entertainment	23000	4	92
weekday spaces needed totals			
12a-7a	72.6		
7a-6p	634.4		
6p-12a	530		
weekend spaces needed			
12a-7a	82.6		
7a-6p	532		
6p-12a	436		

1.2 Hearing Body Action

This item is on the agenda for a final decision from the Millcreek Township Planning Commission.

1.3 Neighborhood Response

As of the date of this report, staff has not received any comments from the neighborhood regarding this application.

1.4 Community Council Response

On 6/23/14, the Olympus Hills Community Council recommended gave unanimous approval of the proposal without any further conditions; a copy of their letter of recommendation is attached to this report.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The proposed commercial pad site meets all setbacks and building height requirements. The parking reduction at the existing site does not meet current ordinance; however, using their existing conditional use permit's parking standard of 4 spaces per 1000sf of leasable space and using the attached shared parking spread sheet, it is of the opinion of the staff that it can be shown to meet ordinance. And given the nature of a conditional use permit the Planning Commission can approve any amount of parking.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		The proposed plan complies with all applicable laws and ordinance.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		As access to the site will not be changed under the proposed site plan adjustment, the proposal meets the County Transportation Master Plan and given the small addition (a 5% increase) of leasable space it is of the opinion of the staff that the increase of traffic will not present a traffic hazard.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard 'D': The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		It is of the opinion of the staff and the Olympus Hills Community Council that the proposed plan will increase pedestrian safety in the area, as well as, improve the quality of life for those who work, and visit the property.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard 'E': The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		The proposed changes to parking and the additional commercial pad site will not adversely impact properties in the area. The proposed structures are compatible with nearby buildings in terms of size, scale, and height.

2.2 Zoning Requirements

19.80.080 Shared parking.

A. Notwithstanding any other parking requirements provided in this chapter, when different land uses occupy the same or adjacent lot(s) in the R-M, C-1, C-2, C-3, C-V, M-1, M-2, MD-1, MD-3, or the O-R-D zones, the total number of off-street parking spaces required for each use (see [Section 19.80.040](#) of this chapter) may be combined and shared upon approval as provided herein. A proposal for sharing of off-street parking shall be presented to the planning and development services division director for site plan review and approval. Conditional use applications which require planning commission approval, and for which shared parking is being proposed as part of the application, must have planning commission approval for the shared parking.

B. In determining the total requirements for shared parking facilities, the division director or planning commission shall use Table 19.80.080(a), set out below, according to the following guidelines:

1. For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.

19.80.090 Planning commission exceptions.

Upon a finding by the planning commission that a proposed site plan is in harmony with the general plan of the community in which it is located and that effective tools have been employed in the creation of a transit oriented development, community re-development project, or walkable community project, the planning commission may reduce the number of required parking stalls for any proposed development.

In approving any such reduction, the planning commission may use such tools as: recommendations from the planning and development services staff a site-specific traffic study conducted by a qualified engineering firm, American Planning Association guidelines, Envision Utah guidelines, and/or Urban Land Institute guidelines.

2.3 Other Agency Recommendations or Requirements

Improvements to site will require appropriate permitting for site improvements and building construction. Final details shall be confirmed through the technical review process.

2.4 Other Issues

In addition to the structures leased on the property, there are temporary stores such as fireworks, plants, or food vendors using the site on occasion on a temporary basis. The community council has expressed their desire to continue allowing these types of uses. The additional uses will not only take away more parking spaces, but would require themselves additional parking for their patrons.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) The shopping center shall be required to strip a minimum of 640 stalls.
- 2) The additional building pad shall not exceed 5,600 sq. ft. of leasable space and shall not exceed 30 ft. in height to the peak of the roof. (final design and site layout to be approved by staff under a technical review process)
- 3) Temporary or Mobile Stores may be located within parking area reducing the number of available parking spaces. Each store shall be looked at on a case by case basis by Planning and Development Services and at no time shall the total number of stalls occupied by temporary or mobile stores utilize more than 20 stalls and shall not impede main through access within the parking lot.
- 4) Uses within the new proposed pad shall be limited to permitted uses within the C-2 zone unless a specific use is approved by the planning commission upon application.
- 5) Applicant shall be required to bond for approved landscape improvements to ensure their installation.
- 6) General site plan and parking layout shall be as proposed, final design of pad and patio to be verified by Planning and Development Services Staff.
- 7) Conditional Uses previously approved shall be subject to their original approvals other than modification to parking.

3.2 Reasons for Recommendation

- 1) 1. Given the anecdotal evidence, the parking study completed by the economic development team and shared parking calculation, by following the proposed site plan the parking is seen to be more than adequate, even with the additional commercial pad site.
- 2) 1. With a bonded landscape plan, the commission can ensure a greener space throughout the parking lot, reducing heat island effect and improving pedestrian friendliness.
- 3) The proposal is in harmony with best practices adopted in the Millcreek Township General Plan as well as projects specified within the general plan.

3.3 Other Recommendations

If approved, the planning commission may choose to add, remove, or modify conditions to their decision in order to mitigate reasonably anticipated detrimental impacts created by the request.



June 23, 2014

Millcreek Township Planning Commission
Salt Lake County Planning & Development Services
2001 S. State Street, #N-3600
Salt Lake City, UT 84190-4050

Re: Application Number 28932, Olympus Hills Shopping Center Pad and
Patio

Honorable Members of the
Millcreek Township Planning Commission:

The Mount Olympus Community Council considered the above-referenced application at its regular meeting held on June 17, 2014. The applicant was present and made a presentation, together with Lyle Gibson from Planning and Development Services. We note the following:

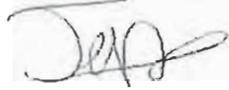
The traffic study assessing the parking utilization at the Olympus Hills Shopping Center is consistent with anecdotal observations by members of our council. In our view, the parking at the Olympus Hills Shopping Center is more than adequate and the proposed plans will not create an undue burden regarding parking. Indeed, our council supports the applicant in its endeavor to make the Olympus Hills Shopping Center more walkable, better landscaped and occupied by more restaurants, which draw the community to the Center. We think the reduced parking occasioned by the proposed improvements will be consistent with the above goals. We are also pleased to see the proposal to put more greenery in the parking lot with the future landscaping plans proposed by the applicant.

We believe that the patio area in its proposed location as well as the proposed building pad make good sense for the Center and they hold promise to make the Olympus Hills Shopping Center more dynamic and a more walkable facility in the Mount Olympus community. We do not see any issues with this Conditional Use Application and therefore recommend that the Planning Commission approve the application without additional conditions.

Millcreek Township Planning Commission
June 23, 2014
Page 2

Very truly yours,

MOUNT OLYMPUS COMMUNITY COUNCIL

A handwritten signature in black ink, appearing to read "Jeff", written over a light gray rectangular background.

Jeff Silvestrini
Chair

JS/cl

cc: Lyle Gibson
Ned Skanchy (*via e-mail*)
Alan Skankey (*via e-mail*)

Oly Parking	Available	Monday 8/14/2012	Tues 8/15/2012	Thursday 5/15/14 at 2:30 pm	Thursday 5/29/14 at 11 am	5/30/14 Friday 12:30 Pm	6/2/2014 Monday at 9 a	6/7/2014 (Saturday	6/8/14 (Sunday)
Einsteins	47	24	17	17	45	32	40		
Hollywood/Ace	12	10	6	5	5	4	6		
Inline Williams	15	8	11	7	11	12	5		
Inline Canyon	7	113	5	6	3	6	0		
Section 1	29	19	11	12	20	22	20		
Section 2	40		28	18	30	18	3		
Section 3	38		13	17	4	6	6		
Section 4	30		10	4	9	10	12		
Section 5	30		17	9	8	7	6		
Section 6	20		15	12	13	6	5		
Section 7	20		13	12	10	10	8		
Section 8	18		10	6	5	6	9		
Section 9	14		6	6	5	7	6		
Henries	11		0	1	1	1	2		
Section 10	17		4	0	1	1	2		
Section 11	13		5	9	5	8	4		
Section 12	26		7	4	2	22	1		
Section 13	26		1	2	1	14	0		
Section 14	26		6	5	7	4	0		
Section 15	26		8	8	4	3	2		
Back lot	79		53	67	67	60	77	267	152
Bowling	88		15	16	24	29	26	7	4
		174	261	243	275	288	240	283	160
Total Open	632		41%	38%	44%	46%	39%	45%	25%

Olympus Hills Parking Analysis

2014





The intent of this report is to evaluate the parking situation surrounding the Olympus Hill Shopping XC-Center. To get an accurate assessment the evaluation was carried out for several days 2 times per day – noon and 6 pm. Between the Days June 2nd and June 5th. Counts included handicap spaces, spaces with maximum time limits, and reserved stalls. Presently there is a temporary retail floral operation occupying 65 stalls. As part of the study those were counted as “occupied.” if the temporary operation were to vacate - that would increase the average number of vacant stalls by 10%.

Noon proved to be the busiest time of the day for the shopping center. With an average of 43% of all 621 stalls available, the median during the same time frame was 42%. Unoccupied stalls averaged 267 with a median of 261 stalls.

Evenings around 6 PM averaged 68% of all stalls were vacant, with a median of 64%. Unoccupied stalls averaged 422, with a median of 398 stalls.

Counting Temp Retail Occupied Stalls		Not Counting Temp Retail Stalls	
Noon		Noon	
%Average	43%	%Average	53%
%Median	42%	%Median	52%
#Average	267	#Average	332
#Median	261	#Median	326
Counting Temp Retail Occupied Stalls		Not Counting Temp Retail Stalls	
Average		Average	
%Average	68%	%Average	78%
%Median	64%	%Median	74%
#Average	422	#Average	487
#Median	398	#Median	463

For questions contact:

Brigham Mellor
Economic Development Director
Salt Lake County
Office of Township Services
bmellor@slco.org
385-468-7131

Friday, May 30, 2014: Noon 253+ open spaces - roughly 44% vacancy



(A) EXISTING SITE PLAN
SCALE: 1" = 40'-0"



WASATCH BOULEVARD

APOLLO DRIVE

SHEET

A001

Site Plan

REVISIONS

PROJECT: 14-01301
DATE: 05/29/14
SCALE: As Shown
DRAWN BY: JPM
CHECKED BY: JPM



A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

ARCHITECTURE PLANNING INTERIORS
CARPENTER STRINGHAM ARCHITECTS LLC
1133 S NORDE PLAZA WAY SUITE B
SALT LAKE CITY, UT 84119
TEL: 801.586.1092
WWW.CARPENTERSTRINGHAM.COM

Monday, June 2, 2014: Noon

260+ open spaces - roughly 46% vacancy



EXISTING SITE PLAN
SCALE: 1" = 40'-0"



SHEET
A001

ARCHITECTURE PLANNING INTERIORS
CARPENTER STRINGHAM ARCHITECTS LLC
1173 S MONROE PLAZA WAY SUITE B
SALT LAKE CITY, UT 84119
TEL: 801.586.1092
WWW.CARPENTERSTRINGHAM.COM

PROJECT
A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
139 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH



PREPARED BY
Site Plan

REVISIONS

PROJECT: 14-01301
DATE: 06/02/14
SCALE: As Shown
DRAWN BY: JPM
CHECKED BY: JPM

Wednesday, June 4, 2014: 1 p.m.

295+ open spaces - roughly 52% vacancy



(A) EXISTING SITE PLAN
SCALE: 1" = 40'-0"



WASATCH BOULEVARD

SHEET

A001

Site Plan

REVISIONS

PROJECT: 14-01301
DATE: 06/04/14
SCALE: As Shown
DRAWN BY: JH
CHECKED BY: JH
SPM



A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

ARCHITECTURE PLANNING INTERIORS
CARPENTER STRINGHAM ARCHITECTS LLC
1173 S MONROE PLAZA WAY SUITE B
SALT LAKE CITY, UT 84119
TEL: 801.586.1092
WWW.CARPENTERSTRINGHAM.COM

Thursday, June 5, 2014: 12:30 p.m.

262+ open spaces - roughly 46% vacancy



(A) EXISTING SITE PLAN
SCALE: 1" = 40'-0"



SHEET
A001

PROJECT:	14-01301
SCALE:	As Shown
DRAWN BY:	SPM
CHECKED BY:	SPM



PROJECT
A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

ARCHITECTURE
PLANNING
INTERIORS
CARPENTER STRINGHAM
ARCHITECTS LLC
1173 S MONROE PLAZA WAY SUITE B
SALT LAKE CITY, UT 84119
TEL: 801.586.1092
WWW.CARPENTERSTRINGHAM.COM

Thursday, May 29, 2014: 6:30 p.m. 422+ open spaces - roughly 74% vacancy



EXISTING SITE PLAN
SCALE 1" = 40'-0"



WASATCH BOULEVARD

SHEET

A001

Site Plan

REVISIONS

PROJECT 14-1131
SCALE As Shown
DRAWN BY
CHECKED: jpm



A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

CARPENTER STRINGHAM ARCHITECTS LLC
1333 S HONOR BLVD SUITE B
SALT LAKE CITY, UT 84143
ARCHITECTS
PLANNERS
INTERIORS

Tuesday, June 3, 2014: 6:30 p.m. 398+ open spaces - roughly 70% vacancy



EXISTING SITE PLAN
SCALE: 1" = 40'-0"

A001

SHEET

PROJECT:	14-01301
DATE:	06/03/14
SCALE:	As Shown
DRAWN BY:	SPM
CHECKED BY:	SPM

REVISIONS

Site Plan

SHEET TITLE



A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

CARPENTER STRINGHAM ARCHITECTS, LLC
1173 S MONROE PLAZA WAY SUITE B
SANDY UT 84080
TEL: 801.896.1092
WWW.CARPENTERSTRINGHAM.COM

Wednesday, June 4, 2014: 6:30 p.m. 393+ open spaces - roughly 69% vacancy



EXISTING SITE PLAN
SCALE: 1" = 40'-0"



SHEET
A001

PROJECT:	14-01501
DATE:	06/04/14
SCALE:	As Shown
DRAWN BY:	SPM
CHECKED BY:	SPM

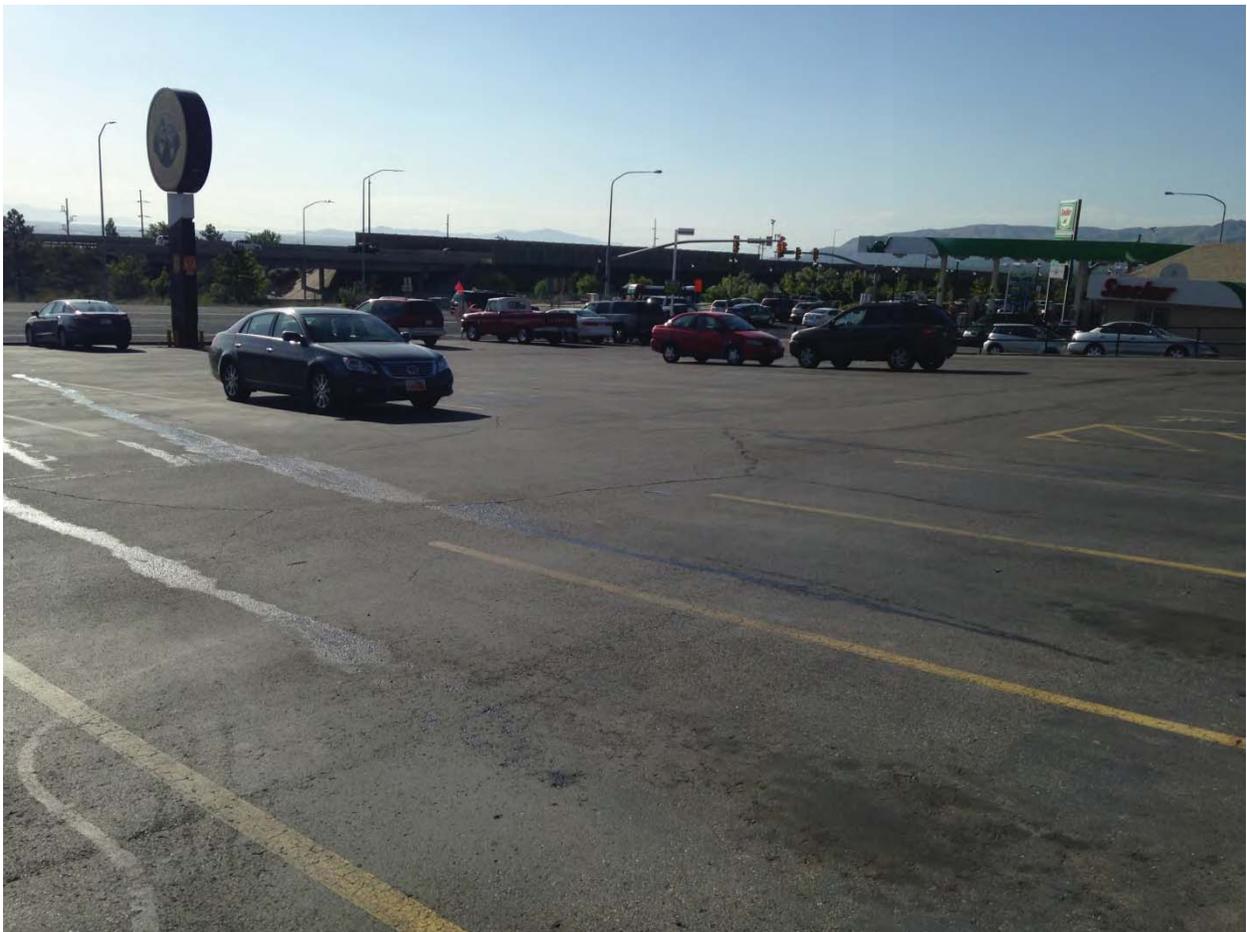


A PROPOSED SITE PLAN FOR:
OLYMPUS HILLS MALL
339 SOUTH WASATCH BOULEVARD
SALT LAKE CITY, UTAH

CARPENTER STRINGHAM ARCHITECTS LLC
1173 S MONROE PLAZA WAY SUITE B
SALT LAKE CITY, UT 84119
ARCHITECTS PLANNING INTERIORS
TEL: 801.586.1092
WWW.CARPENTERSTRINGHAM.COM

Evening Photos





Afternoon Photos





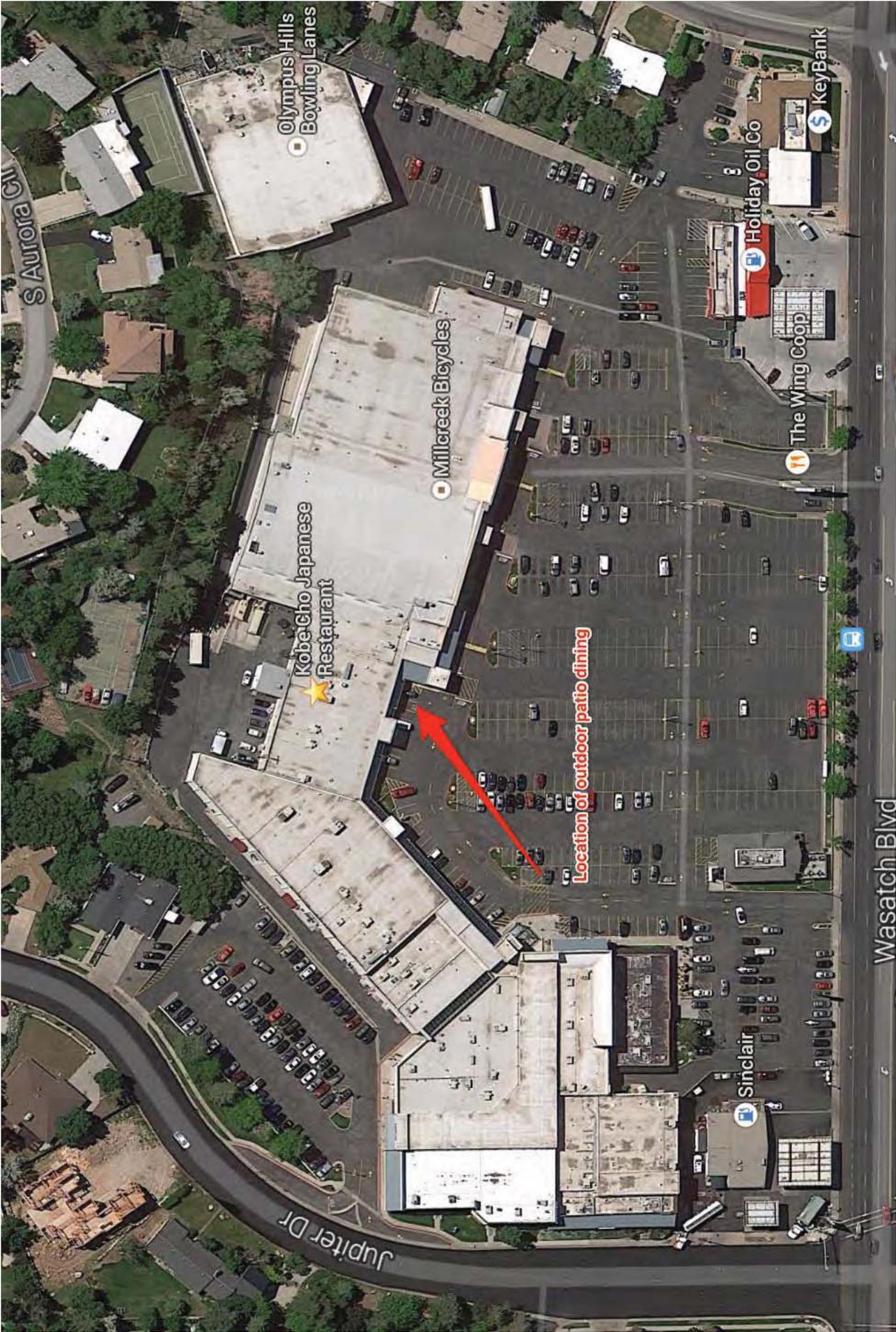




CREEK
CLES



WING COOP



S Aurora Cir

Olympus Hills
Bowling Lanes

Kobe Cho Japanese
Restaurant

Millcreek Bicycles

Location of outdoor patio dining

Sinclair

The Wing Coop

Holiday Oil Co

KeyBank

Wasatch Blvd

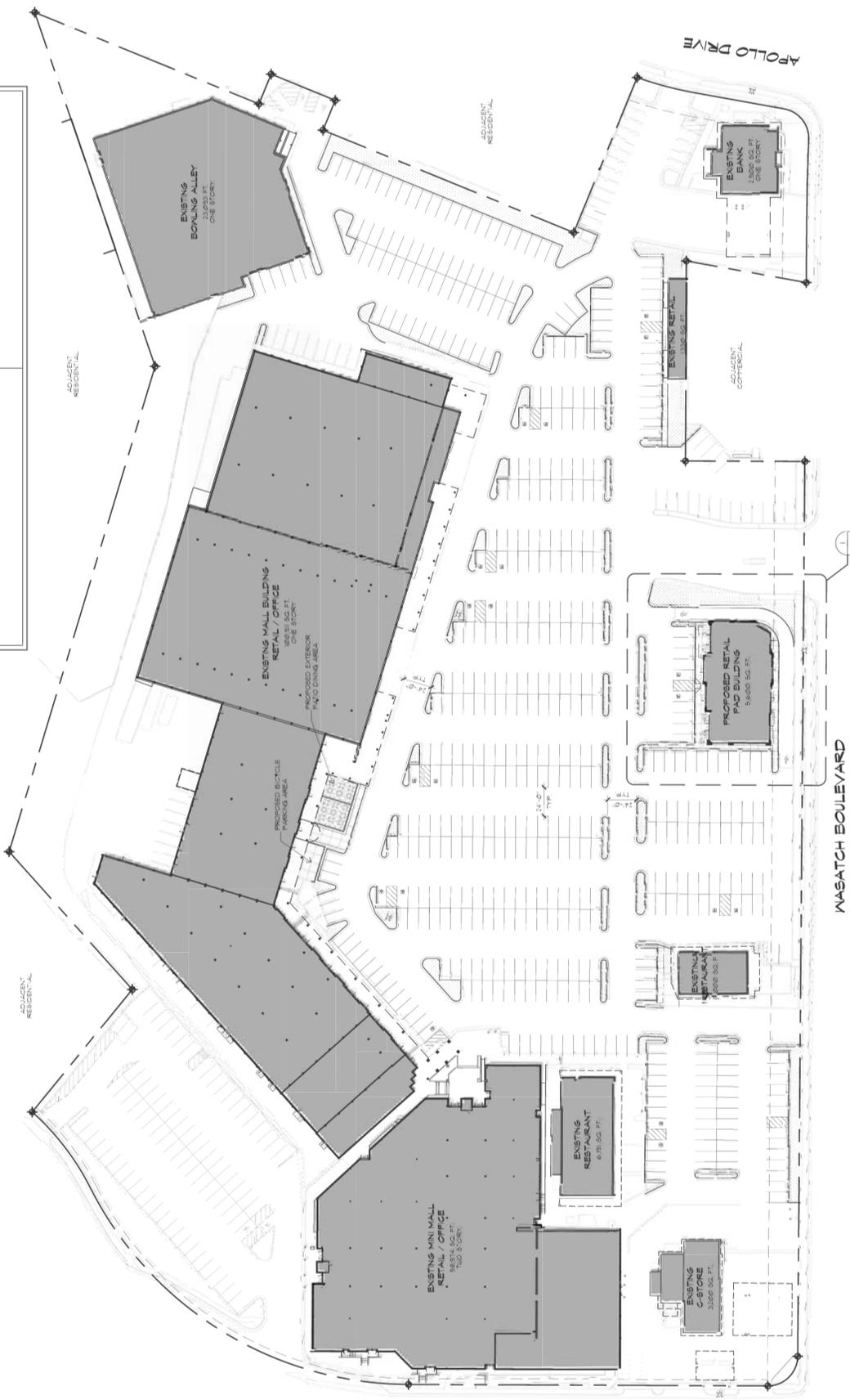
Jupiter Dr



SHEET TITLE	
Architectural Site Plan	
REVISIONS	
PROJECT:	14-01501
DATE:	May 2014
DRAWN BY:	As Shown
CHECKED BY:	ppm

SHEET
A001

SITE INFORMATION	
ZONING CODE	C-2 (COMMERCIAL)
LOT SIZE	687,338 SQ. FT. (15.34 ACRES)
BUILDING FOOTPRINT	197,210 SQ. FT.
PROPOSED NEW LANDSCAPING	14,994 SQ. FT.
PARKING	
TOTAL STALLS (EXISTING)	615 STALLS
ADA STALLS (EXISTING)	29 STALLS
TOTAL STALLS REQUIRED (4 / 1,000 SQ. FT.)	642 STALLS
ADA STALLS REQUIRED	14 STALLS
TOTAL STALLS (NEW)	642 STALLS
ADA STALLS (NEW)	22 STALLS



A OVERALL PROPOSED SITE PLAN
 SCALE 1" = 40'-0"



SHEET TITLE
Existing Site Plan

REVISIONS

PROJECT: 14-01501
 DATE: May 2014
 DRAWN BY: As Shown
 CHECKED BY: Ppm

SHEET	A001
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(A) EXISTING SITE PLAN
 SCALE: 1" = 40'-0"



SHEET TITLE
Proposed Site Plan

REVISIONS

PROJECT: 14-01501
 DATE: May 2014
 DRAWN BY: As Shown
 CHECKED BY: Pjm

SHEET	A001
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(A) PROPOSED SITE PLAN
 SCALE: 1" = 40'-0"

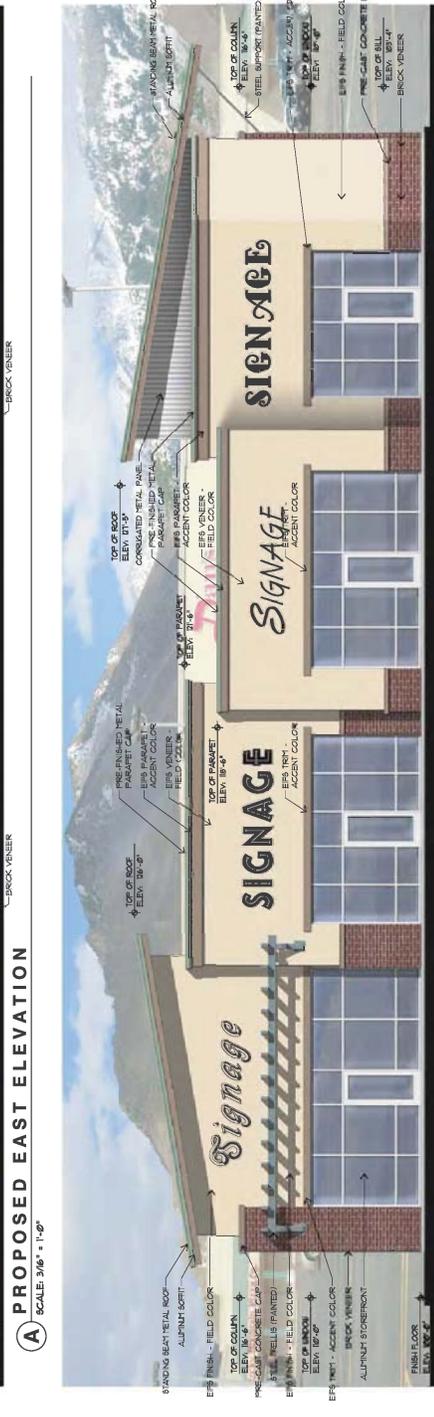
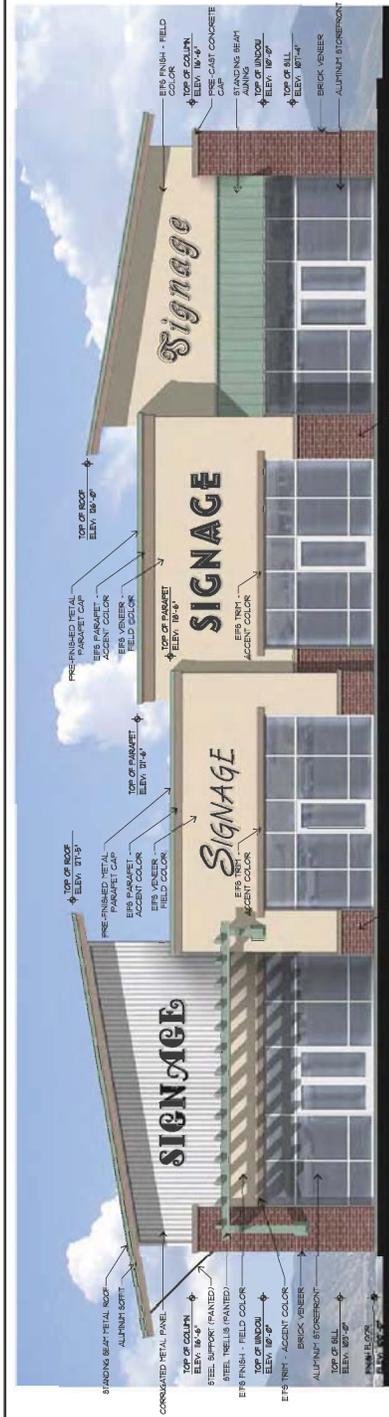
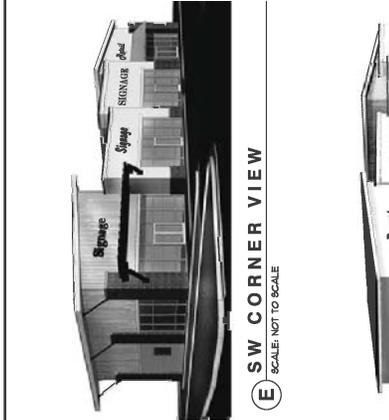


SHEET TITLE: Color Ext. Elevations

REVISIONS:

PROJECT: 14-015-01
 DATE: May 2014
 DRAWN BY: As Shown
 CHECKED BY: ppm

SHEET: A200





STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	3	9	
Applicant Name:	Steve Stoddard	Request:	Conditional Use						
Description:	27 Unit Apartment Building								
Location:	3225 S. 900 E.								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

The applicant is requesting a conditional use approval for a 27-unit apartment building at 3225 S. 900 E.

The subject property covers 1.08 acres and is surrounded by commercial properties to the south, single family and two-family residential units to the north. The property boundaries extend from 900 E. to 945 E.

The proposed number of units meets the max density allowed in the zone. $27/1.08 = 25$ units per acre. The proposed structure is 3 stories and 32' 6" in height with a footprint of 9,091 sq. ft. as seen in the plans provided. The site would provide a drive that connects 900 E. to 945 E. with uncovered parking accessed directly off the drive.

1.2 Hearing Body Action

This application is on the agenda for a final decision from the Millcreek Township Planning Commission for the conditional use request. In addition the applicant is seeking a recommendation from the planning commission for the exception to curb/gutter/and sidewalk along 945 E.

1.3 Neighborhood Response

As of the date of this report, staff has not received any comments from the neighborhood regarding this application.

1.4 Community Council Response

This item is scheduled to be heard by the Millcreek Community Council during their meeting held July 1, 2014.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The proposal meets all applicable provisions of the zoning ordinance including minimum parking requirements, building setbacks, density, and building height.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		It is anticipated that the proposed use and site plan will be able to comply with all applicable laws and ordinances.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		It is not anticipated that the proposed site plan will present a traffic hazard. While a gate is not currently proposed, should one be requested it must be a minimum of 20' from the property line with a knock box for fire department access.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		It is not anticipated that the proposal will pose a threat to safety of persons on or near the vicinity. The recent geotechnical report for proposals on this property allowed for other structures and would likely allow for the safe construction of the proposed apartments.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		The structure proposed is larger in scale than most buildings in the area but is compatible with its surroundings as there are multiple 2 story homes with pitched roofs and large commercial and residential buildings with immediate proximity to this site.

2.2 Zoning Requirements

19.44.030 Conditional uses.

Conditional uses in the R-M zone include:

— Apartments;

19.44.060 Front yard.

In the R-M zone, the minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of eight feet, shall be twenty-five feet or the average of the existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet. Other private garages and all accessory buildings, other than private garages, shall be located at least six feet in the rear of the main building.

19.44.070 Side yard.

In the R-M zone, the minimum side yard for any dwelling shall be eight feet, and the total width of the two required side yards shall be not less than eighteen feet. Other main buildings shall have a minimum side yard of twenty feet, and the total width of the two yards shall be not less than forty feet. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear and at least six feet away from the main building shall have a minimum side yard of not less than one foot, provided that no private garage or other accessory building shall be located closer than ten feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, for both main and accessory buildings, shall be not less than twenty feet, or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet, or be required to be more than twenty feet. Dwelling structures over thirty-five feet in height shall have one foot of additional side yard on each side of the building for each two feet such structure exceeds thirty-five feet in height.

19.44.080 Rear yard.

In R-M zones, the minimum depth of the rear yard for any building shall be thirty feet, and for accessory buildings one foot; provided that, on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

19.44.090 Coverage restrictions.

No building or group of buildings in an R-M zone, with their accessory buildings, shall cover more than sixty percent of the area of the lot.

19.80.040 Number of spaces required.

9. Dwellings, multiple, two spaces for each dwelling unit. In multi-family developments and dwelling groups where private covered parking is utilized, additional parking for guests shall be required. The planning commission shall determine the amount of guest parking required to meet the parking needs of each development;

19.44.110 Density.

The allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

Multi-family dwellings 25.0 units per acre*

2.3 Other Agency Recommendations or Requirements

Boundary C/G/S:

Must bond for improvements along 900 E (curb and gutter and drive approach) and 945 E (full improvements)... *exception from 945 E was for prior project...

Require descriptions from Surveyor for areas to be dedicated so that proper paperwork can be created and recorded

Required to do a lot consolidation under a separate application.

Building Inspector:

Denied based on the following:

1. Per sections 1026.5 and 1019.4 of the 2012 IBC, any portion of the egress stairs and balcony cannot be located closer than 10' to a property line. The north/east stairs appear to be closer than 10' to the property line.

-Once this issue is resolved, conditions approval will be based on the following

1. Building permit is required for the construction of the new apartment building.

2. At time of building permit application, provide complete building plans showing compliance with current building code.

3. At time of building permit application, provide fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines

Grading:

1- Need Geotechnical engineering report - will need to review the old report, if recent enough may work.

2- Site grading and drainage plans

3- Erosion Control plans

4- Signed SWPPP

Salt Lake Valley Health Department:

- Updated water and sewer letter

Traffic:

- Dedication as shown

- Curb gutter and sidewalk along all public right of way 900 and 945 or apply for exception.

- If gate is proposed show those details now.... Would be 20' back from right of way, and knox box access... if not proposed okay as is.

- Plan and profile drawings will be required for technical review

Urban Hydrology:

- Provide source of rainfall intensity data and copy of geotech report with percolation rate.- Provide 10 year storm retention calculations

- Label contours in retention basin

- Is there any existing irrigation on property? Add notes about irrigation it is not to be disturbed but maintain

existing condition.

- Check calculation for freeboard in detention basin. Item #3 has same TOG elevation as HWM of detention basin.
- Callout existing irrigation components as shown on the site plan.

Planner:

Zone: R-M

Density - $27/1.08 = 25$ units allowed.. meets max density.

Parking - (2 per unit is ordinance requirement ... calculation has 2 per unit and 1.5 for studio. Still sufficient parking but $27 \times 2 = 54$ leaving only 4 guest parking stalls after ADA. Planning Commission may approve this many stalls but their typical standard is 0.5 stalls per unit meaning 14 guest parking stalls. No guest parking required per not private covered parking.

19.80.040 - C Accessible Parking Spaces. *For nonresidential parking areas, the accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided within the total number of stalls required above. For multi-family residential developments, the accessible stalls shall be provided in addition to the number of stalls required above.*

Setbacks - stairways part of structure, setbacks measured to nearest point.

Front 25' (meets requirement)

Side 8' .. structures over 35' have additional 1' setback for 2' in height. (meets requirement)

Rear 30' (meets requirement)

Recreation and Open Space - Required tot lot + 1 facility and 50% open space

Provided 3 amenities and 40.5 % open space.. strict compliance would grant 48% open space with a 2% reduction.... No playground but amenities are in place for different age groups.

2.4 Other Issues

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

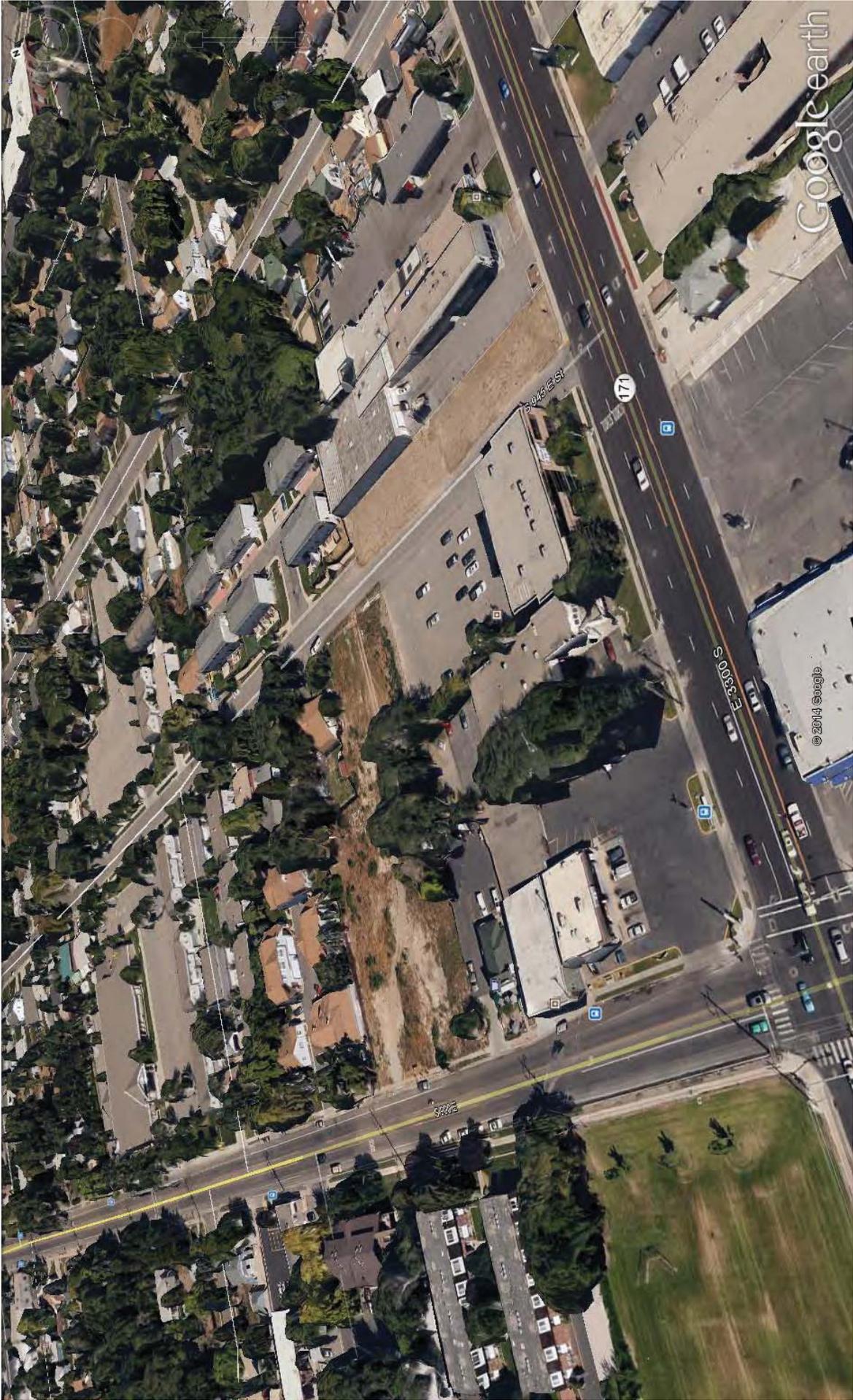
- 1) Building shall be shifted to the west so that the setback measurement from all portions of the building is at least 10' from property line.
- 2) Open space and amenities shall be a minimum of 40% of the site.
- 3) A tot lot of 1,000 sq. ft. shall be added to the site.
- 4) Solid visual barrier fence shall be installed along property lines not along the public right of way. Fencing along 900 E. or 945 E. shall maintain a clear view for traffic entering and existing the property.
- 5) Lighting from the property shall be directional to avoid direct lighting onto adjacent properties.

3.2 Reasons for Recommendation

- 1) Where proposal meets density, parking, height, and setback requirements it is anticipated that with the proposed conditions that any reasonably anticipated detrimental effects from the development can be mitigated. The addition of the tot lot will bring the site closer into compliance with the Open Space and Amenity standards and should be feasible as the retention pond can be modified to create space for this facility.

3.3 Other Recommendations

1) applicant shall be required to complete technical review with staff before final approval is issued.



Google earth

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5446 E St

171

E 3300 S



MILLCREEK NINE APARTMENTS

SOUTH ELEVATION

GREG STEFFENSEN
ARCHITECT



MILLCREEK NINE APARTMENTS

IMAGE 2

GREG STEFFENSEN

ARCHITECT



MILLCREEK NINE APARTMENTS

IMAGE

GREG STEFFENSEN
ARCHITECT

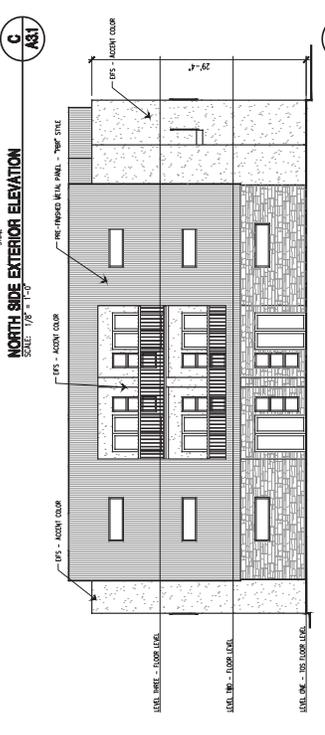
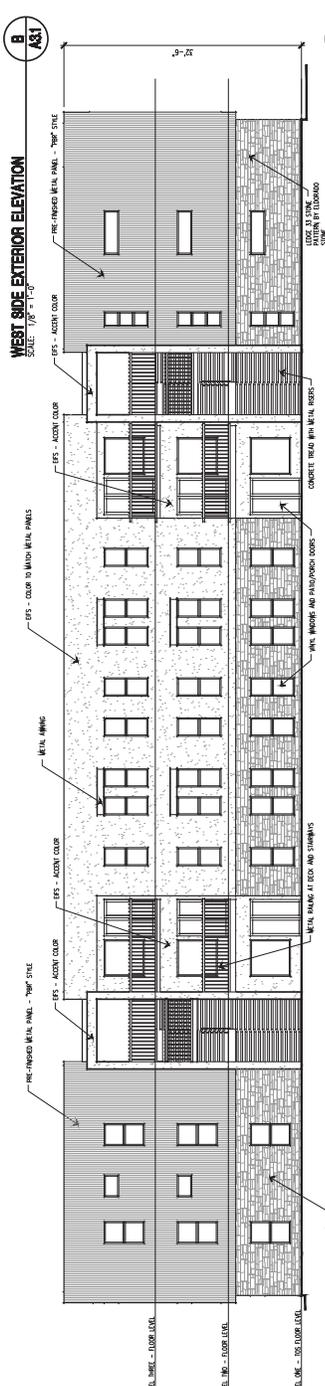
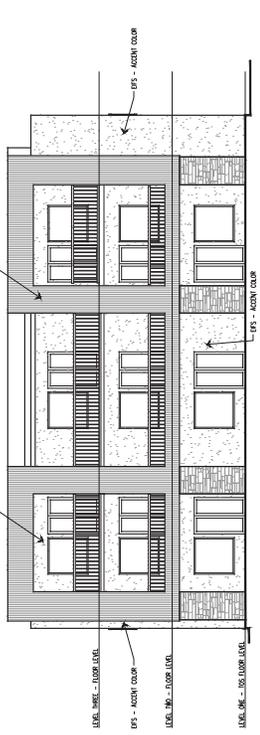
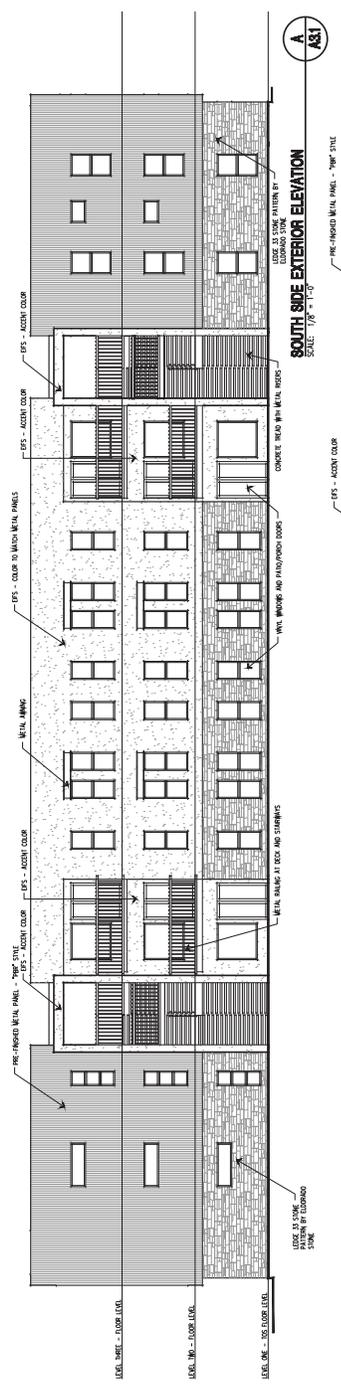


MILLCREEK NINE APARTMENTS

IMAGE

GREG STEFFENSEN

ARCHITECT



Project
Level Three
Floor Plans
A2-1

Date 05.23.14
Revisions
Project no. 1614-01

PLANNING SKETCHAL - NOT FOR CONSTRUCTION - 05-23-14

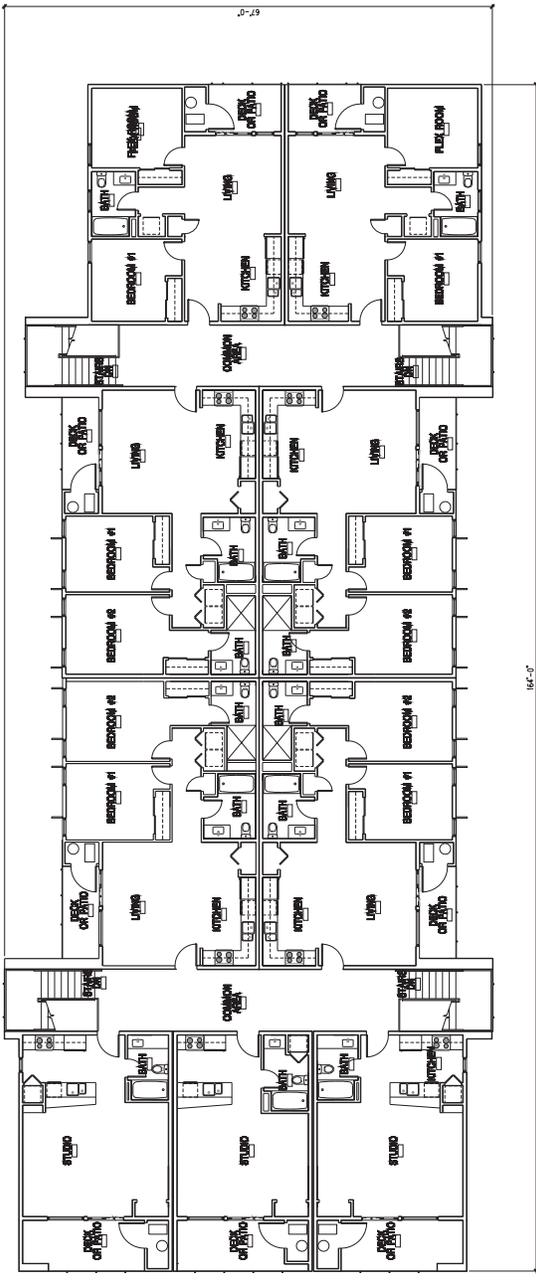
Project
MILLCREEK NINE
APARTMENTS
 3225 SOUTH 900 EAST
 SALT LAKE CITY UTAH

Architect
Greg Stettensen Architects
 10227 2400 W 2100 S SUITE 100 SALT LAKE CITY UT 84119
 801.708.7100 FAX 801.543.0790
 ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE UTAH ARCHITECTURAL BOARD'S REGULATIONS AND THE UTAH ARCHITECTURAL BOARD'S RULES OF PRACTICE AND ETHICS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THE BUILDING OR ANY PART THEREOF. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THE BUILDING OR ANY PART THEREOF. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THE BUILDING OR ANY PART THEREOF.

Consultant

1 A21

LEVEL THREE FLOOR PLAN
 SCALE: 1/8" = 1'-0"



NO.	REVISIONS	BY	DATE

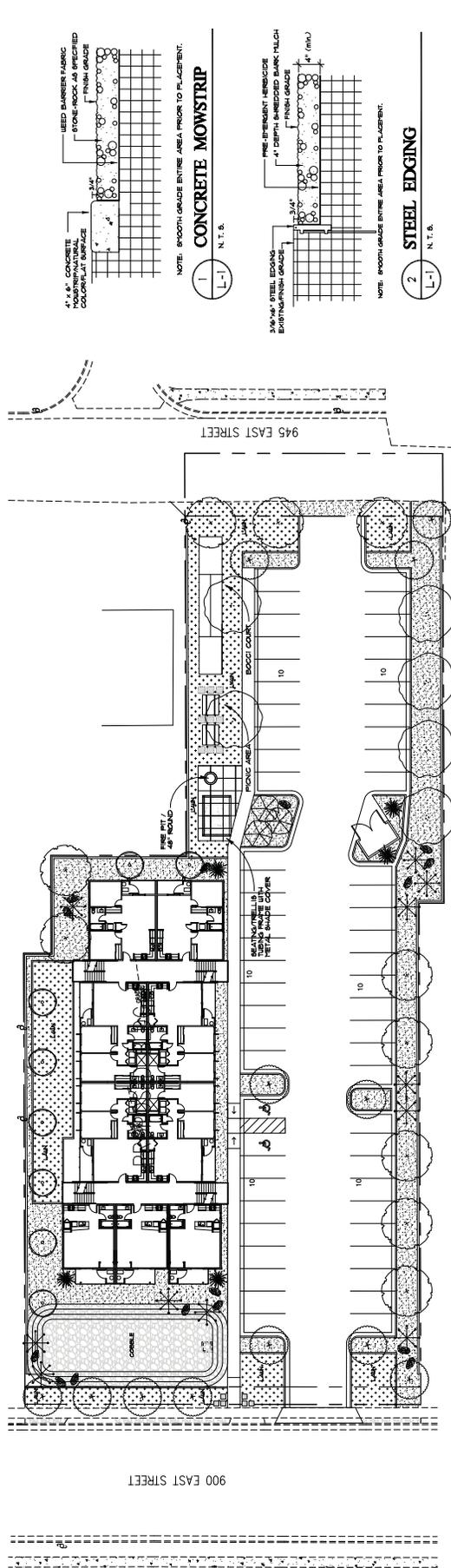
PROJECT ENGINEER: _____
 DESIGNER: _____
 LEGEND ENGINEERING, LLC
 65 WEST 100 NORTH
 HERRICK CITY, UT 84003
 PHONE: 435-654-4828
 FAX: 435-654-4828
 www.legendeng.com



MILLCREEK 9 APARTMENTS
 CONCEPTUAL LANDSCAPE PLAN
 3250 S. 900 E. Millcreek, Utah

LANDSCAPE ARCHITECT
 TOLL DESIGN COMPANY, INC.
 1070 East 7000 Avenue
 Salt Lake City, Utah 84105
 Phone: 801-641-3114
 Email: tdesign@toll.com

SHEET: L-1
 FILE NAME: SCALE: 1"=20'



DESIGN INTENT STATEMENT

- Provide the client with a design statement for the conceptual landscape plan. This includes the use of site analysis, conceptual site plan, and conceptual landscape plan. The design intent is to create a functional and aesthetically pleasing outdoor space that complements the building and provides a high-quality environment for the residents.
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LEGEND

Symbol	Description	Remarks
[Symbol]	1" Landscape Border	See Millcreek Building / Millcreek Building
[Symbol]	3" Landscape Border	See Millcreek Building / Millcreek Building
[Symbol]	Concrete Mowstrip	Install in the Street Right of Way. Finish Grade: 1" below existing grade. Compact 90% grade to minimum 95% Density. Building Exterior Colors.
[Symbol]	Stepping Pad	2' x 7' Sandstone
[Symbol]	Cobble Rock Area	Install Selected Cobble Rock in Drainage Or Planter Area. Over 1/2" Barrier Fabric.
[Symbol]	4" Overall Depth	

SUB-GRADE REQUIREMENTS

- LAWN AREAS: 6" (6) inches below finish grade. This will allow for the installation of a 4" inch depth of topsoil along with the sodding material, leaving it slightly below finish grade.
- STAIR AREAS: Twelve (12) inches below finish grade. This will allow for the installation of an eight inch depth of topsoil along with a three inch depth of bank mulch or natural rock, leaving it slightly below finish grade and landscape areas.
- COBBLE AREAS: Four (4) inches below finish grade. This will allow for the installation of a four inch depth of topsoil along with the sodding material, leaving it slightly below finish grade and landscape areas.

SUGGESTED PLANT LIST (GRASSES)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
NA	[Symbol]	<i>Calamagrostis s. Overland</i>	Kent Foxtail	24" - 30"	
NA	[Symbol]	<i>Eriochloa serotina</i>	Overland Foxtail	24" - 30"	
NA	[Symbol]	<i>Miscanthus sinensis 'Variegatus'</i>	Variegated Maiden Grass	24" - 30"	
NA	[Symbol]	<i>Nassella tenuiflora</i>	Mexican Feather Grass	12" - 15"	
NA	[Symbol]	<i>Panicum virgatum 'Shenandoah'</i>	Shenandoah Switch Grass	18" - 24"	
NA	[Symbol]	<i>Pennisetum alopecuroides</i>	Little Burg Fountain Grass	12" - 15"	

SUGGESTED PLANT LIST (PERENNIALS/VINES)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
NA	[Symbol]	<i>Hemerocallis s. 'Stella d'Oro'</i>	Stella d'Oro Day Lily	12" - 15"	
NA	[Symbol]	<i>Lavandula angustifolia 'Husky'</i>	East Fringed Sage	12" - 15"	
NA	[Symbol]	<i>Salvia 'East Fringed'</i>	Trumpet Vine	5 gallon	Staked
NA	[Symbol]	<i>Clematis radicans</i>			

PLANTING NOTES

- All shrub planting areas shall receive an 8 inch depth of topsoil, all lawn areas a 4 inch depth of topsoil. If topsoil is not available, the soil must be amended from the approved local sources. All topsoil shall be of the same depth and quality.
- Prior to placement of topsoil, all subgrade areas shall be loosened by scarifying the soil to a 6 inch depth by hand or machine. The topsoil shall be placed in the areas specified on the plan.
- All plant material shall be dug since the diameter of the rootball and 6 inches deeper. Excavated material shall be used for backfilling the hole. The soil shall be amended with the approved fertilizer and shall be rotary mixed on-site prior to installation. A pre-mixed soil mixture can be used as an alternative.
- Planting shall be done in the spring or fall. The plants shall be planted in the areas specified on the plan.
- Upon completion of planting operations, all shrub pits and tree wells shall receive a 4 inch depth of fine ground mulch. The mulch shall be applied in a 2 inch layer. The mulch shall be applied in a 2 inch layer.
- All lawn areas shall be installed using a water conserving mixture and shall be composed of a mixture of "lure" and "blue" grasses. The lawn shall be installed in the areas specified on the plan.
- Landscape maintenance shall be required for a period through the second mowing of the lawn (30 days min.) and shall be determined by the Owner/contractor.
- The project shall be complete within 90 days of the start of construction.
- The project shall be complete within 90 days of the start of construction.
- The project shall be complete within 90 days of the start of construction.

SUGGESTED PLANT LIST (TREES)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
9	[Symbol]	<i>Acer platanoides 'Crimson Sentry'</i>	Crimson Sentry Maple	2" Caliper 10'-12' Height	Full Height Matching
6	[Symbol]	<i>Gleditsia triacanthos 'Skyline'</i>	Skyline Honeylocust	2" Caliper 10'-12' Height	Full Height Matching
5	[Symbol]	<i>Picea abies 'expressa'</i>	Columnar Norway Spruce	1-6" Height B x B	Specimen Quality
10	[Symbol]	<i>Pinus fastigiata 'Vanderlicke'</i>	Vanderlicke Loblolly Pine	1-6" Height B x B	Specimen Quality
12	[Symbol]	<i>Pyrus calleryana 'Chanticleer'</i>	Chanticleer Flowering Pear	2" Caliper 8-10' Height	Full Height Matching
3	[Symbol]	<i>Quercus robur 'Fastigata'</i>	Columnar English Oak	2" Caliper 10'-12' Height	Full Height Matching
10	[Symbol]	<i>Tilia tomentosa 'Sterling Silver'</i>	Sterling Silver Linden	2" Caliper 10'-12' Height	Full Height Matching

SUGGESTED PLANT LIST (SHRUBS)

Quan.	Symbol	Botanical Name	Common Name	Size	Remarks
NA	[Symbol]	<i>Buxus japonica 'Julia Jane'</i>	Julia Jane Boxwood	5 gallon	18" - 24"
NA	[Symbol]	<i>Cornus alba 'Elegantissima'</i>	Variiegated Dogwood	5 gallon	24" - 30"
NA	[Symbol]	<i>Euonymus alatus 'Compactus'</i>	Dwarf Burning Bush	5 gallon	18" - 24"
NA	[Symbol]	<i>Physocarpus opulifolius 'Diablo'</i>	Diablo Ninebark	5 gallon	24" - 30"
NA	[Symbol]	<i>Rhus aromatica 'Grou Lou'</i>	Grou Lou Sumac	2 gallon	15" - 18"
NA	[Symbol]	<i>Rosa 'Radrazz'</i>	Radrazz Knock Out Rose	2 gallon	15" - 18"
NA	[Symbol]	<i>Rosa 'Suriree Vigorosa'</i>	Suriree Groundcover Rose	5 gallon	15" - 18"
NA	[Symbol]	<i>Spiraea japonica 'Neon Flash'</i>	Neon Flash Spiraea	5 gallon	15" - 18"
NA	[Symbol]	<i>Spiraea japonica 'Peppermint Stick'</i>	Peppermint Stick Spiraea	2 gallon	15" - 18"
NA	[Symbol]	<i>Yucca filamentosa 'Ivory Tower'</i>	Ivory Tower Yucca	5 gallon	15" - 18"



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	9	1	8	
Applicant Name:	Michael Anderson	Request:	Use Violation Approval						
Description:	10-year Provision								
Location:	2275 E. Atkin Avenue. (2275-2281 E)								
Zone:	R-2-6.5 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Not Yet Received								
Staff Recommendation:	Denial								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

This application is requesting that the existing structure at 2275-2281 E. Atkin Avenue be declared a legal non-conforming duplex through special exception. The claim is that the property has been used as a 4-plex for at least 10 years so they would now like to have it officially recognized as such.

The pertinent ordinance and supporting information are included in this report.

1.2 Planning Commission Action

This item is on the agenda for a decision from the planning commission.

1.3 Neighborhood Response

As of the date of this report staff has not received any comment from the neighborhood.

2.0 ANALYSIS

2.1 Applicable Ordinances

19.88.140 Application to have a use violation declared legal through special exception.

A. Whenever land or a structure is used in violation of this title, the owner may file an application with the planning commission to have the use declared legal through special exception. The planning commission may approve such an application only when the evidence establishes all of the following:

1. The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding ten years;
 2. No complaint has been made to the development services division concerning the violation for a period exceeding ten consecutive years during which the violation existed;
 3. Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity.
- B. The planning commission may consider as evidence:
1. Documents that are part of the public record, such as tax appraisals, utility records, aerial photographs, building permits, etc.
 2. Documentation from third parties, such as affidavits, photographs, etc.
 3. Documentation from current or past property owners, such as tax records, rental/lease agreements, appraisal records, etc.

In approving an application hereunder, the planning commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue. This section shall in no way be interpreted to permit the continuation of any violation which exists on the effective date of the ordinance codified in this section. Any person shall have the right to appeal to the board of adjustment a decision rendered by the planning commission pursuant to this section. Appellants shall follow the appeal procedures set forth in Section 19.92.050 of this title. (Ord. 1627 § 10 (part), 2008: Ord. 1473 (part), 2001: Ord. 1199 §§ 2, 3, 1992)

2.2 Other Agency Recommendations or Requirements

Building Inspector:

In order to change the building to a 4-plex, a building permit must be obtained and inspections need to be completed and finalized under that building permit process.

Plans will be required to apply for the building permit showing dimensioned floor plans for all units to scale.

Plans will need to show how building code compliance is going to be met for the building.

Items to note (this may not be a complete list of issues)

1. four plex building as shown is regulated under the IBC, and not the IRC.
2. IBC requires fire sprinkler system to be installed throughout all R occupancies.
3. plans will need to detail how the required fire separations between units is going to be done to meet code requirement (or clarify how it is currently done)
4. may be additional questions or items during the plan review process under the building permit process.

Traffic:

Parking in front of property parallel to street is part of right-of way and not off street parking.

2.3 Other Issues

While there is evidence to support multiple units on the property for a period of at least 10 years the evidence provided is not concrete in supporting the claim of 4 units, only that there is more than 1.

The evidence provided includes:

- Abuilding permit from 1984 which states that the building was being converted from a SFD (single family dwelling) to a duplex.
- An inspection report in 1986 for a power to panel inspection which is unclear if it is a new or upgraded meter, does state 1 meter.
- MLS listing reports which states from 2013 that there are multiple residences. This evidence seems to demonstrate that there are 3 full baths and 3 full kitchens which may conclude up to 3 units. Listed in the report as residence 1 and residence 2.
- The MLS Listing from 2003 states the property is being sold as a 4-plex and has the specifications for the 4 separate units. This report does not indicate number of kitchens or bathrooms to support multiple dwellings as defined in Salt Lake County Ordinance.
- Aerial photography that clearly shows the addition to the back of the property as far back as 2006, it is less clear in the 2004 image if the addition is there or not.

Staff has also made attempts to find additional information to support the claim of a 4-plex. Current Salt Lake County Assessor data indicates the property is currently being assessed as a single family dwelling. The Assessor has also provided a record of assessment from 1994 for 2275 - 2281 E. Atkin. This does not indicate 2277 and/or 2279 East. Working with the Addressing department is unclear when the other Addresses may have been added, but the 4 separate address are on record as approved addresses. A site visit has confirmed 4 mail boxes on site and multiple entries into the building, the site visit was unable to confirm nor deny multiple utility meters.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends **DENIAL** of the proposed **Use Violation Approval**.

3.2 Reasons for Recommendation

- 1) When Considering the criteria for this approval from 19.88.140:
 - Based on the provided evidence it is clear that the property has existed as a multi unit structure, at least a duplex for well over 10 years. It is however unclear as to whether or not the structure has had more than 2 units and for how long. The addition to the rear of the property appears to have been in place for a period of 10 years but its use as a separate unit based on evidence provided is unclear.
- 2) There is no record of compliants specific to the use of the property as a 4-plex during the past 10 years.
- 3) Continuation of the use as a 4-plex would not likely have a detrimental affect on this or surrounding properties, however there is concern regarding the parking on site. Typically each dwelling unit would require 2 off street parking stalls where this property appears to have only 6 off street parking spaces.

3.3 Other Recommendations

The planning commission may determine that the evidence provided is sufficient to confirm the 4 units and approve the requested declaration or continue the application to a future meeting date in order to receive more evidence to support the claims of the applicant.



Salt Lake County Public Works Department
Planning and Development Services Division
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050
 Phone: 801-468-2000 FAX: 801-468-2169
 Visit our web site: <http://www.pwpds.slco.org>



Non-Conforming Uses and Non-Complying Structures Supplemental Form

What is your request?

- Verification of Legal Status
- Declaration of Non-Conforming or Non-Complying Status [19.88.140, 19.88.150]
- Change from one Non-Conforming Use to a Different Non-Conforming Use [19.88.091]

What is the current use of the property?

FOURPLEX RESIDENCE

In what way is the current use non-conforming or building non-complying?

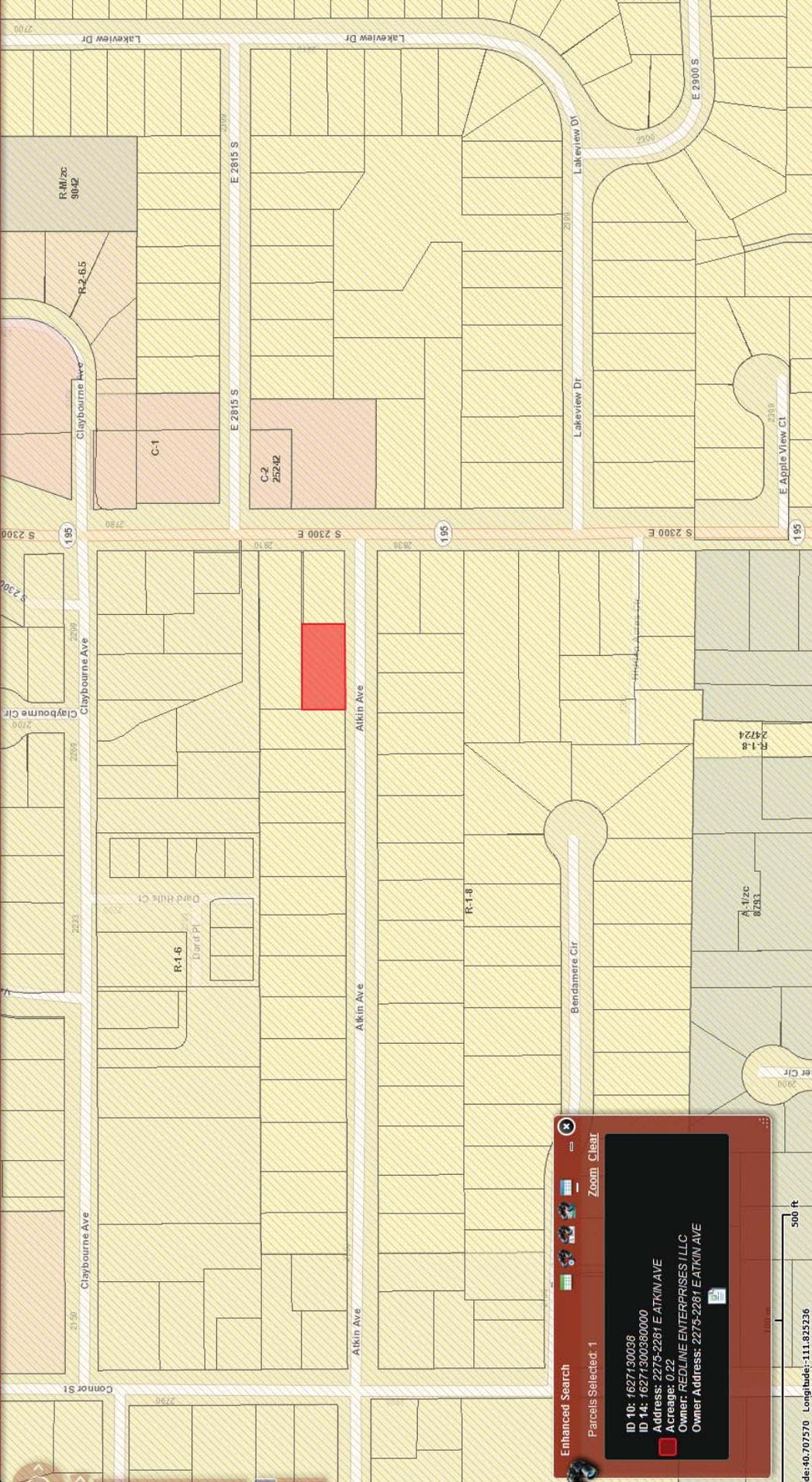
BUILDING IS A LEGAL TRIPLEX

How long has the building or use been in existence at the above property? (Please provide evidence to verify, such as: tax records, utility bills, photographs, affidavits, etc.).

> 10 YEARS

Have there been any complaints filed with Salt Lake County against this property? If yes, please list and explain.

2007: ROOFING WORK w/o PERMIT



Enhanced Search

Parcels Selected: 1

Zoom Clear

ID 10: 1627130038
ID 14: 16271300380000
Address: 2275-2281 E ATKIN AVE
Acreage: 0.22
Owner: REDLINE ENTERPRISES, LLC
Owner Address: 2275-2281 E ATKIN AVE

de-40.707570 Longitude: -111.835236







BUILDING PERMIT APPLICATION

BECOMES PERMIT WHEN SIGNED

*Date of Application 8-20-84	Date Work Starts 9-1-84	Receipt No.	Date Issued 8-29-84	Permit Number 118453
*Proposed Use of Structure Rental addition		BUILDING FEE SCHEDULE		
*Bldg. Address 2281 + 2275 Atkin Ave	Assessors Parcel No. 015716	Square Ft. of Building 809	Valuation 1368	33,000.00
*Address Certificate No.		<input type="checkbox"/> Rough Basement	Building Fees	706.50
*Lot #	*Block	<input type="checkbox"/> Finish Basement	Plan Check Fees	116527 28.00
*Subd. Name & Number		Carport sq. ft.	Electrical Fees	20.00
*Property Location	<input type="checkbox"/> *If metes and bounds see instructions	Garage sq. ft. 576	Plumbing Fees	24.00
*Total Property Area - In Acres or Sq. Ft.	Total Bldg. Site Area Used	Type of Bldg. frame	Mechanical Fees	20.00
*Owner of Property George Holgerson	Phone 486-4395	Occ. Group R-3	Water	
*Mailing Address 2281 Atkin Ave - Salt Lake City, UT 84109	City	No. of Bldgs. 2	Sewer	
*Business Name Address none	Business Lic. No.	No. of Stories 1	Storm-Sewer	132.
*Architect or Engineer owner self	Phone	No. of Bedrooms 2	Moving or Demol.	1000
*General Contractor owner self	Phone	No. of Dwellings 2	Temporary Perm.	4000
*Business Address	*State Lic. No.	Type of Construction <input checked="" type="checkbox"/> Frame <input type="checkbox"/> Brick Var.	Reinspection	1000
*Electrical Contractor owner self	Phone	<input type="checkbox"/> Brick <input type="checkbox"/> Block <input type="checkbox"/> Concrete <input type="checkbox"/> Steel		75.00
*Business Address	*State Lic. No.	Max. Occ. Load		
*Plumbing Contractor owner self	Phone	Fire Sprinkler <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
*Business Address	*State Lic. No.	Special Approvals	Required	Received
*Mechanical Contractor owner self	Phone	Board of Adjustment	Not Req.	
*Business Address	*State Lic. No.	Health Dept.		
*Previous Usage of Land or Structure (Past 3 yrs.) Rental units		Fire Dept.		
*Dwell. Units Now on Lot 2	*Assessory Bldgs. Now on Lot one	Soil Report		
*Type of Improvement/Kind of Const.		Water or Well Permit		
<input type="checkbox"/> Sign <input type="checkbox"/> Build <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Addition		Traffic Engineer		
<input type="checkbox"/> Repair <input type="checkbox"/> Move <input type="checkbox"/> Convert Use <input type="checkbox"/> Demolish		Flood Control		
*No. of offstreet parking spaces: Covered _____ Uncovered 2		Sewer or Septic Tank		
		City Engineer (off site)		
		Gas		
		Comments: There two rooms have been rented units for the past 14 years - I would like to enlarge 2281 and build a two car garage and have the zoning made legal for a two family unit		
		Land Use Cert.		
		Electrical Dept.		
		HiBack C.G. & S. Requested		
		Other		
		Bond Required <input type="checkbox"/> Yes <input type="checkbox"/> No Amount		
		This application does not become a permit until signed below.		
		Plan Chk. OK by		
		Signature of Approval	Date	12-31-84

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.

* George N. Holgerson - 8-20-84
Signature of Contractor or Authorized Agent Date

* George N. Holgerson - 8-20-84
Signature of Owner (if owner) (Date)

Census Tract. Traffic Zone Coordinate Ident. No.

New S.L.U. Code No. Old S.L.U. Code No.

Certificate of Occupancy

SUB-CHECK Zone R-2-65 RSC Zone Approved By

Disapproved _____ Approved _____ Date _____ Sub-Ck. By _____

Setbacks in Feet

Front	Side	Side	Rear
25'	10'	30'	0'

not a corner

Indicate Street If Corner Lot

Plot Plan

* old Building now conforming + addition is conforming

notice is required for all inspections.

PLANNING DEPT USE

A F F I D A V I T

(from owner doing own building and/or sub-construction work)

Permit # _____

DATE 12-31-84

I, George Holgerson, do hereby swear that I am the owner of said property located at 2281 Cathie Ave. SLC. and further swear that said work Building Mechanical Electrical Plumbing being done on this property will be done by me or an immediate member of my family. Further, that said work will be for the sole occupancy and/or use by myself and immediate family for a period of not less than one year.

I further understand that anyone not connected with my immediate family who performs work upon these premises for which a permit is required, will be licensed by the State of Utah to perform said work and will obtain the necessary permits from Salt Lake County prior to starting said work.

Any person violating the intent of this affidavit will be held liable as outlined in Chapter 23 of Title 58, Utah Code Annotated and will be subject to penalty as described in 58-23-18.

George Holgerson 12-31-84
Signature Date

Notary Public Date

My Commission Expires: _____

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

2033 South State - Phone 535-7511

Property Address 2281 E. Atlanta Ave #101 Lot No. _____ Date 1-22-86

Contractor Peroville Time 1030

Permit No. 118463

Inspection Kind <input checked="" type="checkbox"/> BLDG. <input type="checkbox"/> COMM. <input checked="" type="checkbox"/> RES.	<input type="checkbox"/> MECH. <input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> ELEC. <input type="checkbox"/> ZONING <input type="checkbox"/> FIRE SPRINKLER	<input type="checkbox"/> PLBG. <input type="checkbox"/> PREINSPECTION <input type="checkbox"/> HOUSING	Reason for Inspection <input checked="" type="checkbox"/> CALLED <input type="checkbox"/> ROUTINE <input type="checkbox"/> COMPLAINT <input type="checkbox"/> PICK UP <input type="checkbox"/> footings <input type="checkbox"/> underground <input type="checkbox"/> concrete <input type="checkbox"/> P to P <input type="checkbox"/> foundation <input checked="" type="checkbox"/> rough <input type="checkbox"/> steel <input type="checkbox"/> Ch. 70 <input type="checkbox"/> frame <input type="checkbox"/> clearance <input type="checkbox"/> columns <input type="checkbox"/> T. on Po. <input type="checkbox"/> insulation <input type="checkbox"/> final <input type="checkbox"/> progress <input type="checkbox"/>
RESULTS OF INSPECTION see comments for explanation		Stage <input type="checkbox"/> partial <input checked="" type="checkbox"/> complete	<input type="checkbox"/> prior violations not corrected <input type="checkbox"/> prior violations corrected <input type="checkbox"/> items listed below will be inspected at next regular inspection	
<input type="checkbox"/> WORK APPROVED <input type="checkbox"/> WORK IN VIOLATION		<input type="checkbox"/> Do not proceed with work <input type="checkbox"/> Make necessary corrections <input type="checkbox"/> Work must be completed with a call for reinspection within _____ days	<input type="checkbox"/> Admittance refused. <input type="checkbox"/> Approved plans not available.	
<input type="checkbox"/> UNABLE TO MAKE INSPECTION <input type="checkbox"/> Issued Stop Order <input type="checkbox"/> Reinspection Required		<input type="checkbox"/> Cannot locate property. <input type="checkbox"/> House locked. <input type="checkbox"/> Double Fee <input type="checkbox"/> Reinspection Fee Required		

COMMENTS

need source change over to complete the rough.

no power to panel agreement to be signed. (owner is living in the bldg. exploding)

1- miles

335716

Signed Bob Van Wageningen
Salt Lake County Building Inspector

UtahRealEstate.com - Tax Data

PARCEL # 16-27-130-038-0000

ACTIVE LISTINGS: 1209378

NAME: REDLINE ENTERPRISES I LLC

PROPERTY ADDRESS: 2275-2281 E ATKIN AVE SALT LAKE CITY 84109

OWNER MAILING ADDRESS: 2275-2281 E ATKIN AVE , SALT LAKE CITY, UT 84109-1905

LEGAL DESCRIPTION: COM 532 FT S & 134 FT W FR NE COR OF NW 1/4 SEC 27 T 1S R 1ESL MER W 140 FT S 70 FT E 140 FT N 70 FT TO BEG 0.22 AC 5561-1665 6521-0021 9747-4518

PARCEL SPECIFIC INFO: **Total Acres:** .22 • **General Prop. Type:** 111- Single Family Residence - One or more residences per parcel; a home that was originally constructed as a residence but now may have more than one unit. • **Specific Prop. Type:** 111- Single Family Residence • **Tax District:** 17 • **Update Year:** 2013

VALUATION SPECIFIC INFO: **Prior Land Value:** \$154,100 • **Prior Bldg Value:** \$97,800 • **Taxes Paid in 2013:** \$2,254.40

VALUATION ADJUSTMENTS:

Type	Reason	Amount
Permanent	98 Adjust 2	105%
Temporary		100%
Temporary	Condo Factor	97%
Temporary		92%
Temporary		100%
Temporary		97%
Temporary		106%

LAND 1

GENERAL FEATURES: **Lot Use:** Residential / Condo • **Lot Type:** Primary Lot • **Land Assessment Class:** Residential Primary • **Acres:** .22 • **# of Lots:** 1 • **Standard Lot Size:** .15 • **Seasonal Use:** No • **Off-street Parking:** Yes • **Lot Shape:** Regular - Generally rectangular in shape • **Lot Location:** Interior - On a through street • **Curb/Gutter:** No • **Sidewalk:** No

SURROUNDING AREA: **Zone:** 1206 • **Neighborhood Code:** 253 • **Neighborhood Type:** Static - Area developed with a stable use • **Neighborhood Effect:** Typical • **Topography:** Level • **Traffic:** Light - Road mainly services homes on the street. (Traffic count <5,000/day) • **Traffic Influence:** Typical • **Street Type:** Two Way - 2 lanes, one each direction • **Street Finish:** Paved - Asphalt or Concrete paving

UTILITY INFO: **Sewer:** Public • **Water Available:** Yes

LAND VALUES: **Land Value:** \$158,895

RESIDENCE 1

GENERAL INFO: **Yr Built:** 1941 • **Eff. Yr. Built:** 1990 • **Bldg Style:** Cottage / Bungalow • **Assessment Class:** Primary • **Hillside:** No • **# of Families:** 1 • **# of Stories:** 1 • **Central A/C:** No • **Heating Type:** Other / Wall heater / Gas Stove / Space Heater / Gravity Heater • **Replacement Cost New:** \$52,944 • **Replacement Cost Less Normal Depreciation:** \$36,002

EXTERIOR: **Roofing:** Asphalt Shingles / Fiberglass • **Raised Roof:** Yes • **Ext. Wall Type:** AL- Aluminum / Vinyl • **Masonry Trim:** No • **Foundation:** Yes

ROOM INFO: **Total Rooms:** 5 • **# of Bedrooms:** 2 • **Full Baths:** 1 • **# of Kitchens:** 1

AREA INFO: **Main Floor Area:** 525 sq ft • **Basement Area:** 262 sq ft

RESIDENCE CONDITION: **Kitchen Qual.:** Basic • **Bathroom Qual.:** Basic • **Interior Grade:** Average • **Exterior Grade:** Fair • **Overall Grade:** Fair • **Interior Cond.:** Average • **Exterior Cond.:** Average • **Overall Cond.:** Average • **Visual Appeal:** Average •

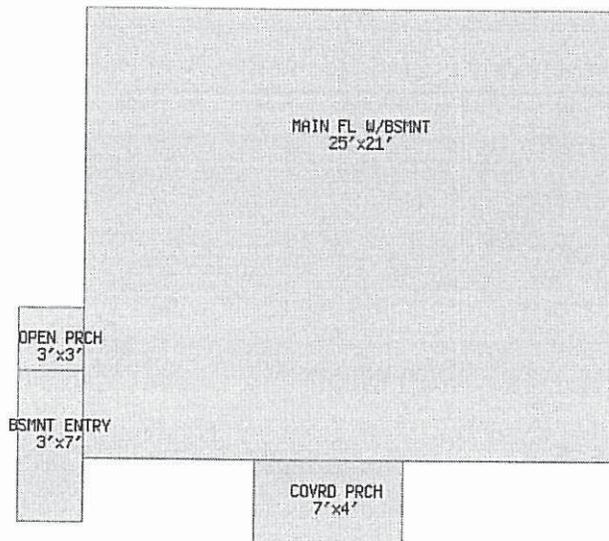
Liveability: Poor • **Conformity:** Equal Improved • **Maintenance:** Minimum •
% Complete: 100%

CARPORT & GARAGE INFO:

PORCH 1: **Porch Type:** Open Porch • **Porch Area:** 9 sq ft

PORCH 2: **Porch Type:** Covered Porch • **Porch Area:** 28 sq ft

RESIDENCE 1 FOOTPRINT



RESIDENCE 2

GENERAL INFO: Yr Built: 1951 • Eff. Yr. Built: 1990 • Bldg Style: Duplex • Assessment Class: Primary • Hillside: No • # of Families: 3 • # of Stories: 1 • Central A/C: No • Heating Type: Primary Control / Gas / Forced Air • Replacement Cost New: \$109,875 • Replacement Cost Less Normal Depreciation: \$74,715

EXTERIOR: Roofing: Asphalt Shingles / Fiberglass • Raised Roof: Yes • Ext. Wall Type: AL- Aluminum / Vinyl • Masonry Trim: No • Foundation: Yes

ROOM INFO: Total Rooms: 4 • # of Bedrooms: 1 • Full Baths: 2 • # of Kitchens: 2

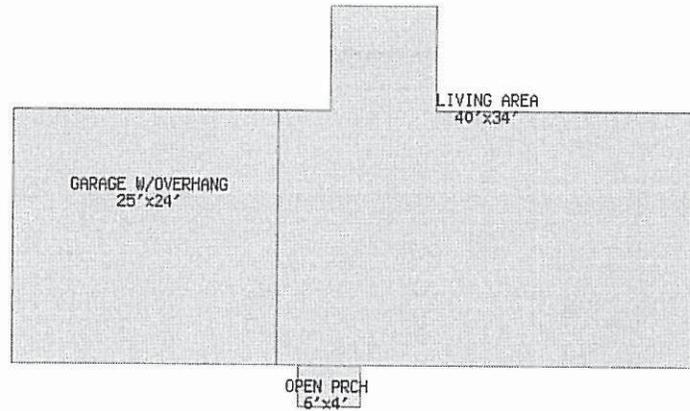
AREA INFO: Main Floor Area: 1,060 sq ft • Upper Floor Area: 600 sq ft

RESIDENCE CONDITION: Kitchen Qual.: Basic • Bathroom Qual.: Basic • Interior Grade: Average • Exterior Grade: Fair • Overall Grade: Fair • Interior Cond.: Average • Exterior Cond.: Average • Overall Cond.: Average • Visual Appeal: Average • Liveability: Average • Conformity: Equal Improved • Maintenance: Minimum • % Complete: 100%

CARPORT & GARAGE INFO: Built-in Garage: 600 sq ft

PORCH 3: Porch Type: Open Porch • Porch Area: 24 sq ft

RESIDENCE 2 FOOTPRINT



DATA PROVIDED BY

Salt Lake County Assessor's Office
2001 S. State Street
Suite N2300
Salt Lake City, Utah 84190

Phone: 801-468-3050

THIS DATA LAST UPDATED ON: Dec 19, 2013 @ 2:01 pm

©2014 Wasatch Front Regional MLS.

All information provided is deemed reliable but is not guaranteed and should be independently verified.

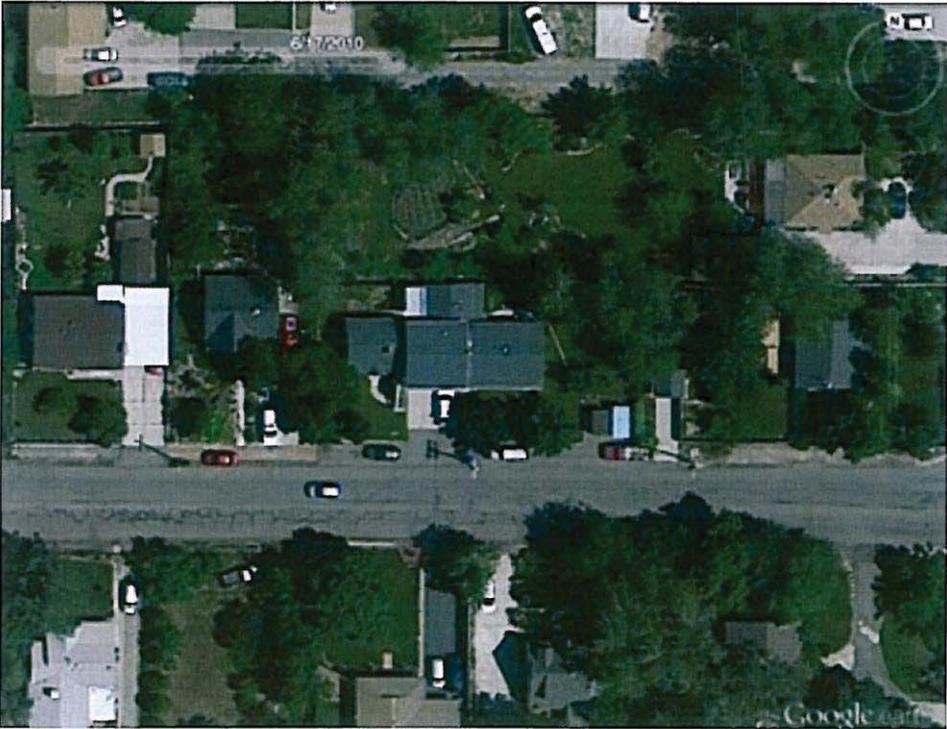
All data on this page taken from the Salt Lake County Assessor's office. WFRMLS can not make direct changes to the data shown on this page.

The fourth unit at the Atkin Avenue property is attached to the back of the structure. The following images are historical aerial photos showing the existence of the 4th unit for >10 years.

2013:



2010:



2006:



2004:



MLS# 386491

List Price: \$239,000
 CDOM: 77
 DOM: 77
 Address: 2275 ATKIN AVE
 NS/EW: 2800 S / 2275 E
 City: Salt Lake City, UT 84109
 County: Salt Lake
 Proj/Subdiv: SEC27TWNNSHP
 Tax ID: 16-27-130-038
 Zoning: 1206
 HOA Contact:
 HOA Remarks:

Tour/Open: None
 Status: Expired
 List Date: 08/26/2003

Area: Salt Lake City; Ft Douglas
 Restrictions: No
 Taxes: \$2,264
 HOA Fee: \$0
 HOA Phone:
 Pre-Market:



School Dist:
 Sr High:
 Type: Fourplex
 Year Built: 1951
 Tot Units: 4
 Acres: 0.22
 Back: 0.0

Elem:
 Priv Schl:
 Style: Up And Down
 Effect Yr Bt:
 Tot Sq Ft: 2,450
 Frontage: 0.0
 Irregular: No

Jr High:
 Other Schl:
 Const Status: Blt./Standing
 Possession: RECORDING
 Tot Beds/Baths: 4 / 4
 Side: 0.0
 Yearly Occup: 0%
 Gross Sched
 Income: \$0.00
 Prkg Sp: 6
 Water: \$0.00
 Insurance: \$0.00

Water Shares: 0

Gross Op Income: \$0.00

Garage: 0
 Gas: \$0.00
 Garbage: \$0.00
 Other: \$0.00

Carport: 0
 Elec: \$0.00
 Maintain: \$0.00

Access Feat:

Additional Info:

Amenities:

Animals: Pets < 20 Lbs.

Driveway/Access:

Exterior: Aluminum/Vinyl

Exterior Feat: Outdoor Lighting

Floor Cov:

Garage/Park:

Heating: Gas: Central; Wall Heater

Utilities: Sewer: Connected

Inclusions: Range; Range Hood; Refrigerator

Exclusions:

Interior Feat:

Landscape: Landscaping: Full

Lot Facts: Fenced: Part; Sprinkler: Auto-Full; Terrain, Flat

Pool Feat:

Roof: Asphalt Shingles

Storage:

Tel Comm:

Terms:

Water: Culinary

Window Cov:

Zoning:

Driving Dir:

Remarks: HARD TO FIND FOURPLEX IN EXCELLENT NEIGHBORHOOD.WELL MAINTAINED AND ALWAYS OCCUPIED.PRICED BELOW COUNTY VALUE.PLEASE DO NOT DISTURB.OWNER PAYS \$300 IN UTILITIES.

Unit Configuration 1

Total Number Values

Number of Units: 1

Furnished:

Elec Meters:

Oven-Ranges:

Deck:

Unfurnished:

Disposals:

Refrigerators:

Patio:

Gas Meters:

Dishwashers:

Solar: 0

Air Conditioning

Gas: 0

Elec (win): 0

Evap (win): 0

Elec: 0

Evap: 0

Pump: 0

Per Unit Values

Lvl	Approx Sq Ft	Bed Rms	Bath		Fam	Den	Formal Living Rm	Kitchen Dining			Laundry	Fireplace
			F	¾				½	K	B		
3+												

UtahRealEstate.com - Full Report - Multi Unit

2														
1	550	1	1	0	0	0			0	0	0	0	1	0
B														
Tot	550	1	1	0	0	0			0	0	0	0	1	0

Rent: \$500.00 Covered Parking: Uncovered Parking: Storage Units:

Unit Configuration 2

Total Number Values
 Number of Units: 1 Deck: Patio: Air Conditioning
 Gas: 0 Elec: 0
 Furnished: Unfurnished: Gas Meters: Elec (win): 0 Evap: 0
 Elec Meters: Disposals: Dishwashers: Evap (win): 0 Pump: 0
 Oven-Ranges: Refrigerators: Solar: 0

Per Unit Values

Lvl	Approx Sq Ft	Bed Rms	Bath			Fam	Den	Formal Living Rm	Kitchen Dining				Laundry	Fireplace
			F	¼	½				K	B	F	S		
3+														
2														
1	800	1	1	0	0	0			0	0	0	0	1	0
B														
Tot	800	1	1	0	0	0			0	0	0	0	1	0

Rent: \$500.00 Covered Parking: Uncovered Parking: Storage Units:

Unit Configuration 3

Total Number Values
 Number of Units: 1 Deck: Patio: Air Conditioning
 Gas: 0 Elec: 0
 Furnished: Unfurnished: Gas Meters: Elec (win): 0 Evap: 0
 Elec Meters: Disposals: Dishwashers: Evap (win): 0 Pump: 0
 Oven-Ranges: Refrigerators: Solar: 0

Per Unit Values

Lvl	Approx Sq Ft	Bed Rms	Bath			Fam	Den	Formal Living Rm	Kitchen Dining				Laundry	Fireplace
			F	¼	½				K	B	F	S		
3+														
2														
1	500	1	1	0	0	0			0	0	0	0	0	0
B														
Tot	500	1	1	0	0	0			0	0	0	0	1	0

Rent: \$500.00 Covered Parking: Uncovered Parking: Storage Units:

Unit Configuration 4

Total Number Values
 Number of Units: 1 Deck: Patio: Air Conditioning
 Gas: 0 Elec: 0
 Furnished: Unfurnished: Gas Meters: Elec (win): 0 Evap: 0
 Elec Meters: Disposals: Dishwashers: Evap (win): 0 Pump: 0
 Oven-Ranges: Refrigerators: Solar: 0

Per Unit Values

Lvl	Approx Sq Ft	Bed Rms	Bath			Fam	Den	Formal Living Rm	Kitchen Dining				Laundry	Fireplace
			F	¼	½				K	B	F	S		
3+														
2														
1	600	1	1	0	0	0			0	0	0	0	0	0
B														

UtahRealEstate.com - Full Report - Multi Unit

Tot	600	1	1	0	0	0	0	0	0	0	1	0
-----	-----	---	---	---	---	---	---	---	---	---	---	---

Rent: \$500.00

Covered Parking:

Uncovered Parking:

Storage Units:

Show Inst: Call Agent/Appt

Contact: BEN

L/Agent: Ben Scribner

L/Office: Realty Executives Of Utah

L/Broker: Jayson C Critchfield

BAC: 3

Comm Type: Gross

Owner:

Contact Type: Agent

Ph: 801-381-3595

Dual/Var: No

Wthdrwn Dt: 11/12/2003

Owner Type:

Ph 1: 801-381-3595

Fax: 801-838-1305

Ph: 801-823-1100

List Type: ERS

Off Mkt Dt:

Ph 2:

Cell: 801-381-3595

Fax: 801-823-1199

Exp Dt: 11/12/2003

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STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	7	9	1	
Applicant Name:	Colin Strasser	Request:	Subdivision						
Description:	Preliminary Plat Approval for a 4-lot subdivision								
Location:	3176 and 3180 South 2300 East.								
Zone:	R-1-6 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Staff Recommendation:	Approval with Conditions								
Planner:	David J. Gellner, AICP								

1.0 BACKGROUND

1.1 Summary

Colin Strasser is requesting Preliminary Plat Approval for a 4-lot subdivision (configured as two standard lots and two flag lots) on two property parcels that total 0.79 acres in size.

1.2 Hearing Body Action

This item is before the Planning Commission for Preliminary Plat Approval. This item has been on the Commission's Agenda previously. The history of the application is included below:

Previous PC Actions:

At the Millcreek Township Planning Commission meeting of May 14, 2014, the Commission voted to continue this item until the June 11, 2014 meeting in order to allow the applicant the opportunity to resubmit plans that address the outstanding technical items outlined in this report.

At the Millcreek Township Planning Commission meeting of June 11, 2014, the Commission voted to continue this item until the July 16, 2014 meeting in order to allow the applicant the opportunity to address the outstanding technical items outlined in this report.

Staff has continued to work with the applicant to address all outstanding issues and details outlined in this report. While there are still several outstanding issues to be addressed, they relate to technical details that must be solved before the Preliminary Plat can be finalized and the Final Plat can be completed and recorded. Staff is confident that these issues can be worked out as part of the technical review process before the Preliminary Plat can be approved by staff. As such, staff is bringing this

application forward for action by the Planning Commission.

1.3 Neighborhood Response

No response or comments received as of the date of this report.

2.0 ANALYSIS

2.1 Applicable Ordinances

Chapter 19.14 - Single Family Residential - Setback and Area Requirements for R-1-6 Zone:

Minimum Lot Area: 6000 square feet

Minimum Lot Width: 60 feet at a distance 25 feet from the front lot line

Front Yard: 25 feet

Side Yards: 5 feet one side and 11 feet on the garage or driveway side or 8 feet on each side

Rear Yards: 15 feet with a garage and 30 feet without a garage.

2.2 Subdivision Requirements

18.08.010 - Procedure generally.

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application. Each process shall include the following components:

A. An application procedure, which shall include:

1. Submission of an application form, as designed by the director or director's designee to clearly indicate the type of application, property address, applicant information, and other pertinent information;
2. Submission of supplementary materials, including a legal description, property plat, the required number of plans/preliminary plats, and mailing labels (if required) for notifications;
3. Payment of fees, as required under [Title 3](#), Revenue and Finance.

B. A review procedure, which shall include:

1. An on-site review by the director or director's designee as provided by Utah Code 17-27a-303;
2. Review of the submitted site plan/preliminary plat for compliance with county land use ordinances;
3. Reference of the application and site plan/preliminary plat to any other government agency and/or affected entity which the director or director's designee deems necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;
4. The processing of any exception requests that have been made in conjunction with the subdivision application.

C. A preliminary plat approval procedure, which shall include:

1. Confirmation that all necessary agencies have responded to the requests for recommendation with a recommendation of approval or approval with conditions;
2. Integration of the recommendations from the other government agencies and affected entities involved above into the preliminary plat;
3. Receipt of a recommendation from the planning staff;
4. Approval of the preliminary plat as outlined in [Section 18.12.030](#), and issuing a preliminary plat approval letter.

D. A final plat approval procedure, which shall include:

1. An engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances

and with minimum engineering/surveying requirements;

2. A check of appropriate background information, such as: lot access, property title, record of survey, field boundary verification, etc.;
3. The collection of the necessary approval signatures (planning commission representative, director or director's designee, health department, district attorney, county mayor or their designees) on the final plat;
4. Payment of final fees and bond;
5. Recordation of the plat.

18.08.015 - Time limits.

Subdivision applications are subject to expiration according to the following schedule unless, for good cause shown, the applicant is granted an extension of time by the director or director's designee:

- A. A subdivision application shall expire if the applicant has not filed any of the required documents for preliminary plat approval within six months of the submission of a complete application.
- B. A subdivision application shall expire if the final plat is not submitted to planning and development services within six months of the preliminary plat approval.
- C. A subdivision application shall expire if the final plat has not been signed by the county mayor within six months of the approval of the director or director's designee.
- D. A subdivision application shall expire if the final plat has not been recorded within six months of the date of the county mayor's signature on the plat.

18.12.010 - Required information.

- A. The preliminary plat, prepared on paper twenty-one inches by thirty inches, shall contain the information specified in this section and comply with the following requirements:
 1. Description and Delineation. In a title block located in the lower right-hand corner the following shall appear:
 - a. The proposed name of the subdivision, which name must be approved by the planning and development services division;
 - b. The location of the subdivision, including:
 - i. Address,
 - ii. Section, township and range;
 - c. The names and addresses of the owner, the subdivider, if different than the owner, and of the designer of the subdivision;
 - d. The date of preparation, scale (no less than one inch to equal one hundred feet) and the north point.
 2. Existing Conditions. The plat shall show:
 - a. The location of and dimensions to the nearest bench mark or monument;
 - b. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage encompassed thereby;
 - c. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing general street plans, other planning commission studies and the County Transportation Improvement Plan;
 - d. The location, width and names of all existing streets within two hundred feet of the subdivision and of all prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements and section and corporation lines, within and adjacent to the tract;
 - e. The location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred feet beyond the tract boundaries;
 - f. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of

at least one hundred feet beyond the tract boundaries, indicating pipe sizes, grades, manholes and exact location;

g. Existing ditches, canals, natural drainage channels, and open waterways and proposed realignments;

h. Boundary lines of adjacent tracts of unsubdivided land, showing ownership where possible;

i. Contour at vertical intervals of not more than two feet. Highwater levels of all watercourses, if any, shall be indicated in the same datum for contour elevations;

j. Nearest installed fire hydrants on or within five hundred feet of the proposed subdivision.

4. Proposed Subdivision Plan. The subdivision plan shall show:

a. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys and easements;

b. The layout, numbers and typical dimensions of lots, and in areas subject to foothills and canyons overlay zone provisions, designation of buildable areas on individual lots.

c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;

d. Building setback lines, including showing dimensions where required by the planning commission;

e. Easements for water, sewers, drainage, utility lines and other purposes, if required by the planning commission;

f. Typical street cross sections and grade sheets where required by the planning commission or other interested county divisions;

g. A tentative plan or method by which the subdivider proposes to handle stormwater drainage for the subdivision.

2.3 Other Agency Recommendations or Requirements

This request was reviewed by internal and external agencies that have authority in the review process. Here are the comments that have been provided as of the date of this report:

Urban Hydrology Comments

First Comments - 04/22/2014

1) The project shows a storm drain being routed through private property. Cannot connect storm drain system through private property without owner permission. Proof of this must be provided.

2) Minimum pipe size for storm drain system is 15"

3) Need detail for drive access showing how storm water is maintained on 2300 east.

4) Coordinate with 2300 South Project for elevations, dedication, construction easements, etc.

Revised Plans - Second Review Comments - 06/20/2014

1) show irrigation information on grading and drainage plan including pipe sizes, slopes and elevation data.

2) provide flow line elevation at existing irrigation ditch on west side of lot.

3) obtain letter or signature on grading and drainage plan from Weir Master approving piping of the irrigation system.

4) provide detailed calculation of storm water retention for subdivision including rainfall intensity data for 15,30,60 minutes,6,12 and 24 hour time 15 and 100 year storm

Grading Review Comments

First Comments - 04/14/2014

1) The site appears to have an active irrigation line down the center in the location of the proposed access road.

- 2) No details are provided on irrigation piping or routing.
- 3) The proposed development slopes from east to west at approx. 6 to 8 feet.
- 4) The total site disturbance will be greater than one acre and will require the development of a full SWPPP.
- 5) The plans call for the use of three stormdrain inlets on a private road which will require a Stormwater maintenance agreement on the property and in the CC&R's and identified on the final plat, a copy of the recorded document must be returned to this office for final approval of the subdivision.
- 6) Need to submit site grading and drainage plans including the estimated quantities of cut and fill to develop the access road and grade out the lots.
- 7) Prior to giving final approval a SWPPP and erosion control plan shall be submitted for review and comment prior to any permits being issued on the subject property.

Revised Plans - Second Review Comments - 06/25/2014

- 1) Received a copy of the Grading plans prepared by Focus Engineering which are signed and stamped by Ronald Paul P.E.
- 2) The plans call for the use of retention ponds at the rear property lines to collect the stormwater, (No calculations are presented or sizing of the pond)
- 3) Based on the proposed design a retaining wall maybe required between the upper and lower lots to develop the ponds.
- 4) The planned turn around does not meet the requirements of the UFA. (if such a turnaround is required)
- 5) I will assume unless informed otherwise that Hydrology will address the irrigation in their review.
- 6) Due to the ponds being added for stormwater a Stormwater Maintenance agreement will be required to be recorded on the each property for the maintenance of the ponds.
- 7) The site is in excess of one acre and will require the development of a SWPPP and Erosion Control plans for permitting.

Subdivision Engineering

- 1) All required improvements must be bonded for before plat can be recorded
- 2) Show easement for ingress/egress on private road
- 3) Show Fire Hydrants on Final Plat
- 4) Require digital copy of Final Civil drawings signed by Licensed Engineer for all improvements after approvals from Hydrology, Grading and Traffic have been received
- 5) Label all areas to be dedicated to County as "Area Hereby Dedicated to Salt Lake County"
- 6) All Streets within 200 ft. of the proposed subdivision must be shown on plat
- 7) Include the area to be dedicated to county within the perimeter boundary description
- 8) Label all utility and drainage easements on final plat

County Traffic Engineering

Revised Plans - Review Comments - 06/26/2014

- 1) Dedicate right-of-way for 33' half width as shown.
- 2) Roadway improvements, including drive approach, must be SLCO standard, not APWA standard as shown.
- 3) Driveway may not exceed 10% grade for the first 20 feet. Show road grade on grading plan or submit profile for technical review.
- 4) There is no fire department turn-around shown on the plan. If Unified Fire requires installation of a turn-around submit changes for traffic review.
- 5) Salt Lake County will be improving 2300 East beginning this year. Contact me prior to construction for 2300 East schedule to minimize conflict during construction.

Mount Olympus Improvement District

The developer will need to meet all requirements to extend the main lines and service the subdivision.

Unified Fire Authority

The Unified Fire Authority has been sent in formation about this application and their review has been requested. No response or comments received as of the date of this report. If a turnaround is required by the UFA, the subdivision design and layout and placement of the homes may need some modification in order to accommodate that. Staff believes these modifications will be minor and will not impact the overall subdivision design and layout.

2.4 Other Issues

Planning Review

The following outstanding issues were identified with the Preliminary Plat as proposed. Some of these items may also be listed in 2.3 Other Agency Recommendations or Requirements above:

- 1) Existing ditches, canals, natural drainage channels, and open waterways must be shown.
- 2) All proposed easements must be shown.
- 3) The existing topography of the property must be shown.
- 4) The existing building (house) on the property must be dimensioned and access shown.
- 5) The existing curb, gutter and sidewalk out front must be shown. Any additions or alterations must be called out. A plan and profile in compliance with County standards is required.
- 6) All existing and proposed fire hydrants must be shown.
- 7) Typical building setbacks must be labeled and called out.
- 8) Existing structures on neighboring properties within 50 feet must be shown.
- 9) Evidence of any agreements with adjacent property owners relative to the subdivision development shall be presented to include those relative to drainage and easements.
- 10) Per the Flag Lot Policy, the proposed access road/drive required 4 feet of landscaping on each side of the pavement.
- 11) Access to the rear lots must be owned and part of those lots and not be by easement.
- 12) All existing and proposed parking must be shown.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Subdivision with the following conditions:

- 1) Comply with all agency and staff recommendations and requirements as listed in the above staff report.

3.2 Reasons for Recommendation

- 1) Approval of the Preliminary Plat is contingent upon meeting all Ordinance requirements and required development standards of required reviewing agencies.
- 2) If requirements cannot be met, Preliminary Plat approval will not be issued.

4.0 PROJECT PHOTOS



Image 1 : Proposed 4-Lot Subdivision



Image 2 : Proposed 4-Lot Subdivision



Image 3 : Proposed 4-Lot Subdivision

VTDI 16-27-328-050-0000 DIST 17 TOTAL ACRES 0.35
STRASSER, COLIN TAX CLASS UPDATE N REAL ESTATE
LEGAL N BUILDINGS
PRINT I TOTAL VALUE

1458 E LAIRD AVE NO:
SALT LAKE CITY UT 84105193758 EDIT 1 FACTOR BYPASS
LOC: 3176 S 2300 E EDIT 0 BOOK 10175 PAGE 8499 DATE 10/30/2013
SUB: SEC 27 TOWNSHIP 1S RANG 1E SW- TYPE SECT PLAT

02/25/2014 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

BEG S 675.73 FT FR CEN SEC 27, T1S, R1E, SLM; S 68.75 FT M
OR L; W 232.05 FT; N 60.5 FT; E 74.45 FT; N 8.25 FT M OR L;
N 89°38'30" E 157.6 FT M OR L TO BEG. 0.35 AC M OR L.
4542-0092,0093 5200-0759 5827-0155 7209-0800,0807 7771-1818
9039-4067 10153-4191

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 16-27-328-022-0000 DIST 17 TOTAL ACRES 0.44
STRASSER, COLIN TAX CLASS UPDATE REAL ESTATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

1458 E LAIRD AVE NO:
SALT LAKE CITY UT 84105193758 EDIT 0 FACTOR BYPASS
LOC: 3180 S 2300 E EDIT 0 BOOK 10153 PAGE 4193 DATE 06/27/2013
SUB: UNKNOWN TYPE UNKN PLAT

02/25/2014 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
COM 744.48 FT S FR CEN SEC 27 T 1S R 1E SL MER S 87.32 FT W
220 FT N 87.32 FT E 220 FT TO BEG 0.44 AC 7209-080, 7209-797
7209-0807 7234-1998 9039-4071

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV



Planning and Development

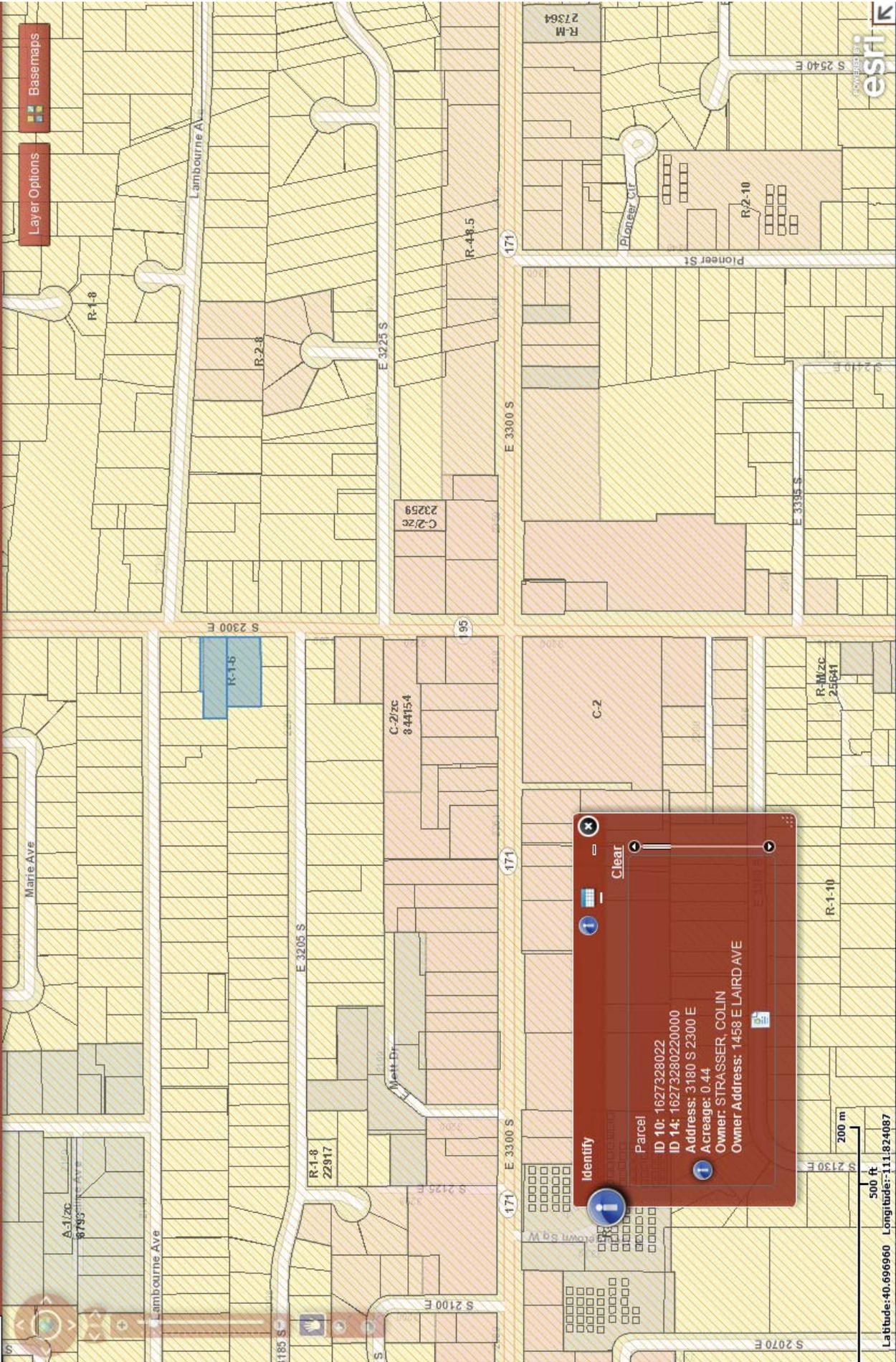
Interactive GIS Map



About

Layer Options

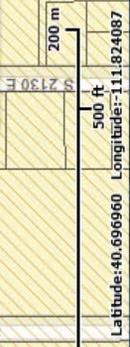
Basemaps



Identify

Parcel
 ID 10: 1627328022
 ID 14: 16273280220000
 Address: 3180 S 2300 E
 Acreage: 0.44
 Owner: STRASSER, COLIN
 Owner Address: 1458 E LAIRD AVE

Clear





STAFF REPORT

Executive Summary					
Hearing Body:	Millcreek Township Planning Commission				
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8 9 0 9
Applicant Name:	Rick Plewe	Request:	Subdivision Amendment		
Description:	Amendment to lots 2, 3, and 4 and common area.				
Location:	3548 S. Honeycut Rd.				
Zone:	R-1-10 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Planning Commission Rec:	Not Yet Received				
Staff Recommendation:	Approval with Conditions				
Planner:	Lyle Gibson				

1.0 BACKGROUND

1.1 Summary

The applicant is requesting approval of a subdivision plat amendment under section 18.18.050 due to alterations of special requirements to the subdivision. As the subdivision was approved as a planned unit development showing 65% open space and specific common areas the alteration of this requires planning commission approval.

The proposed changes are to lots 2, 3, and 4 only in relation to the common area. The applicant is proposing increasing the individual lot sizes as shown on the provided plat. The lot line adjustments would remove a total of 1,400 sq. ft. of common area and encroach into the 100 year flood plain.

The removal of the proposed common area to add to individual lots would change the amount of open space on the property from the original 65% to 64% assuming all 1,400 sq. ft. of increased individual lot area is used for building footprint. All other conditions from the existing approval will still apply to the subdivision. Lots 2, and 3 have a 0' setback near the creek from the property line. Lot 4 as proposed changes in part from the 24' distance to the lot line to a 13' distance to the lot line before a 6' setback requirement leaving 19' from the neighbor to the west.

The original decision to put lot lines on the 100 year flood plain was based on concerns from the Salt Lake County Flood Control division. Upon receiving this request Flood Control has reviewed the proposed changes and has given a conditional approval so long as the type of construction within the expanded lots is limited to decks using post construction which has been added as a note to the amended plat, but

needs amending. They still have the access needed to and recorded 20' maintenance easement along the creek as requested.

Where Flood Control, the applicant, and most likely affected neighbor have been involved, it is the opinion of staff that statute and ordinance have been met.

1.2 Hearing Body Action

This item is on the agenda for final plat approval from the Millcreek Township Planning Commission.

1.3 Neighborhood Response

As of the date of this report, staff has not received comment from neighbors regarding this application. The property owner east of lot 4 has been notified of the proposed changes and has put together a private agreement with the developer consenting to the modification.

2.0 ANALYSIS

2.1 Applicable Ordinances

18.18.050 Other amendments to subdivisions.

An amendment to a recorded subdivision that involves the alteration or removal of an easement, private right-of-way, condition, limitation, or special requirement shall follow the approval procedure outlined in [Section 18.08.010](#) with the following variations:

A. Only those persons or entities who have a direct interest in, or who will be directly affected by the proposed change (including the applicant) must be notified of any pending action; and

B. No preliminary plat need be approved. The recommendations of the affected entities and the approval of the planning commission may be based on a final plat.

2.2 Other Agency Recommendations or Requirements

Flood control has given approval of the proposed changes with the condition that a note be added to the plat as provided by the applicant to limit building construction to decks within the flood plain.

Other reviewing agencies have indicated that the proposed changes would not affect their initial approvals.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Subdivision Amendment

with the following conditions:

- 1) The following note be on the amended subdivision plat 'NO BUILDING FOUNDATION SHALL BE CONSTRUCTED IN THE 100 YEAR FLOOD AREA. ONLY DECKS MAY BE WITHIN THE 100 YEAR FLOOD AREA AS APPROVED BY SALT LAKE COUNTY FLOOD CONTROL.'

3.2 Reasons for Recommendation

- 1) the proposed changes comply with the existing conditions of the PUD and open space and amenity standards. Also the changes as proposed have been reviewed by those with direct interest as required by ordinance.



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 16, 2014	04:00 PM	File No:	2	8	6	1	4	
Applicant Name:	Eric Saxey	Request:	Conditional Use						
Description:	8 Unit (Townhomes) - PUD Site Plan Amendment								
Location:	1451 E. 3900 S.								
Zone:	R-M Residential Multi-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Planning Commission Rec:	Approval with Conditions								
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Lyle Gibson								

1.0 BACKGROUND

1.1 Summary

In March of 2014 this project received conditional use approval from the Millcreek Township Planning Commission subject to multiple conditions listed below:

- 1) *The property acreage and boundary description must be verified by the county tax assessor and updated to match the survey completed by the applicant in order to allow the proposed density and verify the dimensions used on the proposed site plan.*
- 2) *The emergency vehicle turnaround must be an approved size and surface to be approved by Unified Fire Authority.*
- 3) *The entire development shall be restricted to 2 stories to achieve compliance with Conditional Use Criteria 'E' and section 19.78.090*
- 4) *Open space as defined by the Recreation Facility and Open Space Standards policy shall not be less than 30% of the property. This allows for the 'possible parking stalls' and the turnaround not to count as part of the open space calculation.*
- 5) *A minimum 5 ft. landscape buffer shall be required along the West property line between the drive or parking.*
- 6) *Decks as proposed on the East side of the property shall be set back a minimum of 10 ft. from the property line. Any structure including cantilevers (such as bay or box windows) shall be a minimum of 15' from any property line.*
- 7) *The proposed pavilion shall be a minimum of 250 sq. ft.*
- 8) *Lighting from the development shall be screened and directed as to not directly shine on neighboring properties.*

9) Additional turnaround space shall be provided on the north end of the property. This is not an emergency vehicle turnaround but should allow passenger cars to turnaround without using neighboring property.

The applicant has since worked to revise the project in order to comply with the listed conditions. In attempt to comply with the conditions imposed changes have been made to the site plan that require approval from the planning commission as stated in 19.78.150 of the Salt Lake County Ordinance.

19.78.150 Construction limitations.

A. Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the planning commission and in conformity with any conditions attached by the commission to its approval.

B. Amendments to approved plans and specifications for a planned unit development shall be approved by the planning commission and shown on the approved plans.

The proposed changes appear to meet and / or comply with the conditions originally imposed on this development. In addition to the specifically listed conditions items originally considered by the planning commission such as guest parking spaces have changed under the new proposed layout. The details of the new proposal are not as far along as the previous design, but staff has determined that the site plan proposed is sufficient to seek a decision from the planning commission based on the number of drawings and meetings with the planning commission and community council to date.

1.2 Hearing Body Action

This item is on the agenda for a decision from the planning commission regarding the amended site plan and guest parking requirements.

1.3 Neighborhood Response

Staff has received correspondence from Mr. Lemmon, the neighbor to the north of this property. The general feeling after being told about the proposed changes seemed to be positive. Mr. Lemmon has not seen the revised plans.

1.4 Community Council Response

This items is scheduled to be revisited by the Millcreek Community Council during their meeting on July 1, 2014.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The proposed development plan appears to be in compliance with the height and setback requirements approved for this project by the Millcreek Township Planning Commisison. Parking is provided at a ration of 2 per unit plus 2 additional guest stalls. Guest parking

		requirement to be clarified and determined by the planning commission.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B':</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		The use and plan appear to be able to comply with all applicable laws and ordinances and will be required to verify compliance with all applicable reviewing agencies prior to receiving final approval.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C':</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		It is the opinion of staff and the traffic engineer that the proposed plan shall not present a traffic hazard. The site will be utilizing a curb cut at the same location of the existing cut along 3900 S. Where the new proposed drive does not include parking along the west side the originally requested turnaround on the north side of the lot is no longer necessary. Also the emergency vehicle turnaround originally proposed would not be required with a fire code modification approval from Unified Fire (typically a fire suppression system).
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D':</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Reviews done to date indicate that the site is in an area of potential poor soils and high ground water. A geotechnical report will be required. Following the findings of the report should allow for a safe project.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E':</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		As currently proposed the project appears to be compatible in terms of size, scale, and height with the buildings in the surrounding area.

2.2 Zoning Requirements

19.78.170 Scope of planning commission action.

In carrying out the intent of this chapter, the planning commission shall consider the following principles:

A. It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The commission may require the applicant to engage such a qualified designer or design team.

B. It is not the intent of this chapter that control of the design of a planned unit development by the planning commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter.

C. The planning commission may approve or disapprove an application for a planned unit development. In approving an application the commission may attach such conditions as it may deem necessary to secure compliance with the purposes set forth in Sections 19.84.050 through 19.84.090 of this title. The action of the planning commission may be appealed to the board of adjustment.

2.3 Other Agency Recommendations or Requirements

Receive approval for a fire code modification from Unified Fire for the drive exceeding 150 ft. without an emergency vehicle turnaround.

2.4 Other Issues

Where the applicant has made multiple revisions to the project already and is looking for clarification on their plans before proceeding to incur additional costs and expense, the floor plans, elevations and elevations have not been created to match the new proposed site plan. Floor plans for the main floor are included in the updated site plan which are to scale. The architecture will be different from the original proposal as the buildings are 1 story shorter, but the architectural style and detail would be similar and staff would be able to work with the applicant in verifying compliance on the final floor plans, landscape plans, elevation drawings, etc.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Existing conditions of approval shall apply with the following modifications:
 - Condition 2 be changed to read: Applicant shall satisfy Unified Fire Authority requirements through either a standard emergency vehicle turnaround or with an approved fire code modification.
 - Condition 9 be changed to eliminated as it currently reads.
- 2) (new condition) Guest parking shall be provided at a ratio of 0.25 stalls per unit or 2 stalls.

3.2 Reasons for Recommendation

- 1) It is the opinion of staff that the applicant has made reasonable effort to comply with the requests of the community and the conditions imposed by the Millcreek Township Planning Commission.
- 2) The proposed site plan appears to comply or is able to comply with all applicable zoning ordinance and other reviewing agency requirements.

3.3 Other Recommendations

Applicant shall be required to complete the technical review process with staff before receiving final approval.

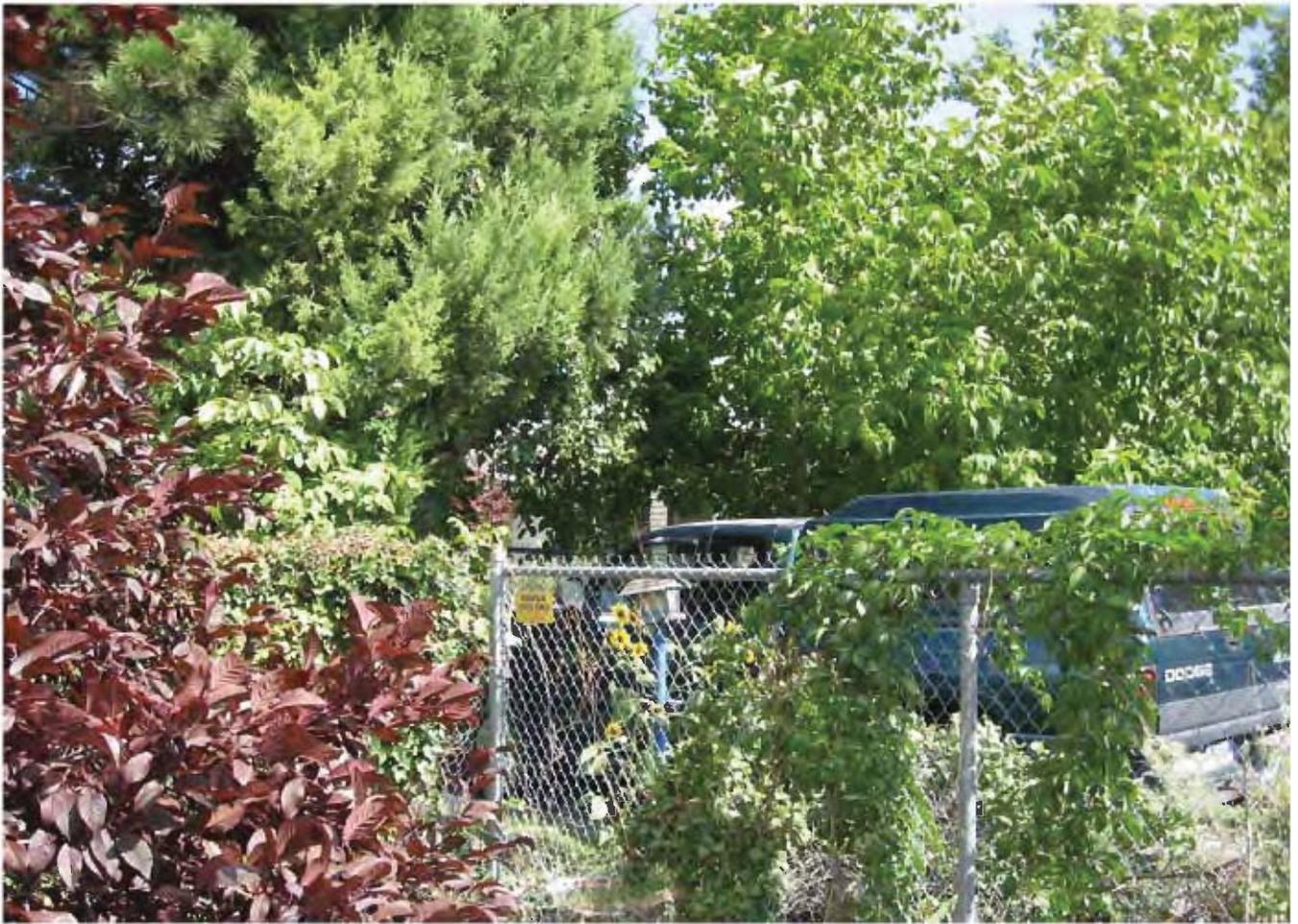
















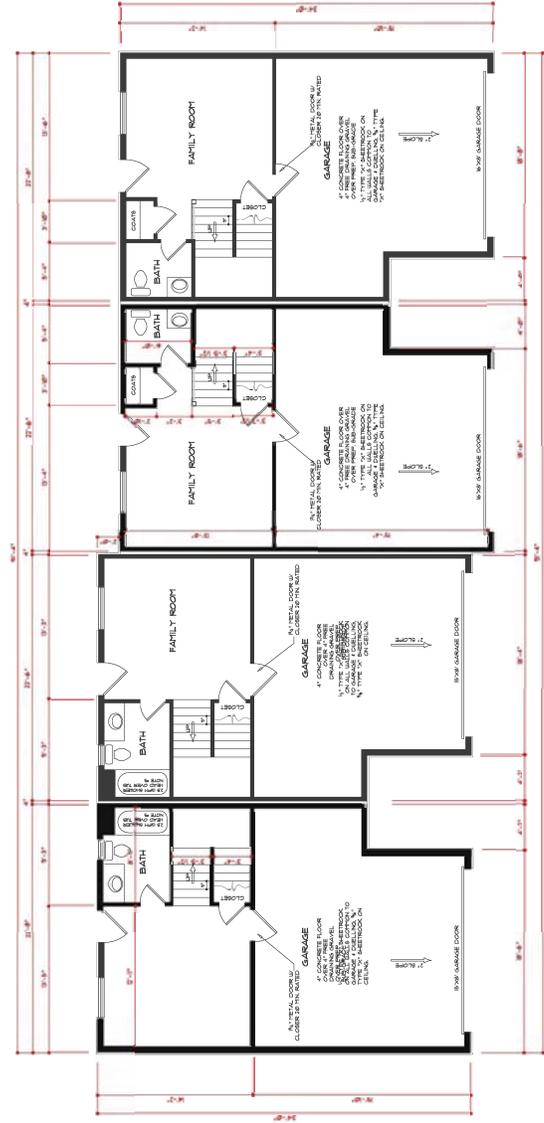
BUILDING A: UNITS 1-4

UNIT #4
 TYPE B
 320 SQFT
 (48 GARAGE SQFT)

UNIT #3
 TYPE B
 320 SQFT
 (48 GARAGE SQFT)

UNIT #2
 TYPE A
 320 SQFT
 (48 GARAGE SQFT)

UNIT #1
 TYPE A
 320 SQFT
 (48 GARAGE SQFT)



LOWER LEVEL FLOOR PLAN
 BUILDING A
 SCALE: 1/4" = 1'-0"

SQUARE FOOTAGES			
UNIT #1	UNIT #2	UNIT #3	UNIT #4
LOBBY AREA: 100	LOBBY AREA: 100	LOBBY AREA: 100	LOBBY AREA: 100
COMMON AREA: 100	COMMON AREA: 100	COMMON AREA: 100	COMMON AREA: 100
TOTAL SQFT: 200	TOTAL SQFT: 200	TOTAL SQFT: 200	TOTAL SQFT: 200
GARAGE SQFT: 48			

NOTE:
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. REFER TO ALL APPLICABLE SCHEDULES AND SPECIFICATIONS.
 3. VERIFY ALL CONDITIONS AND CONDITIONS OF WORK BEFORE COMMENCING WORK.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.



Thir Architects

Architecture
Interior Design
Landscape Archt
Land Planning
Construction Man

250 South
250
250

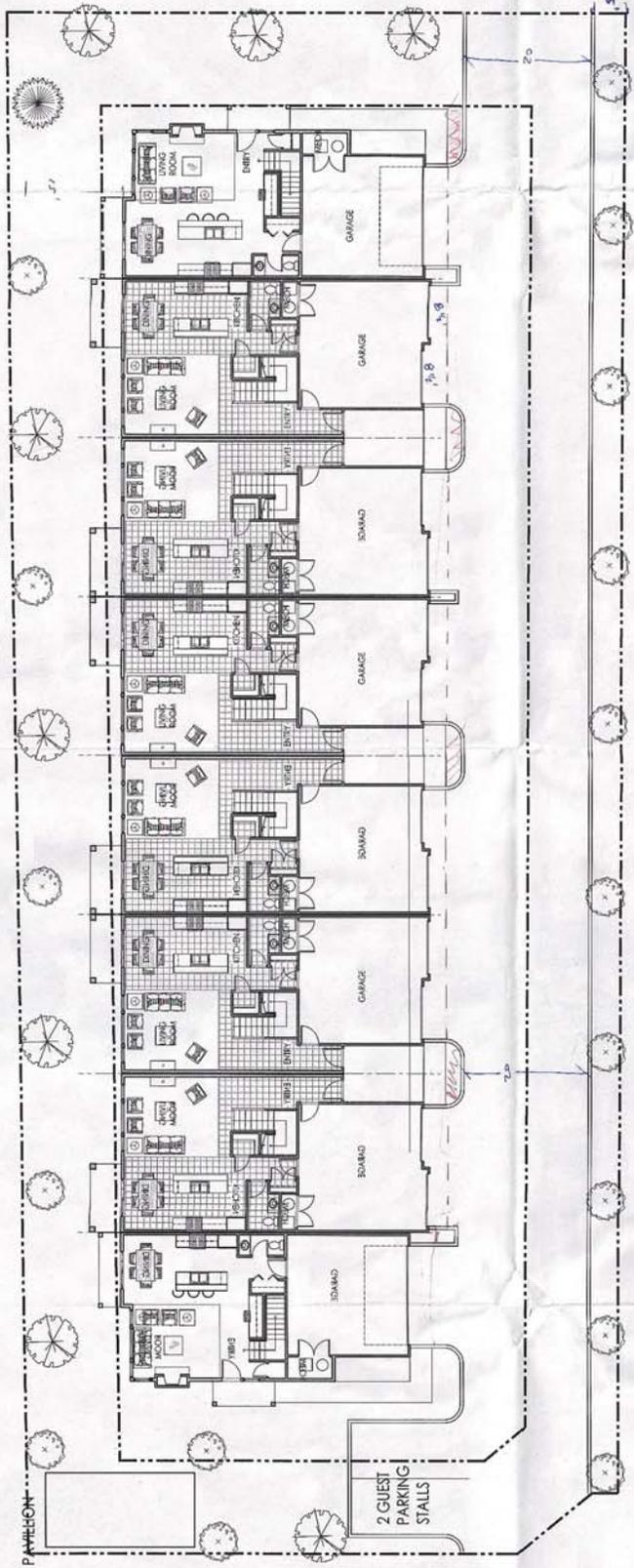
The design team and architect
make no warranty, expressed or implied,
in this document. The design team
will not be held responsible for any
damages or injuries resulting from
the use of this document.

3900 SOUTH TOWNHOMES

PROJECT NO. JA
DATE: REVISIONS:

SHEET TITLE: SITE PLAN
SHEET NUMBER:

SD10 BUILDING



SITE PLAN
SCALE: 1"=10'-0"



**MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**

Wednesday, May 14, 2014 4:00 p.m.

Approximate meeting length: 2 hours 36 minutes
Number of public in attendance: 24
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Stephens (**Vice Chair**)

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair			x	Lyle Gibson	x	x
Pamela B. Juliano	x	x		Wendy Gurr	x	x
Andrew Gruber	x	x		Max Johnson	x	x
Jonathan Jemming (Alternate)			x	David Gellner	x	x
Shawn LaMar	x	x		Chris Preston (DA)	x	x
Julia Tillou (Alternate)			x			
Tom Stephens – Vice Chair	x	x				
Geralyn Parker-Perkins	x	x				
Ann Ober	x	x				

PUBLIC HEARINGS

Hearings began at – 4:05 p.m.

28791 – Colin Strasser is requesting Preliminary Plat Approval for a 4-lot subdivision (configured as two standard lots and two flag lots) on two property parcels. **Location:** 3176 and 3180 South, 2300 East. **Zone:** R-1-6 (Residential) **Planner:** David J. Gellner, AICP

Commissioners and Staff David Gellner had a brief discussion. Staff only received updated information yesterday and has not had an opportunity to review. Request a continuance to the next Planning Commission meeting in order to work through outstanding issues with the Applicant..

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Colin Strasser

Address: 1458 East Laird Avenue

Comments: He acquired the property and this has been a long time coming. He recently signed a contract with Hamlet Homes and feels if this is postponed, this would jeopardize the deal. He is confident the builder could answer questions.

Commissioner Ober asked about the date on the Staff report of July. Staff David Gellner confirmed the next scheduled Millcreek Planning Commission date is June 11th.

PUBLIC PORTION OF MEETING CLOSED

Motion: to continue application #28791 to the June 11th meeting, for Staff to provide updated information.

Motion by: Commissioner Ober

2nd by: Commissioner Juliano

Vote: Commissioner LaMar nay, all other commissioners in favor (of commissioners present)

Commissioner Name	For Motion	Against Motion
Pamela B. Juliano	x	
Shawn LaMar		x
Tom Stephens – Vice Chair	x	
Geralyn Parker-Perkins	x	
Ann Ober	x	

28882 – Rob White is requesting approval of a 3-lot subdivision in the R-1-8 zone. The proposed lots include 1 standard lot and 2 flag lots. The easterly 2 lots will contain 2 existing dwellings while the 3rd lot will be available for new development. **Location:** 3500 South 1200 East. **Zone:** R-1-8. **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Rob White

Address: 2483 Alden Street, Salt Lake City

Comments: He believes Staff Lyle Gibson has touched on the pertinent information. He is just going for a subdivide. All homes there are self-contained houses and the one in the back has a pool. He confirmed the fence is on his property.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion.

Motion: to approve application #28882 as presented.

Motion by: Commissioner Ober

2nd by: Commissioner LaMar

Vote: unanimous in favor (of commissioners present)

28860 – Hooper Knowlton of Parleys Partners is requesting approval of a zone change from the M-1 (manufacturing) zone to the R-M (multi-family residential) zone. The request is for the purpose of constructing high density transit oriented housing. **Location:** 4205 South Main Street. **Community Council:** Millcreek. **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report.

Commissioner Gruber arrived at 4:25 pm

Commissioners and Staff Lyle Gibson had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Dave Bevan

Address: 1471 Knowlton Way

Comments: He provided a powerpoint presentation and touched on slides from the presentation. The property on Main Street, North of Big Cottonwood Creek is 1.95 acres. There are a number of surrounding properties. By the end of the year, there will be 1000 housing units. They are a pathway line to trax. He expected to have this determined on how it will shake out in the next 30-60 days. Parking will not be visible from the street. First phase is 100% occupied, they have many residents from out of state. Phase 1 is 167 units phase 2 is 65 and phase 3 is 105 senior units. They have taken the approach for affordable living upscale. They have been successful in being recognized by third parties and received many awards in 2013. Request to change the zoning. Designation for parcel, high density, parking ratio, limiting retail/office as the rezone request.

Commissioners had some questions. Commissioner Stephens inquired of the height. Mr Bevan confirmed they are a little under 75 feet per building and garage is sprinklered. Commissioner Juliano asked about where the creek is and residents are concerned about improvements near the creek and what the impact to traffic ingress and egress. Mr. Bevan stated the current parkway to the rear, has been improved and continues to be improved. It has not been possible with green space in Murray, but is designing this including lighting. They are building a couple bridges over the creek to connect the 2 phases. His understanding is Murray is putting a light on Fireclay, which will ease in that regard.

Staff Lyle Gibson confirmed the Millcreek Community Council is in favor of this application. Height is not an issue as proposed. They were provided misinformation regarding the units per phase, per acre on a nearby project.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion and expressed their excitement for this project in this area.

Commissioner Ober asked Staff to confirm the height limits and they are meeting them.

Motion: to recommend approval of application #28860 to the County Council.

Motion by: Commissioner Gruber

2nd by: Commissioner Ober

Vote: unanimous in favor (of commissioners present)

28890 – Dale Johnson and Aaron Thornock are requesting approval of a conditional use for the development of a 20 bedroom assisted living and 4 bedroom independent living facility for seniors. **Location:** 2891 South 2000 East. **Zone:** R-1-8. **Community Council:** Canyon Rim. **Planner:** Lyle Gibson

Request a continuation to the July 16th meeting date.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Dale Johnson

Address: 3681 South 2300 East

Comments: They had a few approaches, and spoke with Staff Lyle Gibson and Curtis Woodward and would like to have a 20 room facility rather than 16 rooms. They feel with independent living it is better for them and the neighborhood. They will continue working with Staff.

Speaker # 2: Citizen

Name: Chris Parker

Address: 3220 South 2000 East

Comments: He was concerned there was a lot of community support and he barely heard of this item in the past few weeks. He spoke to a neighbor who is opposed to it. He doesn't understand business coming into a residential area. He is concerned about the families living there.

Commissioner Ober stated since he will have more than a month, she would like community input brought back to the planning commission.

Speaker # 3: Citizen

Name: Margaret Smoot

Address: 2047 East Sierra View Circle

Comments: She seconds what Mr. Parker said. They would like to maintain the residential flavor. She is directly behind this property. She has 22 units in her development and this was not anticipated by them and violates the area. This is mid-block and there is a spirit of the law to be addressed.

Speaker # 4: Applicant

Name: Dale Johnson

Address: 3681 South 2300 East

Comments: He confirmed the existing facility has been opened for 2 years. Every neighbor they have is supportive. Their structures are built with a comfortable feel. They feel it is a great fit for the neighborhood.

PUBLIC PORTION OF MEETING CLOSED

Motion: to continue application #28890 to the July 16th Millcreek Planning Commission meeting.

Motion by: Commissioner Ober

2nd by: Commissioner Juliano

Vote: unanimous in favor (of commissioners present)

28872 – Shannon Bawelen of 'A Wicked Sensation' is requesting approval of a conditional use to operate a tattoo parlor as part of their business. **Location:** 970 East 3300 South. **Zone:** C-2. **Community Council:** Millcreek. **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Shannon Bawelen

Address: 970 East 3300 South #4

Comments: With unit #2 they have a lot of complaints don't want to bring in dreary. The building owner has tried to address issues. They claim it's a coffee shop, but there is not any coffee. They have had parking issues.

Commissioners had questions for applicant. Ms. Bawelen confirmed there is a hookah shop, alterations, #3 is vacant and they are in #4 and 5 is vacant. There have been little balloons left in the parking lot, rowdy on weekends, they have been there past closing and personal items stolen.

Staff Lyle Gibson confirmed the Millcreek Community Council provided an approval for this application.

PUBLIC PORTION OF MEETING CLOSED

Motion: to approve application #28872, with the proposed Staff recommendations.

Motion by: Commissioner Gruber

2nd by: Commissioner Ober

Vote: unanimous in favor (of commissioners present)

28886 – Jay Oman with Extra Space Storage is requesting approval of a conditional use for the expansion of their neighborhood storage facility onto adjacent properties. **Location:** 2150 and 2154 East 3300 South. **Zone:** C-2. **Community Council:** East Mill Creek. **Zone:** C-2. **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report. Staff Lyle Gibson read the East Mill Creek Community Councils recommendation they are in favor of the proposal.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Jay Oman

Address: 2795 East Cottonwood Parkway, Suite 400, Salt Lake City

Comments: He provided a powerpoint presentation and showed where they are looking to build the 2 story storage facility and existing car wash and residence. Since being abandoned in 2006, he has seen a lot of vandalism. He is looking to continue the masonry 6 foot wall, if unable will go to another 6 foot fence. After a few months there was graffiti and homeless people trying to live on the site. Plenty of parking and building new office. One way drive isle.

Commissioner Ober asked if he has concerns with limiting the height. Mr. Oman doesn't foresee what is required. Commissioner Juliano asked if they foresee traffic. Mr. Oman doesn't think there is a problem. This would be used for new customers. Self-storage is not a very heavy use. Commissioner Stephens asked about lighting and fencing and will there be 2 levels of storage units. Mr. Oman confirmed they have a number of different lights they use, they try not to let light leave their property and use down facing light. Commissioner Gruber asked about abandoning curb cuts and make sure it's an enhancement. Mr. Oman advised they would not need them, what's there would be removed and a regular curb and sidewalk would be installed.

Speaker # 2: Applicant

Name: Tony Baros

Address: 8478 South bronco drive

Comments: He doesn't know why it would be limited to 30% when they are allowed 75 feet. They're okay with 40 feet and 2 stories.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: to approve application #28886 with an amendment to condition #1 to limit the height to 35' and Staff Recommendations 2-5. Ensure Community Council points are included.

Motion by: Commissioner Ober

2nd by: Commissioner Gruber

Vote: unanimous in favor (of commissioners present)

28877 – Kathy Commander is requesting an Ordinance Amendment to add an existing structure as a designated historic site in the Historic Preservation Chapter (Section 19.86.020) of the Zoning Ordinance. **Location:** 1106 East 4500 South. **Zone:** R-M (Residential multi-family). **Community**

Council: Millcreek. **Planner:** David J. Gellner, AICP

Staff David Gellner provided an analysis of the Staff Report and he reported he received a positive recommendation from the Historic Preservation Committee.

Counsel Chris Preston, Commissioners and Staff David Gellner and Max Johnson had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Property Manager

Name: Billie Crocker

Address: 2314 Creek Road

Comments: She is speaking on behalf of the applicant, they are currently tenants at the location. When they moved in, they thought they could conduct business. They are trying to make things right and keep them as a tenant. They've owned the building since 2002. It is one of the oldest Utah farm houses still standing. Since it was built in 1930, they couldn't track it. In comparison of the photos, they enclosed the front porch but the rest is the same. They are dedicated to preserving the property as Millcreek's past. All commissions have given their recommendations and she hopes the planning commission will join them.

Commissioner Perkins advised how drawn she is to this property, but concerned about the additional parking. Ms. Crocker will submit a new site plan without the parking lot.

Staff David Gellner echoed the same sentiments from the Historic Preservation Committee.

Speaker # 2: Millcreek Community Council

Name: Chris Halver

Address: 1049 East Wilber Avenue

Comments: He echoed what was mentioned. He finds this as favorable and would like to move forward.

PUBLIC PORTION OF MEETING CLOSED

Motion: to recommend approval of application #28877 to the County Council.

Motion by: Commissioner Juliano

2nd by: Commissioner LaMar

Vote: unanimous in favor (of commissioners present)

28878 – Kathy Commander is requesting Conditional Use approval for a hair salon to be located in an existing single-family dwelling as allowed by the Historic Preservation Chapter of the Zoning Ordinance. **Location:** 1106 East 4500 South. **Zone:** R-M (Residential multi-family). **Community Council:** Millcreek. **Planner:** David J. Gellner, AICP

PUBLIC PORTION OF MEETING OPENED

No one from the public was present to speak.

PUBLIC PORTION OF MEETING CLOSED

Motion: to continue application #28878 to the July 16th Millcreek Planning Commission meeting.

Motion by: Commissioner Gruber

2nd by: Commissioner Ober

Vote: unanimous in favor (of commissioners present)

28717 – Dennis Flynn is requesting a special exception for the continuation of a non-conforming use in order to continue to operate a concrete, u-cart business. **Location:** 154 East Gordon Lane. **Zone:** M-1 (manufacturing). **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Curt Flynn

Address: 10806 Navarro Way

Comments: They sale concrete in a small cart when people just need to replace a part of sidewalk. All cities around use their service and is first come, first serve. They don't have trucks coming in, they are a small business. They don't mix as much in a day as the larger companies do in 10 minutes. They have been there 23 years, took over from their uncle 10 years ago.

Commissioners asked if there were any issues with conditions. Applicant is happy to conform to what they need to. Mixing should be 25 feet away from the stream, they are only 10 feet but they can put out barriers which would be equivalent.

PUBLIC PORTION OF MEETING CLOSED

Counsel Chris Preston, Commissioners and Staff had a brief discussion.

Motion: to approve application #28717 as presented with Staff Recommendations, Including D.E.Q. as Agency Review.

Motion by: Commissioner Ober

2nd by: Commissioner LaMar

Vote: Commissioner Juliano abstains, all other commissioners in favor (of commissioners present)

BUSINESS MEETING

Meeting began at – 6:32 p.m.

- 1) Approval of Minutes from the April 16, 2014 meeting

Motion: to approve Minutes from the April 16, 2014 meeting.

Motion by: Commissioner Ober

2nd by: Commissioner LaMar

Vote: unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

Commissioners had a brief discussion regarding storage units not bringing in any sales tax.

Staff Lyle Gibson referred to application #28695, Hamptons PUD, fence lines vary around the property. They considered if they are allowed to do a regular 6 foot fence if the neighbor with concerns would be willing to sign off.

Commissioner Gruber discussed obtaining staff recommendation. With that is there true, personal feeling.

MEETING ADJOURNED

Time Adjourned – 6:41 p.m.

DRAFT



**MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**

Wednesday, June 11, 2014 4:00 p.m.

Approximate meeting length: 23 minutes
Number of public in attendance: 0
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Janson

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair	x	x		Lyle Gibson	x	x
Pamela B. Juliano			x	Wendy Gurr	x	x
Andrew Gruber			x	Max Johnson		x
Jonathan Jemming (Alternate)			x	David Gellner	x	x
Shawn LaMar	x	x		Chris Preston (DA)	x	x
Julia Tillou (Alternate)	x	x		Zach Shaw (DA)		x
Tom Stephens – Vice Chair			x			
Geralyn Parker-Perkins	x	x				
Ann Ober			x			

PUBLIC HEARINGS

Hearings began at – 4:06 p.m.

28791 – (Continued from 05/14/2014) - Colin Strasser is requesting Preliminary Plat Approval for a 4-lot subdivision (configured as two standard lots and two flag lots) on two property parcels. **Location:** 3176 and 3180 South, 2300 East. **Zone:** R-1-6 (Residential) **Planner:** David J. Gellner, AICP

Staff David Gellner advised the Applicant is not present and will not be ready until the July 16th meeting.

PUBLIC PORTION OF MEETING OPENED

No one from the Public was present to speak.

PUBLIC PORTION OF MEETING CLOSED

Motion: to continue Application #28791 to the July 16th meeting.

Motion by: Commissioner Tillou

2nd by: Commissioner LaMar

Vote: unanimous in favor (of commissioners present)

BUSINESS MEETING

Meeting began at – 4:08 p.m.

1) Planning Commission Training by District Attorney's Office.

To be continued to another meeting, where all Commissioners can attend or notice another Planning Commission meeting they will be attending for training. A Poll will be issued for the Commissioners to participate.

2) Approval of Minutes from the May 14, 2014 meeting

Motion: to continue approval of the Minutes to the July 16, 2014 meeting.

Motion by: Commissioner Tillou

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

3) Other Business Items (as needed)

Staff Lyle Gibson advised the there is no update on Meadowbrook. The sidewalk request for proposal is in the final drafting stages. The District Attorney's Office had drafted the Ordinance documents. Counsel Chris Preston confirmed they have been prepared and presented to Patrick Leary, Township Executive and are waiting for final approval with the Township Services Office. Staff Lyle Gibson advised the County applied for grant money and was awarded \$50,000 for an extra resource. The proposal is from 2300 East and 3300 South, Evergreen Town Center for a small area plan. The pieces need to come together before putting together a request for proposal, hopefully come through the public meetings. Commissioner Perkins said 2300 East and 3900 South, before you enter Holladay looks sad and embarrassing. Staff Lyle Gibson advised they are ready to go and budgeted with plans. She feels like it's been heard about for 10 years.

MEETING ADJOURNED

Time Adjourned – 4:29 p.m.