Minutes of the
Millcreek Planning Commission
January 15, 2025
5:00 p.m.
Regular Meeting

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, January 15, 2025, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, Utah 84106. The meeting was conducted electronically and live streamed via the City's website with an option for online public comment.

PRESENT:

Commissioners
Shawn LaMar, Chair
Victoria Reid, Vice Chair
Steven Anderson
Christian Larsen
Nils Per Lofgren
Jacob Richardson (electronic, arrived at 5:11pm)
Diane Soule
Dwayne Vance (arrived at 5:05pm)
Ian Wright

City Staff
Elyse Sullivan, City Recorder
Francis Lilly, Planning & Zoning Director
John Brems, City Attorney
Brad Sanderson, Current Planning Manager
Sean Murray, Planner

Attendees: Representative from Ascent Behavioral Hospital

REGULAR MEETING – 5:00 p.m.
TIME COMMENCED – 5:02 p.m.

Commissioner LaMar called the meeting to order and briefly described the duties of the Planning Commission.

1. Commission Business
1.1 Election of Chair and Vice Chair for 2025

Commissioner Reid nominated Shawn LaMar as Chair. Commissioner Lofgren seconded. Commissioner LaMar nominated Victoria Reid as Vice Chair. Commissioner Larsen seconded. Commissioner LaMar called for the vote. Commissioner LaMar voted yes, Commissioner Anderson voted yes, Commissioner Larsen voted yes, Commissioner Lofgren voted yes, Commissioner Reid voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

2. Public Hearings
2.1 Consideration of CU-24-007, Request for a Conditional Use Permit to Modify the "Use" of a Secure Residential Treatment Facility for Youth (Ages 12-17) by Adding Psychiatric Care/Treatment Location: 1624 East 4500 South Applicant: Cheryl Meibos, on behalf of Ascent Behavioral Hospital Planner: Brad Sanderson

Brad Sanderson said the commission recently rezoned a piece of the subject property. The applicant was looking to introduce a treatment component for psychiatric care/treatment which triggered the need for a conditional use permit as an administrative decision. The applicant provided a letter which gave an overview of the operations plan, included in the staff report. There are 30-40 licensed beds. There are no site plan improvements other than a fenced courtyard and some internal remodeling. The Millcreek Community Council unanimously recommended approval of the application. Staff recommended approval of the application subject to the following provisions:

- Specialty Hospital, specifically for patients needing behavioral treatment and, as a secured/locked facility, the conditional use permit may allow psychiatric treatment requiring onsite medical staff members for such treatment.
- The facility shall not exceed 40 patients.
- Patients shall be limited to youth ages 12-17.

A representative on behalf of the applicant said the difference from the current use to the proposal was the ability to employ a psychiatrist to check on the youth and insurance would bill differently as a psychiatric facility.

Chair LaMar opened the public hearing.

There were no comments. Sanderson said he received a phone call inquiring about the nature of the business.

Chair LaMar closed the public hearing.

John Brems asked about the staff condition specifying the number of patients in the staff report. The applicant's representative said it would be 34 beds for psychiatric patients. The building is licensed to 60 patients.

Commissioner Larsen, regarding CU-24-007, moved the Planning Commission approve the conditional use permit based on the findings and conclusions in the staff report, with the additional provisions that the specialty hospital, specifically for patients needing behavioral treatment and, as a secured/locked facility, the conditional use permit may allow psychiatric treatment requiring onsite medical staff members for such treatment, that the facility shall not exceed 40 psychiatric patients or 60 patients total, and the patients shall be limited to ages 12-17. Commissioner Vance seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Larsen voted yes, Commissioner Lofgren voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, Commissioner Vance voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1. Commission Business

1.2 Approval of December 18, 2024 Regular Meeting Minutes

Chair LaMar moved to approve the [December 18, 2024 meeting] minutes as presented in the packet. Commissioner Soule seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Larsen voted yes,

Commissioner Lofgren voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, Commissioner Vance voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.3 Comprehensive Code Update Discussion

Francis Lilly said next month, the Planning Department would present the final draft of the updated zoning and subdivision code, a process that has spanned over two and a half years. The department has made significant progress, including developing a live website where chapters are updated as the code is audited. A document summarizing recommendations from the four community councils, the Planning Commission, and corresponding changes in the new code will be shared with the Commission shortly. The code update process involved extensive public outreach, including over 43,000 pieces of mail sent to property owners, five newspaper articles, and five "Chat with the Planner" sessions with about 80 attendees. Key updates to the code include reducing the number of zoning categories, eliminating outdated zones, and modernizing application procedures. The code now features better graphics, updated landscaping and parking standards, and a simplified approach to nonconforming structures, sensitive lands, and floodplain hazards. Significant changes also include improved standards for subdivisions, affordable housing, and signage. The department is seeking feedback on several policy questions, including lighting standards for residential expansions, the potential for impervious surface coverage limits for residential lots, and whether the step-back requirement in the City Center Overlay Zone is still necessary. As the final stages of the process unfold, the department looks forward to continued collaboration and guidance from the Planning Commission and City Council to ensure the code reflects the city's needs and goals.

Commissioner Reid asked if the commission needed to look at condo conversions. Lilly said no, it would come to the commission as a major subdivision because they have more than four lots but there could be an exception for that. He would like to make condo conversions as easy as possible as it is one of the most effective ways to deliver affordable, owner-occupied housing. He said he could update the code accordingly. Chair LaMar asked if there were council recommendations. Lilly said there had not been any except for the codes that have already been adopted. Chair LaMar asked if there were any upcoming bills that would affect the commission in the upcoming legislative session. Lilly did not foresee anything. Commissioner Richardson asked about the potential of "legacy zones" going away. Lilly said the zones do not go away. "Legacy zones" describes a policy where the city will not support a rezone into that district but wants to keep existing zoning intact for existing properties. Commissioner Richardson asked if planning staff's vision is that the other commercial zones will not allow the type of housing that the C-1 currently permits. Lilly said the other commercial zones do; the C-1 just has a limited list of uses because it tended to be historically adjacent to single family neighborhoods.

1.4 Updates from the Planning and Zoning Director

Francis Lilly reviewed what the planning department did in 2024 and its goals for 2025. The Planning Department had a busy year in 2024, focusing on a variety of key initiatives and projects. Among these were significant permitting activities, including over 1,000 business and building permit reviews, conditional use permits, site plan approvals, and zoning code updates. Notable projects included the Porsche dealership, Olympus Hills West Village Center, and the Mount Aire Acres National Historic District nomination, which is nearing completion. The department also successfully adopted the Murray North Station Area Plan, received a $10,000 grant from Utah Division Water Resources for the Water Use and Preservation Element, exceeded state moderate-income housing requirements for the second consecutive year, and worked closely with community councils on sidewalk planning for the sidewalk and trails masterplan. Looking ahead to 2025, the department has set ambitious goals such as adopting a new zoning code, implementing a planning portal for electronic applications, nominating historic districts like the Veterans Heights neighborhood, adding Iceberg Drive-Inn and the Baldwin Radio Factory to the local historic sites list, adopting the Meadowbrook Station Area Plan, and finalizing plans for sustainability and water use preservation. Additionally, the department aims to streamline the permit process by hiring a plan review coordinator to improve coordination and customer service. These efforts are intended to enhance planning efficiency, foster historic preservation, and ensure the city's continued growth and development.

3. Calendar of Upcoming Meetings

- City Council Mtg. 1/27/25 7:00 p.m.
- Mt. Olympus Community Council Mtg., 2/3/25, 6:00 p.m.
- Millcreek Community Council Mtg., 2/4/25, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 2/5/25, 7:00 p.m.
- East Mill Creek Community Council Mtg., 2/6/25, 6:30 p.m.
- City Council Mtg. 2/10/25 7:00 p.m.
- Planning Commission Mtg. 2/19/25, 5:00 p.m.

ADJOURNED: Chair LaMar moved to adjourn the meeting at 5:57 p.m. Commissioner Reid seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Larsen voted yes, Commissioner Lofgren voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, Commissioner Vance voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

APPROVED: Victoria Reid ______________ **Date**
Victoria Reid, Vice Chair

Attest: ES ______________
Elyse Sullivan, Recorder