Minutes of the
Millcreek Planning Commission
May 20, 2026
5:00 p.m.
Regular Meeting

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, May 20, 2026, 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
Christian Larsen, Vice Chair
Steven Anderson (left at 7:05pm)
Jenny Burgess
Nils Per Lofgren (absent)
Jacob Richardson
Victoria Reid
Diane Soule
Ian Wright

City Staff
Elyse Sullivan, City Recorder
Francis Lilly, Planning & Zoning Director
Brad Sanderson, Current Planning Manager
Jake Green, Dev. Review Specialist
Carlos Estudillo, Planner
Sean Murray, Planner
Zack Wendel, Planner

Attendees: Dale Reeves, Mike Gleason, Allen Parkinson, Marg Johns, Jane Woolley, Margaret Littlefield, Steven Ott, Barbara Stevenson, Sandra Walker, Wayne Simpson, Steve & Vicky DiGregorio, Rick Hansen, Todd Larsen, Barbara Berry, Jeff Fillmore, Tom Swegle, Peter Gamvroulas, Brent Harman, Tyler Affleck, Katherine Pretlow, Jo-Ann Wong, Matt Knight, Brady & Candace Hartzog, Bob & Deb Tueller, Joe & Jen Romero, Inge-Lise Goss, Chris Brain, Andy Johnson, Caye Wycoff, Joe Johnson, Jamie Allyn, Lee Dial

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

Chair LaMar called the meeting to order and briefly explained the duties of the planning commission.

1. **Public Hearing**

   1.1 Consideration of ZM-26-007, Rezone Request from Residential Mixed (RM) Zone to Commercial (C) Zone Location: 765 E 4500 S Applicant: Allen Parkinson Planner: Sean Murray

   Sean Murray presented application ZM-26-007, a request to rezone approximately 0.43 acres located at 765 East 4500 South from Residential Mixed (RM) to Commercial (C). He explained that the property, currently occupied by an older home converted into office space for Think Tank Creative, is surrounded by an office building to the east, 4500 South to the south, and residential uses to the north and west. Due to the company's continued growth and need for a larger, more modern office environment, the applicant is seeking commercial zoning, as the current RM zoning no longer permits the construction of new office buildings. The proposal includes a new two-story, approximately 6,800-square-foot office building with a basement that could be used for storage or future office space, with parking calculations based on the basement's potential office use.

Murray reviewed the proposed site plan and conceptual building rendering, noting that additional design details would be evaluated during a future site plan review if the rezone is approved. He explained that the proposal is consistent with the city's General Plan and Future Land Use Map designation of Mixed Use 1, which supports office, retail, and medium-density residential uses. He further stated that the request aligns with city goals of supporting local business retention and expansion within Millcreek. He outlined the approval process, noting that any new development would be required to meet commercial zoning standards related to landscaping, access, design, and other development requirements, followed by detailed review by city departments before building permits could be issued.

Murray reported that a required neighborhood meeting was held, although no residents attended. He also noted that only a few individuals asked general questions about the project during the Planning Open House on May 5, and staff had received no public comments, questions, or concerns regarding the application. Additionally, the Millcreek Community Council voted 5-0 on May 5 to recommend approval of the rezone request. Based on the application's consistency with the General Plan and the findings outlined in the staff report, staff recommended that the Planning Commission forward a positive recommendation for approval of the rezone to the City Council.

Allen Parkinson, applicant, declined to comment.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Soule confirmed no comments had been received by the public.

Commissioner Reid moved that the Planning Commission recommend to the City Council rezoning the property based on the findings and conclusions found in the staff report. Commissioner Larsen seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.2 Consideration of ZM-26-011, Request for a Development Agreement Through an Olympus Hills West Village Center Special District (OHW-VCSD) Zone Rezone Application Location: 3962 S Wasatch Boulevard Applicant: Lee Dial of Cowboy Partners Planner: Brad Sanderson

Brad Sanderson presented a development agreement proposal for property located within the Olympus Hills West Village Center Special District (OHW-VCSD) Zone, situated immediately north of the recently completed Porsche dealership along Wasatch Boulevard between Interstate 215 and Wasatch Boulevard. He explained that the zoning for the broader area was approved approximately two years ago and included a master development agreement that envisioned a future mixed-use development on the subject property. As part of the original zoning process, the applicant conducted extensive public outreach and community engagement, including meetings, public input sessions, and site visits to comparable developments, to help shape the overall vision for the area.

Sanderson reviewed the conceptual plans that were included in the master development agreement, noting that the proposed development area is intended to accommodate a mix of uses, including restaurant, retail, office, residential, and open space components. He explained that the plans presented during the earlier approval process were conceptual in nature and were intended to illustrate the scale, massing, building orientation, and arrangement of uses throughout the site. He further noted that significant public discussion during the outreach process focused on building height and visual impacts, particularly from the east side of Wasatch Boulevard. As a result, height limitations were established based on a designated reference point on the site, ensuring that future development would remain below an agreed-upon elevation despite the property's significant topographic changes.

Sanderson also reviewed additional conceptual diagrams showing the distribution of retail, office, residential, and open space areas, along with preliminary information regarding building square footage, residential units, and parking. He clarified that the current application represents a more detailed phase of the planning process through a subordinate development agreement that further refines the concepts previously approved in the master development agreement. He emphasized that the proposal remains conceptual and that more detailed design review and public hearings will occur during future site plan and development approval processes.

Lee Dial of Cowboy Partners presented the proposed Liberty Cove mixed-use development, noting that the project has been shaped through approximately a year of community engagement and feedback. He expressed appreciation to the community councils and city staff for their participation and assistance throughout the process. Dial explained that Cowboy Partners purchased the property with the existing zoning in place and has worked extensively with residents and community organizations to refine the project concept. The development is intended to include office space, retail and restaurant opportunities, residential units, and public open space. He noted that Cowboy Partners plans to relocate its own offices to the project, emphasizing the company's commitment to creating a high-quality, long-term asset that complements the surrounding neighborhood. Based on community feedback, the project has been reduced in overall scale, including decreases in residential units, office space, and commercial square footage compared to earlier concepts.

Dial described the revised site plan, which consists of two primary buildings separated by a central view corridor designed to preserve views toward the valley. He explained that two levels of structured parking would be constructed below grade, utilizing the site's natural elevation changes to minimize the visual impact of parking from Wasatch Boulevard. The design also incorporates a rooftop amenity deck, landscaped public courtyard, and open-space areas intended for both residents and the public. He stated that these features were developed in response to concerns raised during public outreach regarding building massing, view preservation, privacy, lighting, and neighborhood compatibility. Additional design measures include setbacks for rooftop amenities, landscape screening, and consideration of building materials and glazing to reduce visual impacts on neighboring properties.

Dial reviewed conceptual renderings and architectural themes for the project, explaining that the development is envisioned as a mountain-modern design utilizing high-quality materials such as stone, brick, metal, and wood-look fiber cement siding. He highlighted plans for approximately 10,000 square feet of publicly accessible open space, including a landscaped courtyard intended to serve as a gathering place for residents and visitors. He also presented studies demonstrating the project's relationship to nearby properties, including the Macey's shopping center, Interstate 215, and adjacent residential neighborhoods. According to the analysis, the proposed building heights would remain below established elevation benchmarks and would preserve significant view corridors while minimizing impacts on surrounding homes.

Dial further outlined the proposed mix of uses within the development, including office space, apartment homes, residential amenities, and ground-floor commercial space. He stated that the project team would actively seek a restaurant tenant for the commercial area but requested flexibility to accommodate other retail or commercial uses if market conditions or parking requirements make restaurant use impractical. He emphasized that maintaining flexibility would help ensure the long-term success and occupancy of the development while avoiding vacant commercial space. He concluded by reviewing the preliminary landscape plan, building materials palette, and design objectives, reiterating Cowboy Partners' commitment to creating a high-quality development that serves as a positive addition to the community while responding to concerns raised throughout the public engagement process.

Brad Sanderson concluded the staff presentation by summarizing key considerations and recommendations regarding the proposed Liberty Cove development. He explained that staff had compared the current proposal with earlier concepts and noted that the amount of commercial and retail space had been reduced from approximately 7,000 square feet to about 3,000 square feet. While acknowledging the applicant's request for flexibility in future commercial uses, staff expressed a preference that the remaining retail space be developed as a sit-down restaurant or similar dining establishment rather than smaller, less impactful commercial uses. Sanderson noted that this recommendation was included for the Planning Commission's consideration and that the commission could determine what recommendation to forward to the City Council.

Sanderson also reviewed preliminary concepts related to signage and lighting. He explained that staff had few concerns regarding most of the proposed signage locations but requested additional review of proposed illuminated signage located near the top of the building facing Interstate 215. Staff felt that further details would be necessary to evaluate the appearance and potential impacts of the signage before final approval. Regarding lighting, he noted that the applicant had proposed primarily downward-directed wall-mounted fixtures rather than traditional street lighting. Staff did not anticipate significant concerns with the lighting plan, as most illuminations would be attached to the buildings and designed to minimize light spill beyond the site.

Sanderson highlighted staff report findings related to the project's development agreement, including proposed open space, office square footage, residential units, and commercial components. Sanderson noted that comments received during a recent open house included concerns regarding traffic, noise, lighting, signage, and view preservation. He explained that a traffic study had been completed for the larger development area in 2023 and indicated that staff could provide additional information if questions arose. He concluded by encouraging the Planning Commission to carefully consider the proposed development agreement exhibits, provide input on the project details, and receive any additional public comment before forwarding a recommendation to the City Council.

Chair LaMar wondered if the project would come back as a conditional use permit. Sanderson said it would, but it would be administrative in nature with less discretion so any concerns should be addressed with the development agreement. Chair LaMar asked about the preference for a sit-down restaurant. Sanderson noted a restaurant was originally proposed and it was a viable location for one.

Commissioner Burgess wondered about the traffic changing since the Porsche dealership opened in March. Sanderson said the 2023 traffic study did contemplate this project as a higher intensity. Jake Green acknowledged existing conditions and everything that was scheduled for 2025. There was a 2030 projection where a traffic light might be warranted.

Commissioner Soule asked about two access roads to the property. Sanderson said the main entrance was shared with the Porsche dealership, but splitting the entrance would actually help diversify access.

Commissioner Burgess acknowledged the high school students that walk up to the Olympus Hills Shopping Center. Green said UDOT was going to work on a warrant study for the traffic light but noted one may not be installed if it does not fit the location even if it is warranted. Sanderson brought up the multi-use path being installed on the west side of Wasatch Boulevard for pedestrian and bicycle use.

Commissioner Larsen asked about the glass reducing reflection. Sanderson explained that concerns regarding glass on the building were primarily related to the possibility of reflecting freeway noise back toward nearby residential neighborhoods rather than noise generated from within the development itself. He noted that existing sound walls along the freeway are designed to help redirect and disperse traffic noise, and that larger, continuous building masses could potentially have a similar reflective effect. However, he observed that the proposed design consists of two separate buildings rather than one continuous structure, which would help break up any potential sound reflection and reduce concerns associated with a larger uninterrupted wall along the freeway corridor.

Sanderson stated that, based on the proposed building configuration and its relationship to existing development, including the nearby Porsche dealership, he did not have significant concerns about adverse noise impacts. He noted that the separation between the two buildings and the presence of existing sound walls would likely lessen any reflective effects. While acknowledging that the precise impact on surrounding neighborhoods could not be determined with certainty at this stage, he indicated that the current design appeared preferable to a single continuous building extending the length of the site. He also reminded the Commission that portions of the lower levels of the proposed structures would be screened by existing sound walls, further reducing their visual and potential acoustic impact.

Commissioner Larsen brought up flexibility with specific trees along Wasatch Blvd. Sanderson said continuity with the Porsche dealership was preferred.

Commissioner Reid asked if a fake stone façade would be allowed instead of brick and asked if illuminated signs could be eliminated. Sanderson said materials and signs should be discussed if there was concern.

Chair LaMar opened the public hearing.

Dale Reeves, 2890 E, expressed concern about pedestrian safety and recommended a pedestrian bridge over Wasatch Boulevard.

Chris Brain, a Holladay resident whose property was shown during the presentation as one of the neighboring homes west of Interstate 215, expressed concerns regarding the visual impacts of the proposed development. He stated that his primary concern was the extent to which the new buildings would affect views from his backyard and how much of the structure would be visible from his property. He specifically questioned the proposed building height, seeking clarification on whether the stated height of approximately 42 feet included rooftop features such as parapets and elevator overruns. He also asked whether those architectural elements would extend above the maximum building height permitted under the zoning regulations and requested clarification regarding the applicable height limitations. Brain additionally raised concerns about existing traffic conditions in the area, describing congestion along Wasatch Boulevard and nearby intersections during peak travel periods. He noted that traffic is already heavily impacted by vehicles exiting Interstate 215, nearby commercial developments, financial institutions, and the shopping center, with many drivers attempting to travel northbound. He expressed concern that the proposed development and additional access points could further increase traffic congestion and complicate circulation in an area that already experiences significant traffic challenges.

Vicky DeGregorio, Holladay resident of Aura Circle whose property is located west of the proposed development, thanked city staff and the applicant for their efforts to address neighborhood concerns throughout the planning process. She expressed several ongoing concerns related to the project's potential impacts on nearby residents. DeGregorio stated that she was particularly concerned about the placement and illumination of proposed signage, noting that signs on the west and south sides of the buildings appeared to be located near the highest points of the structures. She requested that lighting and signage be designed to minimize intrusion into surrounding neighborhoods, citing existing concerns with the illuminated signage and lighting at the nearby Porsche dealership, which she said remains visible throughout the night and affects residents' ability to enjoy their homes and the night sky. DeGregorio also raised concerns regarding the proposed exterior color palette, noting that lighter-colored materials on the west-facing façades could create greater visual contrast when viewed against the mountains. She suggested incorporating more earth-tone and brown-colored materials on the west elevations to better blend with the natural surroundings and reduce visual impacts on neighboring properties. Additionally, she addressed concerns about noise, stating that residents have already observed increased traffic noise and sound reflection associated with nearby development. She requested that the city and UDOT consider conducting a sound study to evaluate whether modifications to existing freeway sound walls or other mitigation measures could help address potential increases in reflected noise resulting from the proposed buildings. DeGregorio expressed concern regarding the increased height proposed for the south building compared to the north building. She stated that the additional height could further affect mountain views, increase opportunities for sound reflection, and contribute to greater light intrusion into nearby homes and yards. She encouraged the city and applicant to consider ways to mitigate these impacts and balance project objectives with the preservation of views, neighborhood character, and residents' enjoyment of their properties. She concluded by reiterating concerns regarding noise, lighting, and view obstruction and requested that those impacts be minimized as the project moves forward.

Todd Larsen, Holladay resident, expressed concerns regarding the visual and traffic impacts of the proposed development. He stated that residents in the neighborhood already experience significant light impacts from the illuminated signage at the nearby Porsche dealership, which he described as highly visible during nighttime hours. Larsen indicated that the existing signage has changed the nighttime character of the area and expressed concern that additional elevated signage on the proposed development could further increase light intrusion into surrounding residential neighborhoods. He encouraged the city to carefully review lighting and signage standards and to consider measures that would minimize impacts on nearby homes. Larsen also voiced concerns about the potential loss of views that many residents have enjoyed since purchasing their homes decades ago. He noted that preserving neighborhood views remains an important issue for surrounding property owners. In addition, he raised concerns regarding traffic conditions in the area, stating that existing congestion is already significant and that the addition of residential units and commercial uses could further strain local roadways and access points. He thanked the Planning Commission and staff for their time and consideration and encouraged continued attention to neighborhood concerns as the project moves through the review process.

Bob Tueller, Holladay resident, said he sees neon red lights out his window. He was not excited about increased signage or sound and expressed concern about traffic.

Sanderson said he put other emailed public comments and community council recommendations in the staff report.

Chair LaMar closed the public hearing.

In response to questions regarding building materials, Lee Dial explained that the project team is currently leaning toward the use of brick as the primary exterior material, particularly brick products that incorporate color variation and texture intended to resemble natural stone. He noted that the development is designed to achieve a mountain-modern architectural character and emphasized that the building would not utilize stucco, instead relying on higher-quality materials such as brick, stone accents, and fiber cement siding. Dial stated that while natural stone had been considered, cost and moisture-related concerns may limit its use, and any stone elements would likely be manufactured stone products used selectively as architectural accents.

When asked whether the development agreement could specify brick as the required exterior material, Dial expressed a preference for maintaining flexibility in the final material selection. He indicated that while brick would likely be the dominant material, the ability to incorporate stone accents in selected areas could enhance the overall design and architectural character of the project. He therefore requested flexibility to use a combination of complementary materials while remaining consistent with the proposed mountain-modern aesthetic.

Commissioner Reid asked Dial about the need for illuminated signs on the west side. Dial explained that the development team has not yet finalized branding, including a logo, and that specific tenants for the retail and restaurant spaces are also not yet identified. He noted that future tenants will require visible and likely illuminated signage for wayfinding and business identification, particularly given seasonal conditions and early evening darkness during winter months. Dial stated that, given the site's frontage along Interstate 215, some level of signage visibility and illumination would be necessary to ensure tenant success and effective customer access. He clarified that illustrative diagrams showing potential signage locations were not intended to depict continuous or excessive signage, but rather to represent the range of potential uses, depending on future tenants. He emphasized that the intent is to minimize visual impact while still allowing necessary business identification and branding, including a possible illuminated project logo for wayfinding purposes.

Dial also addressed questions regarding the rooftop amenity deck, noting that the exact setback distance from the western edge had not yet been precisely calculated but would be located east of the elevator lobby and set significantly back toward the interior of the building. He stated that, based on preliminary design elevations and site geometry, the rooftop deck would be positioned far enough from the western edge that it would not be readily visible or intrusive to neighboring properties and there would be planter boxes along west edge. City staff requested that the applicant provide more specific dimensional information regarding the rooftop deck setback for clarity in the record.

The commission briefly discussed the finish, building height for utilities, and placement of signage.

Chair LaMar expressed concerns about the proposed signage, noting that significant details remain unknown. He referred to the development agreement as an important tool for providing guidance to the developer and ensuring that any recommendation forwarded to the City Council clearly outlines expectations. Chair LaMar suggested that the development agreement include provisions requiring future review and approval of signage by the Planning Commission, whether through the conditional use permit process, site plan review, or another applicable review process. He emphasized the need for signage that supports the success of future businesses while also addressing concerns related to light pollution, spillover effects, and other potential impacts on surrounding properties. Given the unique nature of the location, he indicated that additional scrutiny beyond standard sign regulations may be warranted.

Chair LaMar also noted comments raised during the discussion regarding the incorporation of brown tones on the west side of the building. While he did not support prescribing specific percentages or exact color requirements, he suggested that the development agreement could include language encouraging adherence to the design recommendations discussed by the commission as the project advances. Additionally, he referenced the suggestion of conducting a sound study and asked staff to clarify whether such a study could be required as part of the review process upfront or whether sound mitigation measures would only be addressed if issues arise after development occurs.

Sanderson explained that because the proposal is currently being considered as a legislative matter through the rezone process, the Planning Commission and City Council have broad discretion regarding recommendations and conditions associated with the project. He noted that once decisions are finalized at the City Council level, staff's ability to require additional studies becomes more limited. Regarding a potential sound study, Sanderson stated that it is generally preferable to conduct studies before development occurs, as they can help identify anticipated impacts and recommend mitigation measures during the design phase. He explained that while post-construction studies can also be conducted, mitigation is often more difficult and costly to implement after a project has already been built. Sanderson further noted that a sound study performed by a qualified sound engineer would typically evaluate existing and projected noise conditions and recommend measures to reduce potential impacts. However, he emphasized that such studies provide projections rather than guarantees, and he could not predict what conclusions a study might reach. He added that existing noise sources, such as Interstate 215 and nearby commercial activity, could influence the findings and the overall assessment of the project's potential noise impacts.

The commission discussed signage and illumination and restaurant/retail space. The commission would like to know more details and see a draft development agreement.

Commissioner Larsen moved to continue ZM-26-011 until the next available Planning Commission meeting. Commissioner Wright seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.3 Consideration of ZM-26-008, Rezone Request from Residential Mixed (RM) Zone to Commercial (C) Zone Location: 2785 E 3300 S Applicant: Tyler Affleck Planner: Zack Wendel

Zack Wendel presented a rezone application for the property located at 2785 East 3300 South, submitted by applicant Tyler Affleck. He explained that the property is currently split between two zoning designations, with the western portion zoned Residential Mixed and the eastern portion zoned Commercial. The applicant is requesting that the entire property be rezoned to Commercial in order to consolidate the site under a single zoning designation, simplify administration, and provide greater clarity regarding permitted uses and applicable development requirements. Wendel emphasized that no new development is proposed as part of the application. The site currently contains an approximately 5,400-square-foot building with 21 surface parking stalls and is occupied by an existing medical office tenant, which is expected to remain until future use changes occur.

Wendel reviewed the property's zoning history and noted that the split zoning designation likely originated during Salt Lake County administration. He explained that the Residential Mixed and Commercial zones previously shared many similar uses and standards; however, following the City's recent comprehensive zoning code update, the two zones now contain significantly different permitted uses and development requirements. As a result, the property owner must currently navigate two distinct zoning regulations on a single parcel. The proposed rezone would eliminate that inconsistency and allow the property to be regulated entirely under the Commercial zone. He further noted that the property's future land use designation is Mixed Use and that the proposed commercial zoning remains consistent with that designation, eliminating the need for a General Plan amendment.

Wendel stated that staff included a comparison of permitted and conditional uses for both zoning districts in the staff report. He noted that the Residential Mixed zone now permits fewer commercial uses, with many requiring conditional use approval, while the Commercial zone allows a broader range of uses. Consequently, rezoning the entire property to Commercial would expand the list of potential future uses available on the site. He reported that a public open house was held, during which nearby residents primarily asked clarifying questions regarding whether new development was planned and the current use of the property. Staff explained that no redevelopment is proposed at this time and that the existing building and tenant will remain. He also reported that the East Mill Creek Community Council reviewed the application and forwarded a positive recommendation to the Planning Commission. In conclusion, Wendel stated that the proposed rezone is intended to clean up the split zoning designation, would not create or increase any nonconformities, remains consistent with the Future Land Use Map, and does not involve any new development at this time.

Chair LaMar asked if properties with split zones, at least 40%, could have an automatic rezone process in code without having to go through the regular process. Francis Lilly noted the legislative decision would need to be decided by the council but thought a split zone ordinance was an interesting idea.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Larsen, based on the findings and conclusions listed in the staff report, moved that the Planning Commission recommend approval of application ZM-26-008 as presented. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.4 Consideration of SV-26-002, Request to Vacate Right-of-Way on Chambers Avenue Location: Approximately 3200 S 1400 E Applicant: Millcreek Planner: Brad Sanderson
Brad Sanderson presented application SV-26-002, a request to vacate a portion of right-of-way on Chambers Avenue. He explained that city code currently requires Planning Commission review of street and right-of-way vacation requests, a requirement added during a code revision in April 2025. Although a future code amendment may remove that requirement, the application was before the commission under the current regulations.

Sanderson described the proposal as part of planned improvements associated with the nearby mixed-use hotel and condominium development at the intersection of Chambers Avenue and Highland Drive. He explained that the existing intersection configuration includes a median, commonly referred to as a "pork chop," which can create confusion for motorists turning between Chambers Avenue and Highland Drive. The proposal would remove the existing median and shift the intersection alignment northward, creating a more perpendicular and intuitive connection with Highland Drive. The existing traffic movements would remain unchanged, including a single ingress lane from Highland Drive and designated left-turn and right-turn exit lanes. No travel lanes would be eliminated as part of the vacation.

Sanderson noted that the vacated area consists primarily of the existing median area and would be incorporated into the adjacent development parcel, where it would become part of a corner plaza. He further explained that all existing utilities, including gas, water, and sewer infrastructure, would remain within the public right-of-way and would not be impacted by the proposed vacation.

Reviewing the applicable criteria for right-of-way vacations, Sanderson stated that the proposal satisfied the requirements of state and local code. He identified improved pedestrian safety as the primary benefit, as narrowing the crossing area would make it easier and safer for pedestrians to cross Chambers Avenue. He also noted that the realignment would improve traffic flow and safety for vehicles entering and exiting the intersection. Because no other properties directly rely on access through the affected area, he concluded that the proposal would not materially injure any person or property. Based on these findings, staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the proposed right-of-way vacation. In response to a commissioner's question, Sanderson clarified that the revised intersection would maintain the same traffic configuration currently in place, with the alignment simply shifted northward following removal of the median.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Soule, based on the findings and conclusions listed in the staff report, moved that the Planning Commission recommend approval of file number SV-26-002 as presented. Commissioner Anderson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.5 Consideration of SV-26-003, Request to Vacate a Public Utility Easement Location: 3785 S Ash Circle Applicant: Jared Hackett Planner: Brad Sanderson

Brad Sanderson presented application SV-26-003, a request to vacate a public utility easement within the Maple Hills Subdivision. He explained that the easement is a five-foot-wide public utility easement located along the eastern property line of Lot 42, as originally recorded with the subdivision plat in the 1950s. The property owner has since acquired additional adjacent land through a quiet title process, effectively squaring off and enlarging the lot. The owner now intends to expand the rear portion of the existing home, and the utility easement currently bisects the newly consolidated property, creating a constraint on future improvements.

Sanderson noted that the associated lot consolidation had already been reviewed and approved by staff without issue. He explained that while the updated plat reflects the newly configured property boundaries, the original utility easement remains in place and therefore must be formally vacated to accommodate the proposed expansion. He further stated that modern subdivision design typically places utilities within roadway corridors rather than along rear property lines and noted that a new ten-foot public utility easement exists along Ash Circle, providing an alternative location for future utility service if needed.

Sanderson reported that all affected utility providers had reviewed the request and provided written consent to vacate the easement. He also clarified that other existing easements in the area, including aqueduct and major transmission line easements located east of the property, would remain unaffected and in place. Applying the criteria established by state and local code, staff found that good cause existed for the vacation and that neither the public interest nor any affected parties would be materially injured by the request. Based on these findings and the consent of the utility providers, staff recommended approval of the easement vacation and forwarding a positive recommendation to the City Council.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Richardson, based on the findings and conclusions listed in the staff report, moved that the Planning Commission recommend approval of file number SV-26-003, as presented. Commissioner Burgess seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

The commission took a break from 7:05-7:18pm.

2. New Item

2.1 Consideration of SD-25-007, Request for a 9-Lot Subdivision Location: 4122 S Old Farm Way Applicant: Matt Knight Planner: Sean Murray

Sean Murray presented application SD-25-007, a major subdivision request for property located at 4122 South Old Farm Way. He explained that the proposal qualifies as a major subdivision because it would create more than three lots. The property is located within the Old Farm Planned Unit Development (PUD) community and is currently zoned Residential Mixed (RM), consistent with the surrounding area. The site presently contains a single-family home that predates the creation of the Old Farm PUD in the 1970s. Murray noted that although the property was originally part of the larger Old Farm property, it was not incorporated into the homeowners association (HOA) when the PUD was established and has remained an enclave outside of the HOA since that time.

Murray explained that the applicant is seeking approval to subdivide the property into nine lots to accommodate nine townhome units arranged as three triplex buildings. Access to the development would be provided from Old Farm Way, replacing the existing driveway access. He stated that the proposed development is a permitted use within the RM zoning district and that the commission's review is limited to the subdivision application, while compliance with landscaping, engineering, fire, and other development standards is reviewed administratively by staff through the site plan review process.

A key component of the proposal is the applicant's effort to incorporate the property into the surrounding Lexington Village HOA. Murray reported that the applicant has received preliminary approval from the HOA, although final approval has not yet been granted. He explained that inclusion in the HOA is necessary for the project to function as proposed because residents would rely on the HOA's private road network, amenities, open spaces, and maintenance agreements. Incorporation into the HOA would also allow the existing property boundaries to be integrated into the larger common area system, helping the project satisfy open space and other zoning requirements. He noted that final subdivision approval would be contingent upon the property's successful incorporation into the HOA and completion of staff review to ensure compliance with all applicable standards.

Murray outlined the review process, explaining that the subdivision and site plan reviews are interconnected and must progress concurrently. While preliminary subdivision approval is being requested at this stage, final approval cannot be granted until HOA incorporation and all site plan requirements are satisfied. He also reported that a public open house was held earlier in the month, attended by approximately 18-20 residents from the surrounding Old Farm PUD community. During the meeting, residents discussed concerns related to building height, parking, guest parking availability, traffic circulation, access, landscaping, architecture, and the project's relationship to the HOA. Additional written comments from residents were received and included in the staff report. Murray noted that the East Mill Creek Community Council reviewed the proposal and voted 4-0, with one abstention, to forward a positive recommendation. Based on the findings outlined in the staff report and the project's compliance with applicable subdivision requirements, staff recommended approval of the preliminary subdivision application.

Chair LaMar discussed why the proposed nine-unit subdivision at Old Farm only functions if the parcel is brought into the HOA. Chair LaMar asked Murray to clarify how joining the HOA affects property lines and setbacks. Murray explained that, as a stand-alone parcel, the lot must independently meet all RM zoning standards—setbacks, open space, and amenities—within its current boundaries. However, if the parcel is inducted into the Old Farm HOA, its existing internal property lines are effectively dissolved into the larger PUD's common area. At that point, required setbacks and open space are measured against the broader HOA boundaries and shared open spaces, rather than the original single-lot lines. This change in how the land is configured and measured is what allows the specific nine-unit townhome layout to comply with RM zoning standards.

Joe Johnson, developer/owner working with the property owner, explained the history and intent of the project. He said the original owner approached J Development about two and a half years ago, wanting to move and explore development options because the property is zoned for multifamily. Johnson emphasized that from the outset they chose to work directly with the Old Farm HOA, meeting repeatedly at both his office and onsite to try to align the project with the existing community. He acknowledged that development is often unpopular but stressed their effort to balance the property rights of the individual owner with the character and expectations of the "legacy" Old Farm subdivision, which he described as a well-known, high-quality, 1970s community. He highlighted that there has been "give and take" on both sides over many months, and that they see the proposed nine units as an addition to, not a detriment to, Old Farm's legacy. Johnson closed by saying he is excited to bring the project to Millcreek and to contribute positively to the neighborhood with new homeowners who will enjoy living there.

Chair LaMar asked for public comment.

Caye Wycoff, Lexington Village resident, acknowledged that while the developer has worked diligently with the Old Farm management committee, many residents remain concerned. She stated that a significant group of homeowners believes the management committee lacks authority to act on the HOA's behalf and that the process has not been transparent to the broader membership. She gave examples, including that key information—such as the actual building heights—was not shared with residents until just before this meeting, even though the developer had already provided it to the committee. She also described the earlier "straw vote" among residents as confusing and suggested that some older residents felt pressured with arguments that, if they did not support the project, the property might become all rentals. She emphasized that the proposed two-story units are inconsistent with Lexington Village's established character of single-story homes, generous open space, and mature landscaping. Her core objection was that squeezing nine units into this small lot, with taller buildings and loss of trees, does not fit visually or functionally with the existing development.

Inge-Lise Goss, 635 E, focused on the scale and height of the proposed buildings relative to the site and existing neighborhood character. She explained that the buildable portion of the lot is only about 0.81 acres, yet the developer plans nine relatively large units. She noted that at a prior meeting on May 5 the units were described as potentially 32 feet tall, and although the latest information indicates 26 feet, they would still visually dominate adjacent homes. She contrasted this with the existing Lexington Village buildings, whose roofs slope away from the street so that the visible front height is closer to 10 or 11 feet. By comparison, the new units' roofs would slope upward, presenting their full height toward the viewer and "towering" over the neighborhood. She argued that residents chose Lexington Village for its current ambiance—low, one-story forms and openness—and warned that the proposed buildings, if approved as designed, would stand out starkly and undermine that established character.

Andy Johnson, Lexington Village, explained why the HOA leadership has tried to work constructively with the developer despite residents' mixed feelings. He said the key driver is that the existing zoning already allows this type of development, so even though change is unpopular, the board felt it was better to engage and shape the outcome focusing on exterior finishes, layout, and overall ambiance than oppose it outright. He reported results of a nonbinding straw poll: 69 votes in favor and 1 against annexing the project into the HOA, and 61 in favor and 9 against using the proposed middle access, which is crucial to enabling nine units rather than a smaller, differently accessed project. He emphasized that these votes followed multiple meetings and information-sharing sessions. Johnson concluded by noting that a formal annexation still requires a two-thirds vote under the CC&Rs, and that the board is working to secure terms that provide as much benefit as possible for the HOA and its residents.

Wayne Simpson, Old Farm Way, introduced himself as a resident whose home is immediately adjacent to the proposed townhome site and expressed support for the project. He noted that the developer has gone way beyond the original concept—reducing from 10 units to 9 and modifying the design to better match Old Farm—based on feedback from neighbors and the HOA. He acknowledged that some residents remain opposed, but characterized them as a relatively small group, pointing out that there have been multiple meetings and that a clear majority of owners support moving forward. He emphasized the practical reality that some form of development will occur on this parcel regardless, and argued that, given that fact, it is in the community's best interest to work with this particular developer, who has shown a willingness to compromise and to produce something that blends with the existing neighborhood.

Jane Woolley, 632 E, questioned the legitimacy of the earlier straw vote used to gauge HOA sentiment on the project. She said many homeowners—particularly older residents—found the ballot wording confusing and were unsure what a "yes" vote actually meant (for example, whether it referred to annexation into the HOA or to specific project elements). Because of that confusion, she argued the straw poll results do not accurately reflect the community's true views or priorities. In her view, the process and communication around that vote were inadequate, and the outcome should not be treated as a reliable indicator of broad resident support for the development.

Candace Hartzog, 670 E, described learning about the project only recently from a neighbor, despite living just about a half block away. She expressed concern that nine condominium units on such a small lot, located at a favored quiet spot on the lake where residents enjoy mature trees, wildlife, and tranquility, would significantly change the character of that area. Her main worries were that the development is too dense for the site, that it would disrupt the quiet enjoyment of that lakeside space, and that many mature trees on the lot would be removed and could not be meaningfully replaced for many years. She invited decisionmakers to walk or drive through the existing complex and look at the site firsthand, arguing that it would become obvious that the proposed number and size of units are out of scale and not well-suited to the current setting.

Chair LaMar responded to the public comments by first thanking residents for their input and then clarifying the Planning Commission's role and legal constraints. He emphasized that, in this case, the property is already zoned RM, so the commission's job is to apply the existing zoning ordinance—setbacks, height limits, open space, and permitted uses—not to renegotiate those standards or redesign the project. He explained that, unlike earlier legislative items on the agenda (such as the mixed-use project where the city had broad discretion through a rezone and development agreement), this is an administrative subdivision review. The commission cannot, for example, arbitrarily lower the allowed building height below what the

RM zone permits or deny a layout that otherwise complies with code. He underscored that questions about whether the parcel should join the HOA, or whether its design is a good fit for the HOA's internal standards, are primarily matters between the applicant and the HOA, whereas the city must focus on whether the subdivision, as proposed, meets the objective requirements of Millcreek's zoning and subdivision ordinances.

Murray explained that this application differs from a rezoning request because the property is already zoned RM, which grants the property owner certain established development rights. Unlike a rezoning process, where the city has broader discretion over factors such as site layout, building placement, and project design, the city's role in this case is more limited. The city must evaluate the proposal based on whether it complies with the standards and requirements of the existing RM zoning designation. Murray noted that because the surrounding properties share the same zoning classification, certain additional development standards that might apply when adjacent to differently zoned residential areas do not apply here. He further clarified that matters involving the homeowner's association are outside the city's authority and must be resolved directly between the applicant, the property owner, and the HOA. The city's responsibility is confined to determining whether the project meets applicable zoning requirements and identifying any necessary modifications to achieve compliance. Any negotiations, conditions, or agreements related to HOA approval remain a private matter between the applicant and the HOA. The commission briefly discussed the code provisions for replacing mature trees that get removed.

Commissioner Larsen moved that the Planning Commission, based on the findings and conclusions of the staff report, grant preliminary approval of the major subdivision file SD-25-007. Commissioner Reid seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

2.2 Consideration of SD-25-011, Request for a 21-Lot Subdivision Location: 2965 E Evergreen Avenue Applicant: Ivory Development, LLC Planner: Zack Wendel

Zack Wendel presented a major subdivision application submitted by Ivory Homes for the redevelopment of the former Reed School property located at 2965 East Evergreen Avenue. The proposal seeks approval for a 21-lot single-family residential subdivision on approximately six acres of land. The property is currently zoned for single-house residential development, and the applicant is not requesting any zoning changes. Lot sizes are proposed to range from approximately 8,000 to 15,000 square feet, and the surrounding area is predominantly composed of single-family residential uses, making the proposed development consistent with the character of the neighborhood.

Wendel explained that the subdivision layout includes seven lots fronting 2940 East, while the remaining lots will be accessed from a newly constructed cul-de-sac. A unique aspect of the project is the presence of an existing cell tower near the center of the property. Because the tower remains under lease for several more years, the development will be completed in two phases. Phase One includes the lots along 2940 East and the first portion of the cul-de-sac. Once the cell tower lease expires and the tower is removed, Phase Two will allow completion of the cul-de-sac and development of the remaining lots.

The applicant also addressed the site's significant east-to-west slope by proposing a retaining wall between portions of the subdivision. The wall would reach a maximum height of 12 feet at its highest point, consistent with city code allowances for a single retaining wall. The wall's height would vary across the property, with the tallest section located near the center and lower sections extending toward the north and south ends. In response to questions from the Planning Commission, staff clarified that the wall is proposed as a single retaining wall rather than a terraced design, and that the 12-foot height applies only to the highest point rather than the entire length of the structure.

Wendel noted that a neighborhood open house generated significant public interest, with residents raising questions regarding the retaining wall, project phasing, drainage, zoning requirements, sidewalk improvements, impacts on adjacent properties, dust control, and other development-related concerns. City staff and the applicant worked to address these questions throughout the review process. Although the property is designated as Public/Quasi-Public on the Future Land Use Map, staff explained that the existing residential zoning remains controlling, eliminating the need for a rezoning application, general plan amendment, or future land use map change as part of this proposal. Based on its review, staff concluded that the preliminary subdivision complies with the applicable zoning district requirements, subdivision regulations, and relevant city and state standards. Accordingly, staff recommended that the Planning Commission approve SD-25-011.

Wendel clarified that the retaining wall would be a single wall up to 12 feet tall with a wrought iron fence on top.

Commissioner Reid wondered if there was a process by which the city could identify prospective park space in areas that lacked one. Lilly had suggested higher density in exchange for part of a park to Ivory Homes. Commissioner Reid questioned the public/quasi-public space zoning. Lilly explained that requiring a General Plan amendment in this case would create broader implications, potentially necessitating the rezoning of similarly situated properties to Public or Quasi-Public and Open Space designations. He emphasized that a Future Land Use Map designation by itself does not carry regulatory authority or override existing zoning. Lilly noted that some rapidly growing communities, such as Herriman, are able to implement long-range parks planning because they are developing largely undeveloped land and can require park acreage as new residential units are constructed. In contrast, Millcreek is primarily an infill community, where development occurs on already developed land, making it difficult to establish the policy and legal nexus necessary to require park dedications from developers. He further explained that cities may have greater authority to require such contributions when constructing new infrastructure, imposing impact fees, or undertaking large-scale growth planning. However, under the current statutory framework, Millcreek's parks impact fee is limited and calculated according to state requirements, resulting in a fee of approximately $400 per residential unit, which constrains the city's ability to secure additional parkland through the development process.

Peter Gamvroulas, Ivory Development representative, declined to comment.

Chair LaMar asked for public comment.

Jamie Allyn, East Mill Creek Community Council, stated that the Council did not issue a formal recommendation regarding the proposed subdivision but had submitted a letter outlining its observations and concerns. Allyn expressed appreciation to city staff, particularly Zack Wendel, for providing additional information regarding fugitive dust control measures, noting that the explanation was helpful both for the community council and nearby residents. He also highlighted concerns that were raised about the proposed retaining wall, acknowledging that some of those issues may be more appropriately addressed later in the development process. Allyn explained that the prospect of a retaining wall reaching up to 12 feet in height within relatively close proximity to residential backyards raised concerns about its visual and spatial impact. To illustrate the scale, he described measuring a 12-foot height in his own backyard and noted that the wall's potential presence within a limited setback area created concerns about a confined or imposing environment for neighboring properties. While not suggesting any structural concerns, he indicated that the size and character of the retaining wall remained an issue of interest for the community council and nearby residents.

Jake Green, city staff, addressed concerns regarding the proposed retaining wall, explaining that the structure has been professionally engineered and is currently undergoing the building permit review process. He noted that the project's geotechnical report recommends that no structures be constructed within 25 feet of the retaining wall. To ensure long-term compliance with this recommendation, the developer intends to record an easement on the subdivision plat identifying the restricted area. While the setback falls outside the primary buildable area for homes, Green explained that the easement is intended to prevent future property owners from constructing accessory structures, such as sheds or accessory dwelling units, too close to the wall. By formally documenting the restriction on the plat, future owners and builders will be aware of the limitation, helping to preserve the integrity and stability of the retaining wall. Green added that the restriction effectively moves any potential future development farther away from the wall and serves as an additional safeguard against activities that could compromise the engineered structure.

Jo-Ann Wong, Evergreen Avenue, expressed appreciation for a fence that was installed around the property. Chair LaMar asked about controlling fugitive dust.

Peter Gamvroulas, Ivory Development, explained that the undeveloped portion of the project designated as Phase Two will likely be hydroseeded to establish temporary vegetation and help control dust until construction proceeds. He noted that a fugitive dust control plan has already been prepared and approved as part of the site's demolition activities and is therefore already in place. The developer intends to continue implementing and maintaining dust-control measures throughout subsequent stages of the project, including during grading, infrastructure installation, and subdivision development. Gamvroulas stated that these requirements will be incorporated into the project's ongoing stormwater and construction compliance processes to ensure that dust mitigation remains in effect throughout the development.

Commissioner Larsen, based on the findings and conclusions of the staff report, moved the Planning Commission approve file number SD-25-011 as proposed. Commissioner Reid seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner

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

3. Continuing Business

3.1 Consideration of ZT-26-001, Amending Various Provisions of Title 18 of the Millcreek Code of Ordinances Planners: Francis Lilly and Sean Murray

Francis Lilly said the Commission saw the presentation last month and continued the application.

Sean Murray explained that the proposed code amendments had previously been continued to allow additional time for community councils to review and provide meaningful feedback. He noted that the original review timeline was challenging because several community councils received extensive amendment materials shortly before they were expected to formulate recommendations. Recognizing the complexity and volume of the proposed changes, the Planning Commission approved a continuation to facilitate more thorough public review. Since that time, the Millcreek Community Council requested an additional continuation so that members could further evaluate the amendments and discuss them with planning staff at an upcoming meeting. The East Mill Creek Community Council did not submit a formal recommendation but were supportive of the proposed amendments and expressed concerns regarding the size of some proposed lots and associated setback requirements. The council also voiced support for a tree-preservation "look-back" provision included in the draft amendments. Murray noted that no additional feedback had been received from the Canyon Rim or Mount Olympus community councils.

Murray then outlined several revisions made since the previous hearing. One amendment addresses a gap in the city's landscaping standards by extending existing requirements for single-family and duplex developments to include three-unit and four-unit residential buildings, ensuring that triplexes and fourplexes are subject to clear and consistent landscaping regulations. Another revision responds to concerns raised by the Planning Commission regarding tree preservation. The proposed language would require developers to replace trees that are damaged or destroyed during construction and cannot be restored, with replacement standards based on the city's existing tree preservation guidelines.

Murray described a new proposal affecting neighborhood streets within the City Center Overlay Zone. The amendment was developed in response to discussions with local business owners who expressed interest in creating outdoor dining areas along certain east-west neighborhood streets. The proposal would allow features such as shaded seating areas and pergolas while establishing design standards that ensure compatibility with surrounding development. Rather than relying on rigid setback requirements that may be difficult to apply consistently due to varying property configurations, the proposed standards focus on design and functionality, providing flexibility while maintaining the intended character of the streetscape. Murray emphasized that staff remains open to additional suggestions and feedback as the amendment process continues.

Francis Lilly explained that one of the proposed code amendments originated from a business owner's interest in making private investments that would enhance the public streetscape within the City Center Overlay Zone. He noted that this type of initiative is relatively uncommon and reflects the kind of community-oriented investment and activation the city hopes to encourage. While staff was not necessarily endorsing a specific design solution, Lilly emphasized the broader goal of fostering a more vibrant, pedestrian-friendly environment where businesses actively engage with and improve the public realm.

Lilly then turned to a separate proposed amendment involving the calculation of lot and parcel coverage. During the review of a building permit application, staff identified an opportunity to modify the city's lot coverage methodology in a manner that could be more equitable for property owners without significantly affecting the city's development objectives. He explained that lot coverage regulations play an important role in preserving neighborhood character and work alongside setbacks, building envelopes, and massing standards to ensure compatibility with surrounding development. These regulations originated with the city's former R-1 zoning standards and have been strengthened over time through additional design controls and clearer definitions governing building mass, roof projections, and setback encroachments.

Under the current code, lot coverage is calculated based on everything beneath a roof, including roof overhangs and eaves. Lilly proposed revising the ordinance so that lot coverage would instead be measured from the building footprint, specifically the exterior walls or, in the case of covered porches, the perimeter of supporting columns. He noted that setbacks are already measured from the foundation or wall line rather than the roof edge, and that the city has separate regulations limiting how far eaves may project into setbacks and building envelopes. Because these controls already address concerns related to building mass and neighborhood compatibility, staff believes that measuring lot coverage from the building footprint would provide a more practical and consistent standard while maintaining existing protections.

Using several visual examples, Lilly illustrated how roof overhangs can significantly affect lot coverage calculations despite having relatively little impact on a building's actual footprint. He emphasized that no regulatory system can fully eliminate subjective concerns about architectural design, as attractive and unattractive structures can both comply with code requirements. The city's objective, he explained, is not to regulate aesthetics alone, but rather to ensure that development remains compatible with surrounding neighborhoods through reasonable standards governing scale, massing, and setbacks.

Lilly concluded that the proposed change would likely have only a marginal effect on neighborhood character because of the numerous other controls already in place. However, it could provide meaningful benefits to homeowners seeking modest additions or improvements by simplifying the permit review process and making compliance easier to demonstrate. While the amendment may make certain neighborhood compatibility analyses slightly more complex, staff believes the overall benefits outweigh the drawbacks. As a result, staff supports the proposed revision and encouraged the Planning Commission to forward a recommendation on the lot coverage amendment to the City Council so that an applicant currently seeking approval for a home addition could move forward without unnecessary delay.

Joe Romero, the applicant whose project prompted discussion of the proposed lot coverage amendments, described his experience navigating the city's approval process for a 658-square-foot home addition that he originally submitted in November 2025. Romero stated that, in his view, the proposal complied with the existing code, although disagreements arose over the interpretation of specific language within the ordinance. As a result, he was required to pursue the Neighborhood Compatibility Modification process, which he said cost approximately $3,000 and ultimately did not provide a practical path to approval due to the size and nature of the project. He noted that after several months of discussions with city staff, the review process highlighted ambiguities within the existing lot coverage regulations, leading the city to reconsider how those standards are applied.

Romero expressed appreciation for the efforts of city staff, noting that they had worked extensively with him over the course of seven months to evaluate the issue and develop a proposed solution. He explained that the primary point of contention ultimately centered on a 130-square-foot covered front porch and the way roof overhangs and covered areas were included in lot coverage calculations. Under the proposed amendment, which would measure lot coverage from the exterior walls rather than roof eaves, his project could move forward with only a minor design modification. Specifically, Romero stated that compliance would require reducing the length of an existing shed by approximately two feet, a relatively modest adjustment compared to the challenges and delays experienced during the review process.

Romero further noted that the proposed amendment aligns with guidance from the American Planning Association, which generally does not count modest roof overhangs and eaves toward lot coverage calculations. He argued that the revised approach provides greater clarity and consistency while addressing concerns that arose during his application review. He urged the Planning Commission to support the lot coverage amendment and forward it to the City Council for consideration, explaining that approval would allow his permit to proceed after months of delay. Romero also emphasized the financial impacts associated with the extended review process, including increased construction costs, consultant expenses, and contractor pricing changes, and expressed hope that the proposed code revision would help prevent similar challenges for future applicants.

The commission and Lilly briefly discussed eaves restrictions.

Commissioner Burgess moved to recommend to the City Council adoption of the proposed ordinance amendments as drafted by staff in file number ZT-26-001. Commissioner Soule seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

4. Commission Business

4.1 Approval of April 15, 2026 Regular Meeting Minutes

Commissioner Larsen moved to approve the April 15, 2026 regular meeting minutes. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

3.2 Housing Subcommittee Report

Commissioner Richardson reported that the committee met earlier in the day prior to the Planning Commission meeting and focused primarily on upcoming housing-related discussions and outreach efforts. The committee reviewed plans for a community council luncheon scheduled to take place at City Hall on the 29th, which is intended to facilitate dialogue and information sharing between city officials and community council representatives. The subcommittee also examined draft zoning ordinance language from other Utah communities, including Ogden and Heber City, identifying several concepts and approaches that may be applicable to Millcreek's housing and zoning policies. Members agreed to continue evaluating those examples and discuss which provisions or ideas may be appropriate for adaptation in Millcreek before presenting and discussing them further at the upcoming community council meeting.

3.3 Updates from the Planning Director
Francis Lilly did not have any updates.

Chair LaMar noted Commissioner Lofgren would not be renewing his commission term, which expires in June.

4. Calendar of Upcoming Meetings

- City Council Mtg. 5/26/26, 7:00 p.m. TUESDAY
- City Council Mtg. 6/8/26, 7:00 p.m.
- Historic Preservation Commission Mtg. 6/11/26, 6:00 p.m.
- Planning Commission Mtg. 6/17/26, 5:00 p.m.

ADJOURNED: Commissioner Soule moved to adjourn the meeting at 8:51 p.m. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

APPROVED: Shawn LaMar **Date** 6/17/26
Shawn LaMar, Chair

Attest: **Elyse Sullivan, Recorder**