



ZM-26-014

PLANNING COMMISSION STAFF REPORT

Date: August 19, 2026

Request: **Rezone**
From: R-1-8 & R-2-8
To: R-1-5 & R-2-6.5

Subject Property: 3496 & 3500 South, 1300 East

Applicant: Ryan Reynolds w/Brad Reynolds Construction

Prepared By: Brad Sanderson, AICP

Scope of Decision: **Discretionary.** This is a legislative matter, to be decided by the Millcreek City Council upon receiving a recommendation from the Millcreek Planning Commission. While your recommendation can be broad in scope it should consider prior adopted policies, especially the Millcreek General Plan.

REQUEST AND SYNOPSIS

Ryan Reynolds, on behalf of Brad Reynolds Construction, has filed a land use application, seeking approval to rezone approximately 1.65 acres of property generally located between 3496 South and 3500 South along the west side of 1300 East. The property includes several parcels and is currently located within both the R-1-8 and R-2-8 Zones.

The applicant is requesting two zone changes related to the same property as follows:

First – The applicant is requesting to rezone the easterly 0.45 acres (approx.) of the property, (located closest to 1300 East) from the R-1-8 (Single Household Zone) & R-2-8 (Two Household Zone), to the R-2-6.5 (Two Household Zone), with the intention of constructing two duplex-style buildings which would be oriented towards 1300 East.

Second, The applicant is requesting to rezone the remaining westerly 1.2 acres (approx.) of property from the R-2-8 Zone & R-1-8 Zones to the R-1-5 (Single Household Zone). The R-1-5 Zone requires minimum 5,000sqft lot sizes which would allow for smaller single-family homes

FINDINGS:

1. The property contains two existing single-family residential structures, both of which are intended to be removed upon further development.
2. According to the City Future Land Use Map as contained within Millcreek's General Plan, the entire property including the surrounding area, is designated as 'Neighborhood 1', which "includes neighborhoods (of all ages) that are comprised of predominantly of single-family detached homes", ranging between 1-6 units per acre (see Millcreek General Plan, p.22).
3. The easterly 0.60-acre portion of property, located closest to 1300 East is currently zoned R-2-8, which allows for two-household dwellings.
4. The concept plan contemplates two duplex style buildings oriented towards 1300 East with the remainder of the property being designated for single-household dwellings on min. 5,000sqft lots.
5. According to the concept plan, one lot would potentially be accessed from Lorraine Drive while the remaining west portion of property may allow up to five SF residential lots with a new private street connecting out to 1300 East.
6. All surround properties are currently developed, making this somewhat of an infill lot.
7. Further development or subdivision of property would require a separate application to be processed and approved by the city and other utility entities.
8. A development agreement may be considered to ensure layout and certain elevations based on concepts presented by the applicant.
9. Setbacks, height envelopes, and lot coverages standards are already established by each respective zone.
10. The R-2-6.5 Zone requires a tapered or stepped height envelop while the R-1-5 Zone does not.
11. Millcreek Staff is requesting the development include a pedestrian access be installed on the far west end of the property, connecting the new development with the existing neighborhood to the west.
12. The following General Plan goals and strategies apply to this proposal:

Goal N-1 - Strategy 1.5: Ensure that new infill development is compatible with existing neighborhoods by regulating structure sizes and heights; building forms and materials; yard setbacks; streetscape character; height and bulk transitions; buffering; and other factors.

Goal GC-1B - Strategy 1.1B: Encourage a well-connected system of streets, sidewalks, bike facilities, and off-system trails for new developments and redevelopment areas.

13. A development agreement is suggested to ensure compatible residential elements such as elevation, pitched roof or building envelopes and porches, as well as a pedestrian path connection per the concept plan and elevations.
14. There may need to be some street dedication along 1300 East.
15. An Open House was held August 4, 2026, wherein eight individuals were in attendance. Most comments related to fencing and landscape buffering, setbacks, building height envelopes, and timing of construction (see attached). No members from the Community Council were present.

CONCLUSIONS:

1. An R-1-8 Zone would allow eight (8) 8,000sqft lots/dwellings on 1.65 acres. The current R-2-8 and R-1-8 Zones would allow eleven (11) total dwellings. In comparison, if approved, the R-1-5 and R-2-6.5 Zones would allow up to ten (10) dwelling units.

2. All surrounding properties are developed making this a true infill development.
3. The proposal lends itself to a variety of housing types as suggested within the Goals and strategies and 'Neighborhood 1' Land Use designation, according to the Millcreek General Plan.
4. While there is little reason for a development agreement, such agreement may help shore up areas where both zones may not be specific in terms of elevations and building envelopes, property dedication, and pedestrian connectivity.

RECOMMENDATIONS:

Based on the Findings and Conclusions listed above, the following is recommended:

Staff Recommendation: That the Planning Commission take public comments during the public hearing and recommend approval of application file number ZM-26-014, to rezone property generally located between 3496 & 3500 South along 1300 East, from the R-1-8 & R-2-8 Zones, to the R-2-6.5 & R-1-5 Zones, and a consider a possible development agreement, unless during the meeting facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

SUPPORTING DOCUMENTS

- **Zoning Map**
- **Land Use Map**
- **Proposed Concept Plan**
- **Public Comments**

Zoning Map



Single-Household Residential (R-1-8)

Single-Household Residential (R-2-8)

Subject
Property

Lavon Cir

Lorraine Dr

1300 E

Luck Spring Dr

Melvina St

Melvina St

1200 E

1200 E

1200 E

Two-Household Residential (R-2-8)

Single-Household Residential (R-1-8)

Ash Tree Cv

1300 E

Urbandale Ln

Brookshire Dr

3545 S

Single-Household Residential (R-1-8)

Land Use Map



Neighborhood 1

Subject
Property

Lavon Cir

Lorraine Dr

Ash Tree Cv

3545 S

Luck Spring Dr

Neighborhood 1

Urbandale Ln

Brookshire Dr

Melvina St

Melvina St

1200 E

1200 E

1200 E

1300 E

1300 E

R1-5 LOT
LOT IS 6,370 SQ.FT

LORAINNE DR

R2-6.5 ZONING
FOR EACH DUPLEX

R1-5 LOT
5 LOTS EACH OVER
5,000 SQ. FT.

6370 SQ.FT.
SINGLE FAMILY

DUPLEX
7901 SQ.FT.

DUPLEX
7924 SQ.FT.

TURN AROUND
EASEMENT

ALL LOT SQUARE FOOTAGE
DOES NOT INCLUDE SIDEWALK
OR ROAD AREA.

1300 EAST STREET

CREEK MILL LANE

PARCEL A
(Turnaround easement)

UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 7

UNIT 8

UNIT 9

UNIT 10



Planning & Zoning Open House

Community Feedback Form

Name: Julia Lehman + Tim Beragren Date: 8/4/2026

Email Address: [REDACTED]

Project Location or #: 1244 E. Conaine Dr.

Comments: We would like to work with developers on the landscaping and fence. Trees please!!!
• Add in height and building envelope agreements.



Planning & Zoning Open House

Community Feedback Form

Name: John C. Anderson Date: 08/04/2026

Email Address: [REDACTED]

Project Location or #:

Comments: NICE LOOKING HOMES. I LIKE THE CONCEPT.



Planning & Zoning Open House

Community Feedback Form

Name: Kim Keisler Date: 8-4-2026

Email Address: [REDACTED]

Project Location or #: 1235 E Ash Tree Millcreek

Comments: I appreciate the time involved in planning and listening to the neighbors on zoning and building. We appreciate Brad Reynolds working with us in concept and developments.



**Minutes of the
Millcreek Planning Commission
July 15, 2026
5:00 p.m.
Regular Meeting**

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, July 15, 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 (excused)
Jenny Burgess
Robert Peterson
Jacob Richardson
Victoria Reid
Diane Soule
Ian Wright

City Staff

Elyse Sullivan, City Recorder
Francis Lilly, Planning Director
Brad Sanderson, Current Planning Manager
Fred Lutze, Deputy City Engineer
Sean Murray, Planner

Attendees: Rick Hansen, Ryan Reynolds, Brad Reynolds, Tyler Brady, Kimberly Keisker, Patricia Homer, Alberto Cruz

REGULAR MEETING – 5:00 p.m.

TIME COMMENCED – 5:04 p.m.

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

1. Commission Business

1.1 Oaths of Office: Christian Larsen, Jacob Richardson, and Robert Peterson

Elyse Sullivan administered the oaths of office to the newly appointed commissioners.

2. Public Hearings

2.1 Consideration of ZM-26-009, Request to Rezone from R-2-8 and Residential Mixed (RM) to Commercial (C) to Accommodate a Parking Lot Location: 1059 E 3950 S and 1100 E 3946 S Applicant: Chris Bick Planner: Sean Murray

Sean Murray noted the applicant, Chris Bick, represented St. Mark's Hospital, the owner of two adjacent properties located near 1100 East and 3950 South, immediately west of the existing hospital campus. The approximately 0.94-acre site consists of one vacant parcel and one parcel containing a single-family home. Murray explained that St. Mark's previously acquired one of the properties and received approval in 2025 for a small office building with

associated parking. After acquiring the adjacent property to the west, the hospital sought to expand the parking area; however, because the two parcels are located in different zoning districts, a rezone is required to create a unified commercial zoning designation that would allow a commercial parking lot as a conditional use. Murray reviewed the existing zoning, noting that one parcel is zoned Residential Mixed and the other is zoned R-2-8, neither of which permits a stand-alone parking lot. He presented a conceptual site plan showing a single vehicle access point from 1100 East, perimeter landscaping, and a masonry wall along the northern property line to help mitigate impacts on neighboring properties.

Staff evaluated the proposal against the Millcreek General Plan and noted that the Future Land Use Map designates the area as Neighborhood 1, which is intended primarily for single-family residential development. As a result, the proposed commercial rezoning is not consistent with the Future Land Use Map. However, Murray also noted that the General Plan includes economic development goals supporting the retention and growth of major employers. As St. Mark's Hospital is the city's largest employer and an important regional healthcare provider, the proposal advances those broader economic objectives.

Murray summarized the public outreach completed to date, including a neighborhood meeting held in April that was well attended. Residents expressed concerns regarding increased traffic, parking and speeding on 3950 South, noise, continued expansion of the hospital into the neighborhood, construction impacts, security, lighting, and pedestrian safety for employees crossing 1100 East to access the hospital. In response, staff worked with the applicant to incorporate mitigation measures into a proposed development agreement, including limiting vehicle access to 1100 East, constructing a masonry wall to reduce noise, enhancing landscaping and tree buffering along the southern property line, and installing a new crosswalk at the intersection of 1100 East and 3950 South. Murray also discussed the option of applying a zoning condition restricting the commercial zoning to a parking lot use only, ensuring that any future redevelopment for other commercial purposes would require a new rezoning process.

Murray reported that no residents attended the Planning Department's July 7 open house, although members of the Millcreek Community Council met with the applicant and asked questions. Public notices were mailed and posted as required, and staff received one inquiry seeking clarification about the size and location of the proposed rezoning. Murray outlined the review process, explaining that the City Council has discretionary authority to approve or deny both the rezoning and the associated development agreement after receiving recommendations from the Planning Commission, staff, and the public. If approved, the applicant would subsequently apply for a conditional use permit for the parking lot, which would be reviewed administratively for compliance with applicable code requirements and the development agreement. Staff concluded that the proposal complies with applicable engineering, fire, and zoning requirements and recommended further discussion by the Planning Commission, including consideration of a zoning condition limiting the site's future use to parking.

Commissioner Soule asked if St. Mark's could construct a multi-storied parking structure in the future. Murray said they could unless there was a zone condition that limited it. Commissioner Soule asked about the location of the crosswalk. Murray said it was recommended to go on the southeast corner of the lot. Commissioner Richardson asked about

the previously approved site plan. Murray clarified that in 2025 the eastern parcel received site plan approval for a small office building with an oversized parking lot, allowing St. Mark's Hospital to address parking needs without pursuing a commercial rezoning at that time. The approved plan included access from both 1100 East and 3950 South to accommodate anticipated traffic and meet fire code requirements for multiple access points. He explained that the approval was valid for one year and, after its initial expiration, St. Mark's obtained a one-year extension. If the approved project is not constructed before the extension expires, the approval will lapse and any new use on the site will have to adhere to the current regulations for the RM zone. He noted that office uses are no longer permitted in the Residential Mixed zone, making the extension important should the current rezoning or subsequent conditional use permit not be approved.

In response to questions from the Commission, Murray explained that the existing home on the western parcel was not part of the original approved site plan. The subsequent purchase of that property by St. Mark's prompted the current rezoning request because the two parcels are located in different zoning districts and cannot be combined for development under the existing zoning. He confirmed that, if the rezoning is approved, the existing home on the western parcel would be demolished to accommodate the proposed parking lot.

Chris Bick, applicant, thanked staff for their collaboration throughout the review process and noted that the project had evolved significantly in response to neighborhood feedback. He explained that the original 2025 site plan included a small office building and parking lot, which required access from both 1100 East and 3950 South to satisfy fire code requirements. Because both St. Mark's Hospital and nearby residents preferred to eliminate access from the residential street, the subsequent acquisition of the adjacent western parcel created an opportunity to redesign the project. However, since the parcels are located in different zoning districts and the zoning code had changed since the original approval, a rezoning became necessary to develop the site as proposed. Bick stated that St. Mark's worked closely with neighbors to address concerns raised during the neighborhood meeting. As part of the revised proposal, the hospital agreed to construct masonry walls along the north and west property lines, install a two-foot landscaped berm with shrubs and additional trees along the southern boundary to enhance screening, and eliminate vehicle access from 3950 South. He noted that the parking lot is intended primarily for hospital employees and explained that employee parking demand is greatest during daytime hours, reducing concerns about nighttime vehicle headlights affecting nearby residences.

Bick also highlighted that St. Mark's funded an independent traffic impact study in response to neighborhood requests, which informed the proposed location of a new pedestrian crosswalk. He stated that the revised design reflects the concerns expressed by residents while improving the functionality of the hospital campus. He concluded by noting that the additional employee parking would help alleviate existing parking congestion on the hospital campus and make more convenient parking available for patients and visitors.

Chair LaMar asked why the proposed development agreement would expire in ten years. Murray said it was a standard timeframe. Commissioner Richardson asked about the former structures on the property. Bick believed the demolished structures consisted of a duplex and a fourplex. The existing structure to be demolished is a single-family dwelling. Commissioner Richardson said he was a housing advocate and the demolished homes represented "missing

middle housing.” He asked why this parking lot was not included in the St. Mark’s master plan presented to the commission previously, and why it was needed when the north and south campus was getting more parking.

Bick explained that a portion of the western parcel had been contemplated in earlier planning efforts; however, because the properties were located in different zoning districts, the projects were separated during the original approval process. He noted that additional parking has recently been constructed on the north side of the hospital campus to help address parking demand, but that lot requires employees to cross 3900 South, a busier roadway. The proposed parking lot would provide a more convenient location for staff working on the west side of the campus and reduce the need to cross 3900 South. Bick stated that he was not aware of any additional redevelopment or expansion plans beyond the proposed parking lot. Commissioner Richardson asked about adding a parking garage on the south campus. Bick said the neighborhood to the south did not want a parking structure to be constructed. Commissioner Richardson expressed concern about the loss of housing and asked if St. Mark’s could make a donation to the city to help prevent the net loss of housing.

Alberto Cruz, Vice President of Operations for St. Mark's Hospital, acknowledged the importance of affordable housing within the community and expressed the hospital's support for efforts to address those needs. He stated that while he could not commit to specific financial contributions or property donations, St. Mark's supports community initiatives through leadership involvement, volunteer service, and other forms of participation. Cruz emphasized that the hospital's primary mission is to provide high-quality healthcare and meet the needs of the area's growing population.

Commissioner Peterson asked staff if the project could exist in the RM zone to preserve the housing zoning. Murray explained that the proposed parking lot could not be accomplished through a development agreement alone because development agreements cannot authorize uses that are otherwise prohibited by the underlying zoning district. He noted that while a development agreement may impose additional restrictions or standards, it cannot expand the list of permitted uses. As a result, under the current RM zoning, the previously approved office building would still be required to support the associated parking. Murray added that although alternative proposals could potentially be considered, the applicant's current proposal requires the requested rezoning to accommodate the parking lot as planned.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Chair LaMar recommended the removal of the thirteenth item listed in the proposed development agreement with the agreement expiring in 10 years. Murray said development agreements cannot run in perpetuity, they must have an expiration date, and that is why a zone condition was proposed. Commissioner Larsen noted St. Mark's is the city’s largest employer, and they do a lot of good in other ways. He was not comfortable trying to impose a donation on them; however, he said the commission could suggest that the city council work with St. Mark’s to find other ways to address the housing crisis. The cultivation of goodwill between

the city and St. Mark's goes both ways, and it would behoove them to invest in affordable housing so their staff can live where they work. He noted any issue of his with the spot zoning would be that it is contrary to the General Plan. He wanted a zone condition that the property be limited to a surface parking lot.

Commissioner Soule expressed concern that, despite the proposed use as a parking lot, the commercial zoning could allow future construction of larger commercial buildings that would be incompatible with the surrounding single-family homes and duplexes. She emphasized the importance of protecting the adjacent residential neighborhood and preserving land that could support future housing opportunities. Commissioner Soule also commented on the proposed pedestrian improvements, recommending that the site design includes a direct, accessible sidewalk connection from the parking lot to the proposed crosswalk rather than landscaped areas that employees might walk through. She noted that a dedicated pedestrian path would improve safety and convenience for hospital staff accessing the campus.

The commission discussed the idea of a contribution for housing, some for and some against. Commissioner Soule asked about landscape watering. Murray noted there was no proposed lawn and there were code standards for drip emitters.

Commissioner Larsen, regarding ZM-26-009 a request to rezone from R-2-8 and RM to C, moved that the Planning Commission forward a positive recommendation to the Millcreek City Council based on the findings and conclusions of the staff report, with the additional recommendations that a zone condition be applied to limit the use to a surface parking lot, add pedestrian access at the southeast corner of the property, and recommend that the City Council explore engagement with St. Mark's to address financially the impact of removing six units [housing] from these lots and how they can replace them elsewhere in the city. Commissioner Wright seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson 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 ZM-26-003, Request to Rezone from Manufacturing (M) to Mixed Development (MD) to Accommodate a 115-Unit Affordable Housing Development

Location: 4244 S State Street Applicant: Tyler Brady Planner: Sean Murray

Sean Murray said the applicant is requesting to rezone the property at 4244 S State Street from Manufacturing (M) to Mixed Development (MD) to facilitate construction of an affordable mixed-use residential development. He explained that the site is currently occupied by an auto body shop and is adjacent to a car dealership, commercial uses, and nearby residential neighborhoods, with Murray City bordering the property to the south and west.

Murray described the conceptual proposal, which includes an approximately 85-foot-tall building containing 115 affordable residential units, three levels of structured parking, five stories of residential units above, and two commercial tenant spaces fronting State Street. He noted that the plans presented are conceptual and that, if the rezoning is approved, the project would undergo administrative site plan review to ensure compliance with all applicable engineering, fire, building, landscaping, drainage, architectural, and zoning standards before permits are issued.

Murray reviewed the proposed parking supply, explaining that affordable housing developments receive modified parking requirements under the zoning ordinance. While approximately 134 parking spaces would be required, the applicant is proposing 159 spaces to serve residents, guests, and the commercial uses. He also presented conceptual building renderings and stated that the submitted design complies with the city's adopted design standards, with additional architectural review to occur during the site plan process.

Murray explained that the project is proposed as a 100 percent affordable housing development serving households earning approximately 60 to 80 percent of the Area Median Income (AMI). He noted that the applicant is pursuing Low-Income Housing Tax Credit financing through the Utah Housing Corporation and has received preliminary support for the project. Because the tax credit application process requires appropriate zoning, approval of the requested rezoning is necessary before the applicant can proceed with the financing process.

Murray summarized the traffic impact study prepared by a third-party consultant commissioned by the city and funded by the applicant. The study recommends additional striping on State Street to accommodate a northbound left-turn lane into the development, subject to UDOT approval, as well as a left-turn exit lane from the site to improve traffic circulation and reduce vehicle queuing.

Staff evaluated the proposal for consistency with the Millcreek General Plan and found that the project aligns with the Future Land Use Map designation for the Meadowbrook Center, which envisions a mix of multifamily residential and commercial development. He noted that the proposal also supports the General Plan's goals of encouraging higher-density, transit-oriented development near regional transportation facilities. Located approximately one-quarter mile from the Murray North TRAX Station, the project is consistent with the objectives of both the Meadowbrook Center designation and the Murray North Station Area Plan, which encourage walkability, mixed-use development, and the transition of former industrial properties to residential and commercial uses.

Murray also reviewed the proposed development agreement, explaining that it would ensure the project is constructed substantially as proposed, including the approved site layout, affordability commitments, and required transportation improvements identified through the traffic study. He noted that the development agreement would run with the land and remain in effect for future property owners unless amended through a subsequent rezoning process.

Regarding public outreach, Murray reported that the required neighborhood meeting, public notices, and Planning Department open house were completed. Staff received no public comments by phone or email, and only one resident attended the neighborhood meeting to ask general questions about the proposal. No residents attended the Planning Department's July 7 open house, although members of the Millcreek Community Council met with the applicant's representative to discuss the project and the surrounding area. Murray outlined the review process, explaining that the Planning Commission's recommendation will be forwarded to the City Council, which has final discretionary authority on the requested rezoning and development agreement. If approved, the project would proceed through administrative site plan review and permitting. Staff concluded that the proposal is consistent with applicable zoning regulations and development standards.

Commissioner Reid asked about the project's proximity to parks. Murray noted a park in Murray City that was within walking distance. Commissioner Reid noted families would be living here and wished to see outdoor gathering spaces. Murray added there would be amenity decks. Commissioner Burgess brought up the neighboring Barbary Coast Saloon being noisy. Chair LaMar wondered about the western Murray road being utilized for parking garage access. Commissioner Burgess wondered about the neighboring auto shop remaining.

Tyler Brady, applicant, provided an overview of the history and rationale for the proposed development. He explained that the property is currently zoned Manufacturing and has operated as an auto body shop for more than 60 years. After the longtime owners considered transitioning from the business, an appraisal was completed that identified high-density multifamily housing as the highest and best use of the property, consistent with the city's planning goals and the need for additional affordable housing opportunities in Millcreek.

Brady stated that efforts were made to acquire adjacent properties, including the Auto Plus and Barbary Coast parcels, to expand the development area; however, negotiations were not successful because the proposed acquisition costs made the overall project financially infeasible. He acknowledged the value of the existing businesses and explained that the project ultimately moved forward based on maximizing the development potential of the existing property. The proposed 115 residential units were determined based on the site's capacity and available parking, rather than a predetermined unit target. He noted that structured parking was considered but would significantly increase costs, and the current design allows for the proposed residential density while incorporating commercial spaces along State Street as encouraged by the zoning code.

In response to questions regarding the affordability requirements, Brady explained that the project would remain subject to affordability restrictions associated with the Low-Income Housing Tax Credit program. He stated that the affordability commitment is expected to remain in place for approximately 15 years, with Utah Housing Corporation retaining oversight authority, including the ability to audit project records to ensure compliance with program requirements. He further noted that the property would be subject to ownership and operational requirements during that period and would not be developed with the intent of immediate resale.

Commissioner Burgess asked about a noise study. Brady noted one had not been conducted but added that bands play inside at Barbary and the bar had specific ventilation for smells. He added that the bar had concerns about parking. Commissioner Reid asked about patio benches and shade. Brady said they were planning on having them and showed the commission renderings of such.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Peterson expressed favor for the project. Commissioners LaMar and Larsen agreed. Commissioner Soule requested the applicant consider a small market or restaurant, so people did not have to walk far to enjoy certain commercial uses.

Commissioner Richardson moved that the Planning Commission forward a positive recommendation to the Millcreek City Council of application file number ZM-26-003 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 Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

3. New Item

3.1 Consideration of CUP-26-004, Request for a Conditional Use Permit and Site Plan Approval for a Mixed Use Development Location: 3210 S Highland Drive Applicant: Millcreek Planner: Brad Sanderson

Brad Sanderson presented a site plan conditional use permit application for the City Center mixed-use development project, which includes a hotel, retail, residential condominiums, and structured parking. He explained that the project has undergone several prior approvals, including a development agreement that received final approval from the City Council, a right-of-way vacation, and previous subdivision and condominium plat reviews. The current application represents the site plan and conditional use phase of the project. If approved, an additional condominium plat review would occur to divide the residential portion of the development into 25 individual condominium units.

Sanderson described the proposed development, which includes approximately 11,000 square feet of ground-floor retail space facing the City Center common area, an 111-room hotel, 25 residential condominium units, and 107 parking stalls. He noted that the new parking structure will replace existing surface parking areas and will increase overall parking capacity within the City Center. A portion of the parking will be reserved for condominium residents, while the majority will be shared by hotel guests, retail patrons, and the public. He explained that the hotel use is expected to generate less parking demand due to current industry trends, including increased use of rideshare services and alternative transportation.

Sanderson reviewed the conceptual layout of the building, explaining that the project functions as a coordinated mixed-use structure with retail at the ground level, residential units above portions of the retail, and the hotel wrapping around portions of the parking structure. The retail component will include storage and service areas below grade, while the primary retail spaces will front the City Center common area. He noted that one of the northwest retail spaces is designated for the return of the Fine Arts Inn, with the remaining retail spaces managed by the city to encourage uses that complement and enhance the public common area.

Sanderson reviewed the site design, noting that the majority of the site will be occupied by the building footprint, with a pedestrian paseo along the southern side providing a connection between the City Center common area and the parking structure. Public parking access will primarily occur from Highland Drive, while residential parking access will be provided through a subterranean connection from Chambers Avenue. Hotel drop-off and pick-up spaces will also be provided along Chambers Avenue near the hotel entrance. He discussed planned

public and site improvements, including wider sidewalks, street trees, and pedestrian enhancements along Highland Drive and Chambers Avenue. He explained that the previously approved right-of-way vacation will allow for adjustments to the Chambers Avenue configuration, maintaining existing lane widths while relocating median space to create a more pedestrian-friendly environment and improve vehicle circulation. He also reviewed utility improvements required for the project, including relocation of existing infrastructure, installation of new utility systems, restaurant-related grease interceptors, relocation of power equipment, and adjustments to the dumpster enclosure location.

Brad Sanderson summarized transportation improvements identified through the project's traffic study, including restriping Highland Drive to add a northbound left-turn lane into the development and implementing a median between Highland Drive and Chambers Avenue to reduce traffic conflicts and improve circulation. He noted that additional details regarding the traffic improvements could be provided by the project engineer if needed. He reviewed the building elevations and architectural design, noting that the project incorporates brick materials, extensive glazing, balconies, and architectural articulation to create a pedestrian-oriented design consistent with the City Center area. He explained that, because the parking structure is integrated into the building and functions as a public amenity, the development agreement allows flexibility from certain step-back requirements otherwise required in the CCOZ zoning district. He stated that the design still includes architectural variation, vertical articulation, and building transitions to maintain visual interest. Sanderson also noted that the project will incorporate rooftop solar improvements as required by city code, with the solar installation located above the hotel and condominium areas rather than on the amenity decks. He presented additional renderings showing how the development will appear from the City Center common area and surrounding streets, explaining how the hotel, condominium, retail, and parking components integrate into the overall City Center environment.

Regarding public outreach, Sanderson reported that required notices were provided and that an open house was held earlier in the month. No members of the public attended the open house, and staff received no comments or concerns regarding the application. He noted that previous public engagement occurred during earlier project approvals, including the rezoning and development agreement processes. Sanderson concluded that staff reviewed the application against the site plan conditional use approval criteria and did not identify any detrimental impacts requiring additional conditions. He stated that the project has undergone extensive review by staff, engineers, architects, and other professional consultants and is substantially refined. Staff recommended approval of the site plan conditional use permit application without additional conditions.

Commissioner Reid asked about the security for the parking garages. Sanderson said there would be lighting, but he did not know beyond that. Commissioner Reid encouraged cameras or safety alarms. Commissioner Wright asked about the illuminated signage on the building. Sanderson said the highest point Hyatt Studio sign would be illuminated in some form. It was noted the Millcreek Common blade sign would be smaller than represented on the rendering, approximately 100 square feet. The commission worked through possible conditions on upper-level building signage, aiming to balance visibility for businesses with light impacts on nearby neighborhoods. The commission briefly discussed the Highland Drive two-to-one northbound lane shift.

Chair LaMar asked for public comment. There was none. Chair LaMar asked if there had been any changes to the proposal since the commission last reviewed the project. Sanderson provided an update regarding minor design modifications. He explained that during additional structural review, project engineers identified the need for slightly thicker shear walls due to soil conditions and the property's proximity to an approximate fault line. As a result, the internal drive aisle width within the parking structure was reduced slightly from the standard 24 feet to approximately 23 feet 8 inches to accommodate the additional wall thickness. He noted that this four-inch reduction was addressed through an exception included in the recently approved development agreement and would not have a noticeable impact on the functionality of the parking structure.

Sanderson also discussed a potential modification related to the retail overhangs along the upper east woonerf frontage. He explained that, at the request of the sewer district, the project team is evaluating extending a sewer connection from the restaurant area to an existing manhole near the Adventure Hub to improve maintenance access. To accommodate larger maintenance vehicles, garbage trucks, and other service vehicles, raising the retail area by approximately three feet, which would increase the clearance beneath the retail overhangs from approximately 10–11 feet to roughly 14 feet, was being considered. He explained that the additional height would also improve the functionality of the retail spaces by allowing more room for mechanical systems above the retail area. To maintain the overall building height, minor adjustments would be made to the condominium levels and parapet height.

Sanderson further noted that the Unified Fire Authority has reviewed the circulation plan and determined that emergency access can be provided from either 3300 South or Chambers Avenue, eliminating the need for additional access through the area being modified. He stated that the proposed adjustments are intended to improve service access and building functionality while maintaining compliance with applicable requirements.

Commissioner Wright reiterated the importance of not having light from signs shine into neighboring properties. Lilly discussed the application of existing sign code standards in relation to the project. He explained that while the Planning Commission has authority to impose additional conditions beyond standard code requirements, such action would require a specific finding that a potential detrimental impact cannot be adequately mitigated through the city's existing regulations. He noted that the current sign code already addresses concerns such as direct lighting and illumination levels, including restrictions on lighting impacts, and suggested that the commission consider whether existing standards are sufficient to address any identified concerns. Lilly advised that, as a matter of best practice, the commission should rely on established code requirements unless a specific and unmitigable impact is identified. He acknowledged that the city is the applicant in this case but emphasized that the same review standards should apply as they would for any other applicant to ensure consistency and avoid potential challenges.

Chair LaMar discussed the potential value and community impact of allowing upper-level building signage and emphasized the importance of balancing the business needs of the applicant with the surrounding neighborhood's concerns regarding lighting impacts. He stated that he was generally supportive of allowing signage but expressed concern about excessive illumination and potential light spillover onto adjacent properties. He noted that the city's sign code includes protections intended to address these concerns and suggested that appropriate

lighting methods, such as dimmed backlit signage or other externally illuminated options, could provide visibility while minimizing impacts.

Lilly and staff reviewed the applicable sign code standards, explaining that the ordinance prohibits visible direct light sources, regulates maximum light temperature, limits light trespass at property boundaries, and requires illuminated signs to dim after hours. Staff clarified that the proposed sign concept would utilize a halo-style illumination effect rather than exposing direct lighting elements, which would be subject to compliance with the city's lighting standards. Alternative approaches, such as externally illuminated signs using architectural lighting fixtures or sconce-style lighting, were also discussed as potential options that could reduce impacts.

The commission discussed the importance of having a process to address future concerns if the installed signage were found to create excessive lighting impacts. Lilly explained that the sign code allows the Planning Director to request a photometric assessment if an illuminated sign is alleged to violate code requirements. If a violation is confirmed, the sign owner would be required to take corrective action. Staff further noted that the commission could require an illumination study as a condition of approval prior to issuance of a certificate of occupancy to verify compliance with the city's lighting standards. Staff recommended including such a condition to ensure the final sign installation meets applicable requirements. Relying on the city's updated sign code, the commission concluded that upper-level signs use backlit/halo or other external illumination (explicitly prohibiting neon), be subject to a photometric/illumination study before issuance of the sign permit, and be automatically dimmed beginning one hour after sunset (or by 10:00 p.m.).

Commissioner Wright, based on the findings and conclusions listed within the staff report, moved that the Planning Commission approve file number CUP-26-004 with the conditions that the parking garages have cameras and emergency call boxes, that there is an illumination study before issuance of the sign permit, that the signs are dimmed an hour after sunset or 10 p.m., and the use of backlit or halo for external illumination. Commissioner Reid offered an additional amendment to the motion to develop and implement a security plan for the parking structure, which considers lighting, alarms, cameras, and monitoring, to alleviate potential detrimental effects of dark public spaces. Commissioner Wright accepted the addition. Commissioner Peterson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson 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 Consideration of SD-26-008, Request for a 10-Lot Subdivision Location: 3521 S 1300 E Applicant: Ryan Reynolds Planner: Brad Sanderson

Brad Sanderson presented the proposed subdivision application on 1300 East. He noted that the commission had previously reviewed related applications involving adjacent parcels, including a recent rezoning request for properties immediately east of the subject site to allow extension of a cul-de-sac at the end of Melvina Street, which was approved by the City Council. Unlike the adjacent properties, the subject property is already zoned R-2, allowing the applicant to proceed directly with a subdivision application.

Sanderson explained that the proposal is to subdivide the property into five duplex-style residential buildings, resulting in a total of 10 residential units. The development would include a private access drive from 1300 East that would terminate within the site and would not connect to adjacent streets. He reviewed the proposed plat, noting that a dedication along 1300 East would occur, although roadway improvements are expected to generally align with the existing conditions north and south of the property. He presented the conceptual site plan, which includes a hammerhead turnaround, individual residential units, driveway access, and parking areas. Each unit is designed to include a two-car garage, with additional parking available on driveways and limited on-site parking areas. Sanderson stated that staff has coordinated with utility providers through the Development Review Committee process and has not identified any service concerns; final approval of utility plans would occur as part of the final plat review.

Sanderson also presented conceptual renderings for illustrative purposes only, explaining that the images represent the type of residential product the applicant has developed or proposed in other locations and are not part of the subdivision approval being considered. He clarified that the current application is focused solely on the subdivision of the property and not on final building elevations or architectural review.

The applicant declined to add comment. Chair LaMar asked for public comment.

Kimberly Keisker, Ash Tree Cove, expressed support for the proposed development, noting that she lives on the west side of the project area and previously resided on Luck Spring Drive. She stated that she has been part of the neighborhood for a long period of time and appreciated the Planning Commission's process and professionalism. She expressed support for the designs proposed by Brad Reynolds, commenting that his projects are well designed, maintain the character and beauty of the neighborhood, and contribute positively to the community.

Patricia Homer, Urbandale Lane, stated that she lives adjacent to the proposed development along the southern boundary of the site and has been a longtime resident of the neighborhood. She expressed concern regarding the limited separation between the existing homes and the proposed residential structures, noting that her property has a narrow backyard and an outdoor porch area that her family uses frequently. She stated that the proposed homes would be located approximately 15 feet from her property fence, creating concerns about privacy, outdoor space, and the close proximity of neighboring residences. Homer asked whether adjustments could be made to the building layout, specifically whether the driveway length could be reduced to allow for greater separation between the rear of the proposed homes and the existing residences. She stated that she had been informed that the 25-foot driveway requirement was a Millcreek standard, which limited the ability to shift the buildings farther from the shared property line. She noted that nearby neighbors share similar concerns regarding the limited distance between the proposed homes and existing properties. Homer also asked for clarification regarding the portions of the proposed building footprints shown with diagonal lines on the plans. Homer acknowledged that the proposed homes would include outdoor areas but expressed continued concern that the proximity of those spaces could create privacy and noise impacts between existing and future residents.

Ryan Reynolds, applicant, clarified that the proposed design complies with the applicable Millcreek zoning requirements, including the required driveway standards under the R-2-6 zoning regulations. He stated that the applicant would be open to modifying the driveway lengths if permitted; however, the current design follows the requirements established by the city code.

Reynolds clarified the areas shown with diagonal lines on the site plan do not represent porches, but rather restricted common space intended to provide additional usable area behind the homes. He noted that if homeowners choose to fence their yards, they would have approximately 10 feet of space between the rear of the home and the fence line. He further clarified that the actual porches would be smaller than the areas shown on the plan. Reynolds stated that the required rear setback is approximately 15 feet. He explained that the proposed structures along the southern property line are designed to provide setbacks ranging from approximately 15.5 to 17 feet.

Chair LaMar noted the proposal fits within the zoning, so the commission was limited in pushing houses back if they were compliant with code. Commissioner Larsen expressed support for the proposed development, stating that the project would contribute positively to the city's housing supply and provide a quality residential product. He noted that the required setbacks, including the 25-foot front setback and 15-foot rear setback, are established by the zoning code. Commissioner Larsen commented that, for higher-density developments, the city may want to evaluate whether the current front setback requirements appropriately balance site design and housing needs, potentially allowing more flexibility to provide additional space elsewhere on a property.

Commissioner Larsen, regarding SD-26-008, moved that the Planning Commission approve based on the findings and conclusions of the staff report. Commissioner Soule seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson 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 Continued

4.1 Approval of June 17, 2026 Regular Meeting Minutes

Chair LaMar moved to approve the June minutes. Commissioner Larsen seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

4.2 Housing Subcommittee Report

Commissioner Richardson provided an update from the Housing Subcommittee meeting held earlier that day prior to the Planning Commission meeting. He reported that the group discussed the City Council's approval of the FY 2026–2027 budget, which includes funding to revisit the city's General Plan. The subcommittee discussed next steps for initiating that process, including issuing a request for proposals (RFP) to select a consultant to assist with the General Plan update. Commissioner Richardson also provided an update regarding the

community council lunch event held in late May. The subcommittee discussed the importance of reconnecting with community councils once additional information is available regarding the General Plan update process and future opportunities for community engagement. Additionally, the subcommittee discussed potential funding opportunities available through the recently passed federal 21st Century Road to Housing Act. Commissioner Richardson stated that the city is hopeful it may be able to pursue grant opportunities to support efforts to increase housing availability within Millcreek.

4.3 Updates from the Planning Director

Francis Lilly mentioned upcoming training opportunities.

5. Calendar of Upcoming Meetings

- City Council Mtg. 7/27/26, 7:00 p.m.
- City Council Mtg. 8/10/26, 7:00 p.m.
- Historic Preservation Commission Mtg. 8/13/26, 6:00 p.m.
- Planning Commission Mtg. 8/19/26, 5:00 p.m.

ADJOURNED: Commissioner Peterson moved to adjourn the meeting at 7:48 p.m. Commissioner Wright seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Shawn LaMar, Chair

Attest: Elyse Sullivan, Recorder