

Millcreek Township Planning Commission

Public Meeting Agenda

Wednesday, June 15, 2016 4:00 P.M.

****AMENDED****

Location

SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-110
NORTH BUILDING, MAIN FLOOR
(385) 468-6700

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

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

PUBLIC HEARING

29972 – Salt Lake County Township Services is requesting approval for a rezone from M-1 (Manufacturing & Light Industrial) & M-2 (Manufacturing & Heavy Industrial) to R-M (High Density Residential). **Location:** Approx. 4186 S Main Street. **Area:** This request includes eighteen parcels at approximately 22.2 total acres. **Community Council:** Millcreek. **Planner:** Max Johnson

29759 – Richard Smith is requesting a rezone from R-2-10 (Medium-Density Residential) to R-M (High-Density Residential). **Location:** 4108 South 900 East, 4120 South 900 East, 875 East 4125 South, and 865 East 4125 South. **Community Council:** Millcreek. **Planner:** Jeff Miller

29819 – (Continued from April 13, and May 11, 2016) - Aaron Grennon is requesting a new conditional use for a parking lot. The parcel is 0.26 acres, and is currently occupied by a duplex. **Location:** 4043 South 300 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer Hymas

29881 – Angela Rhinehart is requesting approval for a change of use allowing for massage therapy to be provided on premises. **Location:** 3474 South 2300 East, Unit #12. **Zone:** C-1. **Community Council:** East Mill Creek. **Planner:** Tom Zumbado

BUSINESS MEETING

- 1) Approval of Minutes from the January 13, February 10, April 13, and May 11, 2016 meetings.
- 2) Ordinance Issues from today's meeting
- 3) Other Business Items (as needed)

ADJOURN

This request proposes to rezone approximately 22.20 acres in the western portion of Millcreek Township, which is illustrated on the zone map above and the area map below. The subject property is adjacent to R-M zoned property on the west, and Murray City on the south. To the north across Central Avenue, both M-1 & M-2 zoning exists, while property to the east across Main Street is zoned M-1 & R-M. This request would not result in negative impacts as recent area developments are of like use and intensity as those projected for future growth in this area.

Millcreek Rezone Parcels



GENERAL PLAN CONSIDERATIONS

All property involved in this request is in the Millcreek RDA area and is within a **Red area** on the official map of the Millcreek Township General Plan. The plan describes the following with respect to a **Red area**:

A **Red area** is one that has obvious potential for the future absorption of growth, and is likely to experience significant change in overall area character over time. The level of stability of Red areas is defined as follows:

- 1- Major changes in land use will occur, and represent a significant diversion from the typical land uses in the area/corridor. Growth in these areas will increase, significantly raising the intensity of land uses. Changes in land uses may affect the majority of the area/corridor, and are not limited to a specific cluster.
- 2- Improvements are likely to occur which will significantly alter the appearance, economics, or sustainability of the area/corridor. Improvements will have a theme, and will create a destination or attraction. Development of this area will likely require consolidation of land and coordinated planning.
- 3- Mobility networks will be redesigned and will include highly connected, formalized, and multi-modal facilities. Public transit will have dedicated or fixed rights-of-way. Walkability and connectivity are critical to the success of the area/corridor.

ZONE CONSIDERATIONS

Requirement	Existing Zone	Proposed Zone
Height	M-1 – CU approval M-2 – CU approval	6 stories or 75 feet (mid-point)
Front Yard Setback	M-1 – 20' from street M-2 – 20' from street	Variable with an average of 25 feet
Side Yard Setback	M-1 – 20' from street M-2 – 20' from street	Variable with an average of 8 feet, perimeter setbacks are 15 feet (interior building setbacks dependent on IBC with 5 foot per building standard)
Rear Yard Setback	M-1 – 20' from street M-2 – 20' from street	Perimeter setbacks are 15 feet
Lot Width	M-1 – None (20' setback from street) M-2 – None (60' setback from street)	Minimum of fifty feet
Lot Area	M-1 - None M-2 - None	Minimum of 5,000 square feet
Parking	M-1 – CU approval M-2 – CU approval	Dependent on use (standard for multi-family residential is two stalls per unit plus guest parking)
Lot Coverage	M-1 – Limited to 80% of lot area M-2 – Limited to 80% of lot area	Maximum of 60% for all buildings on a lot
Density	M-1 – N/A M-2 – N/A	Multi-family dwellings allow for 25.0 units per acre

Compatibility with existing buildings in terms of size, scale and height.	Use Dependent
Compliance with Landscaping Requirements Verified.	Reviewed in CU review

Compliance with the General Plan.	Yes
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ISSUES OF CONCERN/PROPOSED MITIGATION

The property has changed little over time as this has been a manufacturing area for many years. Over the most recent 5-10 years, however, the property has entered a transitioning phase as the use functionality of the area has become more depressed. There are productive manufacturing uses in the area, though they are few and dispersed. New multi-family developments in the vicinity (both in the County as well as in Murray City) along with two TRAX light rail stations have created opportunities for economic growth and revitalization of the area. As the property is within an RDA area, the County is vested to assist in this effort. Examples include the RDA opportunities as well as investments in roadway infrastructure currently in design to improve Main Street adjacent to the eastern boundary of this property. This design will include efficiency in traffic movement through safe and prudent implementation that will accommodate multi-modal transportation options including elements friendly to pedestrians and bicycles.

NEIGHBORHOOD RESPONSE

As of June 10, 2016, neighborhood response has totaled five comments. There are two affected property owners who are opposed to the rezone, two responses in favor, and one jurisdictional response neutral, though supportive toward working collaboratively to integrate the community and all transportation and trail connections in a responsible and beneficial manner.

COMMUNITY COUNCIL RESPONSE

The community council voted to continue this application at their meeting of June 7, 2016. In addition, a comment was added to the recommendation suggesting that this effort be postponed until Millcreek becomes a city January 1, 2017.

PLANNING STAFF ANALYSIS

The rezoning effort has been initiated by Salt Lake County Township Services to support community desires as described in the Millcreek Township General Plan and the Millcreek / Meadowbrook Small Area Plan. The Millcreek General Plan describes the area as desirous of "focused area of change." Any such area is identified on the official map as a "red" area, and as such, directs staff to support change and interpret community interest as desirous of change.

The Millcreek / Meadowbrook Small Area Plan recommends designating the subject area as a Transit Supportive District (TSD) and providing for increased densities. The plan suggests density to be highest at the nearest proximity to transit stations and gradually reduce as distances from transit stations increase. The plan suggests creating a vibrant TSD for this area. Creating this change in existing neighborhood character would require:

- a) Revise zoning in the area and develop more conducive long range goals for the area
- b) Increase density
- c) Reduce parking requirements
- d) Allow for office uses and more structured parking opportunities
- e) Infuse retail uses in the area

- f) Be more cognizant of green infrastructure and low impact development needs in the area, particularly near Big Cottonwood Creek.

Following are excerpts from the zoning ordinance, specifically the sections pertinent to the existing zones on the property, M-1 & M-2, as well as the proposed use, R-M.

Description of Existing Zones – M-1

Chapter 19.66 - M-1 MANUFACTURING ZONE

19.66.010 - Purpose of provisions.

The purpose of the M-1 zone is to provide areas in the county for light industrial uses.

(Prior code § 22-29-1)

19.66.020 - Permitted uses.

Permitted uses in the M-1 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Agriculture;
- Animals and fowl for family food production;
- Animal hospitals;
- Assembly of medical supplies;
- Boatbuilding;
- Bottling works, soft drinks;
- Bookbinding;
- Carpenter shop; cabinet shop;
- Carpet and rug cleaning and dyeing;
- Class B beer outlet;
- Construction of buildings to be sold and moved off the premises;
- Dairy;
- Dog and cat kennel and/or groomery;
- Egg candling, processing and sales;
- Electric appliance and/or electronic instruments;
- Express office;
- Garage, public;
- Honey extraction;
- Ice manufacture and storage;
- Knitting mill;
- Laboratory;
- Laundry;
- Machine shop;
- Manufacture and maintenance of the following:
 - A. Business machines,

- B. Cameras and photographic equipment,
- C. Electric and neon signs, billboards and/or commercial advertising structures,
- D. Light sheet metal products, including heating and ventilating ducts and equipment, cornices and eaves, Venetian blinds, window shades and awnings,
- E. Musical instruments,
- F. Novelties,
- G. Rubber and metal stamps,
- H. Toys;
 - Meat products smoking, curing and packing, provided that no objectionable fumes are emitted;
 - Monument works;
 - Motor vehicles, trailers, bicycles and machinery assembling, painting, upholstering, rebuilding, repairing, rentals, sales and reconditioning;
 - Office, business and/or professional;
 - Outdoor chemical toilet rental;
 - Parking lot;
 - Printing, including engraving and photoengraving;
 - Radio and television transmitting towers;
 - Restaurant liquor license;
 - Recycling collection center operated within an enclosed building;
 - Rent-all stores;
 - Restaurant;
 - Sandblasting;
 - Service station;
 - Sign-painting shop;
 - Tire retreading and/or vulcanizing;
 - Transfer company;
 - Upholstering, including mattress manufacturing, rebuilding and renovating;
 - Used car lot;
 - Veterinary;
 - Warehouse;
 - Weaving;
 - Wholesale business.

(Ord. 1169 §§ 5, 6, 1991; 1986 Recodification; § 1 (part) of Ord. passed 2/1/84; prior code § 22-29-2)

19.66.030 - Conditional uses.

Conditional uses in the M-1 zone include:

- Airport;
- Auction;
- Automatic automobile wash;
- Bank;

- Battery manufacture;
- Blacksmith shop;
- Building material sales yard, including the sale of rock, sand, gravel and the like, as an incidental part of the main business, but excluding concrete mixing, except as such concrete mixing is necessary in the preparation and manufacture of any of the products specified in this section;
- Class C fireworks store;
- Coal, fuel and wood yards;
- Contractors' equipment storage yard or rental of equipment used by contractors;
- Day care/preschool center;
- Drag strip racing;
- Draying, freighting or trucking yard or terminal;
- Electrical contractor;
- Foundry, casting lightweight nonferrous metal without causing noxious odors or fumes;
- Fertilizer and soil conditioner manufacture, processing and/or sales, providing only nonanimal products and byproducts are used;
- Firearms and/or archery range;
- Gymnasium;
- Impound lot, providing there is no dismantling or demolition of automobiles or other vehicles conducted on the premises;
- Indoor firearms and/or archery range;
- Manufacture, compounding, processing, packaging and treatment of the following products:
 - A. Bakery goods,
 - B. Candy,
 - C. Cosmetics,
 - D. Dairy products,
 - E. Pharmaceuticals,
 - F. Toiletries,
 - G. Food products, excluding the following: Fish, sauerkraut, vinegar, yeast, and the rendering of fat,
 - H. Pickles;
- Manufacturing, compounding, assembling and treatment of articles of merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fish, glass, hair, horn, leather, paper, paint, plastics, precious or semiprecious metals or stones, rubber, shell, straw, textiles, tobacco, wood or yarn;
- Manufacture of brick, and all clay, ceramic, cinder, concrete, synthetic, cast-stone, plastic and pumice stone products, including, in addition, the manufacture or fabrication of building blocks, tile or pipe from raw material for use in building construction or for sewer or drainage purposes, and excluding rock or gravel crushing of raw materials, except as such rock or gravel crushing of raw materials is incidental to the manufacture or fabrication of the above-described products, and provided that such crushing facilities shall be located not closer than two hundred feet to any property line;
- Metal plating; metal anodizing; metal polishing;
- Motion picture studio;
- Package agency;
- Planing mill;

- Planned unit development;
- Private school;
- Public and quasi-public use;
- Radio and television stations;
- Recreation, commercial;
- Restaurant liquor license;
- Sanitary landfill;
- Sexually oriented business;
- Shared parking;
- Single-family dwelling constructed prior to the passage of the ordinance codified in this section, to be retained on a separate lot;
- State store;
- Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon the completion or abandonment of the construction work;
- Welding shop.

(Ord. 1416 § 2 (part), 1998; Ord. 1170 § 6 (part), 1991; Ord. 1136 § 6, 1990; Ord. 1008 § 3 (part), 1987; 1986 Recodification; prior code § 22-29-3)

19.66.040 - Lot area.

In the M-1 zone:

- A. A single-family dwelling on the same lot with another use(s) allowed in the zone shall occupy a minimum area of five thousand square feet, separated from the other use(s) with a permanent fence;
- B. Single-family dwellings retained on a separate lot from other use(s) shall be a minimum of twenty thousand square feet, exclusive of access rights-of-way;
- C. Other uses: None;
- D. Industrial developments over one acre must follow the conditional use permit procedure pursuant to Section 19.84.020 of this title.

(Prior code § 22-29-4)

19.66.050 - Lot width and yards.

In the M-1 zone:

- A. Single-family Dwelling on the Same Lot With Other Uses.
 - 1. The required fence shall constitute the property line for the purpose of yard requirements where an actual property line does not exist.
 - 2. The minimum side yard shall be five feet, and the total of the two required side yards' width shall not be less than sixteen feet. On corner lots, the side yard which faces on a street shall not be less than twenty feet.
 - 3. The minimum depth of the rear yard shall not be less than fifteen feet.
 - 4. The width of the yard at any point shall be equal to, or greater than the maximum width of the dwelling, plus the required side yards.
- B. Single-family Dwellings Retained on a Separate Lot.

1. The minimum side yard shall be five feet, and the total width of the two required side yards shall be not less than sixteen feet. On corner lots, the side yard which faces on a street shall not be less than twenty feet.
 2. The minimum depth of the rear yard shall be fifteen feet.
 3. The minimum depth of the front yard shall be twenty feet.
 4. The minimum width of the lot shall be sixty feet.
 5. Access shall be from a private right-of-way or public street with a minimum width of thirty feet.
- C. Other Uses. None, except that no commercial or industrial building or structure shall be located closer than twenty feet to any street.

(Prior code § 22-29-5)

19.66.060 - Coverage restrictions.

In the M-1 zone, no building, structure or group of buildings, with their accessory buildings, shall cover more than eighty percent of the area of the lot.

(Prior code § 22-29-6)

Description of Existing Zones – M-2

Existing Zone

Chapter 19.68 - M-2 MANUFACTURING ZONE

19.68.010 - Purpose of provisions.

The purpose of the M-2 zone is to provide areas in the county for heavy industrial uses.

(Prior code § 22-30-1)

19.68.020 - Permitted uses.

Permitted uses in the M-2 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Agriculture;
- Animal hospital;
- Assembly of medical supplies;
- Bag cleaning;
- Blacksmith shop;
- Blueprinting, photostating and duplicating;
- Boatbuilding;
- Boiler works;
- Bookbinding;
- Bottling works;
- Breweries;
- Carpenter shop; cabinet shop;
- Carpet and rug cleaning and dyeing;
- Cement, mortar, plaster or paving materials central mixing plant;
- Class B beer outlet;

- Coke ovens;
- Construction of buildings to be sold and moved off the premises;
- Dairy;
- Drive-it-yourself agency;
- Dog and cat kennel and/or groomery;
- Egg candling, processing and sales;
- Electric appliance and/or electronic instruments assembling;
- Employment office;
- Express office;
- Feed, cereal or flour mill;
- Forage plant;
- Foundry;
- Gymnasium;
- Honey extraction;
- Ice manufacture and storage;
- Impound lot, provided there is no dismantling or demolition of automobiles or other vehicles conducted on the premises;
- Knitting mill;
- Laboratories;
- Laundry;
- Lithographing, including engraving and photoengraving;
- Machine shop;
- Manufacture, fabrication, assembly, canning, compounding, packaging, processing, treatment, storage and/or maintenance of the following:
 - A. Airplanes and parts; automobiles and parts; alcohol,
 - B. Bakery goods; brass; business machines,
 - C. Candles; candy, cans, cameras and photographic equipment, including film; cast-stone products; celluloid; cement and cinder products; copper; ceramic products; clay products,
 - D. Dyestuffs,
 - E. Electric and neon signs, billboards and/or commercial advertising structures; emery cloth; excelsior,
 - F. Feathers; felt; fiber; fish; food products,
 - G. Glass; glucose; gypsum,
 - H. Hair; hardware,
 - I. Ink; iron,
 - J. Lampblack; linoleum; lime,
 - K. Machinery; malt; matches; meats; musical instruments,
 - L. Novelties,
 - M. Oilcloth; oiled rubber goods; oxygen,
 - N. Paper; paint; pulp; pickles; pottery; plaster; plaster of Paris; plastic,

- O. Salt; sauerkraut; sheet metal; shellac; shoddy; shoe polish; soap and detergents; soda; starch; steel,
- P. Terra cotta; tile; toys; turpentine,
- Q. Varnish; vinegar,
- R. Yeast;
 - Meat products smoking, curing and packing, providing that no objectionable fumes are emitted;
 - Metal plating; metal anodizing; metal polishing;
 - Monument works;
 - Motor vehicles, trailers, bicycles and machinery assembling, painting, upholstering, rebuilding, repairing, rentals, sales, and reconditioning;
 - Office, business and/or professional;
 - Outdoor chemical toilet rentals;
 - Parking lot;
 - Printing and newspaper publishing;
 - Radio and television transmitting towers;
 - Recycling collection center operated within an enclosed building;
 - Rent-all store;
 - Restaurant;
 - Sandblasting;
 - Service station;
 - Sign-painting shop;
 - Tire retreading and/or vulcanizing;
 - Transfer company;
 - Upholstering, including mattress manufacturing, rebuilding and renovating;
 - Used car lot;
 - Veterinary;
 - Warehouse;
 - Weaving;
 - Wholesale business.

(Ord. 1169 § 7, 1991; 1986 Recodification; § 1 (part) of Ord. passed 2/1/84; prior code § 22-30-2)

19.68.030 - Conditional uses.

Conditional uses in the M-2 zone include:

- Airport;
- Auction;
- Automatic automobile wash;
- Bank;
- Battery manufacture;
- Building material sales yard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;

- Class C beer outlet;
- Coal, fuel and wood yards;
- Contractors' equipment storage yard or plant, or rental of equipment used by contractors;
- Day care/preschool center;
- Drag strip racing;
- Draying, freighting or trucking yard or terminal;
- Electrical contractor;
- Fertilizer and soil conditioner manufacturing, processing and/or sales, providing only nonanimal products and byproducts are used;
- Incinerator, nonaccessory, provided that no objectionable fumes and odors are emitted;
- Junkyard, provided the use is fenced with a visual barrier;
- Lumberyard;
- Manufacture, processing, compounding, packaging, treatment and/or storage of the following products:
 - A. Acetylene gas,
 - B. Pharmaceuticals,
 - C. Toiletries and/or cosmetics;
- Manufacturing, compounding, assembling and treatment of articles of merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fish, glass, hair, horn, leather, paper, paint, plastics, precious or semiprecious metals or stones, rubber, shell, straw, textiles, tobacco, wood or yarn;
- Metals crushing for salvage; metals and metal products treatment and processing;
- Oil or lubricating grease compounding;
- Organic disposal site, minimum lot area fifty acres;
- Package agency;
- Petroleum refining and storage;
- Planing mill;
- Planned unit development;
- Private school;
- Public and quasi-public use;
- Radio and television stations;
- Railroad yards, shop and/or roundhouse;
- Rock crusher;
- Sanitary landfill;
- Shared parking;
- Single-family dwelling constructed prior to the passage of the ordinance codified in this section, to be retained on the same lot with another use allowed in the zone;
- Single-family dwelling constructed prior to the passage of the ordinance codified in this section, to be retained on a separate lot;
- Uses which follow, provided they are located at least three hundred feet from any zone boundary:
 - A. Animal byproducts plants; offal or dead animal reduction or dumping,

- B. Blast furnace,
- C. Fat rendering,
- D. Garbage,
- E. Gravel pits; quarries; mines,
- F. Manufacturing, processing, refining, treatment, distillation, storage or compounding of the following: Acid, ammonia, asphalt, bleaching powder and chlorine, bones, chemicals of an objectionable or dangerous nature, coal or wood, creosote, disinfectants or insecticides, fireworks or explosives, furs, gas, gelatine or size, glue, hides, ore, plastic, tallow, grease or lard, potash, pyroxylin, roofing or waterproofing materials, rubber or guttapercha, tar and wool,
- G. Ore beneficiation,
- H. Smelting or refining,
- I. Steel or iron mill,
- J. Stockyards.

(Ord. 1416 § 2 (part), 1998; Ord. 1170 § 5, 1991; Ord. 1058 § 2, 1989; 1986 Recodification; prior code § 22-30-3)

19.68.040 - Lot area.

In the M-2 zone:

- A. A single-family dwelling on the same lot with another use(s) allowed in the zone shall occupy a minimum area of five thousand square feet, separated from the other use(s) with a permanent fence.
- B. Single-family dwelling retained on a separate lot from other use(s) shall be a minimum of twenty thousand square feet, exclusive of access rights-of-way;
- C. Other uses: None;
- D. Industrial developments over one acre shall follow the conditional use permit procedure pursuant to Section 19.84.020 of this title.

(Prior code § 22-30-4)

19.68.050 - Lot width and yards.

In the M-2 zone:

- A. Single-family Dwelling on the Same Lot With Other Uses.
 - 1. The required fence shall constitute the property line for the purpose of yard requirements where an actual property line does not exist.
 - 2. The minimum side yard shall be five feet and the total width of the two required side yards shall be less than sixteen feet. On corner lots, the side yard which faces on a street shall not be less than twenty feet.
 - 3. The minimum depth of the rear yard shall not be less than fifteen feet.
 - 4. The width of the yard at any point shall be equal to or greater than the maximum width of the dwelling plus the required side yards.
- B. Single-family Dwelling Retained on a Separate Lot.
 - 1. The minimum side yard shall be five feet, and the total width of the two required side yards shall not be less than sixteen feet. On the corner lots, the side yard which faces on a street shall not be less than twenty feet.
 - 2. The minimum depth of the rear yard shall be fifteen feet.
 - 3. The minimum depth of the front yard shall be twenty feet.

4. The minimum width of the lot shall be sixty feet.
 5. Access shall be from a private right-of-way or public street with a minimum width of thirty feet.
- C. Other Uses. None, except no commercial or industrial building or structure shall be located closer than twenty feet to any street.

(Prior code § 22-30-5)

19.68.060 - Coverage restrictions.

In the M-2 zone, no building, structure or group of buildings, with their accessory buildings, shall cover more than eighty percent of the area of a lot.

(Prior code § 22-30-6)

Description of Proposed Zone – R-M

Proposed Zone

Chapter 19.44 - R-M RESIDENTIAL ZONE

19.44.010 - Purpose of provisions.

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

(Prior code § 22-22-1)

19.44.020 - Permitted uses.

Permitted uses in the R-M zone include:

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

(Ord. 1535 § 4 (part), 2004; Ord. 1200 § 5 (part), 1992; Ord. 1179 § 5 (part), 1992; § 1 (part) of Ord. passed 2/1/84; prior code § 22-22-2)

19.44.030 - Conditional uses.

Conditional uses in the R-M zone include:

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

— Dwelling group.

- A. The development shall comply with the maximum allowable density for the R-M zone.
- B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than twenty feet.
- C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall not be less than twenty feet wide for one or two rear dwelling units, and not less than thirty feet wide for three or more dwelling units.
- D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with county standards.
- E. Every dwelling in the dwelling group shall be within sixty feet of an access roadway or drive.
- F. The development plan shall provide landscaping as specified in Chapter 19.77 of this title. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.
- G. The development shall be approved by the development services director and the county fire chief before final approval is given by the planning commission.

— Electrolysis of hair;

— Golf course;

— Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only;

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

— Hospital;

— Hotel;

— Lodginghouse;

— Massage (every massage technician shall be licensed by the state);

— Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals;

— Mobile home park;

— Nursery and greenhouse, excluding retail sales;

— Nursing home;

— Office, business and/or professional;

— Parking lot;

— Pigeons, subject to health department regulations;

— Planned unit development;

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

— Private nonprofit recreational grounds and facilities;

— Public and quasi-public uses;

— Rail transit mixed-use, provided it meets the following requirements:

- A. The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.
- B. The property is located within one-quarter mile of a rail station.
- C. Buildings and impervious areas shall not cover more than eighty percent of the site.
- D. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.
- E. Parking is not allowed between the building and the public street.
- F. The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.
- G. The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.
- H. The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."
- I. All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.

— Reception center and/or wedding chapel;

— Reiki business provided it meets the following requirements:

- A. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
- B. Each practitioner that is not an employee of the business licensee shall have a Salt Lake County business license.
- C. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code; and
- D. The premises shall not be used for any conduct that violates Section 58-47b-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.

— Residential development with any number of dwelling units per structure per lot, pursuant to Section 19.44.040;

— Shared parking;

— Short-term rental provided:

- A. A full-time manager lives on the property. The full-time manager may be the owner of the property; and
- B. Except for the manager's dwelling unit, all of the dwelling units on the property, lot, planned unit development, or dwelling group shall be rental units, short-term or long-term.

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

— Tanning studio;

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

— Veterinary; provided, that:

- A. The operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line,
- B. There is no sale of merchandise on the premises, and
- C. There is no overnight boarding of animals.

(Ord. No. 1779 § III, 1-6-2015; Ord. No. 1753, § VI, 8-6-2013; Ord. 1609, § 10, 2007; Ord. 1574, § 2 (part), 2005; Ord. 1539, § 12, 2004; Ord. 1535, § 5 (part), 2004; Ord. 1473 (part), 2001; Ord. 1416, § 2 (part), 1998; Ord. 1367, § 7, 1996; Ord. 1331, § 4, 1996; Ord. 1293, § 2, 1995; Ord. 1228, § 2 (part), 1993; Ord. 1216, § 2, 1992; Ord. 1198, §§ 9 (part), 11, 1992; Ord. 1179, § 6 (part), 1992; Ord. 1118, § 6 (part), 1990; Ord. 1115, § 5 (part), 1990; Ord. 1088, § 6 (part), 1989; (part) of Ord. passed 12-15-1982; prior code § 22-22-3)

19.44.040 - Lot area.

The minimum lot area in the R-M zone shall be five thousand square feet for each one-family dwelling, with seven hundred fifty additional square feet for each additional dwelling unit in a dwelling structure having more than one dwelling unit. For group dwellings, the minimum lot area shall be not less than five thousand square feet for the first separate dwelling structure, with three thousand square feet for each additional separate dwelling structure, and with seven hundred fifty square feet additional for each additional dwelling unit in excess of one dwelling unit in each separate dwelling structure, not less than five thousand square feet for any other main building.

(Prior code § 22-22-4)

19.44.050 - Lot width.

The minimum width of any lot in the R-M zone shall be fifty feet, at a distance twenty-five feet back from the front lot line.

(Prior code § 22-22-5)

19.44.060 - Front yard.

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

(Prior code § 22-22-7)

19.44.070 - Side yard.

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

(Prior code § 22-22-6)

19.44.080 - Rear yard.

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

(Prior code § 22-22-8)

19.44.090 - Coverage restrictions.

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

(Prior code § 22-22-10)

19.44.100 - Building height.

- A. No building or structure in an R-M zone shall contain more than six stories or exceed seventy-five feet in height, and no dwelling structure shall contain less than one story.
- B. Accessory Buildings.
 - 1. No building which is accessory to a dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

(Ord. 1509 § 8, 2003: Ord. 1102 § 20, 1990: prior code § 22-22-9)

19.44.110 - Density.

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

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

(Ord. 1574 § 2 (part), 2005: Ord. 1539 § 11, 2004)

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

PLANNING STAFF RECOMMENDATION

There have been many inquiries and interest about relocating additional manufacturing uses into the area since one of the largest parcels has recently underwent some major aesthetic improvements. As an effort to preserve the wishes of the community by rezoning the property to uses more functional and appropriate with the future plans and wishes of the overall community, the County is proceeding with this application. The Millcreek CC continued this item until next month, but was concerned about moving forward.

The General Plan and the West Millcreek / Meadowbrook Small Area Plan (MM SAP), support transitioning uses in this portion of the Township from a manufacturing area to more of a multi-family residential focus, which is consistent with recent redevelopment that has occurred in the area. As the MM SAP was recommended for

adoption by the Millcreek TPC and adopted by the County Council last summer, the County is addressing the wishes of the community and moving forward to rezone this property, which is located within the Millcreek RDA.

File # 29819

Conditional Use Summary and Recommendation

Public Body: Millcreek

Parcel ID: 16-31-380-014

Property Address: 4043 South 300 East

Request: Parking Lot

Meeting Date: April 13, 2016

Current Zone: RM

Community Council: Millcreek

Planner: Spencer Hymas

Community Council Recommendation: Approval

Planning Staff Recommendation: Approval

Applicant Name: Aaron Grennon

Township: Millcreek

PROJECT DESCRIPTION

The proposal is to tear down an existing duplex and replace it with a landscaped parking lot. The 0.26 acre lot will contain 10 parking stalls and provide parking to the adjacent apartment complex leasing office. The proposal will keep most of the existing mature trees as well as adding new professional landscaping to screen the area.

SITE & VICINITY DESCRIPTION (see attached map)

The site is surrounded by RM zoning. The properties to the north are single family homes on 5,000 square foot lots. To the west is the Parkhill 55+ Community and high density multifamily. To the east is the leasing office and the Country Lake Apartments.

LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Height	6 Stories/75 feet	N/A	Yes
Front Yard Setback	25 feet	N/A	Yes
Side Yard Setback	8 feet and 10 feet, 18 feet total	N/A	Yes
Rear Yard Setback	30 feet	N/A	Yes
Bike Parking	N/A	None	Yes
Lot Coverage	65%	4406 square feet is hardscape which equates to approximately 40% of the site.	Yes

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

No bike parking is currently proposed. Staff would propose that the applicant work with staff to identify an area where bike parking can be added to the site and bonded for as part of the landscaping improvements.

NEIGHBORHOOD RESPONSE

No negative response has been received at the time of this report June 8, 2016.

COMMUNITY COUNCIL RESPONSE

This item was discussed and recommended for approval from the Millcreek Community Council at their March 1st 2016 meeting.

REVIEWING AGENCIES RESPONSE

AGENCY: Geology

DATE: March 7, 2016

RECOMMENDATION: Conditional Approval

1. Need to record a Natural Hazard Disclosure for High liquefaction.

AGENCY: Grading

DATE: March 7, 2016

RECOMMENDATION: Conditional Approval

1. Need to record a Stormwater Maintenance Agreement and Stormwater Management Plan on the property for the planned retention pond.
2. On the Erosion control plans need to show the limits of development at the property line.
3. Need to identify the location of the required Concrete washout at the site for the Parking lot development.
4. Need to obtain a Demolition for the removal of the existing duplex from Salt Lake County, prior to Razing the building.

AGENCY: Hydrology

DATE: March 7, 2016

RECOMMENDATION: Conditional Approval

1. Provide cross sectional details of detention basin including sides slopes, HWM, and freeboard elevations.
2. Show how storm water quality is being addressed before storm water enters detention basin.
3. Suggest using Low Impact Development BMPs to manage storm water including use of bioswales and rain gardens.
4. If there is an irrigation component, ditch master's approval is required.
5. GIS requirements due as part of record drawings.
6. Impact fee \$3407/acre of development, storm drain components will be bonded for at final approval.

AGENCY: Building Department

DATE: March 7, 2016

RECOMMENDATION: Conditional Approval

1. A minimum of 8' wide parking space with a minimum 8' wide access aisle or a minimum 11' wide parking space with a minimum 5' wide access aisle. Total width should be 16' wide for a van accessible space. One of the ADA spaces would be required to be van accessible unless the existing parking lot already has a van accessible space.

AGENCY: Planning

DATE: March 7, 2016

RECOMMENDATION: Conditional Approval

1. Complete technical review with staff to verify requirements for 19.77.050 landscape ordinance.
2. Work with staff to find solution for bicycle parking.

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

PLANNING STAFF ANALYSIS

19.04.405 - Parking lot.

"Parking lot" means an open area, other than a street, used for parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

19.80.030 - Specifications.

- A. Parking Stall Size. Each off-street parking space shall be at least nine feet by eighteen feet for diagonal or ninety-degree spaces, or eight by twenty feet for parallel spaces, exclusive of access drives or aisles. Parking stalls adjacent to a column or wall must have an additional two feet of width to accommodate ingress/egress from the vehicle. Access to parking spaces shall be from private roadways and not from public streets.
- B. Parking Lot Policies. Salt Lake County may adopt policies regarding aisle widths, angled parking, and turn-around areas for parking lots, and parking stall sizes for valet parking.
- C. Surfacing. Except for "provisional parking areas" as allowed under [Section 19.80.110](#) of this chapter, any off-street parking area located in an R-, C-, M-, MD-, or O-R-D zone shall be surfaced with an asphaltic or portland cement or other binder pavement, so as to provide a durable and dustless surface, shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles. Surfacing requirements for parking areas located in FR-, FM-, A-, FA-, and S-1-G zones shall take into account the proposed land use, location of the property, and impact of paved parking.
- D. Maintenance. Every parcel of land hereafter used as a public or private parking area, including commercial parking lots and automobile, farm equipment, or other open-air sales lots, shall be developed and maintained in accordance with the requirements set out in this chapter.
- E. Screening. The sides and rear of any off-street parking area for more than five vehicles which adjoins or faces an institutional use or residential building shall be effectively screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be not less than six feet in height and shall be maintained in good condition without any advertising thereon.
- F. Landscaping. All parking areas shall contain landscaping in compliance with the provisions of [Chapter 19.77](#) of this title.
- G. Lighting. Lighting used to illuminate any off-street parking area shall be so arranged as to direct light away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area.

H. Coverage. No off-street parking area shall occupy more than sixty-five percent of the property not occupied by buildings.

Staff believes the proposal meets all the above conditions.

PLANNING STAFF RECOMMENDATION

Planning Staff has recommended approval of this application subject to the following conditions:

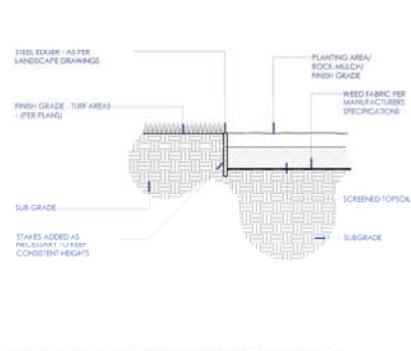
1. The applicant completes a technical review to demonstrate compliance with all the agency requirements for health, safety, and welfare.
2. Applicant works with staff to identify an area for bike parking.



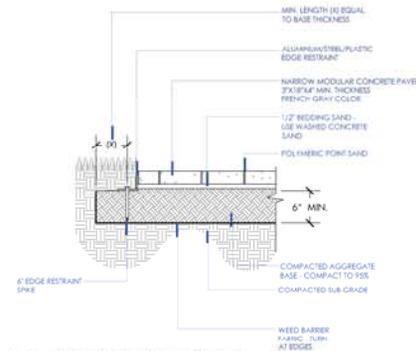
Owner Address: 900 LARKSPUR LANDING CIR
Owner City/State: LARKSPUR CA
Owner Zipcode: 94939

ServLookup: [more info](#)

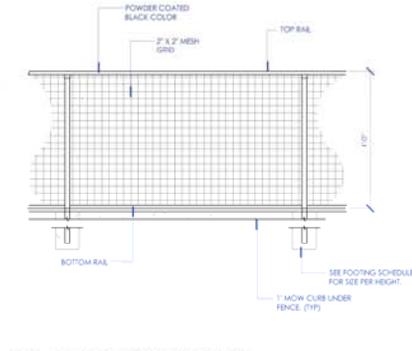




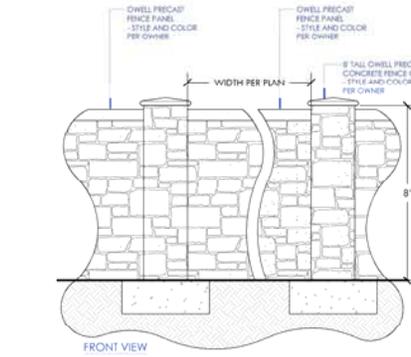
1 EDGING BETWEEN TURF/PLANTING AREAS
3/4" = 1'-0"
PROJ-HOUS-CDU-15



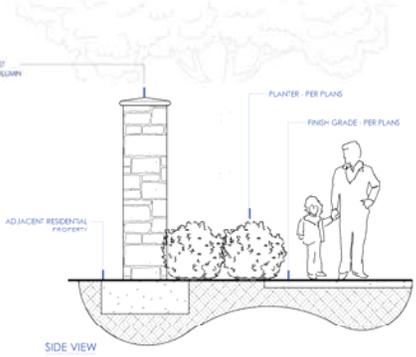
2 NARROW MODULAR PAVER
NOT TO SCALE
PROJ-HOUS-CDU-22



3 4' HIGH BLACK MESH FENCE
1/2" = 1'-0"
PROJ-HOUS-CDU-08



4 PRECAST CONCRETE FENCE
FRONT VIEW



4 PRECAST CONCRETE FENCE
SIDE VIEW

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**COUNTRY LAKE APTS.
ENTRY RENOVATION**
335 E. 4050 S.
SLC, UTAH

DATE: 07.11.22
PROJECT NO: 15.1
DRAWN BY: JH

LANDSCAPE
DETAIL

LP102

PLANT SCHEDULE

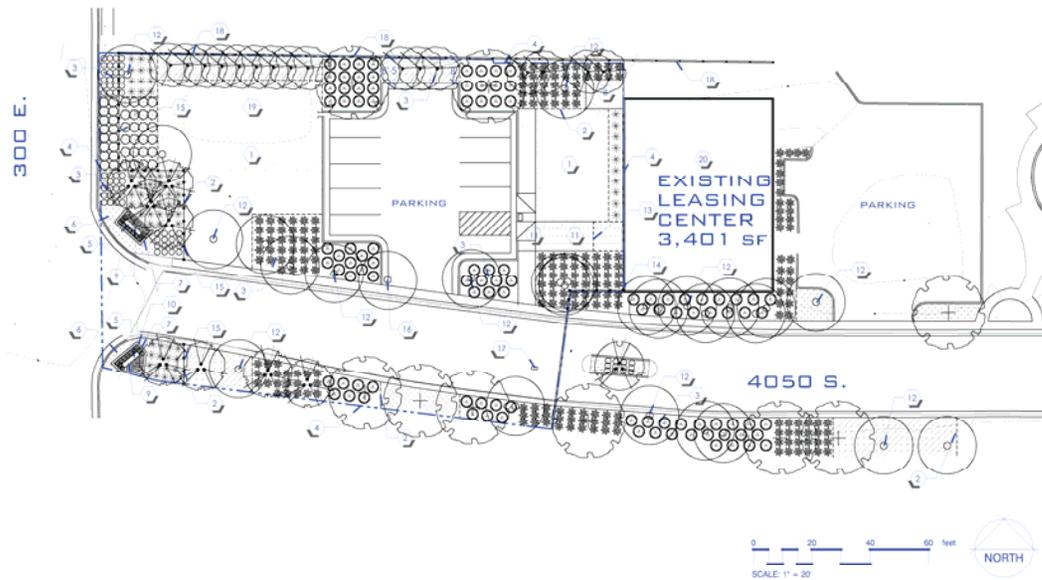
TREES	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	EXISTING TREES	EXISTING	N/A		27
DECIDUOUS TREES	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	ACER RUBRUM 'OCTOBER GLORY' / OCTOBER GLORY MAPLE	2" CAL.	55.8	4	8
	CARPINUS BETULUS 'FRANZ FONTAINE' / FRANZ FONTAINE HORNBEAM PLANT TIGHT AS TREE HEDGE AND PRUNE AS SUCH AS NEEDED TO SCREEN NEIGHBORS.	2" CAL.	55.8	3	16
FLOWERING TREES	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	CERCIS CANADENSIS 'FOREST PANSY' TM / FOREST PANSY REDBUD	2" CAL.	55.8	4	1
	MALUS FLORIBUNDA 'FRAIRIERE' / FLOWERING CRABAPPLE MULTI-TRUNK	2" CAL.	55.8	4	8
SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	BERBERIS THUNBERGII 'RED CARPET' / RED CARPET BARBERRY	5 GAL.	3		40
	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC PLANT AS MASSING, PRUNE AND TRIM SUCH THAT IT APPEARS AS MASSING.	5 GAL.	1		102
EVERGREEN SHRUB	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	TAXUS X MEDIA 'HICKS' / HICKS YEW TRIM AS HEDGE, TIGHT AND UNIFORM.	5 GAL.	3		13
GRASSES	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / FEATHER REED GRASS	1 GAL.	2		67
	PENNSETUM ALOPECUROIDES / FOUNTAIN GRASS	1 GAL.	2		71
	PENNSETUM ALOPECUROIDES 'KARLEY ROSE' / FOUNTAIN GRASS	1 GAL.	2		217
PERENNIALS	BOTANICAL NAME / COMMON NAME	SIZE	CONT.	H2ONE	QTY
	HEMEROCALLIS X 'STELLA DE ORO' / STELLA DE ORO DAYLILY	1 GAL.	3		22
GROUND COVERS	BOTANICAL NAME / COMMON NAME	COVT.	H2ONE	SPACING	QTY
	ASSORTED ANNUALS SUGGESTED - GREEN SWEET POTATO VINE, YELLOW MARGOLDS, EVOLUTION SALVIA, FIREWORKS PENNSETUM, WHITE ALYSSUM, AND RED IMPATIENS.	FLAT	4		473 SF
	GALUM OORATUM / SWEET WOODRUF	FLAT	3	9" o.c.	2,878
	VINCA MINOR 'BOWLES' VARIETY' / BOWLES' COMMON PERIWINKLE	FLAT	3	9" o.c.	419
ROCK MULCH	BOTANICAL NAME / COMMON NAME	COVT.	H2ONE	SPACING	QTY
	1" WASATCH GRAY LANDSCAPE ROCK - / MIN. DEPTH OF 2" STAKER PARSONS - (801)409-9300	FLAT			6,803 SF
TODD/SEED	BOTANICAL NAME / COMMON NAME	COVT.	H2ONE	SPACING	QTY
	TURF GRASS	FLAT	4		3,818 SF

GENERAL LANDSCAPE NOTES:

- ALL LANDSCAPING SHALL BE IN CONFORMANCE WITH LANDSCAPE REGULATIONS, 2004 EDITION, ORDINANCE NO. 1133, SERIES OF 2004, AND THE ANA (AMERICAN ASSOCIATION OF NURSERYMEN) SPECIFICATIONS FOR NUMBER ONE GRADE.
- ALL WORK SHALL CONFORM TO LOCAL CITY AND COUNTY CODES. CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES, LINES, AND STRUCTURES PRIOR TO EXCAVATION OR TRENCHING. DAMAGE TO THESE UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER OR LANDSCAPE ARCHITECT.
- PLANT QUANTITIES TO BE BASED ON CONTRACTOR'S ESTIMATE ACCORDING TO PLANS, SUBJECT TO APPROVAL BY LANDSCAPE ARCHITECT. GRAPHIC SYMBOLS PREcede OVER WRITTEN PLANT QUANTITIES.
- ALL TURF AREAS TO BE SPRAY IRRIGATED. ALL SHRUB BEDS TO BE DRIP IRRIGATED. ALL PLANTER AREAS TO BE IRRIGATED WITH 12" POP-UP SPRAY HEADS. TREES AND SHRUBS MUST BE IRRIGATED BY A SEPARATE ZONE THAN TURF GRASS. THIS SYSTEM IS AN 100% UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.
- ALL TREE AND SHRUB LOCATIONS SHALL BE STAKED BY THE CONTRACTOR AND APPROVED BY THE LANDSCAPE ARCHITECT.
- PLANT SUBSTITUTIONS WILL NOT BE PERMITTED WITHOUT APPROVAL BY LANDSCAPE ARCHITECT AND DEVELOPER.
- ALL SHRUB BEDS TO BE WASATCH GRAY ROCK MULCH TO DEPTH OF 3" WITH COMMERCIAL GRADE WEED FABRIC. SEE PLANS FOR LOCATIONS.
- ALL PERENNIAL BEDS AND TREE RINGS TO BE MULCHED WITH WASATCH GRAY ROCK MULCH TO A DEPTH OF 2" MIN. WITH NO LANDSCAPE FABRIC.
- STEEL EDGER WILL OCCUR BETWEEN ALL PLANTING BEDS ADJACENT TO SOO AND WILL BE SET LEVEL WITH THE TOP OF SOO. STEEL EDGER TO OCCUR BETWEEN BLACK ORGANIC MULCH AND GRAY CRUSHER FINES AREAS IF APPLICABLE 1/4" X 4" DEEP WITH CAP, RYERSON, OR APPROVED EQUAL.
- SOE PREPARATION FOR ALL HIGH-HARDSCAPE AREAS SHALL INCLUDE TOPSOIL AND/OR ORGANIC MATTER (COMPOST OR AGED GROUND MANURE) AND SHALL BE ADDED AT A RATE OF 4 CUBIC YARDS PER 1,000 SQUARE FEET AND TILLED 6" DEPTH INTO SOIL. PRIOR TO INSTALLATION OF PLANT MATERIALS, ALL AREAS SHALL BE THOROUGHLY LOOSENEED.
- PLANTS SHALL BE INSTALLED IMMEDIATELY UPON DELIVERY TO SITE. IF THIS IS NOT POSSIBLE, PLANTS SHALL BE HELED IN AND WATERED TO PREVENT DEHYDRATION.
- PLANTING PITS SHALL BE EXCAVATED TO A MINIMUM OF TWICE THE WIDTH OF THE ROOTBALL. DO NOT DISTURB SOIL AT THE BOTTOM OF PIT BUT SCARIFY SOILS TO PREVENT GLAZING.
- AFTER PLANT INSTALLATION, ALL PLANT MATERIAL SHALL BE PLACED WITH THEIR ROOT COLLARS SLIGHTLY HIGHER THAN FINISH GRADE. (3" HIGHER FOR TREES)
- LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
- ALL LANDSCAPE SHOWN ON THESE PLANS SHALL BE MAINTAINED IN A NEAT AND ADEQUATE MANNER. REQUIRED MAINTENANCE ACTIVITIES SHALL INCLUDE, BUT BE NOT LIMITED TO, MOWING OF LAWNS, TRIMMING OF HEDGES, ADEQUATE IRRIGATION, REPLACEMENT OF DEAD, DISEASED, OR DISFORMIT LANDSCAPING, REMOVAL OF WEEDS FROM PLANTING AREAS, AND APPROPRIATE PRUNING OF PLANT MATERIALS.
- SEE SHEET LP501 FOR LANDSCAPE DETAILS.

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
	TURF (TYP.)		8/1/P501
	1/4" THICK STEEL EDGING BETWEEN ALL PLANTING AND TURF AREAS (TYP.)		1/LP502
	PLANTING AREA (TYP.)		8/1/P501
	LIMIT OF WORK LINE (TYP.)		
	EXISTING ADJUNCTION SIGN LOCATION - PROTECT IN PLACE		
	ENHANCED PLANTINGS AT ENTRY POINT PER PLAN (TYP.)		
	EXISTING CONCRETE PLANTER WALL - PROTECT IN PLACE		
	EXISTING SHED - PROTECT IN PLACE		
	ADD BLACK OPAQUE STEEL PLATE TO BACK OF EXISTING SIGN. SIGN TO ALSO HAVE UP LIGHTING AT BASE OF SIGN TO WASH SIGN FACE AT NIGHT. (TYP.) - SIGNAGE TO BE REVIEWED IN A SEPARATE PROCEDURE.		
	ADD GRAY STUCCO TO LOWER PLANTER WALL, STUCCO TO MATCH BASE OF EXISTING SIGNAGE - SIGNAGE TO BE REVIEWED IN A SEPARATE PROCEDURE.		
	ENTRY PATH TO BE LARGE SCALE NARROW MODULAR, SIZE 12" X 24" X 2.5", Pavers BY STEPSIDE INC., MORTAR SET, COLOR: 104 FRENCH GRAY	2/LP502	
	EXISTING TREE TO BE PRESERVED IN PLACE (TYP.)		8/1/P501
	ARCHITECTURAL OVERHEAD ADDITION - TO BE ALIGNED WITH EXISTING SKYLIGHT - PER TEEHA COOKS SEARS OF KJ-DESIGNS.		
	NEW FENCING TO BE INTO ARCHITECTURAL CORNER		
	METAL MESH FENCE TO ENCLOSE FRONT PROPERTY - FENCE TO MATCH SIGN IN LOOK AND STYLE - LAYOUT AS SHOWN	3/LP502	
	EXISTING TREE TO BE REMOVED		
	EXISTING KEYPAD TO REMAIN		
	8" HIGH PRECAST CONCRETE FENCE	4/LP502	
	RETENTION POND - PER CIVIL		
	EXISTING LEASING OFFICE TO REMAIN		









OFFICE OF TOWNSHIP SERVICES

Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

www.pwpds.slco.org

File # 29881

Conditional Use Summary and Recommendation

Public Body: Millcreek Planning Commission

Meeting Date: June 15, 2016

Parcel ID: 1634126031

Property Address: 3474 South 2300 East, Unit #12

Request: Conditional Use to allow licensed massage therapy on site.

Community Council: East Mill Creek

Township/Unincorporated: Millcreek Township

Planner: Tom C. Zumbado

Community Council Recommendation: Approval

Planning Staff Recommendation: Approval

Applicant Name: Angela Rhinehart

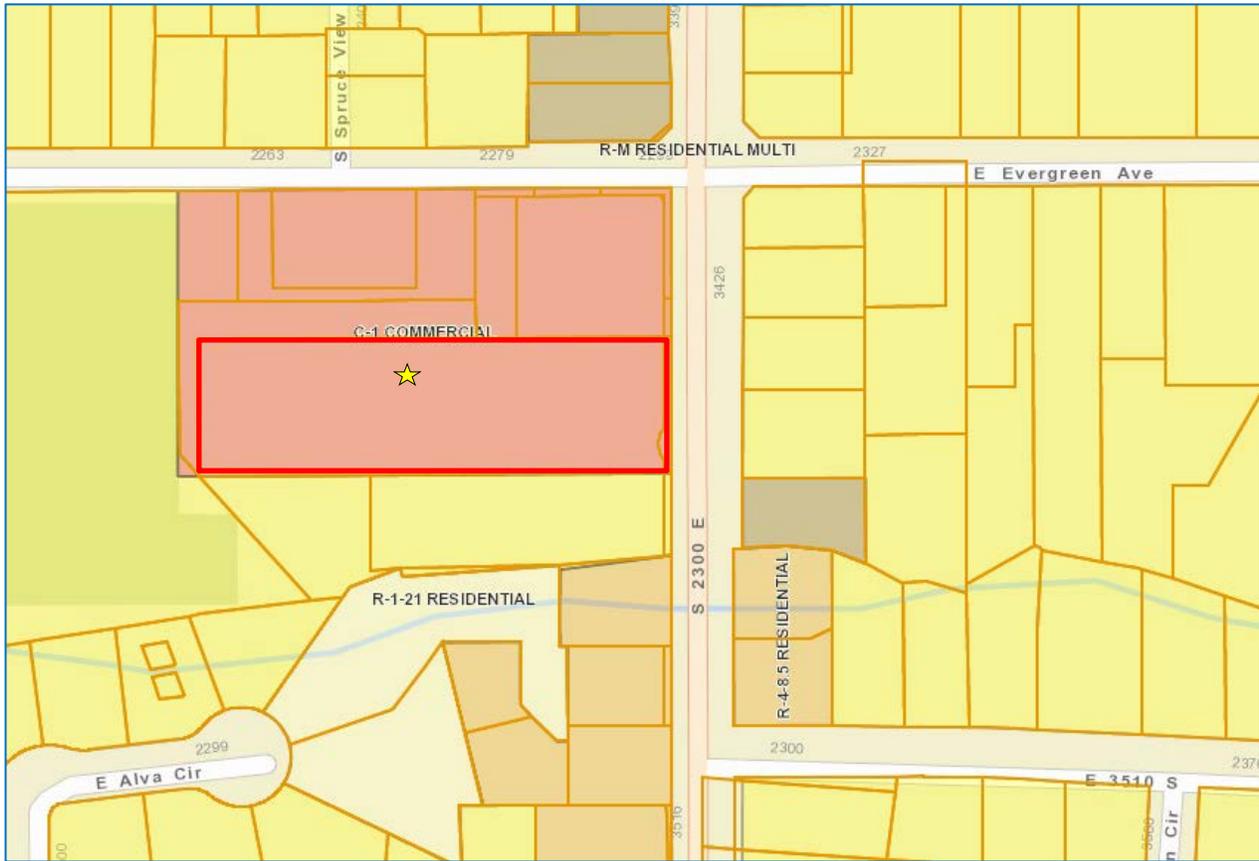
PROJECT DESCRIPTION

Angela Rhinehart is requesting approval for a change of use allowing for licensed massage therapy to be provided on premises.

SITE & VICINITY DESCRIPTION (see attached map)

The Baldwin Radio Factory (BRF) building is a renovated complex of art studios, retail shops and restaurants located within walking distance of the Millcreek recreation center in East Mill Creek. The tenant-leased unit #12 is a large movement space once utilized as a karate dojo and now converted into the Vitalize Healing Arts Studio, the business owned by the applicant. Vitalize has been in business for over six years and has relocated to Millcreek from its previous location in Sugarhouse.

BRF #12 is part of a large C-1 zone encompassing the gas station at the corner of Evergreen and 2300 E and the Millcreek library / recreation center complex. The area north of Evergreen Ave is zoned R-M and the areas west and east of the BRF are zoned R-1-10. South of the BRF are multifamily residential areas along 2300 East. They are zoned R-2-10 and R-4-8.5.



GENERAL PLAN CONSIDERATIONS

"A limited amount of local-serving commercial activity should be located in neighborhood centers around their core. Ideal neighborhood center retail uses include, but are not limited to, small grocery stores, cafes, restaurants, and personal services. Ideal locations for retail uses include corners and the edges of parks and other community spaces."

Staff agrees that licensed massage therapy would qualify as a personal service diversifying the local-serving commercial activity of East Mill Creek.

"Develop communities as a network of neighborhoods with distinct activity centers, with multimodal connections. Centers form a network of complementary employment, retail, cultural, and civic opportunities linked by multimodal transportation systems."

Staff agrees that Vitalize studio is a complementary addition to the retail fabric of the community and that allowing the use of licensed massage therapy will only build Vitalize's worth as an activity center for East Mill Creek.

NEIGHBORHOOD RESPONSE

On June 2nd 2016, a citizen attended the East Mill Creek Community Council in support of application #29881.

COMMUNITY COUNCIL RESPONSE

On June 2nd 2016, the East Mill Creek Community Council voted unanimously to recommend approval of application #29881 to the Millcreek Township Planning Commission.

PLANNING STAFF ANALYSIS

“5.16.010 - Definitions

For the purposes of this chapter:

‘Massage’ means anything defined as ‘Practice of massage therapy’ as defined in Utah Code Annotated § 58-47b-102 (6).

‘Massage establishment’ means any place where a massage technician conducts or carries on the business of the practice of massage for a fee, gratuity or free demonstration.

‘Massage technician’ means a person who is licensed by the state to engage in or to teach the practice of massage for a fee, for a gratuity, or for a free demonstration.”

Staff has verified that the licensed massage services to be rendered at Vitalize Studio meet the definitions cited in the above ordinance.

“5.16.020 - License—Required

It is unlawful for any person to operate, conduct, carry on or maintain a massage establishment in the county without first obtaining a business license from the county.”

Staff has verified that the applicant has a business license for Vitalize Studio and that approval to conduct massage activities on the property is dependent on the approval of this conditional use application.

“5.16.060 - Investigation of applicant and premises

All applications for massage establishment licenses shall be referred to the planning and development services division for zoning approval, the local law enforcement agency for criminal background investigation, the fire department for inspection to determine compliance with the provisions of the fire code, and the Salt Lake Valley Health Department for investigation to determine the sanitary condition of the premises and compliance with applicable health regulations. A license shall be granted upon a recommendation from each of the foregoing departments recommending that a license be issued.”

Staff has briefed the applicant on the expectations and procedures necessary to run a massage establishment in Salt Lake County.

“5.16.070 - Unlawful conduct and activities

A. It is unlawful for any person who is not licensed as a massage therapist or apprentice by the state to practice or engage in or attempt or engage in massage or to falsely advertise or represent themselves to be authorized to practice or engage in massage when not licensed by the state to do so.

B. It is unlawful to serve, store or allow to be served, or allow to be consumed, any alcoholic beverages on the premises of any massage establishment.”

Staff has briefed the applicant on the unlawful conduct and activities of a massage establishment in Salt Lake County.

"19.56.040 - Conditional Uses

Conditional uses in the C-1 zone include: — Massage (every massage technician shall be licensed by the state)"

Staff has verified that licensed massage therapy is a conditional use in the C-1 Zone.

"19.56.050 - Businesses and retail shops—Conditions

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

A. Such business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles;

B. All products, whether primary or incidental, shall be sold at retail on the premises; no entertainment, except music, shall be permitted in cafes, confectioneries or refreshment stands;

C. All uses shall be free from objection because of odor, dust, smoke, noise, vibration, or other causes."

Staff has verified that all licensed massage activities will be conducted within the Vitalize Studio facility.

PLANNING STAFF RECOMMENDATION

Staff recommends the approval of application #29881 subject to the condition that the applicant shall comply with the requirements for massage establishments as listed in SLCo Ordinance 5.16.

File #29881: Professional Information About The Applicant

Angela Rhinehart, LMT

Vitalize Studio Owner/Healing Arts Practitioner

3474 South 2300 East #12 Salt Lake City, UT 84109

<http://vitalizestudio.com/>

- Licensed Massage Therapist in the State of Utah since 1997
- Utah Prenatal Massage Association, Co-Founder
- Certified in Pre-Perinatal Massage Therapy (massage for pregnancy and post-partum recovery) since 2004
- Certified Infant Massage Instructor (teaching nurturing touch techniques to parents to use with their infants to promote health and bonding) since 2012
- Certified Instructor for MISA (Massage in Schools Association) promoting healthy touch, respect and boundaries in the classroom, includes instruction for parents/young children promoting healthy/nurturing touch.
- Certified Cranial Sacral Therapist (gentle, noninvasive form of bodywork that addresses the bones of the head, spinal column and sacrum. The goal is to release compression in those areas which alleviates stress and pain.) Upledger trained, level 2, since 2008
- Experience working with premature babies in the NICU as a massage therapist participating in a 3 year study on the effects of massage therapy.
- Experience working with Cancer Survivors and their care-givers as a volunteer massage therapist at The Cancer Wellness House in SLC, UT. (5 years)

EVERGREEN AVE.

3400 S.

LIBRARY

LIBRARY PARKING

Holiday
oil

Customer Parking

REC.
CENTER

BALDWIN RADIO FACTORY

ROCKS
OLD
FLAMINGO

Vitalize Studio

customer parking

24

25

26

2300 EAST

EVERGREEN
PARK

path

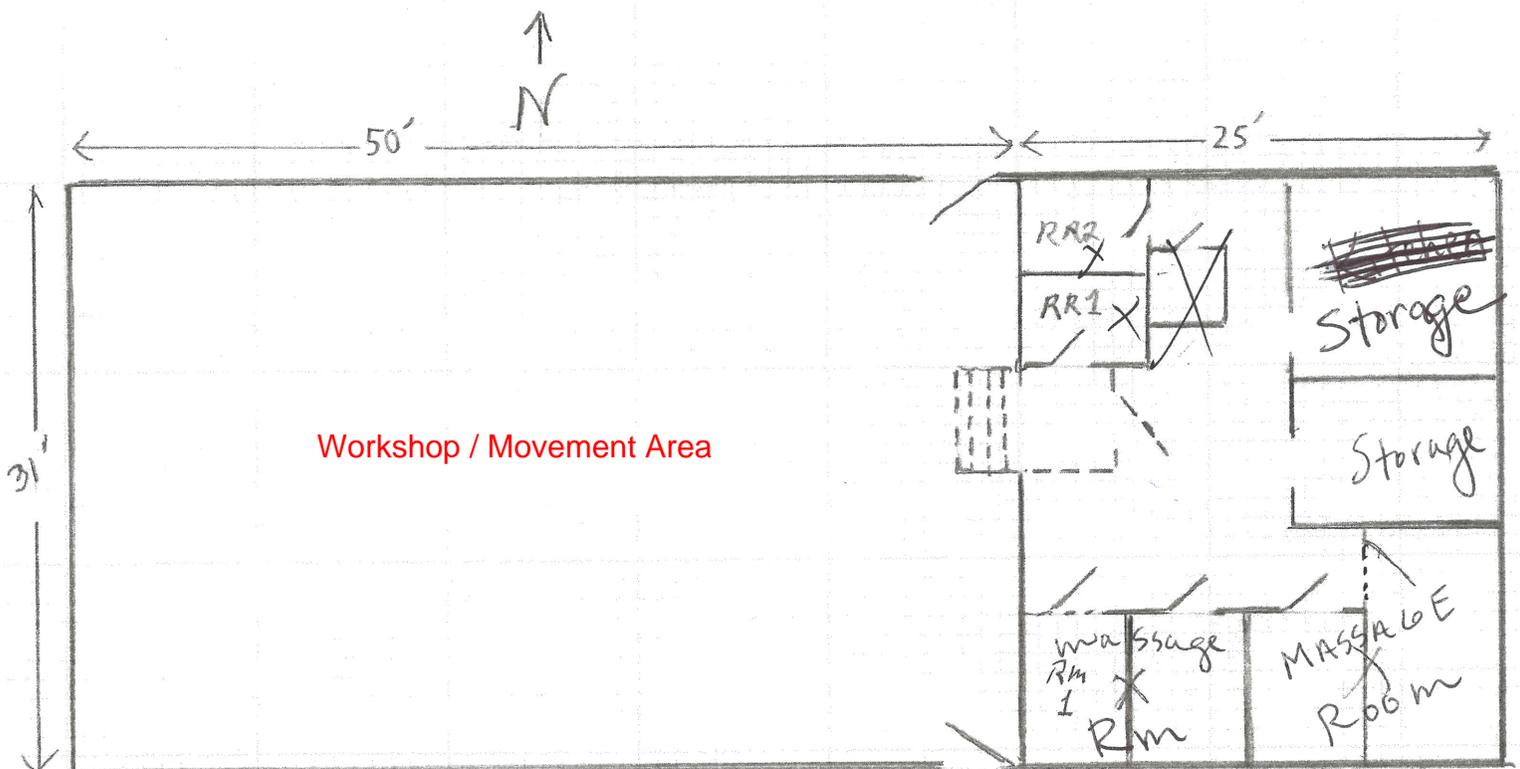
POWER
SUBSTATION



APPENDIX A

THE LESSOR AGREES TO PERFORM THE FOLLOWING TASKS BEFORE THE LESSEE TAKES OCCUPANCY NO LATER THAN APRIL 1, 2016:

1. REMOVE FLOURESCENT LIGHTS AND REPLACE WITH ALTERNATIVE LIGHTING APPROVED BY LESSEE.
2. REMOVE TWO WALLS TO CREATE TWO ROOMS OUT OF FOUR ON UPPER FLOOR.
3. REMOVE ONE DOOR AND REPLACE WITH SOLID WALL IN ROOM 1 (DIAGRAM 1)
4. REPLACE LOUVERED DOORS WITH SOLID DOORS.
5. PAINT AREAS WHERE NEEDED ON LOWER FLOOR WITH WHITE MATCHING PAINT.
6. PAINT WALLS ON UPPER FLOOR WITH PAINT COLOR CHOSEN BY LESSEE.
7. BUILD TWO WALLS, ONE WITH A SOLID DOOR, TO FORM AN ENCLOSURE AROUND THE DOOR INTO RESTROOM 1 (SEE DIAGRAM 1).
8. LAY CARPET ON UPPER FLOOR, WITH APPROVAL OF LESSEE.
9. BUILD STAIRS AND RAILING FROM LOWER TO UPPER FLOOR.
10. REMOVE SHOWER.
11. REMOVE BATHROOM FIXTURES.



--- New Wall/stairs
X wall to remove

□ 1 ft.
1 ft.

DIAGRAM 1 - UPPER FLOOR PLAN





CLOSED





EXIT

MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, January 13, 2016 3:00 p.m.

Approximate meeting length: 6 hours 4 minutes

Number of public in attendance: 40

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Janson

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

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
John Janson	x	x	
Tom Stephens (Chair)	x	x	
Geralyn Parker Perkins	x	x	
Ann Ober (Vice Chair)	x	x	
Shawn LaMar	x	x	
Andrew Gruber	x	x	
Pam Juliano			x
Jon Jemming (Alternate)			x
Julia Tillou (Alternate)			x

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson	x	x
Jeff Miller	x	x
Spencer Hymas	x	x
Curtis Woodward	x	x
Tom Zumbado	x	x
Zach Shaw (DA)	x	x
Chris Preston (DA)	x	x

BUSINESS MEETING

Meeting began at – 3:06 p.m.

- 1) PUD Ordinance Work Session (3:00 pm to 4:00 pm approximately)

Salt Lake County Township Services Planning Supervisor Max Johnson gave a brief of work session on the PUD Ordinance requesting a recommendation to the County Council.

Commissioner Janson asked about other feedback from the other commissions. Mr. Johnson said mostly not to provide density and from a community council representative that provided feedback. Mr. Johnson read the email from Chris Drent from the Copperton Community Council. The council asked Mr. Drent to provide his review of the ordinance.

Commissioner Janson said should read #12. Screened from view not fronts on a public street. Commissioner Gruber said mixed use should be facing the street.

*Commissioners, Counsel and Staff had a brief discussion.
Commissioner LaMar arrived at 4:01 pm.*

PUBLIC HEARINGS

Hearings began at – 4:05 p.m.

Legislative

29748 – (Continued from 12/16/2015) Amend Chapter 19.78 of the Salt Lake County Zoning Ordinance – Planned Unit Developments (PUD). **Presenter:** Max Johnson

Salt Lake County Township Services Planning Supervisor Max Johnson gave a brief of work session on the PUD Ordinance requesting a recommendation to the County Council.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Mt. Olympus Community Council

Name: Jeff Silvestrini

Address: 3400 South Crestwood Drive

Comments: Mr. Silvestrini said they have already given their recommendation and the commission has done a great job.

PUBLIC PORTION OF MEETING CLOSED

Motion: To Continue application #29748 to the February 10th meeting.

Motion by: Commissioner Gruber

2nd by: Commissioner Perkins

Vote: Commissioners voted unanimous in favor (of commissioners present)

28983 – (Continued from 12/16/2015) Combine and amend Chapters 19.72 and 19.73 of the Salt Lake County Zoning Ordinance – Foothills and Canyons Overlay Zone (FCOZ). **Presenter:** Curtis Woodward

Salt Lake County Township Services Zoning Administrator Curtis Woodward provided an analysis of the amended ordinance.

Commissioners and Staff had a brief discussion. Commissioner Stephens said there are a lot of responses in the draft. County Counsel Zach Shaw advised Wendy Gurr organizes from new information from the last packet and they should keep the new information received. Commissioner Stephens asked what degree FCOZ overrides the underlying ordinance. Mr. Woodward said underlying zone deals with development related issues. This is another layer of regulations. Commissioner Gruber asked for jurisdictional reach about the areas that changed. Areas in foothills, east of Mt. Olympus Community Council, northeast of Canyon Rim and along Millcreek 2700 to 2300 east, Skyline High School strip of land. As Millcreek becomes a city a lot of this was designed to apply to foothills, but start considering now and will be prepared. Commissioner LaMar asked if FCOZ applies to western part of the foothills. Mr. Woodward confirmed.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Mt. Olympus Community Council

Name: Jeff Silvestrini

Address: Not provided

Comments: Mr. Silvestrini said he participated in the drafting of the FCOZ ordinance. In Mt. Olympus there are hundreds of records on lots of record, northern end of private property with 30% or greater slope. FCOZ has a calming effect. Council wrote a letter with respect to concerns and comments are included in the draft. There were hardships and exceptions were granted. Subdivisions built on steep slope. They are concerned and urge to look closely at slope waiver and insert back in “only” in two parts. He thinks they were in the original FCOZ and taken out. He only wants them granted when they’re necessary. Strictly enforce the slope waiver in this ordinance.

Commissioner Ober arrived at 4:26

Speaker # 2: Log Haven

Name: Ed Marshall

Address: 6451 East Millcreek Canyon Road

Comments: Mr. Marshall said he presented written comments dated December 30th. Supplementing the letter dated December 8th. He won’t repeat what the letter says. Many issues could be cleaned up. Staff considered and addressed almost all of the concerns. #3a - stream setbacks, staff is looking into that and why it appeared in FCOZ. 1 - Limits of disturbance. FCOZ is the only ordinance with the concept. Deserve serious consideration.

Commissioner Ober asked if it is section 160.d2 for single family residential uses only. Mr. Marshall said Commercial would come under d3. Comments are limited to section d2.

Mr. Woodward said he will come up with a cleaner draft.

PUBLIC PORTION OF MEETING CLOSED

Commissioners discussed meeting prior to the next meeting. Commissioner Ober asked if she should send in her comments. Mr. Shaw said however she wants to do that should be submitted through Wendy Gurr. Confirmed will have a Work session at 3pm on February 10th.

Motion: To Continue application #28983 to February 10th meeting.

Motion by: Commissioner Gruber

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

29338 – David Richardson – Requesting a rezone from R-1-8 (Residential Single Family, 8,000 Sq. ft. Lot size) to R-4-8.5 (Medium-Density Residential) **Location:** 3437 South 1300 East **Community Council:** Millcreek **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

Commissioner Stephens asked if they recommended denial for the R-4-8.5. Mr. Miller confirmed that is correct and they can confirm the decision with the Millcreek Community Council. Commissioner Janson

asked about the corridor all the way along 1300 east. It's the area, not just the corridor. Commissioner Janson asked surrounding R-1-8. Mr. Miller confirmed.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Wadsworth Family

Name: David Richardson

Address: 220 A Street

Comments: Mr. Richardson said his change was for medium density not R-M. His wife and four sisters are the potential developers. He sits on Salt Lake City historic preservation and he read from his handout. He feels like they need to do a cluster, to keep the open space vibrant. Keep it focused on creating a community. He brought a map of Millcreek. He thinks medium density is a positive for the area.

Commissioner Gruber said looking at bus transit not light rail in the area. Action before them is to consider a rezone and hearing what they would want as a PUD, but that would need to come back. Commissioner Ober said we don't have any of the drawings in the packet. Commissioner Janson asked if the last plan was shared with the community council. Mr. Richardson confirmed it was.

Speaker # 2: Millcreek community

Name: Chris Haller

Address: Not provided

Comments: Mr. Haller said they visited this and felt a compromise could have been reached with applicant and neighbors, they felt to stick with the current zoning as applicable with the surrounding properties.

Commissioner Janson asked about thoughts for the general plan. Mr. Haller said he felt change going to a city with the surrounding properties, should just be left alone. He said residents want to stick with what they have and not change it.

Speaker # 3: Citizen

Name: Pace Measom

Address: 3435 South Melvina Street. Cul-de-sac to the east

Comments: Mr. Measom said he has a petition to present to the planning commission. Ninety-five residents signed and they want their voice heard. Position remains the same as held at the community council meetings to remain the same zone. They feel the density is too high for the area. The Wadsworth family has had a lot of meetings, but none of them live there anymore and they're all vested deeply in this neighborhood. Hoping zoning will be maintained.

Commissioner Gruber asked if the proposal is incompatible. Mr. Measom said the density of eighteen units per acre, to the 1.4 acres proposed. Commissioner Gruber asked why it is a concern. Mr. Measom said safety, traffic, and crime. Nothing has been done and this is near 1300 east.

Speaker # 4: Citizen

Name: Virginia Sudbury

Address: 3440 South 1300 East

Comments: Ms. Sudbury said this will overburden the neighborhood, very concerned. What was just stated was articulated very well. Smaller buildings could enhance the neighborhood, but higher density and more people in the neighborhood in an area too small to bear. Smaller, single family dwellings fit in a more pleasing appropriate manner in the acreage. Opposed to eighteen unit structure across from her house. She finds it burdensome and needs can be met and she is unsure if a decision will be made today.

Commissioner Janson confirmed they are just on zoning with a recommendation to the county council. Ms. Sudbury said she wants to know if the burden has been met. Commissioner Janson said the general plan for the area is pretty flexible. She said you are looking at the neighborhood.

Commissioners had a discussion regarding the comments, as this is a legislative matter, a rezone, not an administrative matter. Mr. Preston said the question as a matter of review, if the matter is challenged, statutes a decision of this type are if the decision is debatable and is fairly broad standard. You can consider all evidence brought before you and county council will make the decision. Commissioner Janson said bottom line legislative hearing.

Speaker # 5: Citizen

Name: Bill Hall

Address: 1259 Street Cove

Comments: Mr. Hall said drive down 1300 going south of 3300, as you go down the hill you go noticeably from apartments into a residential area. This whole neighborhood, apartment place in a big area, but this area is single family residence and if this one makes a change, there are other properties that would like to do the same thing. This will change the neighborhood substantially. If you built something of this density, within 4-5 years the quality of neighborhood will change. That is a busy road, many times during the day he has to wait to get out on 1300 east.

Speaker # 6: Citizen

Name: Doug Sampson

Address: 3436 Melvina Street

Comments: Mr. Sampson said RCOZ provision and the general purpose. Their position as neighbors is not compatible with the neighborhood. Majority of reporting's from the police are from medium density.

Speaker # 7: Citizen

Name: Drake Decker

Address: 3426 South Melvina

Comments: Mr. Decker said if you take the complete property and compare to the properties adjacent to it, would be comparable to this property. In an equal size plot of land would have twenty equal size units. They could make other choices to what they have going on right now. If they were proposing something less impacting.

Speaker # 8: Citizen

Name: Robert Sudbury

Address: 3440 South 1300 East

Comments: Mr. Sudbury said they requested a rezone request for a tri-plex and they were denied.

Speaker # 9: Citizen

Name: Eric Junge

Address: 3551 South 1100 East

Comments: Mr. Junge said he lives next door to where they came in and put something similar. He thinks it's good for the community.

Speaker # 10: Citizen

Name: Vaughn Fillingim

Address: 3450 South 1300 East

Comments: Mr. Fillingim said he is concerned with thirty-four vehicles out at the bottom of a hill. Coming down 1300 east, with police, fire and hospital. They already come down at a high rate and people pulling out of a marked street.

Speaker # 11: Citizen

Name: Mr. Goede

Address: 1388 East Luck Spring Drive

Comments: Mr. Goede said according to R-1-8 how many single family dwellings could be built on that property. Could be about 4.5 homes per acre. This would be a significant increase. They bought the properties and were familiar with the R-1-8 zone. Ask that this is taken into account.

Speaker # 12: Citizen

Name: Laird Ashton

Address: 3552 South 1300 East

Comments: Mr. Ashton said he has lived here his whole life. He moved seven times and never got more than 800 feet where he grew up. He has put in seven homes in the area in R-1-8. He is sure Mr. Richardson has nice designs, but the density is far too dense. He feels seven would be plenty, not seventeen.

Mr. Miller said he has received numerous calls from neighbors, except what was addressed today.

Speaker # 13: Citizen

Name: Claren Spencer

Address: 3443 South 1300 East

Comments: Mr. Spencer said they haven't talked about the irrigation canal running through the property, people own shares of the canal and could be affected or green area. Someone mentioned he is near a community around 3600 South 300 East. Three homes under construction, it was not rezoned.

Speaker # 14: Citizen

Name: Steve Luck

Address: 3446 Melvina Street

Comments: Mr. Luck said his father developed the subdivision. His main concern is to have a lower density. His big concern, his grandfather, father was water master. The canal going to the property and if something happens, he would flood.

Speaker # 15: Applicant

Name: David Richardson

Address: 220 A Street

Comments: Mr. Richardson said change is inevitable. Presenting sensible, reasonable plans. Sisters don't want to give in. He took a petition and had signed by the neighbors. They wanted to pursue a plan.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Ober said 1300 east is a corridor and is listed as stable and across the street is moderate change. Commissioner Janson said little or no change is green, blue is fair change and moderate change is yellow. He can remember a project they looked at on 1100 east. Commissioner Gruber said it doesn't direct a particular outcome. Commissioner Ober said 1300 the dotted line is considered a corridor in the general plan and that means adaptable and flexible to change.

Commissioner Ober asked Commissioner Gruber about the transit corridor component and is close to stores, services and known of sorts up a steep hill. Is that hill seen as walkability to the locations. Commissioner Gruber said when you consider transit orient, you should consider many factors. Commissioner Stephens said they hear from neighbors, traffic and crime, irrigation canal, and parking on street will ruin the view. He has driven through the neighborhood. It is a single family neighborhood seen in other parts. Talking about up zoning a property, in the absence of a development agreement, could end up being fourplex rentals. Not wise to change the zone and would change the character of the neighborhood. Commissioner Perkins has mixed feelings because she loves the project. Near her home there is a development going in and she doesn't think it will impact her living at all. This is a legislative decision and the neighbors don't need to be as concerned and since this is a legislative decision, she concurs with Commissioner Stephens. Commissioner LaMar thinks it's nice, just wrong piece of land and preservation is important too. Moderate change would not fit. Commissioner Janson said the general plan is too broad and the area above the canal is different than above.

Motion: To deny recommendation of application #29338 to the County Council for the following reasons, include but not limited to:

- 1) Substantial change to the neighborhood single family R-1-8
- 2) Up zone making it an island
- 3) R-4 without development agreement would be uncertainty what would be developed

Motion by: Commissioner LaMar

2nd by: Commissioner Ober

Vote: Commissioners voted unanimous in favor (of commissioners present)

29652 – Wendell Alcorn is requesting preliminary plat approval of an amended subdivision to combine two existing single-family lots and conditional use approval to consider an existing home a guest house/accessory structure. In addition, the applicant is seeking a recommendation on the amended subdivision for a 608 meeting, and a recommendation for an Exception to Roadway Standards for an existing access drive. **Location:** 4294 & 4302 South Adonis Drive. **Zone:** R-1-21 (Single-Family Residential) **Community Council:** Mt. Olympus. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

Commissioner Janson asked about excess of 1,200 square feet. Mr. Hymas said the guest house is allowed up to 1,200 square feet and is an accessory structure and brought to the planning commission as a conditional use. Once it is connected will no longer be a guest house. Mr. Miller said the lot line on the two homes there is a utility easement that will need to be amended. Mr. Preston said amending the subdivision plat would be recommended to the Mayor but is subject to the conditions of the ordinance. Commissioner LaMar said he sees language about one house as a rental and are there provisions that prevent it from being a rental. Mr. Miller said the reason he wanted to acquire the home on the south lot, fairly large home constructed and blocked his views. Commissioner LaMar asked about whether it becomes a single lot, then you could only have one home. Mr. Preston said if the lot is combined it would be turned into a duplex and not allowed. Commissioner Perkins said she doesn't know what the houses look like and asked if they are compatible. Mr. Miller said the shrubbery would block the view. Commissioner LaMar asked what the distance is. Mr. Miller said he isn't certain. Commissioner Janson said if it's allowed in the ordinance it doesn't matter if it's strange. Mr. Miller confirmed twenty-two and a half feet. Planning staff said there is a possibility would not be constructed and would be violation with two homes on one lot.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Mt. Olympus Community Council

Name: Jeff Silvestrini

Address: Not provided

Comments: Mr. Silvestrini said they like to receive neighborhood input before being this application is a fiction. It's a gambit and is immediately non-conforming. They need neighborhood input. They are reluctant to consider a conditional use. They wanted more information. The questions of architecture. Their principle concern is if the lot is combined into a single lot what will they have. They want to know what's in the ground. Natural drainage area between the two residences. It comes out of Neffs Canyon to protect them from the flood event. Tenuous ground water follows natural drainage patterns. They want answers to the questions and recommend denial.

Commissioner Stephens asked about gambit and fiction. Mr. Silvestrini said they have no intent to use a dwelling as an accessory structure to use as a guest house to get to the end they want. Commissioner Ober asked about the subdivision, he didn't have comments of objection. He appreciates the odd structure to make the architecture. They have issues with short term rentals. Commissioner LaMar said they're not opposed, but not opposed to the larger home and if he lived in the neighborhood, might have an issue. There would be a nonconforming structure until the bridge was built.

Speaker # 2: Citizen

Name: David Baird

Address: 4473 Adonis Drive

Comments: Mr. Baird said notice southern border of the southern house is Neffs Creek. Every spring hear the race down there and if the drainage easement serves as an overflow.

Commissioner Ober confirmed it is intermittent, but doesn't run all year. Mr. Baird said his concern is many large homes and may be combined in the future. Setting a precedent and justifying the means. Commissioner Gruber asked what precedent. Mr. Baird said could not facilitate and that would not be a guest house. Commissioner LaMar wants the current creek pointed out and regardless of the sky bridge what does it matter where the creek is. Mr. Baird said it is likely an easement between the two properties and may not be functional anymore.

Speaker # 3: Citizen

Name: Ken Smith

Address: Lairs Way

Comments: Mr. Smith said his concern is the method and didn't have opportunity to know what he was trying to do and then find out about a 608 meeting to join these properties and change the plats from two lots to one lot. Takes the process out of the hands of the community and sounds silly and deceitful.

Mr. Miller said he received a call from the home on the corner of Adonis drive and the property owner request putting sidewalk from her property to his and she would not allow that.

Speaker # 4: Applicant

Name: Wendell Alcorn

Address: 4294 South Adonis Drive

Comments: Mr. Alcorn said he represents Mr. Lawson. Purchased these two properties and wishes only the second for his personal use. Indoor swimming pool for municipal purposes. The sky bridge allows access without going out and in.

Mr. Miller said they need clarification of the easement. Mr. Alcorn said it's the core and utility easement and no utilities that go the length of the property and electrical comes in and starts at the mid of the

house. Mr. Miller said no drainage easement. Commissioner Janson said concern that maybe the sky bridge will never be built and there is a timeframe. Mr. Alcorn said six months would be feasible. He said you're asking me if a sky bridge isn't built, the sky bridge was to make it convenient to use that. He does a lot of underwater documentaries and has the ability to have guests stay there once in a while. If the sky bridge can't be approved, he will withdraw his application for a lot consolidation. Commissioner Stephens asked what capacity Mr. Alcorn does for Mr. Lawson. He said he does work for him. The two homes are different and the architectural style tried to keep them general. He asked in the interest of Neffs creek and was never his intention to bring in heavy equipment. Commissioner Janson asked if they could solve some issues with bridge there.

Speaker # 5: Citizen

Name: Hal Jensen

Address: 4375 South

Comments: Mr. Jensen said he thinks there is mystery. When it was first explained access to the house because he didn't like the view being blocked and now another story. This project needs more story. Instead of rejection just send back for more information. Too early to say what's proper and requests referral back to the applicant. Understand everything and points of data.

Speaker # 6: Citizen

Name: Suzanne Harman

Address: 4297 South Lares Circle

Comments: Ms. Harman said she is concerned with what goes on there. She said Mr. Lawson is kind and wonderful about making this work. He told her he bought the south home for moving his view. Their house sits down below. He told her he wanted it as a guest home from all over. This is a 5,000 to 6,000 square foot home. They feel like they have a boutique hotel and they walk down the creek to his property. Substantial activity in the home and its uncomfortable and everyone has paid a substantial amount of money. Their attorney feels like it sets precedence and is a very slippery slope and liability. Safety issues with the home across the street with all the strangers coming and going. They are completely different homes. Mr. Lawson is an older man and they wonder what happens for the future. Very unusual situation.

Speaker # 7: Citizen

Name: John

Address: 4275 Adonis Drive

Comments: John thinks it's out of character. Worried about the proposal and is there are a taxable advantage to combining them and the homes are different.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: to continue application #29652 to the February 10th meeting.

Motion by: Commissioner Stephens

2nd by: Commissioner Ober

Vote: Commissioners voted unanimous in favor (of commissioners present)

29453 – Dianne McDonald is requesting approval for an R-1-8 to R-2-8 rezoning of her property for the purpose of building a duplex in the future. **Location:** 4318 South 900 East. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the Staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Citizen

Name: Ken Chested

Address: 868 East 4015 South

Comments: Mr. Chested said his property abuts the west end, wasn't aware of any opportunity to provide input. This would put a duplex right in the middle and doesn't know how a duplex and parking will fit on the narrow lot.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Stephens asked if it qualifies as a duplex. Mr. Zumbado stated once the rezone goes through it will. Commissioner LaMar confirmed the structure will be demolished. Commissioner Janson asked about the width.

Motion: to continue application #29453 to the February 10th meeting.

Motion by: Commissioner Stephens

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

Administrative

29634 – Eric Tuttle is requesting approval for the construction of a Dwelling Group. **Location:** 832 East 3900 South. **Zone:** C-2. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the Staff report.

Commissioner Janson wanted a dwelling group defined. Commissioner Janson asked about trash. Mr. Zumbado said individual receptacles to be handled by the owners

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Lotus Company

Name: Bryan Wringley

Address: Not provided

Comments: Mr. Wringley said he worked with staff, presentable, attract urban professional group. Pleased with their answers.

Commissioner Janson asked about the site plan and two to three bedroom units and parking spaces and Commissioner Stephens said two car garages. Commissioner Stephens asked if they would be two stories. Mr. Wringley confirmed three stories. Commissioner Stephens said he would put a maximum height. Mr. Wringley said maximum feet would be thirty-five.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #29634 with staff recommendations and one additional condition: Maximum height will not exceed 35 feet.

Motion by: Commissioner Ober

2nd by: Commissioner Stephens

Vote: Commissioners voted unanimous in favor (of commissioners present)

29633 – Eric Tuttle is requesting conditional use approval and preliminary plat approval for a 43 Unit Townhouse Dwelling Group project on 2.95 acres. **Location:** 3723 South 900 East. **Zone:** C-2. **Community Council:** Millcreek. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

Commissioner Ober asked if this is a policy and parking is a policy, is there any reason to list these in their recommendation. Mr. Miller said there is no way to enforce. Commissioner Ober asked what they have say over. County Counsel Chris Preston said everything in the recommendation they have say over. Ordinance does require guest parking and we have a standard that will provide standards established in ordinance. The policies have not been established in the ordinance. The planning commission will determine the amount of parking. Commissioner LaMar asked about guest parking. Mr. Preston said the policy is not ordinance and policies have to identify in order to help provide for better ordinance.

Commissioners and Counsel had a brief discussion.

Commissioner Janson asked about parking, one car garage units, allowing off street, one parking lot and they require two. Mr. Miller said most of them have two car garages. Seven on the side are one bedroom and only considered one covered parking stall. Twenty-two unit spaces are uncovered and seven need to be designated. Commissioner Janson said not convenient parking for not having space. Commissioner Stephens said he is concerned about homeowners to the east and how binding on the applicant is it to maintain the site pan when the construction takes place. Mr. Preston said the site plan provided is what establishes the guidelines. Commissioner Stephens said but there can be no change. Mr. Preston said if there were changes in the setbacks, they would have a different proposal.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: On behalf of applicant

Name: Bruce Baird

Address: Not provided

Comments: Mr. Baird said he has been developing a bunch of infill sites and turning them in to nice apartments. The attorney is correct and staff member was wrong. They comply and the parking is good, but not a detrimental effect. They comply with the open space ordinance, but not the provision. Ordinance has a limit as 60%, they would like thirty-five feet in height, but could go seventy-five feet tall and neighbors are happy they are taking down the junk. They could put more guest parking stalls; they would have to get rid of amenities. Parking study needed two stalls per units, given they have 2.23 stalls per unit. They have no intention of changing the setback and this is the plan being approved and was designed to comply.

Commissioner LaMar asked about egress. Mr. Baird said Ryan takes care of it. County traffic engineers have not expressed any concerns. Commissioner LaMar asked about the parking. Mr. Baird said if they need to look at it, they would. Mr. Tuttle has looked at it and would prefer guest parking right next to the doors. Commissioner Gruber said county traffic engineer was clean. Technical review denied. Mr. Miller said they need to show the shared parking affected with fat cats.

Speaker # 2: Applicant

Name: Eric Tuttle

Address: 1648 East 3300 South

Comments: Mr. Tuttle said the encroachment of fat cats on their property. They could build a wall and they're spilling onto their property without an agreement. Owner is talking to the owner of fat cats.

Commissioner Janson said there may be a previous agreement. Mr. Tuttle said there weren't. Mr. Tuttle asked for an aerial photo to show out. This will be much better than the old grocery store. Commissioner Janson asked what the outside is. Mr. Tuttle said fiber cement. Commissioner Stephens asked about thirty-five foot height. Mr. Tuttle said thirty-five feet will work.

Speaker # 3: Granite Credit Union

Name: Lynn Kuehne

Address: 3675 South 900 East

Comments: Ms. Kuehne said the planning commission told them and they said they would probably buy property as overflow. Credit union on a daily basis is overflow parking for the funeral home. They have been cooperative and have notified them. They are concerned about having enough parking. Express this parking is a big issue and doesn't want to see overlap coming back into their property and extra traffic.

Speaker # 4: Citizen

Name: Leland Chase

Address: 3723 Carolyn Street

Comments: Mr. Chase said on the east side there is a cinder block wall, eight feet tall and concern is traffic and will it be lit, wants no light leaking over. One point the parking would be underground, but it will be ground level. Water table and all neighbors on their street need sump pumps.

Mr. Miller confirmed none of the units will have basements. Commissioner Janson said there is a standard for the light and can't go beyond the property. Leland's wife asked if these will all be rentals and everything is so dense.

Speaker # 5: Representative of Fat Cats

Name: Courtney Lunphy

Address: Not provided

Comments: Ms. Lunphy said they have parking concerns. Across 900 east they have overflow from apartments. Brand new apartments built and the credit union parking lot fills up. Their customers park in front of their building and they already experience over flow into their parking lot. In fear more than two cars per place and don't want to be a negative stigma.

Commissioner Stephens asked if they have overflow what do they do. She said she gets to know a lot of neighbors that come in. She calls police that they are there and vacant cars. She hasn't towed anyone and she fears with it being residential right there she doesn't want to go that way.

Speaker # 6: Tenant

Name: Frank Pian

Address: 3135 Walker Mill Drive

Comments: Mr. Pian said he has been a tenant of the ratty, old building and paying rent for twenty years and found out about this development and he has asked to buy this development. He was there before fat cats; he's still there and employs twenty people. Parking lot they say no previous agreement on parking for this property. His lease clearly stated, first come, first serve basis. Fat cats could park there. Before fat cats could be built there had to have a parking lot agreement and parking is in common and an agreement

with Salt Lake County planning and development. The easement runs through the north end of fat cats parking. Parking stalls on both ends of the driveway that is the movement. Fat cats needs 186 parking stalls roughly for thirty lanes, plus bar, and restaurant. There will be a significant parking problem and fat cats won't have enough parking. Parking is an issue and will be for the people living in the apartments.

Mr. Miller said staff doesn't share a parking agreement with fat cats. It was sent to traffic engineer.

Speaker # 7: On behalf of applicant

Name: Bruce Baird

Address: Not provided

Comments: Mr. Baird said this shouldn't be continued and we didn't know about these claims. This closed six months ago. What fat cats does is not their issue. They stand alone. He finds it unusual Commissioner Janson said they are parking so far away. They have deeded easements, they meet parking standards and they're only going twenty-five feet.

Commissioner Janson said if there was an overall approval, it is worth looking at. Mr. Baird said that they'll verify and make it a condition.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion. Staff will verify whether or not there isn't a parking agreement. Traffic engineer concluded it was acceptable and will be confirmed in the technical review.

Motion: To approve application #29633 with Staff Recommendations and conditions 1 through 5 adding two additional conditions:

- 6) Limit the building height to the peak a maximum of 35 feet.
- 7) Traffic engineer requirement to make ingress and egress recommendation to the project.

Motion by: Commissioner Stephens

2nd by: Commissioner Perkins

Vote: Commissioners voted unanimous in favor (of commissioners present)

29649 – John Kruger – Requesting preliminary plat approval for the 3-lot Kruger Subdivision. **Location:** 3671 South 2300 East. **Zone:** R-2-8. **Community Council:** East Mill Creek. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: John Kruger

Address: 3671 South 2300 East

Comments: Mr. Kruger said they'll pave the driveway and the gate will come off.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #29649 as presented with Staff Recommendations.

Motion by: Commissioner LaMar

2nd by: Commissioner Gruber

Vote: Commissioners voted unanimous in favor (of commissioners present)

BUSINESS MEETING - Continued

Meeting began at – 9:08 p.m.

- 2) Approval of Minutes from the October 14, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

- 3) Approval of Minutes from the November 18, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

- 4) Approval of Minutes from the December 16, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

- 5) Election of Chair for 2016

Motion: To nominate Commissioner Stephens for Chair, Commissioner Stephens accepted.

Motion by: Commissioner Gruber

2nd by: Commissioner Janson

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 6) Election of Vice Chair for 2016

Motion: To nominate Commissioner Ober for Vice Chair, Commissioner Ober accepted.

Motion by: Commissioner Gruber

2nd by: Commissioner Janson

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 7) Approval of policy on Electronic Meetings.

Motion:

Motion by:

2nd by:

Vote:

- 8) Ordinance Issues from today's meeting

- 9) Other Business Items (as needed)

- 10) Introduction of Millcreek Town Center Development Plan (2300 East 3300 South).

- 11) C-1, C-2, R-M Draft Ordinance – Initial Discussion

MEETING ADJOURNED

Time Adjourned – 9:10 p.m.

MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, February 10, 2016 3:00 p.m.

Approximate meeting length: 3 hours 49 minutes

Number of public in attendance: 13

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Stephens

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

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
John Janson	x	x	
Tom Stephens (Chair)	x	x	
Geralyn Parker Perkins			x
Ann Ober (Vice Chair)	x	x	
Shawn LaMar	x		
Andrew Gruber			x
Pam Juliano	x	x	
Jon Jemming (Alternate)	x	x	
Julia Tillou (Alternate)			x

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson	x	x
Spencer Hymas	x	x
Curtis Woodward	x	x
Tom Zumbado	x	x
Zach Shaw (DA)	x	x
Chris Preston (DA)	x	x

BUSINESS MEETING

Meeting began at – 3:00 p.m.

- 1) FCOZ Ordinance Work Session (3:00 pm to 4:00 pm approximately)

Salt Lake County Township Zoning Administrator Curtis Woodward provided an analysis of the ordinance amendments.

Commissioners, Staff and Counsel had discussions regarding issues and questions.

PUBLIC HEARINGS

Hearings began at – 4:01 p.m.

Legislative

28983 – (Continued from 12/16/2015 and 01/13/2016) - Recommendation on amended Foothills and Canyons Overlay Zone; combining Chapters 19.72 and 19.73 into a revised FCOZ chapter (19.72) of the Salt Lake County Zoning Ordinance. **Presenter: Curtis Woodward**

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Mt. Olympus Community Council

Name: Jeff Silvestrini

Address: 3400 South Crestwood Drive

Comments: Mr. Silvestrini said the concerns of the Mt. Olympus Community Council are the same concerns expressed last time and favored the recommendation to the Millcreek Township Planning Commission. No longer have a canyon, but residents have same with respect to the canyons. They support 50 feet to 100 feet and feel it is important to have modern, updated ordinances.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Ober said a representative from Salt Lake City public utilities is present to speak.

PUBLIC PORTION OF MEETING REOPENED

Speaker # 2: Salt Lake City Public Works

Name: Carli Castelon

Address:

Comments:

Commissioner Ober asked what the setback is to meet the health department standards. Moving development 50 feet closer, but septic systems 100 feet away. Ms. Castelon said she doesn't feel comfortable speaking to authority. There are different parts of proposed ordinance and she will pass on to Laura Briefer. Commissioner Jemming asked about the adjustment of the setback impact to city and county, and non-segregation is what the state operates under. Ms. Castelon said Ms. Briefer was on the BRC and she will ask her about maintaining clean water acts and 9 point system.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion. Commissioner Stephens asked about transfer of development rights. Mr. Woodward said only included in the MRZ, to allow the resorts to pursue additional units in exchange for purchasing development rights further up the canyon. There was discussion when it comes to taking certain lands off the table and remaining open space, county should consider transferring density down to the valley. That would go outside of FCOZ, because it becomes more complicated and has been kept in the MRZ. Commissioner Stephens asked if there was controversy with the BRC. Mr. Woodward said the BRC couldn't agree on the make-up of the MRZ. When the concept of TDR's was introduced, they looked to the ordinance of another jurisdiction that worked, stole and massaged it and this is what we have. Commissioner Stephens asked in terms of clustering, what governs the FCOZ area would Millcreek be at risk of having to permit a clustered development in the foothills. Mr. Woodward said a clustered development is a possibility and there is a cluster in density bonus and acreage willing to be taken off the table. There are properties east of Mt. Olympus, with large parcels and are very steep and may have a small corner you could fit a home on and we are aware of the facts.

Commissioner Ober asked what the maximum limits of disturbance were and wanted to know what the commission thought about in the amount of disturbance. Mr. Shaw asked if Mr. Woodward should give a briefing. Commissioner Stephens asked if the language will stick with the County Council. Mr. Woodward said he doesn't know, because all the other Planning Commissions have to agree. Commissioner Janson asked if there is a sloped lot, does that number still apply. Mr. Woodward said it doesn't allow

disturbance. Commissioner Ober asked hypothetical, if you have 5 acres and you want to develop 1 acre, what are the limits of disturbance. Mr. Woodward said version in ordinance doesn't restrict net acreage, just said acreage and could be considered based upon net developable acreage.

Commissioners had a brief discussion regarding language for a recommendation to the County Council. Commissioner Stephens suggest each commissioner should come up with their points and send to Staff.

Motion: To continue file #28983 to the March 16, 2016 meeting work session from 3:00 to 4:00 pm and the public meeting of 4:00 pm.

Motion by: Commissioner Juliano

2nd by: Commissioner Janson

Vote: commissioners voted unanimous in favor (of commissioners present)

29748 – (Continued from 12/16/2015 and 01/13/2016) - Amend Chapter 19.78 of the Salt Lake County Zoning Ordinance – Planned Unit Developments (PUD). Presenter: Max Johnson

Salt Lake County Township Services Planning Supervisor Max Johnson provided an update to the changes of the PUD Ordinance. Mr. Shaw added density bonuses to be discussed at the next meeting. Shaw asked Stephens if he would like this information prior to the working meeting.

Motion: To continue file #29748 to the March 16, 2016 meeting, with receipt of the PUD Ordinance updates.

Motion by: Commissioner Ober

2nd by: Commissioner Jemming

Vote: commissioners voted unanimous in favor (of commissioners present)

29453 – (Continued from 01/13/2016) - Dianne McDonald is requesting approval for an R-1-8 to R-2-8 rezoning of her property for the purpose of building a duplex in the future. Location: 4318 South 900 East. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis and new information from the Staff report.

Commissioner Janson said his issue is they get to apply and width doesn't meet the standards of that zone. Mr. Zumbado said provided there is still plenty of space on side yards, there is nothing that stops them from attempting to apply for the rezone. Commissioner Janson said as long as they meet all the setbacks, then it is okay.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Steve McDonald

Address: St. George, Utah

Comments: Mr. McDonald said they have been dealing with fifty-three feet. Eight feet on the side and back is the same. The footprint goes right down the side. With more concrete and drainage, provided drainage in the front 6-7 feet and can increase landscaping down the side. Covered the basics, and going into the ground 3 ½ feet. They don't know what the ground water is like. This was purchased 30 years ago.

Speaker # 2: Citizen

Name: Kenneth Shosted

Address: 868 East 4315 South

Comments: Mr. Shosted said he lives on the west side. He questioned the measurements and the people who owned his house bought a parcel from them and put out the 53.39 feet. He doesn't know what the measurements are. Too much going on the small lot. Building, parking for 4 people, turn around. Wall to wall house and/or concrete and he doesn't think it's appropriate for the neighborhood. Request denial.

Commissioner Stephens asked Mr. Zumbado the measurements. Mr. Zumbado said record said 53 feet, but he went out and measured 60 feet.

Speaker # 3: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said this was brought before them at their December 2015 meeting and passed unanimously. There were additional discrepancies provided at the meeting, as the HOA will be owner occupied.

Commissioner Stephens asked if this is favorable with the width. Mr. Haller said no. Commissioner Jemming asked if the citizen was able to express concern at their meeting. Mr. Haller said no adjoining property owners were at their meeting. Commissioner Janson asked about density. Mr. Haller said they are all consistent discussions. Some council members are in favor and some are about the county plan and moderate change and no one understands what moderate means.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Stephens asked about the requirements of sixty-five feet. Salt Lake County Counsel Chris Preston said it doesn't meet right now at 60 feet and is a non-conforming lot. Mr. Preston said this isn't a non-conforming use, it's a non-conforming lot. This is recognized and they do exist. Commissioner Stephens asked if this would carry over to a zone change. Mr. Preston said that would be carried over to their recommendation.

Commissioners had a brief discussion. Commissioner Jemming believes it would be appropriate for single family dwelling instead of two families living on a lot that's too small. Would like to find out what the applicant would like a continuance to obtain a professional survey or what.

PUBLIC PORTION OF MEETING REOPENED

Speaker # 4: Applicant

Name: Steve McDonald

Address: St. George, Utah

Comments: Mr. McDonald said he would agree to obtain a professional survey.

PUBLIC PORTION OF MEETING CLOSED

Motion: To continue application #29453 to the March 16, 2016 meeting.

Motion by: Commissioner Ober

2nd by: Commissioner Juliano

Vote: commissioners voted unanimous in favor (of commissioners present)

*Commissioner Juliano departed at 5:12pm
Commissioner LaMar arrived at 5:17pm*

29813 – Robert Jones is requesting approval of a Zone Change from the R-2-10 (Medium Density Residential) zone and the R-M z/c (High Density Residential with zoning conditions) zone to the R-M (High Density Residential) zone in order to allow for the development of multi-family housing. **Location:** 3961-3971 South 300 East. **Community Council:** Millcreek. **Planner:** Todd A. Draper

Salt Lake County Township Services Planner Spencer Hymas provided an analysis of the Staff report.

Commissioner Stephens asked when the zoning conditions were placed. Mr. Hymas said within the last year. Commissioner LaMar asked if the request is to add R-M zone for all three parcels. It's already been approved up to 24 units per acre. Mr. Hymas said the zoning condition is 22 units per acre. They are adding land and would like 24 per acre and they want 29 at 1.29 acres. Commissioner LaMar asked if all three lots were in the R-M zone. Mr. Hymas said his property and the back. He would be okay with either mitigation. Zoning condition for height makes sense and density is in harmony with the community council. Commissioner Janson asked if they allow the parking lots closer to the street than the buildings. Mr. Hymas said they have their setbacks and can't park within the setbacks. Landscaping ordinance hits on that. Commissioner Janson asked if this is underground parking. Mr. Hymas confirmed underground for both of the buildings, and front would be additional parking.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Bob Jones

Address: 4873 South State Street

Comments: Mr. Jones said they came in for eighteen units and had it all laid out. Mr. Draper came back and said based on twenty-two units per acre, your short and can only have seventeen. They approached the neighbor to the north and bought that property. The site plan is not up to date. Height is twenty-eight feet and said would like a rooftop garden plan. Mr. Draper worked with them to meet the ordinances and standards. Eighteen feet from side yard, underground is eight feet. Took away straight through entrance and made it wider. In essence he agrees with staff recommendation and almost completely with community council recommendation. They'll build with the twenty-seven units, but won't be able to build as nice. Two full handicap use units, four single bedroom units and he is excited about the plan and net zero. They have no problem with the height, just need the twenty-four units.

Commissioner Janson asked if it was an apartment complex. Mr. Jones applicant confirmed and made the way wider. Mr. Jones said widened the drive from the east to eliminate the second exit. Underground parking has forty parking stalls for the twenty-nine units and thirty-two above ground. Commissioner Ober asked what the open space requirements are. Mr. Jones said 42% and they are above that. The materials are stucco, stone and semi metallic material. Architectural feature is close to the Tracy aviary front. Commissioner LaMar confirmed there wouldn't be an actual roof. Mr. Jones said it is a flat roof for solar.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said they reviewed this at the February meeting and had an hour long discussion. Several residents were in attendance. They voted 5-3, however listening to comments regarding parking,

transient, rises in crime led to the discussion. The rezone has been presented and the information presented is just a design. Request garden terrace removed, however some changes have occurred, vote may not be in favor to pass. Stay on the rezone.

Commissioner Stephens asked about the density. Mr. Haller said was twenty-two, not twenty-four.

Speaker # 3: Applicant

Name: Bob Jones

Address: 4873 South State Street

Comments: Mr. Jones confirmed the display boards are the exact boards taken to the community council meeting and there have been zero changes.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion. Commissioner Janson said adding the 3rd parcel, design can change and so can owner. Commissioner LaMar would like to keep it at the lower level, height at thirty feet. Commissioner Stephens said if you add the height condition it becomes a zoning condition. Commissioner Stephens looked at adjacent properties, area will see substantial change. Commissioner LaMar said the area is in transition.

Motion: to recommend approval of application #29813 to the County Council, adding a zoning condition of 24 units per acre and limit height to 32 total feet to the peak.

Motion by: Commissioner LaMar

2nd by: Commissioner Janson

Vote: commissioners voted unanimous in favor (of commissioners present)

Administrative

29652 – (Continued from 01/13/2016) - Wendell Alcorn is requesting preliminary plat approval of an amended subdivision to combine two existing single-family lots and conditional use approval to consider an existing home a guest house/accessory structure. In addition, the applicant is seeking a recommendation on the amended subdivision for a 608 meeting, and a recommendation for an Exception to Roadway Standards for an existing access drive. **Location:** 4294 & 4302 South Adonis Drive. **Zone:** R-1-21 (Single-Family Residential) **Community Council:** Mt. Olympus. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Spencer Hymas provided an analysis of the Staff report.

Commissioner Stephens said the power on south in the area of private utilities, not likely a private easement. Commissioner LaMar asked if each parcel is undersized. Mr. Hymas said combining the parcels, they would be in compliance. Commissioner Janson said it doesn't say how big the house is. Commissioner Stephens said 5300 square feet, indoor pool, and 4-5 bedrooms. Commissioner Janson said technically they would have to get rid of the other drive way. Mr. Hymas said that is an exception to keep the driveway. Commissioner Janson asked when it gets approved and new owner. Mr. Hymas said they would be able to subdivide back, may not have to vacate utilities and can be accomplished. Mr. Preston said what's being requested is an amendment to the subdivision plat. Mr. Preston said would not be able to rely on the existing plat, they would have to come back. Commissioner Janson confirmed they would have to do a rezone.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Representing Mr. Lawson

Name: Wendell Alcorn

Address: Taylorsville

Comments: Mr. Alcorn said since the community council meeting, they have obtained some documents from the utilities and received one from Questar, and Mt. Olympus improvement district provided records showing the sewer drains. Century link said they don't vacate easements and they just allow it. As it's shown on topo maps, it is just an easement. Petition and topo maps were provided to Rocky Mountain Power, but haven't heard back. He provided copies of his documentation.

Commissioner Janson asked if flood plain was researched. Commissioner Stephens said the area is in a flood zone, with a lot of houses in the flood zone. Mr. Alcorn said Neff creek deviates the flood zone to the south home. Commissioner Janson asked if south home was bigger, as he thinks it's smaller.

Speaker # 2: Mt. Olympus Community Council

Name: Jeff Silvestrini

Address:

Comments: Mr. Silvestrini said they haven't seen new information of the vacation of utilities and that was a basis for asking for continuance. They still didn't have it at the February 2nd meeting. He suggests submittals be scrutinized. They had four citizens concerned, this will be a white elephant and concern in the neighborhood. What happens when the owner wants to sale the property and may not be able to because of the unique situation. There are other big houses in the neighborhood, but are against it. On February 2nd the community council went off about property values and long term and could be subdivided and put back the way they were. Because this is unusual and out of character, it creates a dwelling structure and they stand on their denial of the application. They appreciate the creativity and characterizing as an accessory structure, but completely unusual and detrimental to the neighborhood.

Commissioner LaMar asked it didn't seem like he objected the sky bridge and why now. Mr. Silvestrini said they have more trouble with what they are left with.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion. Commissioner Stephens said he knew the family that owned the south home, but this is not a reason for recusal. Fundamentally, this would be a bad move to approve the amended plat. Commissioner Stephens asked in the event of denial, can the southern home still be used, instead of easy access. Simply nothing detrimental to the owner and process by which the admitted subdivision can take place, the accessory structure has to be subordinate. If this is resold and rewound, would have to apply for a rezone and clarify if one home is a guest house.

Mr. Preston said there are questions of standard for approving subdivision and approving an amended subdivision. For approving an amended subdivision, you would state said approval can be granted with land use approval and find a good cause, low standard. Commissioner Stephens said the word "may" and the land use approval will approve, so they have discretion. Sky bridge comes close to a duplex and the only way it wouldn't be is to limit interior walls or doors, so the two can easily communicate. A de facto duplex in a residential area. Commissioner Janson asked if a guest house has to be attached, making sure duplex would be doors, walls and impossible to separate the two structures. Mr. Hymas said a fine line between separating, it doesn't become a two family dwelling until you have two separate families living under one roof. Commissioner Janson said conditional use approval for a guest house of

1200 square feet, this is 5300 square feet, violating subordinate guest house any way to mitigate how big it is. The amended subdivision has the word "may" in there and he doesn't like the fact they have to come back for a rezone. The driveway doesn't bother him at all and is concerned with the first one. Commissioner Stephens asked if the planning commission denies it, does it still go to the mayor. Commissioner Jemming said seems to him there isn't a choice but to do this and let the owner enjoy his properties and he doesn't see how this could impact the neighbors. Commissioner Ober said whatever happens, she wants to make sure to allow for two driveways and future separation and allow for an easy process to separate the properties. With the terms of guest house, impact is precedence to follow guidelines, are we okay with a 4000 square foot guest house in the backyard. The community council has a good point and could make it difficult if things don't work in the community, it impacts the neighbors. Commissioner Jemming said can't speculate this is going to be a duplex. Commissioner Ober asked if this can be a temporary conditional use. Mr. Preston said conditional use if approved would be permanent, and in this situation you could put a temporary approval on this condition and have to think about what will happen after nine months and there is no sky bridge.

Commissioners had a brief discussion regarding temporary conditional uses. Commissioner Janson asked if they have to do the condition to do the sky bridge. Mr. Preston said the conditional use is to have the two structures legal.

Motion: to recommend denial of application #29652 for conditional use approval of the guest house, as the house is too large given the county standards.

Motion by: Commissioner Janson

2nd by: Commissioner Ober

Vote: Commissioner LaMar voted nay, all other commissioners were in favor (of commissioners present). Motion passed.

Motion: to continue recommendation of approval for the amended subdivision at a 608 meeting and recommendation to the Mayor for an exception to roadway standards on application #29652 to the March 16th meeting, in order to allow the applicant and Staff to look into alternative solutions to the application.

Motion by: Commissioner Ober

2nd by: Commissioner Jemming

Vote: Commissioner Janson and Commissioner Stephens voted nay, all other commissioners were in favor (of commissioners present). Motion passed.

BUSINESS MEETING

Meeting began at – 6:47p.m.

Approval of meeting minutes were postponed to the March 16th meeting.

- 1) Approval of Minutes from the October 14, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

- 2) Approval of Minutes from the November 18, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

3) Approval of Minutes from the December 16, 2015 meeting.

Motion:

Motion by:

2nd by:

Vote:

4) Approval of Minutes from the January 13, 2016 meeting.

Motion:

Motion by:

2nd by:

Vote:

5) Approval of policy on Electronic Meetings.

Motion: To Approve the policy on Electronic Meetings as presented.

Motion by: Commissioner Ober

2nd by: Commissioner Janson

Vote: commissioners voted unanimous in favor (of commissioners present)

6) Ordinance Issues from today's meeting

7) Other Business Items (as needed)

8) Introduction of Millcreek Town Center Development Plan (2300 East 3300 South).

9) R-M Draft Ordinance – Discussion

MEETING ADJOURNED

Time Adjourned – 6:49p.m.

MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, April 13, 2016 4:00 p.m.

Approximate meeting length: 4 hours 19 minutes

Number of public in attendance: 30

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Stephens

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

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
John Janson	x	x	
Tom Stephens (Chair)	x	x	
Geralyn Parker Perkins	x	x	
Ann Ober (Vice Chair)	x	x	
Shawn LaMar	x	x	
Andrew Gruber			x
Pam Juliano			x
Jon Jemming (Alternate)			x
Julia Tillou (Alternate)			x

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson	x	
Jeff Miller	x	
Spencer Hymas		
Rolen Yoshinaga	x	
Todd Draper	x	
Alison Weyher	x	
Tom Zumbado	x	
Chris Preston (DA)	x	x

PUBLIC HEARINGS

Hearings began at – 4:02 p.m.

29877 – Salt Lake County Township Services requests a recommendation to the Salt Lake County Council on the Millcreek Town Center Development Plan as an amendment to the Millcreek General Plan. The development plan specifically addresses history, character, opportunities, design, implementation tools, transportation and land use goals and objectives, and data for the management of future investments into the 2300 East area at I-80, 3300 South and Evergreen Avenue. **Presenters:** Alison Weyher, David D. White, Todd A. Draper

Salt Lake County Township Services Planner Todd Draper provided information regarding the amendment to the Millcreek General Plan.

Commissioner Ober said the other two community councils did not provide input at this time. Mr. Draper said they were all notified. Commissioner LaMar said Mt. Olympus Community Council asked about a zoning letter. Mr. Draper said there is no zoning.

Commissioner Stephens asked about the underlying zoning ordinances and funds availability and going after a grant for zoning. Mr. Draper said he does not have any information at this time.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Economic Development Director

Name: Alison Weyher

Address: 2001 South State Street, N3-600

Comments: Ms. Weyher explained how they got here. Started in 2014 with a grant from WFRC. They proposed to study land use, working with sidewalk and street plan. As they work through the process it is inappropriate to recommend establishing a redevelopment project here, which would be Millcreek City. Same thing goes with zoning and since no developments are on the table, thoughts of Millcreek City should propose the zoning. They will provide a plan and move forward. Regarding any excess funds, there aren't any. Come next year Millcreek could apply to WFRC and would be eligible.

Ms. Weyher said when they started the study, they were committed to community involvement and ended up having a long series of public meetings. The focus changed and it's clear how much Millcreek loves the area. Revisiting and reshaping the plan, the area at I80 with characteristics, central intersection at 2300, 3300 and Evergreen. Each area deserves to be treated separately.

Commissioner Stephens asked for summarized notes if she has more points. Commissioner Ober said the district is a distinct district. Ms. Weyher turned to the page where it talks about history on the state registry. Commissioner Janson said he likes the noodle focus and thinks the idea of striking out corridors and weak commercial zones show up. One community council said to remember and this is probably not the only town center in Millcreek. Commissioner Ober said as the new city chooses to go through the new process, it will come about naturally. Commissioner Stephens referred to the map land use by parcel in the packet. Ms. Weyher said it is interesting. The orange parcels are existing commercial. All pale green is residential uses, yellow is in zoning call it institutional, green are vacant land. She is surprised by the magnitude of the residential uses. Commissioner Ober asked how corridors change over time. Ms. Weyher said over time you can see more commercial uses, like the optical. A home converted, but still zoned residential. If 2300 east gets a lot more traffic and turned into a busy street. Holbrook mortuary explained they get 90% business within a five mile radius. This is a neighborhood and community and important to invest. Commissioner Ober said this area reminds her of 1100 East and Sugarhouse. Ms. Weyher said park city did that and rerouted the traffic off Park Avenue and sent to the side and preserved the character. Commissioner Janson said it does take a different kind of zoning, still to think about for a zoning process.

Speaker # 2: Citizen

Name: Conrad Evans

Address: 1023 Fair Bluff Drive

Comments: Mr. Evans said any change of zoning should be held in abeyance, until Millcreek City.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: To recommend approval of file #29877 to the County Council on the Millcreek Town Center Development as an amendment to the Millcreek General Plan.

Motion by: Commissioner Ober

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

Salt Lake County Township Services Planning and Development Director Rolen Yoshinaga said Mayor Ben McAdams has a financial interest in this subject property. Commissioner Janson asked if he owns property or if he has interest. Mr. Yoshinaga said he doesn't know.

29663 – (Continued from March 16, 2016) – Jacob Ballstaedt is requesting a rezone from R-1-8 to R-1-3 on 1.37 acres. **Location:** 3511 South 1100 East. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the staff report.

Commissioner Stephens asked the density change. Mr. Zumbado confirmed nine per acre. Commissioner Ober confirmed it has not been discussed with the community council. Mr. Zumbado confirmed they did hear the R-1-4 application. Commissioner Stephens confirmed the community council knew they were requesting an R-1-4 and is less density than R-1-3. Mr. Zumbado confirmed they did. Commissioner Janson asked if in the general plan this is a stable area. Mr. Zumbado confirmed and surrounding is R-1-8.

Commissioners and Staff had a brief discussion regarding the meeting packet and general plan. Commissioner Stephens asked commissioners if they don't have an updated staff report are they going to continue it. Commissioner Ober said she would like to hear from the public. Commissioner Janson asked if they are asking for R-1-4, do we discuss R-1-3. County Counsel Chris Preston confirmed discussion should be R-1-4.

Commissioner Stephens gave direction how they will invite the public to speak.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant Garbett Homes

Name: Jacob Ballstaedt

Address: 273 North East Capital Street

Comments: Mr. Ballstaedt said based on the discussion, there were three requests made. First go back to community council and get their response, asked to reevaluate the zone and reevaluate the setbacks. They made the reduction from fourteen units to eleven. The density was still allowable under R-1-4. It was discussed they could only do nine and eleven is allowable. They went back to community council with new zone and evaluated the perimeter setback and able to change all the perimeter is minimum fifteen feet. When they went back to the community council, it was not received well. The neighbors there would prefer zoning to stay what it is. What they are doing is reasonable and homes will be obtainable. They are trying to accommodate the wishes of the people involved. He provided some photos and drawings. Removing some blatant structures that are not contributed to the neighborhood, it will improve the neighborhood and make a big impact. Was brought to the community council for townhomes and received a favorable recommendation. Property is zoned R-1-8 and doesn't represent what is built there. He showed a map of parcels that don't comply with R-1-8. Request positive recommendation to County Council.

Commissioner Janson asked about twenty-five to thirty-six feet in height. Mr. Ballstaedt said the roof pitch varies. Commissioner Stephens confirmed top of the gavel. Commissioner Janson asked about the red lots on the map, is it generally 6,000 square feet. Mr. Ballstaedt showed only four lots in the R-1-8

zone. Commissioner Ober asked how many units they would be at for an R-1-5. Mr. Ballstaedt said the portion to the east and to the west is most dense on the property. They're replacing three attached properties with three single family homes. Mr. Zumbado confirmed 9.95 units in R-1-5.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said they are not in favor of approving the application brought forward. Forty people attended the community council meeting.

Speaker # 3: Citizen

Name: Conrad Evans

Address: 1023 Fair Bluff Drive

Comments: Mr. Evans said they haven't heard any comments made addressed as to the opposition to problems. Some homes don't make current zoning. The problem on Lorraine Avenue, they don't want to have here. If two cars are parked, it's almost impossible to drive down the street. No way to get emergency vehicles in there to turn around. If the cars are out on 1100 east, it is still a problem. Flood control problem, but doesn't think it's recommended. Traffic, safety hazards, and just because something happened a long time ago, doesn't think they should happen now. Should be maintained as R-1-8.

Speaker # 4: Citizen

Name: Alison Long

Address: 1176 East Lorraine Drive

Comments: Ms. Long said she is not opposed to develop. They're concerned with density and up to twelve homes in the R-1-4. Garages and off street parking will push cars onto 1100 east. Traffic is already intense and turns into a four way intersection. More traffic onto Lorraine drive, it's a cut through, narrow Street. Floodplain issue, what are they going to do to the houses on the west side. Changing to R-1-4 can allow twelve homes, trying to make more and step in a right direction. For her, R-1-6 would allow eight homes and more plausible for the neighbors. Average size lot is 5,000 to 6,000 square feet and stays compatible with the neighborhood.

Speaker # 5: Citizen

Name: Kelly Wood

Address: 3445 South 1100 East

Comments: Mr. Wood said in the last meeting at Millcreek Community Council, Mr. Ballstaedt represented these will be starter homes and the new generation doesn't want a yard. There isn't commitment and they won't take ownership of the neighborhood. Where he lives, there is a duplex across the street and there is a business. He has anywhere from two to six full size vans to haul. He can't even get in and out of his driveway and can't see going forward. If there is more traffic parked on 1100 east, this would be a fatality. Lights at 3900 and 3300 are very long, people will start using the side streets. The commission last month was talking about RCOZ from the stream 100 feet. They aren't close and they heard as an R-1-4, they said they haven't addressed that yet, why are they wasting time. He feels like the people living there have made the decision. The Mayor owns a portion of this property and has a strict conflict of interest. He requests them to make the right decision.

Speaker # 6: Citizen

Name: Sonia Lauzier Agnello

Address: 1148 East Lorraine Drive

Comments: Ms. Agnello said she echoes the same concerns as neighbors, this area is stable. Meeting last year from R-M, approved by the community council. She appreciates the setback from fifteen feet. Feels

R-1-6 to R-1-8 would be more acceptable. She would rather have backyards abutting hers. Mr. Ballstaedt mentioned would be putting three single family houses on the lot. She isn't opposed to develop, but too dense for this neighborhood.

Speaker # 7: Citizen

Name: Jubie Varoz

Address: 3513 South 1100 East

Comments: Mr. Varoz said he lives south from this property and runs back two hundred forty-three feet. They are neighbors from the property and concerned with the driveway they have planned for the creek. Need a noise buffer and this is right next to his bedroom windows. All bedrooms are on the north side of his house and three feet from the river. He was a firefighter for 30 years, some big rigs won't work. Once an emergency vehicle goes in, there are more behind it. The property road would be where the duplexes are and right next door to his bedroom windows, but they need noise barrier before construction. Father-in-law lives down the street and he owns the property next to him. Now worried about the floodplain.

Speaker # 8: Citizen

Name: Ken Woods

Address: Not provided

Comments: Mr. Woods said their drawings show they want to put three story houses on the property. Six feet taller than his home and another home right behind his property. Should stay with R-1-8.

Speaker # 9: Citizen

Name: Sandra Ence Paul

Address: 1162 East Lorraine Drive

Comments: Ms. Paul said her biggest concern is if zoning is changed, developer is under no obligation to go by what's proposing and go with largest number of homes allowed. Encourage not to change the zoning and the safety of Lorraine drive, no sidewalks or gutters on Lorraine drive. Small children in the neighborhood and increasing traffic would not be good. Safety, density and height, doesn't want thirty feet high next to her home.

Speaker # 10: Citizen

Name: Sheryl Mather

Address: 3453 South 1100 East

Comments: Ms. Mather said the development is important to the neighborhood. A lot of development along 1100 in the last decade. Property values, less safe. Neighbors putting houses for sale and assets to the community. People will move out if density creeps in. Children walk passed there, this is a bad idea. R-1-8 is great, but anymore density will create major problems in the neighborhood.

Speaker # 11: Citizen

Name: Christie Silver

Address: Not provided

Comments: Ms. Silver said she has a small home. Her concern if they change the zoning law, they'll open Pandora's Box. If developer changes the zoning, who knows what can be developed. She's seen a lot of big developments. She doesn't think anyone is interested in building small homes.

Speaker # 12: Citizen

Name: Pat Norris

Address: 3672 South

Comments: Ms. Norris said she was never informed about a previous meeting. The two duplexes they provide rentals and housing for lower income individuals. In his mind they may be rundown, but have

accommodated housing. What about the existing families living on Lorraine drive and houses surrounding. All new homes impact the families. She likes the idea of keeping zoning at the minimum and fit into the community standard. There are homes built to her north that are obnoxious.

Speaker # 13: Applicant Garbett Homes

Name: Jacob Ballstaedt

Address: 273 North East Capital Street

Comments: Mr. Ballstaedt said he appreciates comments. During the process, they have reached out and they hear their voices and concerns. They are doing the best they can. Question about safety, fire access and emergency vehicles. Right of way is twenty feet wide and wide enough to accommodate a hammerhead turn around for emergency access. Areas across the north are garages and homes are along Lorraine, in addition increased setback to fifteen feet. Impact is minimal. Traffic on Lorraine, they can't drive there, they could walk there, but not directly. People in and out would use 1300 east. Current zoning allows for duplexes, they aren't interested in doing duplexes, and to do single family. The creek is to the south. Flood way where you cannot build on. 100 year flood plain is not an issue. Parking issue, all have two car garages and driveway would accommodate two additional cars. 1100 east has a wide shoulder, but they believe they have enough parking. Local builder for providing housing in a sustainable way. Seek after homeowners interested and 50% energy efficient. This is a reasonable request and will bring families into the neighborhood. Request vote for positive recommendation.

Speaker # 14: Property Owner

Name: Phil Winston

Address: Not provided

Comments: Mr. Winston said this was brought before a year ago with Wayne Corbridge, Sego Homes. Planning Commission to go back with R-1-3. Don't do single family houses, they solicited Garbett homes to develop. Redesigned the plan to fourteen homes and redesigned to eleven homes. PUD could get seven townhomes, without coming to the planning commission. Thought single homes could be the best plan. Ben McAdams is involved and has ownership under the trust.

PUBLIC PORTION OF MEETING CLOSED

Commissioner LaMar asked about RCOZ not included to do R-1-3 or R-1-4. Mr. Draper said R-1-3 and R-1-4, being smaller lot sized zones, even a single family residence requires a conditional use before the planning commission. Very unlikely in the more dense zones would be able to be applied. Commissioner Ober asked if the major concern is open space. Commissioner Stephens said impact is height, can add zoning condition. Commissioner Stephens asked planning commission if they are willing to make a recommendation today.

Commissioners and staff and had a brief discussion.

Motion: To continue application #29663 to the May 11th meeting, in order to notice the new requested R-1-4 zone.

Motion by: Commissioner Janson

2nd by: Commissioner Ober

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Janson recused himself from application #29766, as he has a conflict.

29766 – Bob Jones requests conditional use approval for a 29 unit residential multifamily development. This application is also contingent on rezone application #29813. **Location:** 3961 -3971 South 300 East. **Zone:** RM z/c. **Community Council:** Millcreek. **Planner:** Todd A. Draper

Salt Lake County Township Services Planner Todd Draper provided an analysis of the staff report.

Commissioner LaMar said the application is for 29 units and community council request 15. Mr. Draper said the original came in and proposed 18 units. He approached neighbor and put the piece of paper under contract with the additional land came through for rezone and change to zoning conditions. Parking sits underground, complete throughout. Commissioner Stephens said since they saw the conceptual plans, have there been a change in number of units or setback. Mr. Draper said no change to number of units and he doesn't think there was a setback change. Technically only setback 14 feet, to balcony above grade, but meets ordinance.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Bob Jones

Address: 4873 South State Street

Comments: Mr. Jones said the plan hasn't changed except for by the suggestion of planning staff and worked with diligently. The last time he met, he brought a drawing of the parking below surface and the building. He has elevation photos. All they did is remove roof stuff. They have been steady with their plan and saying what they want to do. All the things done to meet the county requirements. They are building something unique. Differences in their projects from others. Built passively, it means they are airtight and engineered airflow in the unit and use 30% energy of a normal unit. NetZero and powered by solar in the net power program. They will be producing energy during the day and at night rocky mountain power will give back. They are donating more energy than used to the poor.

Commissioner Ober asked if they're doing this on the roof. Mr. Jones said handicap parking is solar on the surface. Commissioner Ober asked with the rooftop removal to add the solar panels. Mr. Jones said underground and secured parking. Mr. Jones said using handicap and there is a need for that unit. Center unit on bottom will radiate heat up the sidewalks and built for a handicap person. After meeting with Millcreek, it's hard to understand and underline message received from the role of community council, they were told the area is so terrible and idiots for wanting to develop there. He sees the area as different and was suggested to gate it. If it's a problem for planning staff, they are willing not to do it. Street is ample to handle what they want to do. All units built smart, central brain being designed. Each unit will have audio and visual, video doorbell encoded on cell phone. Really modern and super excited. Using durable interior materials, granite countertops and laminate flooring. Soundproofing. Certainly couldn't afford to do this with a fifteen unit. Fire protected. Great, young white collar appreciation. Underground electric plug in stations, bicycle racks, motor cycle parking. Commissioner LaMar asked for height of underground parking. Mr. Jones said nine feet. Commissioner LaMar asked about shortage of square footage. Mr. Jones said had positive vote 7-2 at eighteen units and it came down to a math equation. When they did the survey, they discovered they were forty feet short and purchased additional land.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said he commends Mr. Jones on the property. Discussed by staff not sure the reduction from eighteen to fifteen. Timeline went through and height and density was always an issue. It was a favorable recommendation.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: To approve application #29766 as presented with staff recommendations.

Motion by: Commissioner Ober

2nd by: Commissioner Perkins

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Janson rejoined the planning commissioners.

29759 – Richard Smith is requesting a rezone from R-2-10 (Medium-Density Residential) to R-M (High-Density Residential). **Location:** 4108 South 900 East, 4102 South 900 East, and 865 East 4125 South. **Community Council:** Millcreek. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the staff report.

Commissioner Stephens asked what the current R-2-10 zone might be subject to. Mr. Miller said he isn't certain. Commissioner Stephens asked if the applicant only owns one of the five lots, which is a duplex changing to a fourplex. Planning staff received affidavits and consent to move forward. County Counsel Chris Preston said the affidavits would be adequate for the rezone request. Commissioner Stephens asked about the two properties to the southeast corner. Mr. Miller said would need to talk to the applicant. Commissioner Janson asked if under R-M for fourplex, would that be permitted or conditional use. Mr. Miller said he believed permitted and need more parking. Commissioner Janson said the units to the south are single family homes and across the street is one duplex. Commissioner Stephens asked if there is an R-4 zoning. Mr. Miller said there is an R-4-8.5 zoning. Commissioner Stephens asked if it would solve the zoning violation. Mr. Miller said he hasn't looked into it. Commissioner Parker asked what everything is along the back part of one of the lots. Mr. Miller said just random stuff.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Richard Smith

Address: 2174 Pheasant Way

Comments: Mr. Smith said they bought 418 South in 1996 and have a home on it. They are vested. They sanded the floors and casings and kept it authentic. When they moved out and were concerned with 900 east. Previous owner had seven kids and only one was hit by a car. They started renting the property. It wasn't as modern and the quality of renters weren't up and was destroyed by a tenant. Have had wonderful experiences and enjoys being a landlord. He plans to keep the property and anything housed around it he wants to keep. They took to Millcreek and they liked what was built.

Mr. Miller said when it was mentioned at the community council, two property owners to the south hadn't agreed to be owners. Millcreek was in favor of this request. Mr. Smith said they have always wanted to improve the property. They thought if they can widen the property they can do something on it. Being narrow there isn't anything that can be worked with. They were advised to have continuous zoning. The neighbors are in support. Commissioner Stephens asked if he approached the neighbors at the corner. Mr. Smith said he didn't and didn't want to. He has been in contact the architect that designed the fourplex for him. Commissioner LaMar asked if he thought of any other zones. Mr. Smith said he didn't think to go against the request. He doesn't want to have one big unit apartment in there. What they have is similar to what they have there. Commissioner LaMar asked how much acreage. Mr. Smith said he

thinks over an acre. Maximum height thirty-five feet. Condensed R-M apartments to the north. To the north the property is blighted.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said the community council was in favor, thirty-five foot condition added on. Caution that community council hears this first, as may sway to the vote.

Commissioner Janson asked if they talked about the duplex. Mr. Haller doesn't believe that was discussed.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

PUBLIC PORTION OF MEETING REOPENED

Speaker # 3: Applicant

Name: Richard Smith

Address: 2174 Pheasant Way

Comments: Mr. Smith said they plan to stay within what they have. If it were four per building, eighteen units per acre. Propose townhome type model. Eight to ten foot side yard, R-M zoning. Nothing attached, they have a rough plan to show.

Commissioner Stephens asked if original reason to rezone to R-M and wish to change the two-plex to four-plex was that was recommended by planning staff.

Speaker # 4: Applicant's spouse

Name: Laurel Smith

Address: 2174 Pheasant Way

Comments: Ms. Smith said getting rid of the blight and there is tandem parking. All back lots not being used, could have great development put on them and improve the area.

Commissioner Janson asked if the new units being proposed are two bedrooms. Ms. Smith confirmed. Mr. Miller said required one covered stall.

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Staff and Counsel had a brief discussion.

Motion: To continue application #29759 to the May 11th meeting.

Motion by: Commissioner LaMar

2nd by: Commissioner Janson

Vote: Commissioner Perkins voted nay, all other commissioners voted in favor (of commissioners present). Motion passed.

29837 – Jaime Walker is requesting RCOZ Option C approval for an exception to the building envelope provision for an accessory building and/or structure at the subject location. **Location:** 1725 East 4620

South. **Zone:** R-1-10 (Single Family Residential). **Community Council:** Millcreek. **Planner:** Spencer Hymas

This file #29837 has been withdrawn from the agenda.

29853 – Jake Wood is requesting approval for a rezone from M-1 to C-2. The parcel is 0.94 acres. **Location:** 27 West 3900 South. **Community Council:** Millcreek. **Planner:** Spencer Hymas

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Jake Wood

Address: 1468 East Emerson Avenue

Comments: Mr. Wood said it adjoins parcels to the north, not east. Standardize the zoning and then a lot consolidation of two and a quarter acres. Develop with TOD mixed use zoning. General concept is to do residential mixed used, with small area plan.

Commissioner LaMar said if combining total acres, what they consist of. Mr. Wood said vacant, vacant and farm house. Commissioner Ober asked on C-2 zone, what type of residential can be seen. Mr. Wood said he has considered along the lines it isn't large enough to do standard grocery store, but some type of market. He thinks economic development mentioned a used tire store and hopefully convince to sale and square off. Mr. Miller said maximum for residential, multiple or dwelling groups allowed.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said they heard this application on March 1st and provided a favorable recommendation.

Commissioner Ober asked if they were open to designs, based upon any conditional uses or applications associated. Mr. Miller said height wasn't identified.

PUBLIC PORTION OF MEETING CLOSED

Motion: To recommend approval of application #29853 to the County Council with Staff and Community Council recommendations.

Motion by: Commissioner Perkins

2nd by: Commissioner Janson

Vote: Commissioners voted unanimous in favor (of commissioners present)

29819 – Aaron Grennon is requesting a new conditional use for a parking lot. The parcel is 0.26 acres, and is currently occupied by a duplex. **Location:** 4043 South 300 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer Hymas

Motion: To continue application to the May 11th meeting.

Motion by: Commissioner LaMar

2nd by: Commissioner Ober

Vote: Commissioners voted unanimous in favor (of commissioners present)

29800 – Colin Strasser – Requesting preliminary plat approval for the Strasser Flag 2 Lot Subdivision.

Location: 1893 East 3900 South. **Zone:** R-1-6. **Planner:** Spencer Hymas

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Colin Strasser

Address: 1935 South 900 East

Comments: Mr. Strasser said he is excited about another plan and saw great success and will see the same here. He took the garage out and now plans to put a new garage in.

Commissioner LaMar asked if the house will stay or going down. Mr. Strasser said every month he questions that.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #29800 as presented with Staff recommendations.

Motion by: Commissioner Janson

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

BUSINESS MEETING

Meeting began at – 8:05 p.m.

- 1) Approval of Minutes from the January 13, 2016 meeting.

Motion: Continued to the May 11th meeting.

Motion by:

2nd by:

Vote:

- 2) Approval of Minutes from the February 10, 2016 meeting.

Motion: Continued to the May 11th meeting.

Motion by:

2nd by:

Vote:

- 3) Approval of Minutes from the March 16, 2016 meeting.

Motion: Continued to the May 11th meeting.

Motion by:

2nd by:

Vote:

4) Bylaws Adoption (**Continued from March 16, 2016 meeting**)

Confirmed they have been read and adopted by the County Council.

5) Sign ordinance discussion.

Commissioners had a brief discussion.

Motion: To request Staff begin the process of updating the sign ordinance.

Motion by: Commissioner Janson

2nd by: Commissioner Perkins

Vote: Commissioners voted unanimous in favor (of commissioners present)

Request staff begins the process of updating the sign ordinance

6) Other Business Items (as needed)

Commissioner Janson said they are meeting as Millcreek incorporation facilitated by Commissioner Janson. Candidates, Community Councils and residents at the recreation center.

Commissioner LaMar motioned to close the Business Meeting, Commissioner Perkins seconded that motion.

MEETING ADJOURNED

Time Adjourned – 8:21 p.m.

MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, May 11, 2016 4:00 p.m.

Approximate meeting length: 2 hours 13 minutes

Number of public in attendance: 19

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Ober

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

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
John Janson			x
Tom Stephens (Chair)	x	x	
Geralyn Parker Perkins	x	x	
Ann Ober (Vice Chair)	x	x	
Shawn LaMar	x	x	
Andrew Gruber			x
Pam Juliano			x
Jon Jemming (Alternate)			x

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson		
Jeff Miller		
Spencer Hymas	x	x
Rolen Yoshinaga		x
Tom Zumbado	x	x
Chris Preston (DA)	x	x

BUSINESS MEETING

Meeting began at – 4:03 p.m.

- 1) Neffs Creek Flood Plain Map Amendment – Rolen (With Mapping Flood Risks Pamphlet)

Salt Lake County Township Services Planning and Development Director Rolen Yoshinaga provided information regarding the Flood Plain and FEMA map.

Commissioner Stephens asked if it is two feet above original grade. Mr. Yoshinaga confirmed the house can't start below four feet of grade. First open house by FEMA is May 16th. Commissioner Ober asked about the possibility of doing a one-time fix. Mr. Yoshinaga said could. Commissioner Stephens said 07-08 county flood control was proposing a retention pond. Six or seven years ago, this will still remain in county funds. Mr. Yoshinaga said this will affect any new building or remodel by 50%. Commissioner LaMar asked if FEMA standards are adequate enough. Mr. Yoshinaga said based on experience and science. Commissioner Stephens asked about Millcreek Canyon and is FEMA looking at the mouth of Millcreek. Mr. Yoshinaga said they are looking at everything.

Commissioner LaMar arrived at 4:07pm

PUBLIC HEARINGS

Hearings began at – 4:16 p.m.

29663 – Jacob Ballstaedt is requesting a rezone from R-1-8 to R-1-4 on 1.37 acres. **Location:** 3511 South 1100 East. **Community Council:** Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the changes to the staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Jacob Ballstaedt

Address: 273 North East Capital Street

Comments: Mr. Ballstaedt said they continued outreach with neighbors and understand main concerns. Reasonable minds, builders and neighbors and change the functions and appeal to neighbors. They lost a lot and now there are ten. Green space on north and south side of road. Now neighbors have no one next to them and it helps the neighborhood. In the rezone request in the past, concerns R-1-4 may allow to do additional units. Made an agreement with neighbors, will do no more than ten units. Willingness for neighbors and sellers to work with them. Request positive recommendation

Commissioner Stephens said he noticed a memorandum to a neighbor about height. Mr. Ballstaedt said they are eliminating two story homes. Twenty-five to thirty feet high depending on height. Will limit to two stories.

Speaker # 2: Millcreek Community Council

Name: Chris Haller

Address: 1149 East Elgin Avenue

Comments: Mr. Haller said they have not had a chance to review the new information. Taken into account would encourage the planning commission look at establishing a height. They would recommend a height restriction no greater than thirty feet.

Speaker # 3: Citizen

Name: Jubie Varoz

Address: 3513 South 1100 East

Comments: Mr. Varoz said he is the neighbor south of property. Two hundred forty-three feet from 1100 east to the rear of his property. Directly across the creek from the driveway. Main concern is noise fence covering the length of his property. All three of his bedrooms are on the north side, if they don't put a fence before construction, his house is three feet from the creek.

Commissioner Ober asked if he is worried about the construction of longevity. Mr. Varoz said privacy fence will not do, just a sound barrier fence and the peace. Commissioner Perkins asked if the far east end would be disturbed. Mr. Varoz said he is concerned about the length of the house. Commissioner Ober asked if his house is from 1100 east to the start of house one. Mr. Varoz is concerned just with the length of the home and all bedrooms right up against there. He said he'll have flooding if they don't protect it.

Speaker # 4: Citizen

Name: Branden Hodges

Address: 3519 South 1100 East

Comments: Ms. Hodges said her kids play in the backyard every day. The aerial view doesn't seem like a big deal, but when you're there it will be better, but bells and whistles don't fix all the problems. They'll come in and make money but won't have to deal with all the issues. A one way road will cause more traffic, noise and construction. Is there a set amount of time or will they sell unit by unit or all at once. Resident didn't want to block new homes with having view and sound of the river, but the only thing seeing the river is the road. Why couldn't they do more privacy fence on the north side. 1100 east is so noisy and busy, the additional street will cause a lot of issues for a lot of residents. A lot of people don't understand there are a lot of people upset and lived there a long time, but will come and disrupt.

Commissioner Ober asked about kids playing in backyard. Ms. Hodges said she is concerned, because in the back yard there is chain-link and the river, greenery and vines covering the fence. The houses will look right down in on her parents and her house.

Speaker # 5: Citizen

Name: Alison Long

Address: 1176 East Lorraine Drive

Comments: Ms. Long said she has been working with Mr. Ballstaedt and come to an agreement with the neighbors concerns. On Lorraine drive or on the backs and with Garbett homes, they have been willing to listen. She asked if the agreement is binding and required to build according to this. Taking house one out makes it better. They would put a fifteen foot setback. Everyone on Lorraine will be one hundred feet from where these houses are, honestly they'll probably have more problem with her, than she will have with them. All the neighbors are willing to work through. Height restriction and limits, she doesn't think the zone allows. She is in agreement if this is what they can do. Sound barrier on the south side. Neighbors are afraid if you change the zone others out there will build with the density. She passed out the agreement they came to, looks like the best deal they can get. Neighbors still don't like it.

Speaker # 6: Citizen

Name: Ken Woods

Address: 3507 South 1100 East

Comments: Mr. Woods said the height on his house at peak is twenty feet. Twenty-six feet should be the max, at six feet higher than his house.

Commissioner LaMar asked if height was lower, would anything be acceptable. Mr. Woods said twenty-six feet would be fine. No other house in the neighborhood is two stories.

Speaker # 7: Citizen

Name: Kevin Wood

Address: 3445 South 1100 East

Comments: Mr. Wood said he lives north of Lorraine. Everyone says this is going to be developed and doesn't have a problem. Joanne was ok with the new architecture and just need to accept new things happening. Down the road there is a development at R-1-8 and its working. Better property and 1100 east being used highly as a byway, emergency, additional traffic, people and parking, very crowded. Hard to get out on street, if anyone parks by his house he can't see to get out of his driveway and should stay within the R-1-8. The stable property and doesn't see why it should be changed and if they wanted change he doesn't know why they couldn't do it under R-1-8. When they went to Millcreek Community Council, they declined it and the person today wasn't even at this meeting. All things fair and honest Millcreek is

now a city, should be worked back to Millcreek to make that decision. It should be within the stable environment in R-1-8.

Speaker # 8: Applicant

Name: Jacob Ballstaedt

Address: 273 North East Capital Street

Comments: Mr. Ballstaedt said Mr. Varoz concern is sound, his house is three feet from the property line. They made a commitment to address his concerns and will provide barrier. They need an easement for the county to access the water. They will continue to work with Mr. Varoz and his daughter. He needs to look at the building height. They could get to lower heights, the fluctuation of twenty-five to thirty feet doesn't mean it's taller. They're sensitive to building heights. To get to twenty feet would limit architecture.

Commissioner Ober asked about twenty-six feet and he isn't prepared to commit to. Mr. Ballstaedt said when they come back for a PUD that can be discussed. Thoughts about keeping R-1-8 are nice, but the existing neighborhood isn't R-1-8, they were smaller properties. Density proposed will fit in better. Commissioner LaMar asked how much thought was put into R-1-6 or R-1-6.5. Mr. Ballstaedt couldn't do R-1-5, and R-1-6 was less and couldn't make it work with nine.

Speaker # 9: Consultant

Name: Scott Howell

Address: 3686 Cove Point Drive

Comments: Mr. Howell said Commissioner LaMar talked about structures not fitting in. Beauty is in the eye of the beholder. When Garbett came to them and he was very conscious of who to work for. Garbett is the largest green builder in the western United States. The neighborhood will see the benefits of it. This company sets the bar. Company has committed back to the community.

Commissioner Stephens asked if he was running for council or mayor of Millcreek. He is a candidate for mayor of Millcreek along with eight others. Commissioner Ober asked about sustainability, they recommend putting in a stable community without amenities and sidewalks. Mr. Howell said perfect opportunity to tie in and should be a sustainable and walkable opportunity. It will be a neighborhood and this is the best opportunity they have.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion regarding sustainability and density. Commissioner Ober asked about the seven items in the letter. Mr. Preston said just changing the zone from R-1-8 to R-1-4. Commissioner Stephens asked what the number of units allowed in R-1-4 per acre. Mr. Hymas confirmed nine units per acre in R-1-4.

Motion: To recommend approval of application #29663 to the County Council, with a maximum height to the peak of twenty-eight feet and ten maximum units.

Motion by: Commissioner Stephens

2nd by: Commissioner Perkins

Vote: Commissioner LaMar voted nay, all other commissioners voted in favor (of commissioners present). Motion passed.

29851 – Decker & Robyn Adams are requesting approval for an exception under RCOZ Option C development standards regarding lot coverage. **Location:** 3110 South Metropolitan Way. **Zone:** R-1-8.

Community Council: Canyon Rim. **Planner:** Tom Zumbado

Salt Lake County Township Services Planner Tom Zumbado provided an analysis of the staff report.

Commissioner Stephens asked if the garage was built prior to the subdivision. Mr. Zumbado said it was built in 2000 and subdivided in 2002-2003. Mr. Zumbado said it looked like a junkyard. Commissioner Ober said the new home will be closer than the existing garage. Driveway will be on the opposite and there is a garage. RCOZ Option C doesn't have to go through review. Side yard setback combination one foot good on south and one foot bad on north. Commissioner Ober asked what the decision process was on the setback. Mr. Zumbado referred to the applicant. Commissioner Stephens said there is a problem with residential compatibility overlay zone, instead of home being circumstance. Commissioner Stephens confirmed they will need to make two decisions.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Decker Adams

Address: 4275 Holloway Drive

Comments: Mr. Adams said they like the area. They thought this was a good place to build a home.

Commissioner Stephens confirmed the garage existed when they bought it. Mr. Adams said this lot was subdivided in the past year, look out towards the east Grandeur Peaks and west a garage. Make something beautiful and enhance the neighborhood. He sees this being a solution to a problem. Commissioner Ober asked why they decided to leave a six foot side yard. Mr. Adams said maybe ignorance. They thought it was eight feet and eight feet, he didn't realize it was five feet and eleven feet. Coverage makes it hard to build a home.

Speaker # 2: Citizen

Name: Gary Knapton

Address: 3104 Metropolitan Way

Comments: Mr. Knapton said they bought their home in 1980 and love the area. Interesting property and what has resided the entire time. They have been tolerant, some great neighbors, but the collection. What they have seen is a wonderful addition to the neighborhood. Ten foot clearance on their side is not as much a concern and eleven feet would be more of an advantage. The home presented is wonderful and the configuration is a benefit to their property.

Speaker # 3: Citizen

Name: John Adamson

Address: 3098 Metropolitan Way

Comments: Mr. Adamson said this has been interesting and was their first. People there before, the huge garage and business ran out of the garage. A lot more stuff than they wanted. He is objecting to construction. The house being remodeled next to it. He works out of his home. House behind was torn down and construction for 2 ½ years. They'll tear up the road, no plumbing for this land. Original lot is built on two lots. Originally was right of way at the back of the properties. He doesn't know the township can control the building. The business ran out, township couldn't control it. He's tired of construction and doesn't think it fits and builds more coverage. Not consistent with the area.

Commissioner Ober asked if they still wanted the lot and ripped down the garage and still in construction. Mr. Adamson said the house next door has been on the market, but sold. It doesn't hurt his property value. He is concerned with coverage. Commissioner Perkins said this is an exception for an

unusual situation and in this case it's pretty unusual. Commissioner Ober said general consensus, they have a large garage. Mr. Adamson said has a developer trying to make money.

Speaker # 4: Applicant

Name: Robyn Adams

Address: 4275 Holloway Drive

Comments: Ms. Adams said she never thought this would open a can of worms. Lot coverage is an issue and taking the garage away, coverage is 23%, when the area is 33%. It is a beautiful area and hopes the neighbors are good. They would prefer five feet on one side and eleven feet on the other.

Commissioner LaMar asked where in the valley they are. Ms. Adams said 3100 South 3100 East.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: To approve application #29851, as incorporated in the staff report. Side yard setbacks of six feet and 10 feet and lot coverage of 45%.

Motion by: Commissioner Stephens

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

29819 – (Continued from April 13, 2016) - Aaron Grennon is requesting a new conditional use for a parking lot. The parcel is 0.26 acres, and is currently occupied by a duplex. **Location:** 4043 South 300 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer Hymas

Commissioner LaMar motioned to move this item to the June 15th meeting, Commissioner Perkins seconded that motion. Commissioners voted unanimous in favor (of commissioners present)

BUSINESS MEETING (Continued)

Meeting began at – 5:51 p.m.

- 1) Approval of Minutes from the March 16, 2016 meeting.

Motion: To approve minutes from the March 16, 2016 meeting as presented.

Motion by: Commissioner Perkins

2nd by: Commissioner LaMar

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Approval of Minutes from the April 13, 2016 meeting.

Motion: To continue approval of the April 13, 2016 minutes to the June 15th meeting.

Motion by:

2nd by:

Vote:

- 3) Ordinance Issues from today's meeting

Commissioner Ober said pressing issue months ago similar to the application today. She thinks they should be consistent.

4) Other Business Items (as needed)

Commissioners had a discussion regarding billboards.

Commissioner Ober wants a business item added for June 15th to ask Rick Graham and Rolen Yoshinaga at the beginning of the agenda to discuss a slowdown at Salt Lake County.

MEETING ADJOURNED

Time Adjourned – 6:16 p.m.

DRAFT